

2020-05-21

**OBJECTS AND REASONS**

This Bill would amend the *Stamp Duty Act*, Cap. 91, to provide for stamps to be affixed to documents electronically and for related matters.

*Arrangement of Sections*

1. Short title
2. Amendment of section 2 of Cap. 91
3. Amendment of Cap. 91
4. Amendment of section 40 of Cap. 91

## **BARBADOS**

A Bill entitled

An Act to amend the *Stamp Duty Act*, Cap. 91.

ENACTED by the Parliament of Barbados as follows:

### **Short title**

- 1.** This Act may be cited as the *Stamp Duty (Amendment) Act, 2020*.

**Amendment of section 2 of Cap. 91**

**2.** *Section 2 of the Stamp Duty Act, Cap. 91, in this Act referred to as the principal Act, is amended by*

*(a) deleting the definition of “stamp” and substituting the following:*

“ “stamp” means

- (a) an adhesive stamp;*
- (b) a stamp impressed by means of a die; or*
- (c) a stamp affixed electronically;”;*

*(b) by deleting the definition of “stamped” and substituting the following:*

“ “stamped” with reference to instruments or material, applies as well to instruments or material

- (a) impressed with stamps by means of a die; and*
- (b) to which stamps are affixed electronically*

*as to instruments and material having adhesive stamps affixed thereto.”.*

**Amendment of Cap. 91**

**3.** *The principal Act is amended by inserting immediately after section 3 the following as section 3A:*

**“Application of the *Electronic Transactions Act*, Cap. 308B**

**3A.** The *Electronic Transactions Act*, Cap. 308B shall apply to this Act with such adaptations and modifications as the circumstance requires.”.

**Amendment of section 40 of Cap. 91**

**4.** *Section 40 of the principal Act is amended*

- (a) by renumbering the section as subsection (1); and*
- (b) by inserting after subsection (1) as renumbered by paragraph (a) the following subsection as subsection (2):*

“(2) A person who

- (a) uses an instrument made for affixing stamps electronically for a purpose for which it was not intended or to avoid payment of stamp duty;*
- (b) uses an instrument referred to in paragraph (a) without authority to do so; or*
- (c) affixes a stamp electronically contrary to the directions of the Registrar,*

is guilty of an offence and is liable on summary conviction to a fine of \$5 000 or to imprisonment for a term of 12 months or to both.”.

Read three times and passed the House of Assembly this  
day of \_\_\_\_\_, 2020.

**Speaker**

Read three times and passed the Senate this \_\_\_\_\_ day of  
\_\_\_\_\_, 2020.

**President**