

**TRINIDAD AND TOBAGO SPECIAL ECONOMIC
ZONES ACT**

ACT NO. 1 OF 2022

**Act
1 of 2022**
Amended by
*16/2022
116/2024
*121/2024

(*See Notes on page 2)

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1-144	..

Note on Subsidiary Legislation

Trinidad and Tobago Special Economic Zones Regulations (LN 370/2023) ... 69

Note on Commencement

Parts I, II, III, IV and V of this Act took effect on 31st January 2022 by LN 16/2022.
Parts VI, VII, VIII, IX, X, XI and XII of this Act took effect on 5th July 2024 by LN 121/2024.

Note on Omissions

The following Subsidiary Legislation have been omitted:

- (a) Trinidad and Tobago Special Economic Zones (Extension of Time For Benefits Granted to Approved Enterprises) Orders made under section 88(3)—*See* LN 122/2024.
- (b) Trinidad and Tobago Special Economic Zones (Designation of Special Economic Zone) Orders made under Section 30—*See* LN 233/2024.

Note on Schedule 5

Schedule 5 of this Act contains consequential amendments to the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01. These amendments have been duly incorporated within the said Act and have therefore been omitted.

ACT NO. 1 OF 2022

**TRINIDAD AND TOBAGO SPECIAL ECONOMIC
ZONES ACT**

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ACT NO. 1 OF 2022

**TRINIDAD AND TOBAGO SPECIAL ECONOMIC
ZONES ACT**

An Act to provide for the designation, development, operation and management of Special Economic Zones, the establishment of the Special Economic Zones Authority, the repeal of the Trinidad and Tobago Free Zones Act, Chap. 81:07, the regulation of Special Economic Zones and matters related thereto. 1 of 2022.

[ASSENTED TO 31ST JANUARY 2022]

ENACTED by the Parliament of Trinidad and Tobago as follows: Enactment.

PART I

PRELIMINARY

1. This Act may be cited as the Trinidad and Tobago Special Economic Zones Act. Short title.

***2.** This Act comes into operation on such date as is fixed by the President by Proclamation. Commencement. [16/2022].

3. In this Act, unless the context requires otherwise— Interpretation.

“AML/CFT/PF” means Anti-Money Laundering/Countering the Financing of Terrorism/Financing the Proliferation of Weapons of Mass Destruction;

“Authority” means the Trinidad and Tobago Special Economic Zones Authority established under section 4;

“benefits” means the incentives conferred on operators specified in Schedule 1 and those conferred on SEZ Enterprises and Single Zone Enterprises specified in Schedule 2; Schedule 1.
Schedule 2.

“Board” means the Board of the Authority, established under section 7;

*See Note on Commencement at page 2.

“Chief Executive Officer” means the person appointed under section 14;

“core income generating activities” means those permitted economic activities which are of central importance to, and which drive the business value of, an SEZ Enterprise or Single Zone Enterprise in terms of generating relevant income for the SEZ Enterprise or Single Zone Enterprise and includes such permitted economic activities as may be prescribed;

“customs territory” means Trinidad and Tobago but does not include a Special Economic Zone;

“economic substance test” means the test referred to in section 49(4) and (5);

“enterprise” means any corporation, company, partnership or firm approved by the Authority to carry out business in a Special Economic Zone;

“IFRS” means International Financial Reporting Standards which includes the International Accounting Standards adopted by the Institute of Chartered Accountants of Trinidad and Tobago;

Ch. 22:05.

“information system” has the meaning assigned to it under section 2 of the Electronic Transactions Act;

“intellectual property asset” means—

- (a) patents;
- (b) technical know-how;
- (c) an industrial design;
- (d) software that is subject to copyright;
- (e) an intangible asset that is non-obvious, useful or novel; and
- (f) other similar intangible assets that are functionally equivalent to a patent,

where such assets are legally protected;

“licence” means a licence granted under this Act;

“Minister” means the Minister to whom responsibility for industry is assigned;

“operator” means a person who is the holder of a valid Operator Licence;

“Operator Licence” means a licence granted under section 37;

“permitted economic activity” means an activity which is permitted under Schedule 3;

“premises” means any land, building or vessel and includes any vehicle or receptacle located on the land or in the building or vessel;

“prescribed” means prescribed by regulations under section 87;

“private body” means a body corporate or an unincorporated entity, other than a public body;

“private register” means a register kept and maintained by the Authority under section 79;

“public body” means—

(a) a Ministry or a department or division of a Ministry;

(b) the Tobago House of Assembly, or a division of the Tobago House of Assembly;

(c) a Municipal Corporation established under the Municipal Corporations Act;

Ch. 25:04.

(d) a Regional Health Authority established under the Regional Health Authorities Act;

Ch. 29:05.

(e) a statutory body, responsibility for which is assigned to a Minister of Government;

(f) a State-controlled enterprise;

(g) a body corporate or unincorporated entity—

(i) in relation to any function which it exercises on behalf of the State; or

(ii) which is established by virtue of the President’s prerogative, by a Minister of Government in his capacity as such or by another public authority; or

(h) a body corporate or unincorporated entity in relation to any function, project, scheme or arrangement which involves the use by it, of public money;

“public-private partnership arrangement” includes an arrangement between a public body and a private body under which—

(a) the private body undertakes to perform a public function or provide a service on behalf of the public body;

- (b) the private body receives a benefit for performing the function or providing the service, either by way of—
- (i) compensation from a public fund;
 - (ii) charges or fees collected by the private body from the users of a service provided to them; or
 - (iii) a combination of such compensation and such charges or fees; and
- (c) the private body is generally liable for the risks arising from the performance of the function or the provision of the service depending on the terms of the arrangement;

“public register” means a register kept and maintained by the Authority under section 78;

“Single Zone Enterprise” means any enterprise which is approved by the Authority under section 51(2) to engage in any of the economic activities specified in Schedule 3 in a Zone which it also has the responsibility to manage and in which it is the only business in operation;

“Single Zone Enterprise Licence” means a licence granted under section 51(2);

“Special Economic Zone” or “Zone” means an area designated under section 30;

“Special Economic Zone Enterprise” or “SEZ Enterprise” means any enterprise approved by the Authority under section 51(1) to carry out business in a Special Economic Zone;

“Special Economic Zone Enterprise Licence” or “SEZ Enterprise Licence” means a licence granted under section 51(1);

“Supervisory Authority” has the meaning assigned to it under section 18A of the Financial Intelligence Unit of Trinidad and Tobago Act.

PART II

SPECIAL ECONOMIC ZONES AUTHORITY

4. There is established as a body corporate to be known as “the Trinidad and Tobago Special Economic Zones Authority”.

Establishment
of the
Authority.

5. (1) The functions of the Authority are to—

Functions of
the Authority.

- (a) review, assess and determine applications for Operator Licences, Special Economic Zone Enterprise Licences and Single Zone Enterprise Licences;
- (b) regulate and supervise Zones;
- (c) advise the Minister on matters to support policy formulation relating to Zones;
- (d) recommend to the Minister the designation of Zones;
- (e) review and assess the performance of all Zones and report to the Minister on the performance of all such Zones;
- (f) formulate guidelines and codes of practice to be observed by operators, SEZ Enterprises or Single Zone Enterprises;
- (g) receive and take prompt action to resolve complaints from operators and SEZ Enterprises;
- (h) facilitate the mediation and settlement of disputes among operators and SEZ Enterprises;
- (i) facilitate an enabling environment in areas designated as Special Economic Zones;
- (j) develop modern infrastructure required to attract foreign direct investment and stimulate domestic investment;
- (k) promote economic development in local communities;
- (l) advance further diversification of the economy; and
- (m) perform such other functions assigned to it under this Act or any other written law.

(2) In the performance of its functions, the Authority shall be responsible for—

- (a) the finances, real property and other assets and other resources of the Authority;
- (b) the securing of contracts, the procurement of goods and services and other administrative activities;
- (c) human resources, including those related to recruitment, promotion, training and development, performance assessment, conditions of work, discipline, termination of employment and superannuation benefits;
- (d) service standards and performance targets;
- (e) a code of conduct for employees;
- (f) the strategic plan, business plan and operating plan, budget and annual report of the Authority; and
- (g) such other things as the Authority considers necessary or expedient for the purposes of carrying out its functions.

Powers of the Authority.

6. The Authority shall have the following powers:

- (a) to issue guidelines and directions to operators, SEZ Enterprises and Single Zone Enterprises in respect of the implementation of this Act;
- (b) to cause to carry out such investigations in relation to applicants and licensees as it considers appropriate in order to verify the accuracy of information in the application and request further information and documents from the applicant;
- (c) to grant and set the terms and conditions of licences;
- (d) to amend, vary, suspend or revoke licences in accordance with the provisions of this Act;
- (e) to inspect licensees and Zones in order to monitor and ensure compliance with this Act and terms and conditions of licences;
- (f) to take enforcement measures in the event of any non-compliance with, or breach of, this Act or the terms and conditions of a licence;

- (g) to enter into any arrangement which, in the opinion of the Authority, is necessary to ensure the proper performance of its functions;
- (h) to establish and maintain registers required under this Act; and
- (i) such other powers as are necessary or expedient for the performance of its functions.

PART III

THE BOARD OF THE AUTHORITY

7. (1) The Authority shall be managed by a Board.

Board of the
Authority.

(2) Subject to subsection (4), the Board shall comprise eleven members as follows:

- (a) six members with qualifications, and at least seven years' experience, in finance, information technology, economics, international relations, business management, engineering logistics and supply chain management, or accounting who shall be appointed by the Minister;
- (b) two Attorneys-at-law of least seven years' standing who shall be appointed by the Minister on the advice of the Judicial and Legal Service Commission;
- (c) the Chief Executive Officer, *ex officio*;
- (d) a senior officer of the Town and Country Planning Division, who shall be nominated by the Permanent Secretary of the Ministry responsible for planning and appointed by the Minister; and
- (e) a senior officer of the Inland Revenue Division, who shall be nominated by the Chairman of the Board of Inland Revenue and appointed by the Minister.

(3) The Minister shall appoint any two members, other than the Chief Executive Officer, to be the Chairman and Deputy Chairman of the Board.

(4) In the case of the first Board—

- (a) the Chairman, and three other members shall be appointed for a term of four years;
- (b) the Deputy Chairman and two other members shall be appointed for a term of three years; and
- (c) three members shall be appointed for a term of two years,

and their appointments shall not expire on the same date.

(5) Appointments to the Board subsequent to the first appointment of the Board shall be for periods not exceeding four years and shall not exceed, whether consecutively or not, eight years in aggregate in respect of each member.

(6) A member of the Board, other than the Chief Executive Officer, shall be appointed on such terms and conditions as the Minister may determine.

(7) The Minister shall cause notice of the membership of the Board, or any change in membership, to be published in the *Gazette*.

Responsibilities
of the Board.

8. (1) The Board shall be responsible for carrying out the functions of the Authority specified in section 5 and shall—

- (a) provide general or specific directions to the Chief Executive Officer with respect to the functions of the Authority; and
- (b) have access to any information concerning an individual or other person, whether or not incorporated, which may be obtained by the Authority as a result of the functions of the Authority.

(2) The Minister may give to the Board such general policy directives in writing with respect to the carrying out of its functions under this Act as he considers necessary or expedient and the Board shall give effect to such directives.

9. (1) This section applies to all members of the Board, other than *ex officio* members.

Resignation, removal and absence of members.

(2) A member may at any time resign his office in writing addressed to the Minister.

(3) The Minister may, by instrument in writing, remove a member from office, if the member—

- (a) is absent without leave of the Board from three or more consecutive meetings of the Board;
- (b) fails to attend a minimum of three meetings without excuse in any year commencing from the date of his appointment to the Board;
- (c) engages in conduct which brings the Authority into disrepute;
- (d) becomes of unsound mind;
- (e) is incapable of performing the duties of his office;
- (f) is adjudged or declared bankrupt or insolvent; or
- (g) is convicted of an offence involving dishonesty.

(4) Where a member dies, resigns, is removed from or otherwise vacates his office prior to the expiry of the term for which he has been appointed, the Minister shall appoint a person to hold or act in the vacant office of the member as soon as reasonably practicable.

(5) An appointment of a member under subsection (4) may be for the unexpired period of the term of office of the person in whose place he is appointed or for a new term of office.

(6) During any period where a member is absent from duty or from Trinidad and Tobago or is, for any other reason, unable to perform the duties of his office, the Minister may appoint a person who is not a member, to act in the same capacity as that member.

(7) An acting appointment of a person under subsection (4) or (6), shall not continue for more than six months.

(8) The Minister may terminate an appointment under subsection (4) or (6) at any time.

(9) Where a person is acting as a member and the office becomes vacant while the person is so acting, that person may continue so to act until the Minister otherwise directs, the vacancy is filled or a period of six months from the date on which the vacancy occurred expires, whichever occurs first.

Disclosure of interests.

10. (1) Every member of the Board shall, on appointment and annually thereafter, submit to the Minister a declaration stating whether or not he has an actual or contingent pecuniary or other interest in any—

- (a) operator, SEZ Enterprise, or Single Zone Enterprise regulated by the Authority or an applicant that has applied for a licence under this Act; or
- (b) any person carrying on business with the Authority in the exercise of its functions.

(2) Where a member whose actual or contingent pecuniary or other interest is likely to be affected in any way by a decision of the Board on any matter, he shall, as soon as possible after the relevant facts come to his knowledge, disclose to the Board the nature of that interest.

(3) A disclosure under subsection (2) shall be recorded in the Minutes of a meeting of the Board and after the disclosure is made, the member shall—

- (a) not take part in any deliberation or decision of the Board with respect to the relevant matter; and
- (b) be disregarded for the purpose of constituting a quorum of the Board.

(4) Subject to subsection (5), a member who knowingly fails to comply with this section commits an offence and is liable—

- (a) on summary conviction to a fine of five hundred thousand dollars and to imprisonment for five years; or
- (b) on conviction on indictment to a fine of one million dollars and to imprisonment for ten years.

(5) A member does not commit an offence under subsection (4) if he proves to the satisfaction of the Court that he did not know—

- (a) the matter in which he had an interest was the subject of consideration at the meeting; or
- (b) he had an interest in the matter under consideration at the meeting.

(6) No prosecution of an offence under this section shall be instituted without the consent of the Director of Public Prosecutions.

11. (1) The Board may appoint such committees as it considers necessary. Committees.

- (2) A committee appointed under subsection (1) may—
 - (a) inquire into and advise the Board on any matter within the scope of the functions of the Board;
 - (b) exercise such of the powers of the Board as the Board delegates to it in writing; or
 - (c) perform such other duties as the Board may assign to it.

(3) Membership of a committee may include or consist of persons who are not members of the Board, except that the chairperson of a committee shall be a member of the Board.

(4) The Board shall appoint the chairperson of a committee.

(5) A committee shall be subject to the control of the Board and may be discharged or reconstituted at any time by the Board.

(6) A committee may regulate its own procedure, subject to any directions that may be given by the Board.

12. (1) A member shall not be held personally liable for anything done or omitted in the discharge or purported discharge of the functions of the Authority, unless it is shown that the act or omission was a result of gross negligence or done in bad faith. Immunity of members.

