

P.S.A.
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HOTELS (AMENDMENT) BILL, 2022

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HOTELS (AMENDMENT) BILL, 2022

A BILL FOR AN ACT TO AMEND THE HOTELS ACT

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act, which amends the Hotels Act (*Ch. 288*), may be cited as the Hotels (Amendment) Act, 2022.
- (2) This Act shall come into force on the 1st day of July, 2022.

2. Insertion of a new section 15A into the principal Act.

The principal Act is amended by the insertion immediately after section 15 of the following new section —

“15A. Condo-hotel tax.

- (1) A condo-hotel shall by the 31st January of each year pay to the Chief Valuation Officer a tax to be called a condo-hotel tax.
- (2) The condo-hotel tax is chargeable at seventy-five per centum of the rate of tax applicable to commercial property under the Real Property Tax Act (*Ch. 375*) on the value of the hotel property as assessed by the Chief Valuation Officer.
- (3) Subsections (1) and (2) shall not apply where the operator of the condo-hotel files with the Chief Valuation Officer by the 31st day of January a return showing that the net value added tax paid to the Comptroller in the prior year in respect of the operation of the hotel exceeds the amount of the condo-hotel tax.
- (4) The return under subsection (3) shall be in the form and manner determined by the Chief Valuation Officer.

- (5) Payment of the condo-hotel tax shall be a condition for the renewal of the licence of a condo-hotel under this Act.
- (6) In this section —
- “**Chief Valuation Officer**” has the meaning ascribed to it in the Real Property Tax Act (*Ch. 375*);
- “**Comptroller**” has the meaning ascribed to it in the Value Added Tax Act, 2014 (*No. 32 of 2014*);
- “**net value added tax**” means the value added tax payable by a registrant in accordance with section 46 of the Value Added Tax Act, 2014 (*No. 32 of 2014*).”.

OBJECTS AND REASONS

The Bill seeks to amend the Hotels Act (*Ch. 288*) to impose a condo-hotel tax to be charged on every condo-hotel and paid to the Chief Valuation Officer unless the net VAT paid by the hotel exceeds the amount of the condo-hotel tax.

