

## **EXTRACT OF SECTION 29 OF THE SIE ACT 2001**

Land conversion tax shall not be payable in the following instances -

1. an approved housing scheme in favour of workers employed by an employer who owns a sugar factory or more than 42.2088 hectares (100 arpents) of agricultural land under sugar cane cultivation. [**Section 29(1)(a)(i)**]
2. an approved housing scheme in favour of employees having voluntarily terminated their contract of employment in the context of a factory closure, pursuant to section 24 of the Cane Planters and Millers Arbitration and Control Board Act, or the VRS, pursuant to section 23. [**Section 29(1)(a)(ii)**]
3. an approved housing scheme operated by the National Housing Development Company. [**Section 29(1)(a)(iii)**]
4. putting up, for the applicant's own occupation, a residential building on a plot of land of an extent not exceeding 450 square metres. [**Section 29(1)(a)(v)**]
5. the establishment of facilities related to biotechnological development approved by the Ministry. [**Section 29(1)(a)(ix)**]
6. the relocation, expansion or setting up of an industrial enterprise by the holder of a registration certificate issued by the Small and Medium Enterprises Development Authority established under the Small and Medium Enterprises Development Authority Act 2009. [**Section 29(1)(a)(x)**]
7. the setting up of an agro-industrial activity. [**Section 29(1)(a)(xi)**]
8. the construction of buildings for the provision of pre-primary, primary, secondary or tertiary education by holder of certificate issued by Board of Investment. [**Section 29(1)(a)(xii)**]
9. the setting up of such health institution, or veterinary clinic, as may be approved by relevant authorities. [**Section 29(1)(a)(xiii)**]
10. the setting up of a power station with a rated capacity of 15 megawatt or more using bagasse or other complementary combustibles for the supply of firm electrical power. [**Section 29(1)(a)(xv)**]
11. the construction of social housing where the construction is carried out by a housing development trust, or any other non-profit vehicle, registered with the committee set up under Section 50L(3) of the Income Tax Act. [**Section 29(1)(a)(xvi)**]
12. the setting up of an 18-hole golf course by the holder of a certificate issued by the Board of Investment. [**Section 29(1)(a)(xvii)**]
13. the setting up of a power station by the holder of a certificate issued by the Board of Investment for the supply of electrical power using renewable energy. [**Section 29(1)(a)(xviii)A**]
14. the production of electrical power using biomass or through a solar farm or agri-solar farm by the holder of a certificate issued by the Board of Investment. [**Section 29(1)(a)(xviii)B**]

15. the construction of buildings by the holder of a certificate issued by the Board of Investment for the manufacture of goods by a company. [**Section 29(1)(a)(xix)**]
16. the construction of buildings by the holder of a certificate issued by the Board of Investment for the provision of technical and vocational education and training. [**Section 29(1)(a)(xx)**]
17. where the Minister is satisfied that the conversion is for the benefit of the community and the application is not in respect of a profit-making venture. [**Section 29(1)(b)**]
18. where the applicant undertakes -
  - (i) to sell within a period of one year after the agricultural land to be converted, as may be determined by the committee, to specified workers of the sugar industry at such concessionary or nominal rates, as may be determined by the committee, and ploughs back at least 50 per cent of the proceeds arising from the conversions to sugar production or diversification within sugar;
  - (ii) to use the proceeds arising from the conversion for any expenditure effected in relation to a factory closure -
    - (A) in compliance with the conditions imposed under section 24 of the Cane Planters and Millers Arbitration and Control Board Act, or
    - (B) for the upgrading or modernisation of the factory or factories receiving sugar canes in the context of such closure,and undertakes in respect of subparagraph (i) or (ii) through sugarcane cultivation or milling, as the case may be, to produce sugar of a quantity which is at least equivalent to that foregone through the conversion. [**Section 29(1)(c)**]
19. where the applicant undertakes to use the proceeds arising from the conversion for any expenditure effected in relation to the VRS under section 23 or the ERS under section 23A. [**Section 29(1)(d)**]
20. where the applicant submits evidence to the effect that the proceeds arising from the conversion do not exceed 40 per cent of any expenditure incurred for the production of fuel ethanol, alcohols or high value added rum. [**Section 29(1)(f)**]
21. where the applicant, being a planter registered with the Sugar Insurance Fund as at 31 May 1999, undertakes to convert land, of an extent not exceeding 0.4221 hectare (1 arpent) in not more than one single plot. [**Section 29(1)(g)**]
22. where the land to be converted is the subject of a donation by an ascendant to a descendant, provided that the total extent of the land to be transferred does not exceed one hectare. [**Section 29(1)(h)**]
23. where the applicant, being a planter owner of an extent of land not exceeding 4.221 hectares (10 arpents) and in respect of which a declaration under section 40 of the Sugar Insurance Fund Act is made, converts land of an extent not exceeding one hectare (2.3696 arpents), being -
  - (a) land in areas where, in accordance with strategic and detailed development policies of the relevant outline scheme or development plan, as the case may be, development is permissible; and
  - (b) land other than land within an irrigation area.[**Section 29(1)(i)**]