(2) Any sums of money, damages or cost recovered against the Authority for anything done or omitted or permitted

to be done in good faith in the course of the operations of the Authority shall be paid out of such amounts as may be appropriated by Parliament.

Meetings and quorum.

13. (1) The Board shall meet at least once every month at such place and time, and in such manner, as may be designated by the Chairman.

(2) At every meeting of the Board, the Chairman shall preside except that in the absence of—

(a) the Chairman, the Deputy Chairman shall preside; and

(b) the Chairman and the Deputy Chairman, the members present shall elect from among themselves a person to preside.

(3) The quorum of the Board shall be seven members.

(4) Subject to subsection (5), decisions of the Board shall be by a majority of votes of members present and voting.

(5) The Chief Executive Officer shall not vote on any matter before the Board.

(6) No act or proceeding of the Board shall be invalid by reason only of the existence of a vacancy among its members or of any defect in the appointment of a member.

(7) The Board shall establish its own rules to govern its procedures.

PART IV

STAFF OF THE AUTHORITY

Appointment and functions of Chief Executive Officer.

14. (1) The Board shall appoint a Chief Executive Officer for a term not exceeding five years on such terms and conditions as determined by the Board.

(2) The Chief Executive Officer shall manage the day-to-day operations and activities of the Authority subject to the directions of the Board.

15. (1) The Chief Executive Officer may at any time resign his office by letter addressed to the Board.

Resignation and removal of Chief Executive Officer.

(2) The Board may, by instrument in writing, remove the Chief Executive Officer from office if he—

- (a) is absent without leave of the Board from three or more consecutive meetings of the Board;
- (b) misbehaves in office or brings his office into disrepute;
- (c) becomes of unsound mind;
- (d) is incapable of performing the duties of his office;
- (e) is adjudged or declared bankrupt or insolvent;
- (f) is convicted of an offence involving dishonesty; or
- (g) is convicted of an offence under this Act or an offence punishable by imprisonment for one year or more.

16. (1) The Board may employ such persons as it considers necessary for the due and efficient performance of its functions under this Act.

Employment of staff.

(2) The terms and conditions of employment of persons employed by the Authority under subsection (1) shall be determined by the Authority.

17. The Board may enter into contracts for services with persons for the performance of such tasks that the Board considers necessary for the due performance of its functions and exercise of its powers under this Act, on such terms and conditions as are agreed between the Authority and the person.

Contracts for specific tasks.

18. (1) Subject to subsection (3), the Authority shall, within two years of the coming into force of this Act, establish a pension plan or where the establishment of a plan is not feasible, the Authority shall make arrangements for membership in an existing pension plan.

Establishment of Pension plan.

(2) Subject to the rules of the pension plan established in accordance with subsection (1), all permanent employees of

the Authority shall be eligible to become members of the pension plan established in accordance with subsection (1).

(3) The Minister may, by Order subject to negative resolution of Parliament, extend the period under subsection (1) for the establishment of the pension plan.

Immunity of
Chief Executive
Officer and
staff.

19. (1) The Chief Executive Officer or an employee, or any person in the service of the Authority, shall not be held personally liable for anything done or omitted in the discharge or purported discharge of the functions of the Authority, unless it is shown that the act or omission was a result of gross negligence or done in bad faith.

(2) Any sums of money, damages or cost recovered against the Authority for anything done or omitted or permitted to be done in good faith in the course of the operations of the Authority shall be paid out of such amounts as may be appropriated by Parliament.

PART V

FINANCIAL PROVISIONS

Definitions.

20. For the purposes of this Part—

“IFRS” means the International Financial Reporting Standards as adopted from time to time by the International Accounting Standards Board;

“Minister” means the Minister to whom responsibility for finance is assigned; and

“securities” has the meaning assigned to it under the Securities Act.

Ch. 83:02.

Funds and
resources.

21. (1) The funds and resources of the Authority shall comprise—

- (a) moneys appropriated by Parliament;
- (b) moneys derived from rentals, leases, concessions or other activities carried on in Zones;

- (c) sums derived from loans raised by the Authority in accordance with the approval of the Minister;
- (d) moneys earned by or arising from investments made by the Authority in connection with the operation of Zones;
- (e) fees, dues, charges or other moneys collected for the grant of licences to operators or SEZ Enterprises and Single Zone Enterprises; and
- (f) moneys as may lawfully be paid to the Authority in respect of any matter incidental to its powers and duties under this Act.

(2) The funds of the Authority shall be kept in such financial institutions as the Minister may approve.

(3) The funds of the Authority shall, in any financial year, be applied in defraying the following expenditure:

- (a) the operating expenses of the Authority;
- (b) such capital expenditure as may be necessary;
- (c) the fees and allowances of the members of the Board of the Authority;
- (d) the salaries, fees, allowances, gratuities, pensions and other payments to the staff of the Authority; and
- (e) any other expenditure authorised by the Board in the discharge of the Authority's functions.

22. (1) The Authority may, with the approval of the Minister, borrow sums required for meeting any of its obligations under this Act. Power to borrow.

(2) The Minister may guarantee in such manner and on such conditions as he thinks fit, the payment of the principal and interest in respect of any borrowing of the Authority under this section.

(3) The Board may, with the approval of the Minister, raise money by the issue of securities, required by it for meeting any of its obligations and discharging of any of its functions.

Power to invest.

23. The Authority may invest moneys not immediately required to be expended in meeting any obligation or discharging any function of the Authority in securities approved by the Minister.

Financial year.

24. The financial year of the Authority shall be the period of twelve months beginning on the 1st of October in any year but the period from the date of commencement of this Act to the end of September in the next year following shall be deemed to be the first financial year.

Authority to keep proper accounts.

25. (1) The Authority shall keep proper books of accounts and records in accordance with IFRS of all moneys received and expended and shall record the matters in respect of which such sums were received and expended.

(2) Within three months after the end of each financial year, the Board shall cause to be prepared, in respect of that year—

- (a) a report setting out the activities of the Authority; and
- (b) financial statements prepared in accordance with IFRS and any other statement as required by the Minister.

(3) In instances where the standards included in IFRS are inappropriate or inadequate, the Treasury shall provide the appropriate instructions.

Audit.

Ch. 1:01.
Ch. 69:01.

26. (1) The accounts of the Authority are public accounts of Trinidad and Tobago for the purposes of section 116 of the Constitution and the Exchequer and Audit Act applies as if an audit referred to in this Part is one to which that Act applies.

(2) The accounts of the Authority shall be audited annually by the Auditor General.

(3) As soon as the accounts of the Authority have been audited, the Auditor General shall submit his report in accordance with section 116 of the Constitution and shall forward a copy of the said report to the Minister.

(4) Nothing in this section precludes the Auditor General or an auditor engaged by the Board or the Minister from performing a management or comprehensive audit of the activities of the Authority.

(5) The fees and expenses of the Auditor General with respect to audits shall be paid by the Authority.

27. In respect of each financial year, the Board shall prepare and submit to the Minister estimates of the Authority's—

Budget proposals.

(a) expected income, if any, arising from any source; and

(b) expected expenditure,

no later than three months before the commencement of the financial year.

28. (1) The Authority shall, not later than ninety days after the end of a financial year, submit to the Minister a report on the performance of its functions during that financial year.

Annual Reports.

(2) The Minister shall, within three months of receiving a report under subsection (1), cause the report to be laid in Parliament.

29. The Authority, its assets, property, income and its operations and transactions authorised under any Act, shall be exempt from all taxation of every kind and description, including customs duties, corporation tax, value added tax, motor vehicle tax, property tax, stamp duty, business levy and green fund levy.

Exemption from taxes, etc.

PART VI

DESIGNATION OF SPECIAL ECONOMIC ZONES

30. (1) The Minister may, on the recommendation by the Authority designate, by Order, a geographical area as a Special Economic Zone.

Designation of a Special Economic Zone.

(2) An Order made under subsection (1) shall specify the type of Special Economic Zone.

(3) In considering whether to designate a geographical area as a Special Economic Zone, the following factors shall be taken into account:

- (a) whether the type of Special Economic Zone and proposed economic activities are permitted under Schedule 3;
- (b) the intended size, topography, geographical limits and location of the proposed Special Economic Zone;
- (c) whether the area is one that is identified as having growth potential in the Government's development plan;
- (d) the existence of required off-site infrastructure, including roads, telecommunication and ports;
- (e) the availability of land and unencumbered land titles;
- (f) the proximity to resources, population centres and infrastructure;
- (g) the infrastructure and other utility requirements, including water, power, sewage, telecommunication, solid waste and waste water management;
- (h) approvals of land uses and zoning requirements to facilitate the Special Economic Zones;
- (i) environmental standards and requirements; and
- (j) such other factors as the Authority considers relevant or as may be prescribed in regulations.

(4) No property shall be included in the designation of a Special Economic Zone under this section without the consent of the owner of the property.

(5) The Authority shall cause a copy of any Order made under this section to be delivered, as soon as possible after its publication in the *Gazette*, to the Registrar General, who shall maintain a register of such Orders.

31. The various types of Special Economic Zones and permitted economic activities which may be carried out in each Zone are set out in Schedule 3.

Types of
Special
Economic
Zones.
Schedule 3.

PART VII
LICENSING PROVISIONS

32. The Authority may, with the approval of the Minister, issue any of the following licences:

Types of
licences.

- (a) an Operator Licence;
- (b) a Special Economic Zone Enterprise Licence; or
- (c) a Single Zone Enterprise Licence.

Operator Licence

33. (1) A person shall not carry on the business of managing a Special Economic Zone, unless he is the holder of a valid Operator Licence.

Requirement
for an Operator
Licence.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for two years.

34. Any of the following may apply for an Operator Licence:

Eligibility for
an Operator
Licence.

- (a) a public body;
- (b) a private body; or
- (c) a public body and a private body which have entered into a public-private partnership arrangement.

35. (1) An application for an Operator Licence shall be made to the Authority in the prescribed form and shall include—

Application for
Operator
Licence.

- (a) the name, address and contact information of the applicant;
- (b) a description of the proposed business activity; and
- (c) a description of any premises at which the applicant proposes to carry out activities under the Operator Licence.

Schedule 4.

(2) An application for an Operator Licence shall be accompanied by—

- (a) a completed AML/CFT/PF risk assessment questionnaire in such form as may be prescribed;
- (b) evidence of sufficient access to financial resources to meet the eligibility criteria specified in Schedule 4 and for the management of the Special Economic Zone;
- (c) evidence of sufficient access to expertise for the management of the Special Economic Zone;
- (d) an Operation Plan, in the prescribed form, which outlines how the applicant proposes to operate the Special Economic Zone and to comply with this Act and the terms and conditions of an Operator Licence;
- (e) in the case of a public-private partnership arrangement, a copy of the agreement between the public body and the private body;
- (f) a declaration in the prescribed form that if the Operator Licence is granted, the applicant would consent to the entry of inspectors on any premises specified in the Operator Licence during working hours or such other times as the premises are open to the public or otherwise in use by the applicant, for the purposes of the exercise of their powers under section 71;
- (g) the prescribed fee; and
- (h) such other documents as may be prescribed.

(3) The Authority may require any further information or material to be submitted by an applicant within a specified time and may require verification by affidavit of any information or material fact then or previously submitted.

Considerations
for the grant of
Operator
Licence.

36. (1) The Authority shall, in assessing an application for an Operator Licence, take into account the following:

- (a) the nature of the proposed business activity;

- (b) the eligibility criteria for operators as specified in Schedule 4;
- (c) the provision of facilities or amenities for medical, occupational safety and health, customs, administrative, recreational and other purposes;
- (d) the impact of the proposed business activity on off-site infrastructure, utilities and services;
- (e) the compliance of the applicant with the Environmental Management Act and any other relevant environmental standards and requirements; and
- (f) such other factors as the Authority considers relevant.

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(2) Subject to subsection (1), the Authority shall, in determining whether to grant an Operator Licence, consider—

- (a) the application and any documents or further information provided;
- (b) whether the applicant has complied with this Act or has previously failed to comply with this Act or has been in breach of the terms and conditions of a licence; and
- (c) such other matters as may be prescribed.

37. (1) The Authority may, with approval of the Minister, grant an Operator Licence, if the Authority is satisfied that the applicant—

Grant of
Operator
Licence.

- (a) has met the requirements of this Act for the grant of an Operator Licence; and
- (b) would, if granted an Operator Licence, be able to fulfil the obligations of an operator to comply with this Act and the terms and conditions of the Operator Licence.

(2) Where a decision to grant an Operator Licence is made under subsection (1), the Authority shall, within twenty-one days of its decision, inform the applicant and the Supervisory Authority in writing of its decision.

(3) The Authority shall cause notice of the grant of an Operator Licence to be published in the *Gazette*, in at least two

newspapers in daily circulation in Trinidad and Tobago and on the Authority's website.

Notice of refusal of an Operator Licence.

38. (1) The Authority may, with the approval of the Minister, refuse to grant an Operator Licence.

(2) An Operator Licence shall not be refused under subsection (1), unless the Authority first informs the applicant, in writing, of the proposal to refuse the Operator Licence, together with the reasons therefor, and gives the applicant at least fourteen days to submit written representations.

(3) Where an Operator Licence is refused under subsection (1), the Authority shall, within twenty-one days of the decision, inform the applicant, in writing, of the decision and the reasons therefor.

(4) The refusal of an Operator Licence under subsection (1) shall not prevent the applicant from making a new application.

Terms and conditions of Operator Licence.

39. (1) An Operator Licence shall not be transferable without the prior approval of the Authority and the Minister.

(2) The Authority may, with the approval of the Minister, determine the terms and conditions of an Operator Licence.

(3) An operator shall comply with the terms and conditions of his Operator Licence.

(4) An operator shall pay to the Authority such annual licence fee as the Minister may, by Order, prescribe.

(5) It shall be a condition of an Operator Licence that the operator consents to the entry of inspectors on any premises specified in the Operator Licence, during normal working hours or such other times as the premises are open to the public or otherwise in use by the operator, for the purposes of the exercise of their powers under section 71.

Obligations of operators.

40. (1) An operator shall—

- (a) manage the Zone specified in his Operator Licence in accordance with this Act and the terms and conditions of his Operator Licence;

- (b) make such improvements to the Zone and its facilities as may be necessary;
- (c) facilitate the provision of infrastructure and other services in order to achieve the strategic and operational goals for the Zone;
- (d) for the protection of revenue, adequately demarcate, within the Zone, any customs territory and make, in accordance with the instructions of the Comptroller of Customs and Excise, suitable provision for the movement of conveyances, vessels and goods entering or leaving the Zone or any customs territory within the Zone;
- (e) provide adequate facilities and amenities in the Zone for occupational safety and health;
- (f) adopt guidelines for SEZ Enterprises operating within the Zone in order to promote their safe and efficient operation;
- (g) maintain adequate and proper accounts and other records in relation to its operations and submit such reports to the Authority in such manner as may be prescribed;
- (h) in coordination with the Authority, promote the Zone as an investment opportunity; and
- (i) do such other things in accordance with this Act and the terms and conditions of its Operator Licence as are necessary or expedient to promote the effective functioning of the Zone.

