

**SAINT LUCIA**

**No. 19 of 2023**

**ARRANGEMENT OF SECTIONS**

*Section*

1. Short title
2. Interpretation
3. Amendment of section 38
4. Amendment of section 44
5. Insertion of new section 59C



I Assent

[L.S.]

ERROL CHARLES,  
*Acting Governor-General.*

*July 25, 2023.*

## SAINT LUCIA

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**No. 19 of 2023**

**AN ACT** to amend the Income Tax Act, Cap. 15.02.

[ 31st July, 2023 ]

**BE IT ENACTED** by the King's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows:

**Short title**

1. This Act may be cited as the Income Tax (Amendment) Act, 2023.

**Interpretation**

2. In this Act, “principal Act” means the Income Tax Act, Cap. 15.02.

**Amendment of section 38**

3. Section 38(1) of the principal Act is amended —

(a) in paragraph (u), by deleting the full stop and by substituting a semi-colon;

(b) by inserting immediately after paragraph (u), the following new paragraph (v) —

“(v) for the income years 2023 to 2025, the entire expenditure related to the purchase and installation of a solar photovoltaic system or related components in the income year incurred and where a deduction is allowed under this paragraph, there is no deduction in respect of capital expenditure under section 40 and Schedule 2 for the same solar photovoltaic system or related components.”.

**Amendment of section 44**

4. Section 44 of the principal Act is amended by deleting subsection (4) and by substituting the following —

“(4) Notwithstanding this Act —

(a) effective from the 1<sup>st</sup> day of January, 2023 the aggregate allowances and deductions permitted under Parts 6 and 7, excluding the personal allowance and deduction for medical expenses shall not exceed thirty thousand dollars;

- (b) in the case of income years 2023 to 2025 the allowances and deductions excluded from the overall cap of thirty thousand dollars are —
- (i) the personal allowance,
  - (ii) the deduction for medical expenses, and
  - (iii) the expenses relating to the purchase and installation of solar photovoltaic systems or related components.”.

**Insertion of new section 59C**

5. The principal Act is amended by inserting immediately after section 59B the following new section 59C —

**“Deduction for the purchase and installation of photovoltaic systems**

**59C.**—(1) Subject to this section, in ascertaining the chargeable income of an individual who is resident in Saint Lucia, and during the income years 2023 to 2025, purchased a solar photovoltaic system or related components for his or her owner occupied property or installed a solar photovoltaic system or both at his or her owner occupied property is entitled to a deduction in respect of the expenditure incurred for the purchase or installation of that solar photovoltaic system or related components or the purchase and installation of that solar photovoltaic system or related components.

(2) The maximum deduction allowable under this section is twenty-five thousand dollars in an income year.

(3) Where two or more individuals contribute towards the purchase or installation of a solar photovoltaic system under subsection (1), the deduction allowable may be apportioned between the individuals in a manner as appears to the Comptroller to be reasonable up to a maximum claim of twenty-five thousand dollars.

(4) Where a deduction is allowed under this section, a deduction is not allowed under section 38 in respect of the same solar photovoltaic system or related components.

(5) In this section, “an owner occupied property” means a dwelling house situated in Saint Lucia that is occupied by the owner alone or together with his or her family, or occupied rent-free by members of his or her family.”.

Passed in the House of Assembly this 19<sup>th</sup> day of July, 2023.

CLAUDIUS J. FRANCIS,  
*Speaker of the House of Assembly.*

Passed in the Senate this 20<sup>th</sup> day of July, 2023.

ALVINA REYNOLDS,  
*President of the Senate.*