(2) An operator shall, at least two months before the end of each financial year, or at a later date determined by the Authority, submit to the Authority an Operation Plan for the new financial year.

- (3) An operator shall submit to the Authority—
- (a) where necessary, information relevant to compliance with its Operation Plan;

(b) statistical data on its operations; and
(c) other information on its operations which the Authority may determine,
at such intervals set by the Authority.

(4) An operator shall submit to the Authority, on an annual basis or at such time as the Authority may determine—

- (a) the latest audited financial statements in accordance with IFRS accounting standards or other best practice commercial standards within six months of the end of the financial year; and
(b) evidence that the operator is meeting the eligibility requirements set out in Schedule 4.

Duration of an Operator Licence.

41. Unless previously revoked or surrendered, an Operator Licence shall be valid for such period not exceeding fifty years as may be specified in the Operator Licence.

Amendment or variation of Operator Licence.

42. (1) The Authority may, with the approval of the Minister, amend or vary the terms and conditions of an Operator Licence.

(2) Without prejudice to the generality of subsection (1), an operator may apply to the Authority for an amendment or variation to his Operator Licence.

- (3) An application under subsection (2) shall be—
(a) in the prescribed form and include a statement of the amendment or variation sought; and
(b) accompanied by the prescribed fee.

(4) Notwithstanding subsection (3)(a), the Authority may request further information and documents from an operator for the purposes of considering an application under subsection (2).

(5) After considering an application under subsection (2) and any further information and documents provided under subsection (4), the Authority may amend or vary an Operator Licence in accordance with subsection (1).

43. (1) An operator who wishes to renew his Operator Licence shall apply to the Authority for the renewal of his Operator Licence. Renewal of Operator Licence.

(2) An application under subsection (1) shall be—

- (a) made at least three months before the expiration of the Operator Licence or such longer period before the expiration of the Operator Licence as may be specified in the Operator Licence;
- (b) in the prescribed form; and
- (c) accompanied by the prescribed fee and such documents as may be prescribed.

(3) The Authority may, with the approval of the Minister, renew an Operator Licence if it is satisfied with the compliance of the operator with this Act and the terms and conditions of his Operator Licence and that the operator is registered with the Supervisory Authority.

(4) Where a decision to renew, or to refuse to renew, an Operator Licence is made under subsection (3), the Authority shall, in writing, inform the operator of the decision.

(5) The renewal of an Operator Licence shall not be refused unless the Authority first informs the operator, in writing, of the proposal to refuse to renew the Operator Licence and the reasons therefor and gives the operator at least twenty-one days to submit written representations.

(6) Where the renewal of an Operator Licence is refused, the Authority shall, in writing, give the operator the reasons for the refusal.

44. (1) Where the Authority determines that an operator is not in compliance with this Act or the terms and conditions of his Operator Licence, the Authority may take any of the actions specified in subsection (2) as it thinks fit and commensurate with the seriousness of the non-compliance. Enforcement action against an operator.

(2) For the purposes of subsection (1), the Authority may—

- (a) issue a Notice of Non-Compliance to require the operator to take corrective action in accordance with section 45;
- (b) suspend the Operator Licence and issue a Notice of Non-Compliance to require the operator to take corrective action in accordance with section 45; or
- (c) revoke the Operator Licence.

(3) Where the Authority decides to suspend or revoke an Operator Licence, it shall, in writing, inform the operator of its decision and the reasons for its decision.

(4) Where an Operator Licence is suspended or revoked under this Part, the operator shall immediately return the licence to the Authority.

(5) The Authority shall cause notice of the suspension or revocation of an Operator Licence to be published in the *Gazette*, in at least two newspapers in daily circulation in Trinidad and Tobago and on the Authority's website.

Notice of Non-Compliance and corrective action by operator.

45. (1) For the purposes of section 44, a Notice of Non-Compliance shall—

- (a) contain information detailing—
 - (i) the areas in which the operator is not in compliance with this Act or the terms and conditions of his Operator Licence;
 - (ii) the corrective action which is required to be done in order for the operator to be in compliance with this Act and the terms and conditions of his Operator Licence; and
 - (iii) the period within which the corrective actions is required to be completed; and
- (b) state that the failure of the operator to complete the required corrective action within the specified period may result in the suspension or the revocation of his Operator Licence.

(2) Where a Notice of Non-Compliance is issued to an operator, the operator shall take such steps as are necessary to complete the corrective action specified in the Notice of Non-Compliance within the specified period.

(3) An operator to whom a Notice of Non-Compliance is issued may, at any time or within such period as may be specified in the Notice, request clarification from the Authority as to the corrective action required to be completed, and the Authority shall provide the clarification within fourteen days of the receipt of the request.

(4) Where an operator to whom a Notice of Non-Compliance is issued has reason to believe that he would be unable to complete the corrective action within the period specified in the Notice, he shall so inform the Authority in writing and the Authority may extend the period specified in the Notice in order for the corrective action to be completed.

(5) Subject to subsection (4), where an operator to whom a Notice of Non-Compliance is issued fails to complete any corrective action specified in the Notice within the period as specified in the Notice or as extended under subsection (4), the Authority may suspend his Operator Licence until the corrective action is completed or revoke his Operator Licence.

46. (1) Where an Operator Licence is suspended under this Part, the operator shall immediately cease all activities under the Operator Licence for such time as the suspension remains in force.

Effect of
suspension or
revocation.

(2) Where an Operator Licence has been revoked under this Part, the operator shall immediately cease all activities under the Operator Licence.

(3) A person who fails to cease all activities as required under subsection (1) or (2), commits an offence and is liable—

- (a) on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for two years; or
- (b) on conviction on indictment to a fine of five hundred thousand dollars and to imprisonment for seven years.

Surrender of
licence.

47. (1) An operator shall not surrender his Operator Licence without the prior approval of the Authority.

(2) An operator may, in writing, apply to the Authority for approval to surrender his Operator Licence in accordance with the terms and conditions of his Operator Licence.

(3) An application under subsection (2) shall be accompanied by the prescribed fee.

(4) The Authority shall not approve the surrender of an Operator Licence unless it is satisfied that the operator has ceased all activities under the Operator Licence and complied with the terms and conditions of his Operator Licence.

(5) Where the Authority approves the surrender of an Operator Licence, it shall, in writing, inform the operator of its approval.

(6) The surrender of an Operator Licence comes into effect upon the issuance of the approval of the Authority.

(7) Where an operator receives the approval of the Authority to surrender his Operator Licence, the operator shall immediately return the Operator Licence to the Authority.

(8) The surrender of an Operator Licence does not prevent the former holder of an Operator Licence from applying for another Operator Licence.

(9) The Authority shall cause notice of the surrender of an Operator Licence to be published in the *Gazette*, in at least two newspapers in daily circulation in Trinidad and Tobago and on the Authority's website.

*Special Economic Zone Enterprise Licence and Single Zone
Enterprise Licence*

Requirement
for an SEZ
Enterprise or
Single Zone
Enterprise
Licence.

48. (1) A person shall not carry on any of the activities set out in Schedule 3 as—

- (a) a Special Economic Zone Enterprise, unless he is the holder of a valid Special Economic Zone Enterprise Licence; or

(b) a Single Zone Enterprise, unless he is the holder of a valid Single Zone Enterprise Licence.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for two years.

49. (1) An application for an SEZ Enterprise Licence or a Single Zone Enterprise Licence shall be made to the Authority in the prescribed form and shall include—

Application for an SEZ Enterprise or Single Zone Enterprise Licence.

- (a) the name, address and contact information of the applicant; and
- (b) a description of the proposed business activity;

(2) An application for an SEZ Enterprise Licence or a Single Zone Enterprise Licence shall be accompanied by—

- (a) a completed AML/CFT/PF risk assessment questionnaire in the prescribed form;
- (b) evidence of sufficient access to financial resources to meet the eligibility criteria specified in Schedule 4.
- (c) a declaration in the prescribed form that if the licence is granted, the applicant would consent to the entry of inspectors on any premises specified in the licence during working hours or such other times as the premises are open to the public or otherwise in use by the applicant, for the purposes of the exercise of their powers under section 70;
- (d) the prescribed fee; and
- (e) such other documents as may be prescribed.

Schedule 4.

(3) In addition to the requirements of subsections (1) and (2), an applicant for an SEZ Enterprise Licence or a Single Zone Enterprise Licence shall submit with his application an Operation Plan, in the prescribed form, which shall include—

- (a) a detailed description of the core income generating activities and any complementary permitted economic activities to be undertaken in the Special Economic Zone;

- (b) a detailed estimate of operating expenditure associated with all permitted economic activities to be undertaken in the Special Economic Zone;
- (c) a detailed description of the human resources to be employed in all permitted economic activities to be undertaken in the Special Economic Zone, including the number of qualified full-time personnel and other persons with appropriate qualifications; and
- (d) a detailed description of the level and quality of investment to be made in relation to all permitted economic activities to be undertaken in the Special Economic Zone.

(4) An applicant under subsection (3) shall satisfy the prescribed economic substance test in relation to all permitted economic activities to be undertaken in the Special Economic Zone.

(5) An economic substance test shall be applied by the Authority to determine whether the proposed operating expenditure, qualified full-time personnel and the level and quality of investment of an applicant are adequate, necessary and relevant in relation to its proposed core income generating activities and the size and nature of its proposed operations.

(6) The Authority may require any further information or material to be submitted by an applicant within a specified time and may require verification by affidavit of any information or material fact then or previously submitted.

Considerations
for a grant of
an SEZ
Enterprise
Licence or a
Single Zone
Enterprise
Licence.

50. (1) The Authority shall, in assessing an application for an SEZ Enterprise Licence or a Single Zone Enterprise Licence, take into account the following:

- (a) the nature of the proposed project;
- (b) the proximity to resources;
- (c) population centres;
- (d) on-site infrastructure, utilities and services, including—
 - (i) water;

- (ii) power;
- (iii) sewage;
- (iv) telecommunication; and
- (v) solid waste and waste water management;
- (e) off-site infrastructure, utilities and services;
- (f) environmental standards and requirements; and
- (g) any other relevant factors that the Authority deems relevant or as may be prescribed in regulations.

(2) Subject to subsection (1), the Authority shall, in determining whether to grant an SEZ Enterprise Licence or a Single Zone Enterprise Licence, consider—

- (a) the application and any documents or further information provided;
- (b) whether the applicant has satisfied the prescribed economic substance test;
- (c) whether the applicant has complied with this Act or has previously failed to comply with this Act or has been in breach of the terms and conditions of a licence; and
- (d) such other matters as may be prescribed.

(3) An SEZ Enterprise Licence or a Single Zone Enterprise Licence shall not be granted unless the applicant satisfies the prescribed economic substance test.

51. (1) The Authority may, with the approval of the Minister, grant an SEZ Enterprise Licence, if the Authority is satisfied that the applicant—

- (a) has met the requirements of this Act for the grant of an SEZ Enterprise Licence; and
- (b) would, if granted an SEZ Enterprise Licence, be able to fulfil the obligations of an SEZ Enterprise to comply with this Act and the terms and conditions of an SEZ Enterprise Licence.

Grant of SEZ Enterprise or Single Zone Enterprise Licence.

(2) The Authority may, with the approval of the Minister, grant a Single Zone Enterprise Licence, if the Authority is satisfied that the applicant—

- (a) has met the requirements of this Act for the grant of a Single Zone Enterprise Licence; and
- (b) would, if granted a Single Zone Enterprise Licence, be able to fulfil the obligations of a Single Zone Enterprise, to comply with this Act and the terms and conditions of a Single Zone Enterprise Licence.

(3) Where a decision to grant an SEZ Enterprise Licence or a Single Zone Enterprise Licence is made under subsection (1), the Authority shall, within twenty-one days of its decision, inform the applicant and the Supervisory Authority, in writing, of its decision.

(4) The Authority shall cause notice of the grant of SEZ Enterprise Licence or a Single Zone Enterprise Licence to be published in the *Gazette*, in at least two newspapers in daily circulation in Trinidad and Tobago and on the Authority's website.

Notice of refusal of SEZ Enterprise or a Single Zone Enterprise Licence.

52. (1) The Authority may, with the approval of the Minister, refuse to grant an SEZ Enterprise Licence or a Single Zone Enterprise Licence.

(2) An SEZ Enterprise Licence or a Single Zone Enterprise Licence shall not be refused under subsection (1) unless the Authority first informs the applicant, in writing, of the proposal to refuse the SEZ Enterprise Licence or the Single Zone Enterprise Licence, together with the reasons therefor, and gives the applicant at least fourteen days to submit written representations.

(3) Where an SEZ Enterprise Licence or a Single Zone Enterprise Licence is refused under subsection (1), the Authority shall, within twenty-one days of the decision, inform the applicant, in writing, of the decision and the reasons therefor.

(4) The refusal of an SEZ Enterprise Licence or a Single Zone Enterprise Licence under subsection (1) shall not prevent the applicant from making a new application.

53. (1) An SEZ Enterprise Licence or a Single Zone Enterprise Licence shall not be transferable without the prior approval of the Authority and the Minister.

Terms and conditions of SEZ Enterprise Licence or Single Zone Enterprise Licence.

(2) The Authority may, with the approval of the Minister, determine the terms and conditions of an SEZ Enterprise Licence or a Single Zone Enterprise Licence.

(3) An SEZ Enterprise or a Single Zone Enterprise shall comply with the terms and conditions of his SEZ Enterprise Licence or Single Zone Enterprise Licence, as the case may be.

(4) An SEZ Enterprise or a Single Zone Enterprise shall pay to the Authority such annual licence fee as the Minister may, by Order, prescribe.

(5) It shall be a condition of an SEZ Enterprise Licence or a Single Zone Enterprise Licence that an SEZ Enterprise or a Single Zone Enterprise, as the case may be, consents to the entry of inspectors on any premises specified in the SEZ Enterprise Licence or Single Zone Enterprise Licence, during normal working hours or such other times as the premises are open to the public or otherwise in use by the SEZ Enterprise or the Single Zone Enterprise, for the purposes of the exercise of their powers under section 70.

54. (1) An SEZ Enterprise or Single Zone Enterprise shall, at least two months before the end of each financial year, or at a later date determined by the Authority, submit to the Authority an Operation Plan, in the prescribed form, for the new financial year.

Operation Plan.

(2) An SEZ Enterprise or Single Zone Enterprise that proposes to continue to carry on any prescribed economic activity in a Special Economic Zone is required, in its annual Operation Plan, to demonstrate that it continues to satisfy the prescribed economic substance test.

55. (1) An SEZ Enterprise or Single Zone Enterprise shall submit to the Authority—

Reporting and compliance.

(a) where necessary, information relevant to compliance with its Operation Plan;

(b) statistical data on its operations; and
(c) other information on its operations which the Authority may determine,
at such intervals set by the Authority.

(2) An SEZ Enterprise or Single Zone Enterprise shall submit to the Authority, on an annual basis or at such time as the Authority may determine—

- (a) the latest audited financial statements in accordance with IFRS accounting standards or other best practice commercial standards within six months of the end of the financial year; and
(b) evidence that the SEZ Enterprise or Single Zone Enterprise is meeting the eligibility requirements set out in Schedule 4.

Duration of SEZ Enterprise Licence or Single Zone Enterprise Licence.

56. Unless previously revoked or surrendered, an SEZ Enterprise Licence or Single Zone Enterprise Licence shall be valid for such period not exceeding five years as may be specified in the SEZ Enterprise Licence or Single Zone Enterprise Licence.

Amendment or variation of SEZ Enterprise or a Single Zone Enterprise Licence.

57. (1) The Authority may, with the approval of the Minister, amend or vary the terms and conditions of an SEZ Enterprise Licence or a Single Zone Enterprise Licence.

(2) Without prejudice to the generality of subsection (1), an SEZ Enterprise or a Single Zone Enterprise may apply to the Authority for an amendment or variation to his SEZ Enterprise Licence or Single Zone Enterprise Licence, as the case may be.

(3) An application under subsection (2) shall be—

- (a) in the prescribed form and include a statement of the amendment or variation sought; and
(b) accompanied by the prescribed fee.

(4) Notwithstanding subsection (3)(a), the Authority may request further information and documents from the SEZ Enterprise or a Single Zone Enterprise for the purposes of considering an application under subsection (2).

(5) After considering an application under subsection (2) and any further information and documents provided under subsection (4), the Authority may amend or vary an SEZ Enterprise Licence or a Single Zone Enterprise Licence in accordance with subsection (1).

58. (1) An SEZ Enterprise or a Single Zone Enterprise who wishes to renew his SEZ Enterprise Licence or Single Zone Enterprise Licence shall apply to the Authority for renewal of his SEZ Enterprise Licence or a Single Zone Enterprise Licence.

Renewal of
SEZ Enterprise
Licence or
Single Zone
Enterprise
Licence.

(2) An application under subsection (1) shall be—

- (a) made at least three months before the expiration of the SEZ Enterprise Licence or the Single Zone Enterprise Licence or such longer period before the expiration of the SEZ Enterprise Licence or Single Zone Enterprise Licence as may be specified in the SEZ Enterprise Licence or Single Zone Enterprise Licence;
- (b) in the prescribed form; and
- (c) accompanied by the prescribed fee and such documents as may be prescribed.

(3) The Authority may, with the approval of the Minister, renew an SEZ Enterprise Licence or a Single Zone Enterprise Licence if it is satisfied with the compliance of the SEZ Enterprise or a Single Zone Enterprise with this Act and the terms and conditions of his SEZ Enterprise Licence or a Single Zone Enterprise Licence and that the SEZ Enterprise or a Single Zone Enterprise is registered with the Supervisory Authority.

(4) Where the decision to renew, or to refuse to renew, an SEZ Enterprise Licence or a Single Zone Enterprise Licence is made under subsection (3), the Authority shall, in writing, inform the SEZ Enterprise or a Single Zone Enterprise of the decision.

(5) The renewal of an SEZ Enterprise Licence or a Single Zone Enterprise Licence shall not be refused, unless the Authority first informs the SEZ Enterprise or a Single Zone Enterprise, in

writing, of its proposal to refuse to renew the SEZ Enterprise Licence or a Single Zone Enterprise Licence and reasons therefor and gives the SEZ Enterprise or a Single Zone Enterprise at least twenty-one days to submit written representations.

(6) Where the renewal of an SEZ Enterprise Licence or Single Zone Enterprise Licence is refused, the Authority shall, in writing, give the SEZ Enterprise or a Single Zone Enterprise the reasons for its refusal.

Enforcement
action against
the holder of an
SEZ Enterprise
Licence or
Single Zone
Enterprise
Licence.

59. (1) Where the Authority determines that an SEZ Enterprise or Single Zone Enterprise is not in compliance with this Act or the terms and conditions of his SEZ Enterprise Licence or Single Zone Enterprise Licence, the Authority may take any of the actions specified in subsection (2) as it thinks fit and commensurate with the seriousness of the non-compliance.

(2) For the purposes of subsection (1), the Authority may—

- (a) issue a Notice of Non-Compliance to require the licensee to take corrective action in accordance with section 60;
- (b) suspend the SEZ Enterprise Licence or Single Zone Enterprise Licence and issue a Notice of Non-Compliance to require the SEZ Enterprise or Single Zone Enterprise to take corrective action in accordance with section 60; or
- (c) revoke the SEZ Enterprise Licence or Single Zone Enterprise Licence.

(3) Where the Authority decides to suspend or revoke an SEZ Enterprise Licence, or a Single Zone Enterprise Licence, it shall, in writing, inform the SEZ Enterprise or Single Zone Enterprise of its decision and the reasons for its decision.

(4) Where an SEZ Enterprise Licence or Single Zone Enterprise Licence is suspended or revoked, the SEZ Enterprise or Single Zone Enterprise shall immediately return the SEZ Enterprise Licence or Single Zone Enterprise Licence to the Authority.

(5) The Authority shall cause notice of the suspension or revocation of an SEZ Enterprise Licence or a Single Zone Enterprise Licence to be published in the *Gazette*, in at least two newspapers in daily circulation in Trinidad and Tobago and on the Authority's website.

60. (1) For the purposes of section 59, a Notice of Non-Compliance shall—

(a) contain information detailing—

- (i) the areas in which the SEZ Enterprise or a Single Zone Enterprise is not in compliance with this Act or the terms and conditions of his SEZ Enterprise Licence or Single Zone Enterprise Licence;
- (ii) the corrective action which is required to be done in order for the SEZ Enterprise or a Single Zone Enterprise to be in compliance with this Act and the terms and conditions of his SEZ Enterprise Licence or Single Zone Enterprise Licence; and
- (iii) the period within which the corrective action is required to be completed; and

(b) state that the failure of the SEZ Enterprise or a Single Zone Enterprise to complete the required corrective action within the specified period may result in—

- (i) the suspension or the revocation of his SEZ Enterprise Licence or Single Zone Enterprise Licence; or
- (ii) the suspension of benefits in Schedule 2 in accordance with section 64(3).

(2) Where a Notice of Non-Compliance is issued to an SEZ Enterprise or Single Zone Enterprise, the SEZ Enterprise or Single Zone Enterprise shall take such steps as are necessary to complete the corrective action specified in the Notice of Non-Compliance within the specified period.

Notice of Non-Compliance and corrective action by SEZ Enterprise or Single Zone Enterprise.

(3) An SEZ Enterprise or a Single Zone Enterprise to whom a Notice of Non-Compliance is issued may, at any time or within such period as may be specified in the Notice, request clarification from the Authority as to the corrective action required to be completed, and the Authority shall provide the clarification within fourteen days of the receipt of the request.

(4) Where an SEZ Enterprise or a Single Zone Enterprise to whom a Notice of Non-Compliance is issued has reason to believe that he would be unable to complete the corrective action within the period specified in the Notice, he shall so inform the Authority in writing and the Authority may extend the period specified in the Notice in order for the corrective action to be completed.

(5) Subject to subsection (4), where an SEZ Enterprise or a Single Zone Enterprise to whom a Notice of Non-Compliance is issued fails to complete any corrective action specified in the Notice within the period as specified in the Notice or as extended under subsection (4), the Authority may suspend an SEZ Enterprise Licence or a Single Zone Enterprise Licence until the corrective action is completed or revoke the SEZ Enterprise Licence or the Single Zone Enterprise Licence.

Effect of suspension or revocation of SEZ Enterprise Licence or Single Zone Enterprise Licence.

61. (1) Where an SEZ Enterprise Licence or Single Zone Enterprise Licence is suspended, the SEZ Enterprise or Single Zone Enterprise shall immediately cease all activities under the SEZ Enterprise Licence or the Single Zone Enterprise Licence for such time as the suspension remains in force.

(2) Where an SEZ Enterprise Licence or a Single Zone Enterprise Licence has been revoked, the SEZ Enterprise or Single Zone Enterprise shall immediately cease all activities under the SEZ Enterprise Licence or the Single Zone Enterprise Licence.

(3) A person who fails to cease all activities as required under subsection (1) or (2), commits an offence and is liable—

- (a) on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for two years; or

(b) on conviction on indictment to a fine of five hundred thousand dollars and to imprisonment for seven years.

62. (1) An SEZ Enterprise or Single Zone Enterprise shall not surrender his SEZ Enterprise Licence or Single Zone Enterprise Licence without the prior approval of the Authority.

Surrender of
SEZ Enterprise
Licence or
Single Zone
Enterprise
Licence.

(2) An SEZ Enterprise or a Single Zone Enterprise may, in writing, apply to the Authority for approval to surrender his SEZ Enterprise Licence or a Single Zone Enterprise Licence in accordance with the terms and conditions of his SEZ Enterprise Licence or a Single Zone Enterprise Licence.

(3) An application under subsection (2) shall be accompanied by the prescribed fee.

(4) The Authority shall not approve the surrender of an SEZ Enterprise Licence or a Single Zone Enterprise Licence unless it is satisfied that the SEZ Enterprise or a Single Zone Enterprise has ceased all activities under the SEZ Enterprise Licence or a Single Zone Enterprise Licence and complied with the terms and conditions of his SEZ Enterprise Licence or a Single Zone Enterprise Licence.

(5) Where the Authority approves the surrender of an SEZ Enterprise Licence or a Single Zone Enterprise Licence, it shall, in writing, inform the SEZ Enterprise or a Single Zone Enterprise of its approval.

(6) The surrender of an SEZ Enterprise Licence or a Single Zone Enterprise Licence comes into effect upon the issuance of the approval of the Authority.

(7) Where an SEZ Enterprise or a Single Zone Enterprise receives the approval of the Authority to surrender his SEZ Enterprise Licence or a Single Zone Enterprise Licence, the SEZ Enterprise or a Single Zone Enterprise shall immediately return the SEZ Enterprise Licence or a Single Zone Enterprise Licence to the Authority.

(8) The surrender of an SEZ Enterprise Licence or a Single Zone Enterprise Licence does not prevent the former holder of the SEZ Enterprise Licence or a Single Zone Enterprise Licence from applying for another SEZ Enterprise Licence or a Single Zone Enterprise Licence.

(9) The Authority shall cause notice of the surrender of an SEZ Enterprise Licence or a Single Zone Enterprise Licence to be published in the *Gazette*, in at least two newspapers in daily circulation in Trinidad and Tobago and on the Authority's website.

PART VIII
SUPPORT MEASURES AND BENEFITS

Support
measures.

63. The Minister may, in collaboration with any relevant public body, design and implement business reform measures to support the development and efficient operation of different types of Special Economic Zones.

Zone benefits.

64. (1) The holder of an Operator Licence shall enjoy the benefits specified in Schedule 1.

(2) Subject to subsections (3) and (4), an SEZ Enterprise or a Single Zone Enterprise shall enjoy the benefits in Schedule 2.

Ch. 75:01.

(3) The benefits to be enjoyed in relation to income derived from an intellectual property asset shall be in accordance with the provisions of the Income Tax Act.

(4) Subject to section 59, where the Authority determines that an SEZ Enterprise or a Single Zone Enterprise is not satisfying the prescribed economic substance test, the Authority shall suspend the enjoyment by the SEZ Enterprise or Single Zone Enterprise of its corporation tax benefits and such other benefits in Schedule 2 as the Authority thinks fit.

(5) The provisions set out in Schedules 1 and 2 shall be read in conjunction with and subject to the relevant taxation laws to which they, respectively, relate.

65. (1) Subject to the provisions of this Act, the Customs Act and the Excise (General Provisions) Act shall apply in a Zone to the extent required for the Comptroller of Customs and Excise to carry out his obligations under this Act.

Customs
Arrangements.
Ch. 78:01.
Ch. 78:50.

(2) In order to facilitate the efficient operation of Zones, the Comptroller of Customs and Excise shall make arrangements, where applicable, for—

- (a) the availability of customs services in Zones on a continuous basis to meet the needs of the operators, SEZ Enterprises and Single Zone Enterprises;
- (b) the facilitation of imports of capital goods and equipment destined to remain in a Zone;
- (c) the expedited release of goods bound for a Zone, provided that all regulatory requirements, including security requirements, have been met; and
- (d) efficient procedures and practices to be applied for goods imported from the customs territory into a Zone and exported from a Zone in to the customs territory.

(3) Goods entering the customs territory from a Zone shall thereupon be deemed to be imported into the customs territory and the provisions of the Customs Act and Excise (General Provisions) Act shall apply thereto accordingly.

PART IX INSPECTORS

66. (1) The Authority shall establish an inspection programme to monitor compliance with the requirements of this Act and the terms and conditions of licences.

Inspection
programme.

(2) The Authority shall establish the qualifications for inspectors and a training programme to ensure a high level of competence for inspectors.

67. The Authority shall conduct inspections with or without notice and carry out any other examination as may be necessary to verify compliance with the provisions of this Act and any applicable terms and conditions of a licence.

Conduct of
inspections.

Appointment of
inspectors.

68. (1) The Authority shall appoint an inspector or an inspection team to inspect any premises where any activity regulated under this Act is conducted and to submit a report to it upon the completion of an inspection.

(2) An inspection team under subsection (1) may comprise such number of persons as the Authority deems necessary having regard to the expertise and training required for the inspection.

(3) An inspector who is conducting an inspection may be accompanied by a police officer above the rank of sergeant.

(4) Inspectors appointed under subsection (1) shall take direction and instructions from the Authority in respect of their functions and duties.

(5) An inspector or inspection team under this section shall provide to the Authority within twenty-one days of his or its appointment or such other time as the Authority may determine, an inspection report of its inspections.

(6) Where a person has been appointed under this section, he shall be issued a certificate of his appointment in the form approved by the Authority.

Production of
certificate of
appointment.

69. An inspector appointed under section 68 shall, on seeking admission to any premises for the purposes of this Act, if required, produce the certificate of his appointment issued under section 68(6) to the owner, occupier or other person for the time being in charge of the premises.

Powers of
inspectors.

70. (1) An inspector appointed under this Act shall, for the purposes of the enforcement of this Act, have the power to do all or any of the following:

- (a) to enter any premises specified in a licence with or without a warrant during working hours or such other times as the premises are open to the public or otherwise in use by the licensee;

- (b) to question any person who has duties which in the view of the inspector may be pertinent to the inspection being carried out;
 - (c) to verify compliance with this Act and the terms and conditions of any licence;
 - (d) to take photographs;
 - (e) to make copies of any record or other document;
 - (f) to seize anything which may be of evidential value for the prosecution of an offence under this Act or any other written law; and
 - (g) to direct the temporary suspension of any activity which he reasonably believes to be in contravention of this Act or in breach of the terms and conditions of a licence.
- (2) Where an inspector takes action under subsection (1)(g), he may—
- (a) order the licensee to prohibit employees and other persons from engaging in the activity;
 - (b) order that any material be safely and securely stored; and
 - (c) require that corrective action be taken—
 - (i) in accordance with section 45, against the holder of an Operator Licence;
 - (ii) in accordance with section 60, against the holder of an SEZ Enterprise Licence or Single Zone Enterprise Licence.
- (3) Where an inspector takes action under subsection (2), the decision of the inspector remains in force unless and until—
- (a) it is withdrawn by the inspector;
 - (b) reversed or modified by the Authority; or
 - (c) altered through an appeal under section 85 or judicial review.
- (4) Where an inspector takes any action under subsections (1)(g) and (2), he shall, within twenty-four hours of taking such action, make a report to the Authority of his findings and any actions taken by him.

- (5) A report under subsection (4) shall include—
- (a) relevant findings and identify the evidentiary basis for the findings;
 - (b) explanations or any other information the inspector deems relevant.

(6) A report submitted under this section shall be made available to the licensee affected who shall have the right to submit explanations or objections within seven days of the issuance of the report.

(7) A person who obstructs or hinders an inspector in the carrying out of his duties under this section commits an offence.

Warrants.

71. (1) Where a Magistrate is satisfied by information or oath given by a police officer, that there are reasonable grounds for believing that an offence under this Act has been or is about to be committed he may issue a warrant authorising the police officer to—

- (a) enter at any time the place named in the warrant with force if necessary, and inspect that place;
- (b) detain a person found in that place in respect of whom there is reasonable suspicion regarding the commission of an offence under this Act; or
- (c) seize anything which may be of evidential value for the prosecution of an offence under this Act or any other written law.

PART X

OFFENCE AND PENALTIES

Misrepresentation
in an
application for
a licence.

72. An applicant for a licence who knowingly provides false or misleading information to the Authority commits an offence and is liable—

- (a) on summary conviction to a fine of five hundred thousand dollars and to imprisonment for a term of three years; or
- (b) on conviction on indictment to a fine of one million dollars and to imprisonment for ten years.

73. Where a person furnishes information required of him under this Act, which he knows to be false in any material particular, commits an offence and shall be liable—

False information.

- (a) on summary conviction to a fine of five hundred thousand dollars and to imprisonment for a term of three years; or
- (b) on conviction on indictment to a fine of one million dollars and to imprisonment for ten years.

74. (1) The Authority shall not disclose any trade secrets, documents, information or other matters disclosed to it under the administration of this Act except—

Confidentiality.

- (a) for the purposes of law enforcement for Court proceedings;
- (b) pursuant to an order of the Court;
- (c) to the Permanent Secretary in the Ministry with responsibility for trade; or
- (d) where required under any other written law.

(2) Members of the Board, employees of the Authority and every person concerned with the administration of this Act shall treat trade secrets, documents, information or other matters related to the administration of this Act, as secret and confidential and shall make and subscribe to an oath of secrecy to that effect before a Justice of the Peace.

(3) Subject to subsections (1) and (2), a person has the right to request that any proprietary or confidential documents, information or matter provided or submitted to the Authority be kept as secret and confidential by the Authority.

(4) A Member, employee of the Authority or any person concerned with the administration of this Act who discloses documents, information or any other matter related to the administration of this Act in contravention of this section commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars and imprisonment for a term of two years.

Offence of holding oneself out to be a licensee.

75. (1) A person shall not hold himself out as an operator, an SEZ Enterprise or Single Zone Enterprise unless he holds a licence issued under this Act.

(2) A person who contravenes subsection (1) commits an offence and is liable on—

- (a) summary conviction to a fine of one million dollars and to imprisonment for five years; or
- (b) on conviction on indictment to a fine of two million, five hundred thousand dollars and to imprisonment for ten years.

Administrative fines.

76. (1) Where the Authority has reasonable cause to believe that a person has committed a prescribed summary offence under this Act, the Authority may issue to that person a notice offering the person the opportunity to dispense with any liability to conviction in respect of that offence by payment of the prescribed administrative fine.

(2) Where a person is given a notice under this section, criminal proceedings shall not be taken against him for the offence specified in the notice until the expiration of twenty-one days commencing from the day after which the notice was served.

(3) Where a person fails to pay the administrative fine referred to in subsection (1), or where he pays the administrative fine but continues to commit the offence after the expiration of twenty-one days following the date of service of the notice referred to in subsection (1), that person is liable for the offence committed.

(4) Where a person paid an administrative fine under subsection (1), but continues to commit the offence and is convicted under subsection (3), he is liable for the offence from the date after which he made the payment.

(5) Payment of an administrative fine under this section shall be made to the Authority and a certificate that payment of the penalty was made to the Authority by the specified date shall, if the certificate purports to be signed by an officer authorised by the Authority, be admissible as evidence of the facts stated therein.

(6) All moneys received under this section shall be credited to the Consolidated Fund.

(7) A notice under subsection (1) shall—

- (a) specify the offence alleged;
- (b) give such particulars of the offence as are necessary for giving reasonable information of the allegation; and
- (c) state—
 - (i) that criminal proceedings shall not be laid until the expiration of twenty-one days from the date of service of the notice where payment of the administrative fine is made and the commission of the offence is discontinued;
 - (ii) the amount of the administrative fine and the fact that it is to be paid to the Authority; and
 - (iii) that the Authority shall not accept any payments in respect of a notice under subsection (1) after the expiration of the twenty-one days.

(8) In any proceedings for an offence to which this section applies, no reference shall be made to the giving of any notice under this section or to the payment or non-payment of an administrative fine thereunder unless in the course of the proceedings or in some document which is before the court in connection with the proceedings, reference has been made by, or on behalf of the accused to the giving of such a notice, or, as the case may be, to such payment.

77. A person who contravenes, or fails to comply with, any of the provisions of this Act or the Regulations commits an offence and except where the provision by, or under which the offence is created, provides a penalty to be imposed, is liable on summary conviction to a fine of one hundred thousand dollars and in the case of a continuing offence, to a further fine of one thousand dollars for each day that the offence continues after conviction.

General penalties.

PART XI
REGISTERS

Public register.

78. (1) The Authority shall establish and maintain a separate public register for each type of licence and shall cause each licence which is granted to be registered in the appropriate register.

(2) The Authority shall, with respect to each type of licence, cause to be entered in the public register—

- (a) the name, address and description of the business activity of the Operator, SEZ Enterprise or Single Zone Enterprise to whom the licence is issued;
- (b) the date on which it was issued;
- (c) the Zone to which the licence relates;
- (d) the benefits granted to any Operator, SEZ Enterprise or Single Zone Enterprise under section 64; and
- (e) such other information as may be prescribed.

(3) The public register shall be kept in such form as the Authority thinks appropriate, including by electronic means.

(4) The Authority shall update the public register from time to time and correct any errors in the register.

(5) The Authority shall, upon payment of the prescribed fee, allow any person to inspect the public register during normal business hours.

(6) The Authority shall, upon payment of the prescribed fee, provide a person with a certified copy of or an extract from the public register.

(7) The Authority shall cause a public register under this Part to be accessible to the public on a website established by the Authority.

Private register.

79. (1) The Authority shall establish and maintain a private register containing any information submitted in an AML/CFT/PF risk assessment questionnaire referred to in sections 35(2) and 49(2).

(2) The Authority shall not disclose information provided in an AML/CFT/PF risk assessment questionnaire referred to in sections 35(2) and 49(2), except—

- (a) to the Supervisory Authority;
- (b) for the purposes of law enforcement or court proceedings;
- (c) pursuant to an order of the Court; or
- (d) where required under any written law.

(3) The Authority may, on his own motion, or when requested by the Supervisory Authority, provide a certified copy of or an extract from the registers to the Supervisory Authority.

80. (1) The Authority shall ensure that the information contained in the public register and private register is correct and updated.

Duty to correct and update registers.

(2) The Authority may, for the purposes of subsection (1), amend the public register or private register to correct and update the information contained therein.

81. (1) The Authority shall—

- (a) where a licence is granted, insert the name of the licensee into the public register of licences;
- (b) where a licence is suspended, insert the name of the suspended licensee into the public register of suspensions; and
- (c) where a licence is revoked, remove the name of the licensee from the public register of licences and insert the name of the revoked licensee into the public register of revocations.

Additions to, removals from and restoration of name to public register.

(2) The Authority shall have the power to restore names to the register of licences from time to time, in the appropriate circumstances.

82. (1) Where a licence has been granted pursuant to sections 37 and 51, the Chief Executive Officer shall issue a certificate of grant of licence to the licensee and such copies of it, if any, as are required for the purposes of subsection (3).

Certificate of grant of licence.

(2) A certificate of grant of licence shall bear an identifying number and shall show the date from which the licence is effective.

(3) A licensee shall cause his certificate of grant of licence, or a copy of it issued by the Authority, to be displayed in public view at the place from which the licensee carries on the business for which the licence was granted.

(4) A person who contravenes subsection (3) commits an offence and is liable on summary conviction to a fine of six thousand dollars and a further one hundred dollars in respect of each day during which the offence has continued.

(5) A person who, not being licensed, displays a certificate of grant of licence, a copy of a certificate of grant of licence, or a document purporting to be a certificate of grant of licence or purporting to be a copy of a certificate of grant of licence, commits an offence and is liable on summary conviction to a fine of fifteen thousand dollars and imprisonment for one year.

Offence to alter register without lawful authority.

83. A person who alters a register without lawful authority commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for a term of one year.

PART XII MISCELLANEOUS

Transfer of property.

84. (1) The President may, by Order, transfer to the Authority any property belonging to the State which is necessary, or useful to the Authority in carrying out its functions under this Act and such property shall vest in the Authority by virtue of the Order.

- (2) An Order made pursuant to subsection (1) shall—
- (a) specify the amount of compensation, if any, payable to the State in relation to property so transferred and the manner in which such compensation shall be paid; and

(b) contain such incidental, consequential or supplementary provisions as are necessary or expedient for the purposes of the Order.

85. A person who is aggrieved by a decision of the Authority under this Act to refuse to grant or renew a licence, to suspend or revoke a licence, or to impose a civil fine, may, within thirty days of being informed of that decision, appeal to the High Court.

Appeals.

86. The Minister may, by Order subject to the negative resolution of Parliament, amend Schedules 1, 2, 3 and 4.

Amendments to Schedules 1, 2, 3 and 4.

87. (1) The Authority may, with the approval of the Minister, make Regulations generally for carrying this Act into effect and prescribing anything required to be prescribed under this Act.

Regulations.

(2) Regulations may provide that any contravention thereof shall constitute an offence punishable on summary conviction by a fine of two hundred and fifty thousand dollars and imprisonment for a term of five years.

(3) Regulations made under subsection (1) shall be subject to negative resolution of Parliament.

***88.** (1) Subject to this section, the Trinidad and Tobago Free Zones Act is repealed.

Repeal, transitional and savings provisions.
Ch. 81:07.

(2) Orders made under section 3 of the Trinidad and Tobago Free Zones Act granted prior to 31st December 2018 shall remain in force until—

(a) 31st January 2022, or such other date as the Minister may, by Order, prescribe; or

(b) replaced by corresponding Orders made pursuant to this Act.

(3) An Enterprise granted approval under the provisions of section 15(2) of the Trinidad and Tobago Free Zones Act, prior to 31st December 2018, shall be entitled to all benefits under that Act until 31st January 2022, or such other date as the Minister may, by Order, prescribe.

*See Note on Omissions at page 2.

(4) During the period referred to in subsection (3), any approved Enterprise under the Trinidad and Tobago Free Zones Act entitled to receive benefits under the Trinidad and Tobago Free Zones Act may apply to the Authority for an Operator Licence, SEZ Enterprise Licence or a Single Zone Enterprise Licence under this Act.

(5) An application by an approved Enterprise referred to in subsection (4) for an Operator Licence, SEZ Enterprise Licence or a Single Zone Enterprise Licence shall be made within six months of the coming into force of this Act and shall be considered in accordance with sections 36 or 50, respectively.

(6) Any approved enterprise under the Trinidad and Tobago Free Zones Act shall enjoy no new benefit or right conferred by this Act unless such benefit or right was conferred under the Trinidad and Tobago Free Zones Act.

(7) Any action, suit or other legal proceeding to which the Trinidad and Tobago Free Zones Company Limited is a party that is pending in any court immediately before the coming into force of this Act, shall, on the coming into force of this Act, be continued by, or against the Authority.

Vesting of property.

89. All assets and liabilities of the Trinidad and Tobago Free Zones Company Limited that are, immediately prior to the coming into force of this Act, existing in relation to the functions of the Trinidad and Tobago Free Zones Company Limited shall, upon the coming into force of this Act and unless specifically designated by the Minister, be vested in the Authority.

Consequential amendments.

***90.** The Act referred to in the First Column of Schedule 5 is amended to the extent stated in the Second Column of that Schedule.

*See Note on Schedule 5 at page 2.

SCHEDULE 1
BENEFITS FOR OPERATIONS

[Sections 3 and
64(1)].
116/2024.

Benefit	Related Legislation
Corporation Tax: 1) Corporation tax at the rate of fifteen per cent per annum	Corporation Tax Act, Chap. 75:02
Property Tax: 2) Exemption from property tax	Property Tax Act, Chap. 76:04
Customs Duties: 3) Exemptions from import duties on— (a) building materials; (b) machinery and equipment; (c) spare parts; and (d) other articles, as approved by the Authority to be used for the purposes of, or in connection with, the establishment of operations or for use in a Zone	Customs Act, Chap. 78:01
Stamp Duty: 4) Exemption from stamp duty on instruments for the purchase, lease or other acquisition of land for use by an Operator	Stamp Duty Act, Chap. 76:01
Value Added Tax: 5) Zero-rating of value added tax on— (a) building materials; (b) machinery and equipment; (c) spare parts; and (d) other articles, as approved by the Authority to be used for the purposes of, or in connection with, the establishment of operations or for use in a Zone	Value Added Tax Act, Chap. 75:06

[Sections 3 and
64(2)].
116/2024.

SCHEDULE 2

**BENEFITS FOR SEZ ENTERPRISES/SINGLE ZONE ENTERPRISES
OPERATING IN THE FOLLOWING ZONES**

Type of Zone	Benefit	Related Legislation
1. Free Port 2. Free Trade Zone 3. Industrial Park 4. Specialized Zone 5. Development Zone	1) Corporation Tax: Corporation tax at the rate of fifteen percent per annum Enhanced Initial Capital Allowance: 2) Where a SEZ Enterprise or Single Zone Enterprise carrying on a permitted economic activity incurs capital expenditure on the provision of machinery or plant for the purpose of the establishment of operations or for	Corporation Tax Act, Chap. 75:02 Income Tax Act, Chap. 75:01 and Corporation Tax Act, Chap. 75:02

Type of Zone	Benefit	Related Legislation
	<p>use in a Zone, there shall be granted to it, for the year of assessment for which the expenditure is incurred, an enhanced initial capital allowance equal to one hundred and fifty percent of the expenditure incurred in the provision of the machinery or plant.</p>	
	<p>Property Tax: 3) Exemption from property tax</p>	<p>Property Tax Act, Chap. 76:04</p>
	<p>Customs Duties: 4) Exemption from import duties on— (a) capital goods; (b) machinery and equipment; (c) spare parts; (d) raw materials; (e) stock in trade; and (f) other articles, as approved by the Authority for use in a Zone for the purposes of, or in connection with, the permitted economic activity</p>	<p>Customs Act, Chap 78.01</p>
	<p>Valued Added Tax: 5) Zero-rating of valued added tax on— (a) goods supplied to a destination within a Zone; (b) services supplied by a person not resident in Trinidad and Tobago to a SEZ Enterprise or Single Zone Enterprise carrying on a permitted economic activity in a Zone; (c) services supplied by an SEZ Enterprise or Single Zone Enterprise to a recipient that is licensed or registered under the Financial Institutions Act, the Insurance Act or any other written law that is administered by the Central Bank of Trinidad and Tobago, as follows: (i) products and services fulfilment support limited to— (A) product and services related to application processing and validation;</p>	<p>Value Added Tax Act, Chap 75.06</p>

SCHEDULE 2—Continued

Type of Zone	Benefit	Related Legislation
	<ul style="list-style-type: none"> (B) account establishment and confirmation, and database maintenance; and (C) provision of information for regulatory reporting; (ii) operational guidance, review and support services limited to— <ul style="list-style-type: none"> (A) defining standards for process operations and control assurance; (B) providing process workflow guidance to process owners; (C) upgrading and improving processes through ICT enablement; and (D) monitoring process performance benchmarks within uniform metrics; (iii) information technology support services limited to— <ul style="list-style-type: none"> (A) defining and maintaining technology architecture and infrastructure plans; (B) establishing and maintaining ICT project management frameworks; (C) identifying, acquiring and maintaining application software; (D) acquiring and maintaining technology infrastructure; (E) installing and accepting solutions; (F) managing changes; (G) managing processing; 	

Type of Zone	Benefit	Related Legislation
	<ul style="list-style-type: none"> (H) ensuring continuous service related to ICT disaster recovery, ICT network communications and data management for business continuity; (I) managing configuration, performance and capacity; and (J) ensuring systems security and managing data; (iv) accounting support and reconciliations limited to— <ul style="list-style-type: none"> (A) co-ordinating payment instructions and updating of customer databases and related application systems; (B) accounting control and general ledger reconciliation; (C) merchant settlement and reconciliation; (D) credit/debit card settlement and reconciliation; (E) facilitating SWIFT wire instructions (incoming and outgoing); (F) facilitating customer transactions via electronic media; (G) managing customer queries or investigations and service support functions; (H) clearing and handling of customers' cheques and cash; and 	

SCHEDULE 2—Continued

Type of Zone	Benefit	Related Legislation
	<ul style="list-style-type: none"> (l) processing reports for external agencies and regulatory bodies; (v) facilitation of retail branch communications with customers limited to— <ul style="list-style-type: none"> (A) notifications to manage the processing of customer arrears payments; and (B) processing services on accounts assigned to collection agencies; (vi) project implementation support limited to— <ul style="list-style-type: none"> (A) planning implementation of operations and technology initiatives; and (B) establishing standards for systems security and enterprise networks; and (vii) human resource management support limited to— <ul style="list-style-type: none"> (A) staff scheduling and allocation of workload resources; (B) establishing performance standards in respect of customer services; and (C) specialised training in network security, data security and information security. 	

SCHEDULE 3

[Sections 3,
30(3), 31 and
48].

**TYPES OF SPECIAL ECONOMIC ZONES AND PERMITTED
ECONOMIC ACTIVITIES**

For the purposes of the definitions of the types of Special Economic Zones and their permitted activities—

- (a) “development zone”—activities focused on the development of a specific geographic region with emphasis on factors such as employment, skills training, entrepreneurship and rural development and overall social and economic development of the area;
- (b) “free port”—a duty free area, located at a port of entry where imported goods may be unloaded for warehousing, repackaging or processing of imported goods for value-adding activities, and logistics services;
- (c) “free trade zone”—a duty free area that accommodates specific activities targeted for international trade;
- (d) “industrial park”—a purpose built industrial estate that leverages domestic and foreign fixed direct investment in manufacturing industries and logistics and distribution;
- (e) “single zone enterprise”—restricted to one business entity engaged in any one of the following business activities:
 - (i) manufacturing;
 - (ii) maritime services;
 - (iii) aviation services;
 - (iv) fishing and fish processing;
 - (v) agriculture and agro processing;
 - (vi) information and communications technology;
 - (vii) creative industries;
 - (viii) financial services;
 - (ix) medical tourism services;
 - (x) renewable energy;
 - (xi) logistics and distribution;
 - (xii) business process outsourcing; and
- (f) “specialised zone”—a place designated for specialised activities, including—
 - (i) manufacturing;
 - (ii) maritime services;
 - (iii) aviation services;
 - (iv) fishing and fish processing;

SCHEDULE 3—Continued

- (v) agriculture and agro processing;
 - (vi) information and communications technology;
 - (vii) creative industries;
 - (viii) financial services;
 - (ix) medical tourism services;
 - (x) renewable energy;
 - (xi) logistics and distribution; and
 - (xii) business process outsourcing.
-

UNOFFICIAL

SCHEDULE 4

ELIGIBILITY CRITERIA TO BE APPLIED BY THE AUTHORITY IN ASSESSING AN SEZ ENTERPRISE/SINGLE ZONE ENTERPRISE/OPERATOR

[Sections 35(2)(b), 36(1)(b), 40(4)(b) and 49(2)(b)].
*116/2024.

Eligibility Criteria for SEZ Enterprise

Eligibility Criteria to be applied by the Authority	Micro-Enterprise	Small and Medium - Enterprise (SME)	Large Enterprise
1. The SEZ Enterprise shall be incorporated or registered in Trinidad and Tobago in accordance with the Companies Act, Chap. 81:01.	√	√	√
2. Minimum new investments in Zone made after 31 January 2022 and commenced within first two-year period of grant of licence.	US\$10,000	US\$50,000	US\$1,000,000
3. Sales Turnover	< TT\$250,000	>TT\$250,000 - <TT\$10,000,000	>TT\$10,000,000
4. No. of full-time qualified employees physically present in the Zone	1-5	6-50	>50

Eligibility Criteria for Single Zone Enterprise

Eligibility Criteria to be applied by the Authority	Single Zone Enterprise
1. The Single Zone Enterprise shall be: (a) Incorporated or registered in Trinidad and Tobago in accordance with the Companies Act; or (b) Registered under the Registration of Business Names Act	√
2. Minimum new investments in Zone made after 31 January, 2022 and commenced within first two year period of grant of licence	US \$1,500,000 <ul style="list-style-type: none"> Business Process Outsourcing

*This Order took effect on 1st July 2024.

L.R.O.

SCHEDULE 4—Continued

	<ul style="list-style-type: none"> • Information and Communications Technology • Creative Industries <p>US \$3,000,000.00</p> <ul style="list-style-type: none"> • Manufacturing • Maritime Services • Aviation Services • Fish and fish processing • Agriculture and agro processing • Financial Service • Medical Tourism Services • Logistics and Distribution
3. Sales Turnover	TT \$25,000,000
4. No. of full time employees physically present in the Zone	> 50

Eligibility Criteria for Operator

Eligibility Criteria to be applied by the Authority	Operator
Minimum new investments in Zone-related buildings, machines, equipment, facilities and other necessary assets, made after 31 January 2022, commenced within first two-year period of grant of licence.	US \$10,000,000*.

(Section 90).

***SCHEDULE 5
 (OMITTED)**

*See Note on Schedule 5 at page 2.

SUBSIDIARY LEGISLATION

**TRINIDAD AND TOBAGO SPECIAL ECONOMIC ZONES
REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

PART I

PRELIMINARY

1. Citation.
2. Interpretation.

PART II

DESIGNATION OF SPECIAL ECONOMIC ZONES

3. Procedure for designation of Special Economic Zones.

PART III

OPERATOR LICENCE

4. Operator Licence Application.
5. Public-private partnership requirements.
6. Assessment by the Authority of the Operator Licence Application and recommendations to the Minister.
7. Minister determination on granting an Operator Licence.
8. Issue of Operator Licence and certificate of grant of Operator Licence.
9. Annual Operation Plan for Operators.
10. Annual licence fee.
11. Amendment or variation of Licence.
12. Surrender of Licence.
13. Renewal of Operator Licence.

PART IV

**SPECIAL ECONOMIC ZONE ENTERPRISE LICENCE
AND SINGLE ZONE ENTERPRISE LICENCE**

14. SEZ Enterprise Licence and Single Zone Enterprise Licence Application.
15. Economic Substance Test.

ARRANGEMENT OF REGULATIONS—*Continued*

REGULATION

16. Assessment by Authority of the SEZ Enterprise Licence or Single Zone Enterprise Licence Application and recommendations to the Minister.
17. Minister determination on the SEZ Enterprise Licence or Single Zone Enterprise Licence Application.
18. Issue of Licence and certificate of grant of licence.
19. Reporting and compliance.
20. Annual Operation Plan for SEZ Enterprise Licence or Single Zone Enterprise Licence.
21. Annual licence fee.
22. Amendment or variation of licence.
23. Surrender of SEZ Enterprise Licence or Single Zone Enterprise Licence.
24. Renewal of SEZ Enterprise Licence or Single Zone Enterprise Licence.

PART V

GENERAL

25. Application of Trinidad and Tobago Customs Act to a Zone.
26. Restriction on disposal of articles imported with Customs Duty concessions.
27. Exportation of goods from a Zone to a customs territory.
28. Importation of goods from a customs territory to a Zone.

PART VI

DISPUTE RESOLUTION

29. Complaints procedure.

PART VII

MISCELLANEOUS

30. Extension of time.
31. Guidelines.
32. Non-refund of fees.

SCHEDULE 1.

SCHEDULE 2.

SCHEDULE 3.

**TRINIDAD AND TOBAGO SPECIAL ECONOMIC
ZONES REGULATIONS**

370/2023.

made under section 87

PART I

PRELIMINARY

1. These Regulations may be cited as the Trinidad and Tobago Special Economic Zones Regulations. Citation.

2. In these Regulations, unless the context requires otherwise— Interpretation.

“certified mediator” has the meaning assigned to it in section 2 of the Mediation Act; Ch. 5:32.

“core income generating activities” shall be those permitted activities as defined in the Act as hereinafter set out at Schedule 2;

“investment” means all outgoings and expenses incurred by an operator or an enterprise to procure or improve an asset in the production of income; and

“public-private partnership” means a public body and a private body which have entered into a public-private partnership arrangement.

PART II

DESIGNATION OF SPECIAL ECONOMIC ZONES

3. (1) The Authority shall, in making a recommendation to the Minister under section 30(1) take into consideration the factors specified in section 30(3) and provide the Minister with all the material information in relation to those factors. Procedure for designation of Special Economic Zones.

(2) Subject to subregulations (3) to (5), the Minister shall, upon receipt of a recommendation from the Authority pursuant to section 30(1), have ninety days to determine whether a geographical area should be designated as a Special Economic Zone.

(3) The Minister may, in writing, request additional information from the Authority prior to making a final determination with respect to the designation of a Special Economic Zone.

(4) The Authority shall, within thirty days from the date of delivery of a written request from the Minister pursuant to subregulation (3), submit to the Minister the additional information requested.

(5) The Minister shall, within thirty days after the receipt of additional information under subregulation (4), determine whether a geographical area should be designated as a Special Economic Zone.

PART III

OPERATOR LICENCE

Operator
Licence
Application.

Form 1.
Schedule 1.

Schedule 4.

Form 2.
Schedule 1.

Schedule 3.

Public-private
partnership
requirements.

4. An applicant for an Operator Licence shall submit to the Authority—

- (a) an application in the form set out as Form 1 in Schedule 1;
- (b) documentation that supports the eligibility criteria specified in Schedule 4 of the Act;
- (c) an Operation Plan in the form set out as Form 2 in Schedule 1; and
- (d) the non-refundable Operator Licence application fee specified in Schedule 3.

5. Where an applicant for an Operator Licence is a public-private partnership, the applicant shall submit to the Authority a copy of the public-private partnership arrangement containing the following information:

- (a) the ownership structure of the public-private partnership;
- (b) financial plan of the public-private partnership; and
- (c) the provisions for the distribution of assets upon termination of the public-private partnership.

6. (1) Where the Authority receives an application for an Operator Licence, and no information, material or verification under section 35(3) is required, it shall within thirty days of receipt of the application, request in writing, the approval of the Minister to grant or refuse the application as the case may be.

Assessment by the Authority of the Operator Licence Application and recommendations to the Minister.

(2) The Authority may, within thirty days of the receipt of an application for an Operator Licence, make a written request to the applicant for any further information or material, or for any verification by affidavit, in accordance with section 35(3).

(3) An applicant for an Operator Licence shall, within thirty days from the date of receipt of a request pursuant to subregulation (2) or any other period specified by the Authority, comply with the request.

(4) The Authority shall, within thirty days from the date on which the applicant complies with all requests pursuant to subregulation (2), determine whether the application meets the requirement of the Act and request in writing the approval of the Minister to grant or refuse the application, as the case may be.

7. The Minister shall, upon receipt of a request under regulation 6, have sixty days to consider the request and notify the Authority in writing of his decision.

Minister determination on granting an Operator Licence.

8. Where the Minister approves the grant of an Operator Licence under regulation 7, the Operator Licence and certificate of grant of the Operator Licence referred to in section 82 shall be issued within twenty-one days of the approval of the Minister.

Issue of Operator Licence and certificate of grant of Operator Licence.

9. (1) For the purposes of section 54(1), an annual Operation Plan for the new financial year shall be in the form set out as Form 11 in Schedule 1.

Annual Operation Plan for Operators. Form 11. Schedule 1.

(2) Upon submission of the annual Operation Plan by the operator, the Authority shall have thirty days from the date of the receipt of the submission to—

- (a) request further information and or clarification from the operator; or

(b) approve the annual Operation Plan by providing written notification to the operator.

Annual licence fee.

10. An operator shall, not later than thirty days after the anniversary of the date of issue of its Operator Licence or such other date as determined by the Authority in writing, pay to the Authority the annual licence fee prescribed under section 39(4).

Amendment or variation of Licence.

11. (1) An operator seeking an amendment or variation to the terms and conditions of its Operator Licence, in accordance with section 42(2), shall—

(a) submit to the Authority an application in the form set out as Form 14 in Schedule 1; and

(b) pay the application fee specified in Schedule 3.

Form 14.
Schedule 1.
Schedule 3.

(2) Where the Authority receives an application for an amendment or variation of an Operator Licence, and no information, material or verification under section 42(4) is required, it shall within fourteen days of receipt of the application, request in writing, the approval of the Minister to grant or refuse the application as the case may be.

(3) The Authority may, within fourteen days of the receipt of an application for an amendment or variation of an Operator Licence, make a written request to the applicant for any further information or material, or for any verification by affidavit, in accordance with section 42(4).

(4) An applicant for an amendment or variation of an Operator Licence shall, within fourteen days from the date of receipt of a request pursuant to subregulation (3) or any other period specified by the Authority, comply with the request.

(5) The Authority shall, within fourteen days from the date on which the applicant complies with all requests pursuant to subregulation (3), determine whether the application meets the requirement of the Act and request in writing the approval of the Minister to grant or refuse the application, as the case may be.

(6) The Minister shall, upon receipt of a request under subregulation (5), have fourteen days to consider the request and notify the Authority in writing of his decision.

(7) The Authority shall have fourteen days from the receipt of notice of the Minister's decision under subregulation (6), to inform the applicant of the grant or refusal of his application.

12. (1) Any operator wishing to surrender its Operator Licence, in accordance with section 47(2), shall—

Surrender of
Licence.

(a) submit to the Authority an application in the form set out as Form 17 in Schedule 1; and

Form 17.
Schedule 1.
Schedule 3.

(b) pay the application fee specified in Schedule 3.

(2) Where the Authority receives an application for the surrender of an Operator Licence, and no further information or document under section 42(4) is required, it shall within thirty days of receipt of the application, notify the operator in writing of its decision.

(3) The Authority may, within thirty days of the receipt of an application for the surrender of an Operator Licence, make a written request to the applicant for any further information or document, in accordance with section 42(4).

(4) An applicant for the surrender of an Operator Licence shall, within fourteen days from the date of receipt of a request pursuant to subregulation (3) or any other period specified by the Authority, comply with the request.

(5) The Authority shall, within fourteen days from the date on which the applicant complies with all requests pursuant to subregulation (3), determine whether the application meets the requirements of the Act and notify the applicant in writing of its decision.

13. (1) An operator who wishes to renew its Operator Licence, in accordance with section 43(1), shall submit to the

Renewal of
Operator
Licence.

Authority, at least three months prior to the expiration of the Licence or such other period as specified in the terms and conditions of the existing licence, the following:

- Form 20. (a) an application in the form set out as Form 20 in
- Schedule 1. Schedule 1;
- Form 21. (b) an Operation Plan in the form set out as Form 21
- Schedule 1. in Schedule 1; and
- (c) all documentation in support of the application,
- Schedule 3 and pay the fees specified in Schedule 3.

(2) Where the Authority receives an application for the renewal of an Operator Licence, and no further information or document is required under section 6(b), it shall within thirty days of receipt of the application, request in writing, the approval of the Minister to grant or refuse the application, as the case may be.

(3) The Authority may, within thirty days of the receipt of an application for the renewal of an Operator Licence, make a written request to the applicant for any further information or document required under section 6(b).

(4) An applicant for the renewal of an Operator Licence shall, within fourteen days from the date of receipt of a request pursuant to subregulation (3) or any other period specified by the Authority, comply with the request.

(5) The Authority shall, within fourteen days from the date on which the applicant complies with all requests pursuant to subregulation (3), determine whether the application meets the requirements of the Act and forward its recommendations to the Minister.

(6) The Minister, upon receipt of the recommendations from the Authority, pursuant to subregulation (2) or (5), shall have thirty days to—

- (a) consider the recommendations of the Authority;
- (b) make a determination as to whether to grant or refuse the renewal of the Operator Licence; and
- (c) notify the Authority in writing of his decision.

(7) The Authority shall have fourteen days to inform the operator of the decision to renew or refuse the Operator Licence.

PART IV

**SPECIAL ECONOMIC ZONES ENTERPRISE LICENCE
AND SINGLE ZONE ENTERPRISE LICENCE**

14. An applicant who wishes to obtain an SEZ Enterprise Licence or Single Zone Enterprise Licence for the purpose of carrying on any activities as referred to in Schedule 3 of the Act, shall be required to submit to the Authority—

SEZ Enterprise Licence and Single Zone Enterprise Licence Application.

(a) for an SEZ Enterprise Licence—

(i) an application form as set out as Form 3 in Schedule 1; and

Form 3.
Schedule 1.

(ii) an Operation Plan for an SEZ Enterprise as set out at Form 4 in Schedule 1.

Form 4.
Schedule 1.

(b) for a Single Economic Enterprise Licence—

(i) an application form as set out as Form 5 in Schedule 1; and

Form 5.
Schedule 1.

(ii) an Operation Plan for a Single Zone Enterprise as set out at Form 6 in Schedule 1;

Form 6.
Schedule 1.

(c) all other documentation, in support of the application for an SEZ Enterprise Licence or Single Zone Enterprise Licence, referred to in section 49(2) of the Act, hereinafter set out in Schedule 1; and

Schedule 1.

(d) the non-refundable application fee as set out in Schedule 3 for—

Schedule 3.

(i) the SEZ Enterprise Licence; or

(ii) the Single Zone Enterprise Licence.

15. The Authority in accordance with sections 49(4) and (5) shall review the Operation Plan, submitted by an applicant for an SEZ Enterprise Licence or a Single Zone Enterprise Licence, to determine whether the applicant has satisfied the economic

Economic Substance Test.

Schedule 2.

Assessment by Authority of the SEZ Enterprise Licence or Single Zone Enterprise Licence Application and recommendations to the Minister.

substance test in relation to all permitted economic activities, to be undertaken in the Special Economic Zone, as provided for in the Act and set out in Schedule 2.

16. (1) Within thirty days of receipt of an SEZ Enterprise Licence or Single Zone Enterprise Licence application, made pursuant to regulation 15, the Authority shall assess the application for the SEZ Enterprise Licence or Single Zone Enterprise Licence, taking into account the factors referred to under section 50(1).

(2) In accordance with section 49(6), the Authority may make a written request to the applicant, for any further information, material, or verification by affidavit of any information or material fact then or previously submitted by the applicant.

(3) An applicant, pursuant to subregulation (2), shall submit all requested information to the Authority within thirty days from the date of delivery of the request or any other time period specified by the Authority.

(4) The Authority shall, within thirty days from the date of receipt of the additional information, determine whether an application meets the requirements of the Act and forward its recommendations to the Minister.

Minister determination on the SEZ Enterprise Licence or Single Zone Enterprise Licence Application.

17. The Minister shall, upon receipt of the recommendations from the Authority pursuant to regulation 16(4), have thirty days to—

- (a) consider the recommendations of the Authority;
- (b) make a determination as to whether to grant or refuse the SEZ Enterprise Licence or Single Zone Enterprise Licence; and
- (c) notify the Authority in writing of his decision.

Issue of Licence and certificate of grant of licence.

18. Where the decision to grant an SEZ Enterprise Licence or Single Zone Enterprise Licence is made, the certificate of grant licence pursuant to section 82 shall be issued together with the licence, within twenty-one days of being notified of the Minister's decision pursuant to regulation 17(c).

19. The information required to be submitted by a licensee to the Authority pursuant to section 55(1) shall be in the form set out as Form 9 or Form 10 of Schedule 1, as the case may be.

Reporting and compliance.

Form 9.
Form 10.
Schedule 1.

20. (1) An Operation Plan required to be submitted by a licensee to the Authority pursuant to section 54(1) shall be in the form set out as Form 12 or Form 13 of Schedule 1, as the case may be.

Annual Operation Plan for SEZ Enterprise or Single Zone Enterprise.
Form 12 and Form 13 in Schedule 1.

(2) Upon submission of an annual Operation Plan by a licensee, the Authority shall have fourteen days from the date of receipt to request further information from the licensee.

(3) Where a licensee fails to provide the information to the Authority within fourteen days of the delivery date of a request, under subregulation (2), the Authority may take any of the actions specified in section 59(2).

(4) The Authority shall have twenty-one days to consider an annual Operation Plan and any further information submitted pursuant to subregulation (2) and to notify the licensee, in writing, of its approval or disapproval of the annual Operation Plan.

(5) Where the Authority does not approve an annual Operation Plan pursuant to subregulation (4), the Authority may take any of the actions specified in section 59(2).

21. A licensee shall, before the expiration of thirty days after each anniversary date of the issue of its licence or such other date as determined by the Authority in writing, pay to the Authority the annual licence fee prescribed under section 53(4).

Annual licence fee.

22. (1) An application by a licensee for an amendment or variation of the terms and conditions of its licence pursuant to section 57(3), shall be in the form set out in Form 15 or 16 of Schedule 1, as the case may be, and payment of the application fee specified in Schedule 3.

Amendment or variation of licence.

Form 15 or Form 16 in Schedule 1.
Schedule 3.

(2) Where the Authority requests further information and documents pursuant to section 57(4), the licensee shall submit all requested information and documents to the Authority within fourteen days from the date of delivery of the request.

(3) The Authority shall, subject to the approval of the Minister, have thirty days from the date of receipt of—

(a) an application under subregulation (1); or

(b) any further information and documents requested under section 57(4),

to consider the application and to notify the licensee, in writing, of its approval or disapproval of the application.

Surrender of
SEZ Enterprise
Licence or
Single Zone
Enterprise
Licence.
Form 18 and
Form 19 in
Schedule 1.
Schedule 3.

23. (1) An application by a licensee for approval to surrender its licence pursuant to section 62(2) shall be in the form set out in Form 18 or Form 19 of Schedule 1, as the case may be, and payment of the application fee specified in Schedule 3.

(2) The Authority shall have thirty days from the receipt of an application under subregulation (1) to consider the application and to notify the licensee, in writing, of its approval or disapproval of the application.

(3) Where the Authority receives an application by a licensee for approval to surrender its licence pursuant to section 62(2) and the Authority is not satisfied that the SEZ Enterprise or the Single Zone Enterprise has ceased all activities under the SEZ Enterprise Licence or the Single Zone Enterprise Licence or has not complied with the terms and conditions of the SEZ Enterprise Licence or the Single Zone Enterprise Licence, the Authority may, within thirty days of the receipt of the application by a licensee for approval to surrender its licence, make a written request to the applicant for any information of document required under section 6(b).

(4) An applicant for the renewal of an Operator Licence shall, within fourteen days from the date of receipt of a request pursuant to subregulation (3) or any other period specified by the Authority, comply with the request.

(5) The Authority shall, upon receipt of the requested information or documents under subregulation (4), have fourteen days to consider the request and notify the applicant, in writing of its decision.

24. (1) An SEZ Enterprise or Single Zone Enterprise who wishes to renew its SEZ Enterprise or Single Zone Enterprise Licence, in accordance with section 58(1), shall submit to the Authority, at least three months prior to the expiration of the licence or such other period as specified in the terms and conditions of the existing licence, the following:

Renewal of
SEZ Enterprise
Licence or
Single Zone
Enterprise
Licence.

(a) for an SEZ Enterprise—

- (i) an application in the form set out as Form 22 in Schedule 1;
- (ii) the Operation Plan for the SEZ Enterprise, in the form set out as Form 23 in Schedule 1; and
- (iii) proof of payment of the application fee specified in Schedule 3.

Form 22 in
Schedule 1.

Form 23 in
Schedule 1.

Schedule 3.

(b) for a Single Zone Enterprise—

- (i) an application in the form set out as Form 24 in Schedule 1;
- (ii) the Operation Plan for the Single Zone Enterprise, in the form set out as Form 25 in Schedule 1; and
- (iii) proof of payment of the application fee specified in Schedule 3.

Form 24 in
Schedule 1.

Form 25 in
Schedule 1.

Schedule 3.

(2) Where the Authority receives an application for the renewal of an SEZ Enterprise or Single Zone Enterprise Licence, and no further information or document is required under section 6(b), it shall within thirty days of receipt of the application, determine whether the application meets the requirements of the Act and forward its recommendations to the Minister.

(3) The Authority may, within thirty days of the receipt of an application for the renewal of an SEZ Enterprise or Single Zone

Enterprise Licence, make a written request to the applicant for any further information or document required under section 6(b).

(4) An applicant for the renewal of an SEZ Enterprise or Single Zone Enterprise Licence shall, within fourteen days from the date of receipt of a request pursuant to subregulation (3) or any other period specified by the Authority, comply with the request.

(5) The Authority shall, within fourteen days from the date on which the applicant complies with all requests pursuant to subregulation (3), determine whether the application meets the requirements of the Act and forward its recommendations to the Minister.

(6) The Minister shall, upon receipt of the recommendations from the Authority pursuant to subregulation (2) or (5), have thirty days to—

- (a) consider the recommendations of the Authority;
- (b) make a determination as to whether to grant or refuse the renewal of the SEZ Enterprise Licence or Single Zone Enterprise Licence; and
- (c) notify the Authority in writing of its decision.

(7) The Authority shall have fourteen days to inform the applicant and the relevant operator of the decision to renew or refuse to renew the SEZ Enterprise Licence or Single Zone Enterprise Licence.

PART V

GENERAL

25. (1) An operator, SEZ Enterprise or Single Zone Enterprise which manufactures or imports any materials, articles or manufactured goods into a Zone with any benefit in respect of Customs Duty shall—

- (a) cause such materials, articles or goods to be marked or otherwise identified in such a manner as may be required by the Comptroller of Customs and Excise;

- (b) maintain such records in such form and containing such particulars of the various materials, articles or goods imported into or exported from a Zone, or used in any process of manufacture or manipulation which takes place within a Zone, as may be required by the Comptroller of Customs and Excise;
- (c) submit to the Comptroller of Customs and Excise as may be required by the Comptroller, a report of receipts, deliveries and disposal of such materials, articles or goods and the quantity and descriptions of the manufactured goods;
- (d) permit the Comptroller of Customs and Excise at all reasonable times, to inspect the records relating to those materials, articles or manufactured goods;
- (e) permit the Comptroller of Customs and Excise at all reasonable times during at all reasonable times to have access to any premises in a Zone in order to examine any such materials, articles or goods manufactured therein, and to satisfy himself of the accuracy of the particulars in relation to any such materials, articles or goods; and
- (f) submit the requisite Customs Declaration to the Comptroller of Custom and Excise for the importation and exportation of such materials, articles or manufactured goods which must pass through the customs territory into a Zone.

(2) Where the Comptroller of Customs and Excise, subsequent to an inspection of the records, materials, articles or manufactured goods pursuant to subregulation (1), discovers any deficiencies in the materials, articles or goods, the Comptroller shall provide written notification to the operator, SEZ Enterprise or Single Zone Enterprise—

- (a) of the charge, thereby setting out the specific details of the charge under the Customs Act; and

(b) the Customs Duty payable and VAT payable by the operator, SEZ Enterprise or Single Zone Enterprise due to the deficiencies, to be calculated using the prevailing rates, as at the date of the charge.

(3) Any operator, SEZ Enterprise or Single Zone Enterprise charged under subregulation (2) shall be required, within thirty days of the issue of the notice, to submit payment to the Comptroller of Customs and Excise of the Customs Duty.

(4) Notwithstanding subregulation (2), where the Comptroller of Customs and Excise is satisfied that the deficiency was caused by reasonable wastage or unavoidable breakage, leakage or other accident, a charge shall not be made against the operator, SEZ Enterprise or Single Zone Enterprise.

Restriction on disposal of articles imported with Customs Duty concessions.

26. (1) An operator, SEZ Enterprise or Single Zone Enterprise shall not use any materials, articles or goods imported into a Zone with a benefit in respect of Customs Duty for purposes other than those permitted by the terms and conditions of the Licence.

(2) Subject to subregulation (3), a Licensee shall not sell, give away or otherwise dispose of any materials, articles or goods referred to in subregulation (1) for purposes other than those permitted by the terms and conditions of the Licence.

(3) Notwithstanding subregulation (2), an operator, SEZ Enterprise or Single Zone Enterprise may sell, give away or otherwise dispose of any materials, articles or goods referred to in subregulation (1) in such circumstances where prior written approval is provided by the Minister of Finance.

Exportation of goods from a Zone to a customs territory.

27. Notwithstanding any written law to the contrary, where materials, articles or goods are transferred by an operator, SEZ Enterprise or Single Zone Enterprise from a Zone to the customs territory, the operator, SEZ Enterprise or Single Zone Enterprise shall be obligated—

(a) to deem the materials, articles or goods as exported, at the boundary of the Zone and on

the effective date of the transfer of the materials, articles or goods, from a Zone to the customs territory;

- (b) to apply all related Customs Duty to the materials, articles or goods, pursuant to the Trinidad and Tobago Customs Act, on the effective date of transfer; and
- (c) to apply all related Value Added Tax to the materials, articles or goods, pursuant to the Trinidad and Tobago Value Added Tax Act, on the effective date of transfer.

28. Notwithstanding any law to the contrary, where materials, articles or goods are transferred by an operator, SEZ Enterprise or Single Zone Enterprise from the customs territory to a Zone, the operator, SEZ Enterprise or Single Zone Enterprise shall be obligated—

Importation of goods from a customs territory to a Zone.

- (a) to deem the materials, articles or goods as imported, at the boundary of the Zone and on the effective date of the transfer of the materials, articles or goods, from the customs territory to the Zone; and
- (b) to deem the materials, articles or goods as exported, at the boundary of the Zone and on the effective date of the transfer of the materials, articles or goods from the customs territory to the Zone.

PART VI

DISPUTE RESOLUTION

29. (1) Where there is a dispute between an operator and an enterprise, the parties shall try to amicably settle such dispute.

Complaints procedure.

(2) Subject to subregulation (3), where a dispute cannot be settled amicably, the parties may, by mutual agreement, refer the dispute, in writing, to the Authority to facilitate the mediation of the dispute.

(3) For the purposes of subregulation (2), the mediation shall be carried out by a certified mediator.

(4) Recordings or transcripts of the mediation proceedings shall remain confidential and shall only be disclosed in accordance with section 74.

(5) With the exception of the instances referred to in section 74(1), neither party shall be permitted to call upon the Authority to testify on behalf of either of the parties in any later proceeding relating to the dispute.

(6) All fees and expenses incurred by the Authority arising from the mediation proceeding shall be borne equally by the parties.

(7) Where the parties, through the mediation proceedings, fail to settle the dispute within ninety days of the commencement of the mediation proceedings or such other extended term as determined and mutually agreed by the parties in writing, the parties may seek any other remedies available to the parties by law or pursuant to any existing agreement between the parties.

PART VII

MISCELLANEOUS

Extension of time.

30. Notwithstanding these Regulations, where the Minister or the Authority is required to make a decision or perform a function under these Regulations in relation to any person within a specified period, the Authority with the approval of the Minister may, at least three days before the expiration of the period, extend the period by such time as the Authority thinks fit by giving the person written notice of the extension with reasons.

Guidelines.

31. The Authority shall issue and update guidelines or codes of practice, for operators, SEZ Enterprises or Single Zone Enterprises with respect to the implementation of these Regulations.

Non-refund of fees.

32. Fees paid under these Regulations are non-refundable.

SCHEDULE 1

FORMS 1 TO 25

1. Application Form for an Operator Licence.
2. Operation Plan for an Operator Licence.
3. Application Form for an SEZ Enterprise Licence.
4. Operation Plan for an SEZ Enterprise Licence.
5. Application Form for a Single Zone Enterprise Licence.
6. Operation Plan for a Single Zone Enterprise Licence.
7. AML/CFT/PF Risk Assessment Form.
8. Declaration of Consent to Entry of Inspectors.
9. Semi-Annual Report for SEZ Enterprises.
10. Semi-Annual Report for Single Zone Enterprises.
11. Annual Operation Plan for an Operator Licence.
12. Annual Operation Plan for an SEZ Enterprise.
13. Annual Operation Plan for a Single Zone Enterprise.
14. Application Form for Amendment or Variation of an Operator Licence.
15. Application Form for Amendment or Variation of an SEZ Enterprise Licence.
16. Application Form for Amendment or Variation of a Single Zone Enterprise Licence.
17. Application Form for the Surrender of an Operator Licence.
18. Application Form for Amendment or Variation of an SEZ Enterprise Licence.
19. Application Form for Amendment or Variation of a Single Zone Enterprise Licence.
20. Application Form for the Renewal of an Operator Licence.
21. Operation Plan for the Renewal of an Operator Licence.
22. Application Form for the Renewal of an SEZ Enterprise Licence.
23. Operation Plan for the Renewal of an SEZ Enterprise Licence.
24. Application Form for the Renewal of a Single Zone Enterprise Licence.
25. Operation Plan for a Single Zone Enterprise Licence.

SCHEDULE 1—Continued

FORM 1

(Regulation 4)

APPLICATION FORM FOR AN OPERATOR LICENCE

We hereby apply for an Operator Licence pursuant to the provisions of the Trinidad and Tobago Special Economic Zones Act, 2022.

SECTION 1 – GENERAL INFORMATION

1. Name of Applicant:	
2. Address:	
3. Office Number:	
4. Fax Number:	
5. Email Address:	
6. Website:	
7. Select as appropriate: <input type="checkbox"/> Public Body <input type="checkbox"/> Private Body <input type="checkbox"/> Public-private partnership	
8. Board of Inland Revenue File Number:	
9. Value Added Tax Registration Number:	
10. National Insurance Board Registration Certificate Number:	
11. Bankers – Contact Information	
Name of Bank:	
Branch Address:	
Bank Contact Official:	
Telephone Number:	

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[Subsidiary]

APPLICATION FORM FOR AN OPERATOR LICENCE

SECTION 2 - SHAREHOLDING/PARTNERSHIP/DIRECTOR INFORMATION

12. Details of Shareholders/Partners

Name	Address	Occupation	Nationality	Number & Type of Shares or percentage of Ownership

13. Details of Directors

Name	Address	Occupation	Nationality

14. Principal Officers

Name	Address	Occupation	Nationality

SECTION 3 - BUSINESS ACTIVITY

15. Select appropriate Zone:

- Free Port Free Trade Zone Industrial Park
 Specialised Zone Development Zone

16. Brief Description of Proposed Business Activity

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SCHEDULE 1—Continued

FORM 1—Continued

(Regulation 4)

APPLICATION FORM FOR AN OPERATOR LICENCE

17. As at the date of this Application, is the applicant in possession of an Operator Licence with respect to any other Special Economic Zone? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details
18. Has the applicant ever been denied approval to operate a Special Economic Zone? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details

SECTION 4 - DETAILS OF PROPOSED SPECIAL ECONOMIC ZONE

19. Please indicate your legal interest in the property comprising the proposed Special Economic Zone: <input type="checkbox"/> Owner <input type="checkbox"/> Leasehold interest If Leasehold Interest, please indicate tenure of lease agreement: _____
20. If the applicant is not the owner, please provide the name and address of the property owner.
Name:
Address:
21. Please provide the precise location of the property comprising the proposed Special Economic Zone.
22. Size of the proposed Special Economic Zone
Land Area:
Building Area:
23. Distance of the proposed Special Economic Zone from the nearest:
Sea port:
Airport:
Road:
Customs Processing Area:

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APPLICATION FORM FOR AN OPERATOR LICENCE

24. Zoning Classification, please select: <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agricultural <input type="checkbox"/> Residential	
25. Provide a brief description of the Existing Land Use:	
26. Approvals	
(a) Outline Planning Approval:	
Date of Application:	
Anticipated Date of Approval:	
(b) Town & Country	
Date of Application:	
Anticipated Date of Approval:	
(c) Environmental Management Authority	
Date of Application:	
Anticipated Date of Approval:	
27. Please indicate whether the property comprising the proposed Special Economic Zone is subject to any dispute or any actual impending legal liability or contingency.	

SECTION 5 – INVESTMENT AND FINANCIAL INFORMATION

28. Proposed Financial/Investment Details	
Land:	\$
On-Site Infrastructure (fencing, roads, drainage, water supply, sewage, electricity, telecommunication etc.):	\$
Building:	\$
Machinery and Equipment:	\$
Professional Fees:	\$
Other (provide details):	\$
Total Investment:	\$
29. Means of Financing	
Equity Capital:	\$
Bank Loan:	\$
Other Third Party Loans:	\$
External Commercial Borrowings:	\$

SCHEDULE 1—Continued

FORM 1—Continued

(Regulation 4)

APPLICATION FORM FOR AN OPERATOR LICENCE

Other (provide details):	\$
Total:	\$
30. Foreign Direct Investment	
Extent of Foreign Direct Investment (if any):	\$
Source of Foreign Direct Investment (company and country details):	

SECTION 6 - ATTESTATION

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.	
Declared to at _____ in _____ By _____ This _____ day of _____, _____	
Before me, Commissioner of Affidavits	
Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

The Applicant shall also be required to submit the following documents in support of this Application:

1. Where applicable, certified by the Registrar of Companies, the Office of Attorney General and Ministry of Legal Affairs:

- (a) *Business* - the Certificate of Business Registration, where registered as a Partnership under the Registration of Business Name Act;
- (b) *Local Company* - the Certificate of Incorporation, Articles of Incorporation, By-Laws and the last year's Annual Return;
- (c) *External Company* - the Certificate of Registration, Application for Registration and the last year's Annual Return; or
- (d) *Public-Private Partnership* - the Partnership Agreement.

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APPLICATION FORM FOR AN OPERATOR LICENCE

2. *An Operation Plan - Form 2, Schedule 1 to the Regulations.*
3. *A copy of the deed of conveyance, certificate of title, lease agreement or other documentary evidence establishing the right to occupy the property, certified by the Registrar General, Land Registry, the Office of the Attorney General and Ministry of Legal Affairs.*
4. *The written consent of the owner of the property for the designation and use of the property as a Special Economic Zone.*
5. *An AML/CFI/PF risk assessment - Form 7, Schedule 1 to the Regulations.*
6. *Audited Financial Statements and/or Management Accounts for the last two years of operation, if applicable; Financial projections; bank statements; or any other financing and or contractual arrangements as evidence of the applicant's ability to meet the Zone-related investment criteria specified in Schedule 4 of the Act.*
7. *A list of the employee names, identification numbers, positions and level within the organisation.*
8. *A Declaration consenting to the entry of inspectors - Form 8 in Schedule 1 to the Regulations.*
9. *An affidavit verifying the property comprising the proposed Special Economic Zone is not subject to any dispute or any actual or impending legal liability or contingency that could give rise to a legal claim relating to the occupancy of the said property.*
10. *A copy of all building permits and/or planning approvals to satisfy the requirements for development standards for roads, drainage and utilities.*
11. *A copy of any certificates issued under the Environmental Management Act, Chap. 35:05.*
12. *A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08.*

SCHEDULE 1—Continued

FORM 2

(Regulation 4)

OPERATION PLAN FOR AN OPERATOR LICENCE

The Operation Plan should, be in the format and contain the information as set out below.

<p>1. Executive Summary</p> <p>The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.</p>
<p>2. Background</p> <p>The following matters may be included in the Background:</p> <ul style="list-style-type: none">(a) A brief overview of the applicant;(b) A profile of the leadership team;(c) The type and number of businesses being targeted for the proposed Special Economic Zone;(d) The location, size and suitability of the land for the proposed Special Economic Zone; and(e) Likely commencement date of operations.
<p>3. Approvals and Infrastructure</p> <ul style="list-style-type: none">(a) All required approvals should be identified (Town and Country, Environmental Management Authority, Occupational Safety and Health Authority (OSHA), fire services);(b) The date of application to all the relevant authorities and the anticipated date of receipt of approvals;(c) The environmental impact should be highlighted as well as any measures proposed to be taken in mitigation;(d) The existing infrastructure on the property;(e) Plans for site development including the construction of buildings, roads, fencing, provision of water supply and sewage systems, electricity supply and telecommunication facilities;(f) The estimated number of persons that would be employed during construction ;(g) A timeline for all infrastructure development works; and(h) Technical drawings and maps may be included, as necessary.
<p>4. Finance and Investment</p> <ul style="list-style-type: none">(a) The total value of the investment with a detailed description of the expenditure incurred;(b) The source of funding;(c) A detailed estimate of the annual operating expenditure associated with the operation of the Special Economic Zone; and(d) Financial projections for at least three years.
<p>5. Marketing</p> <p>Marketing strategy to ensure proper utilization of the proposed Special Economic Zone.</p>
<p>6. Human Resource</p> <ul style="list-style-type: none">(a) Organization chart;(b) Total number of employees(c) The estimated salary levels of employees; and(d) Whether employees would be nationals of Trinidad and Tobago or elsewhere.
<p>7. Support Services</p> <p>Describe any support services that would be offered to SEZ Enterprises: maintenance services, security services, administrative services, etc.</p>
<p>8. Growth Strategy</p> <ul style="list-style-type: none">(a) Strategic goals for the next five years; and(b) Building and/or business expansion plans including timeframes.
<p>9. Other users of the Zone</p> <ul style="list-style-type: none">(a) Describe of all persons not providing support services under 7 but, who may provide activities or other services in the Zone.

FORM 3

(Regulation 14)

APPLICATION FORM FOR AN SEZ ENTERPRISE LICENCE

We hereby apply for a SEZ Enterprise Licence pursuant to the provisions of the Trinidad and Tobago Special Economic Zones Act, 2022.

SECTION 1 - GENERAL INFORMATION

1. Name of Applicant:	
2. Address:	
3. Office Number:	
4. Fax Number:	
5. Email Address:	
6. Website:	
7. Select as appropriate: <input type="checkbox"/> Limited Liability Company* <input type="checkbox"/> External Company* <small>*Incorporated or registered in accordance with the Trinidad and Tobago Companies Act, 1995, Chap. 81:01</small>	
8. Board of Inland Revenue File Number:	
9. Value Added Tax Registration Number:	
10. National Insurance Board Registration Certificate:	
11. Bankers - Contact Information	
Name of Bank:	
Branch Address:	
Bank Contact Official:	
Telephone Number:	

SCHEDULE 1—Continued

FORM 3—Continued

(Regulation 14)

APPLICATION FORM FOR AN SEZ ENTERPRISE LICENCE

SECTION 2 – SHAREHOLDING/PARTNERSHIP/DIRECTOR INFORMATION

12. Details of Shareholders/Partners

Name	Address	Occupation	Nationality	Number & Type of Shares or percentage of Ownership

13. Details of Directors

Name	Address	Occupation	Nationality

14. Principal Officers

Name	Address	Occupation	Nationality

SECTION 3 – BUSINESS ACTIVITY

15. Select appropriate Zone: <input type="checkbox"/> Free Port <input type="checkbox"/> Free Trade Zone <input type="checkbox"/> Industrial Park <input type="checkbox"/> Specialised Zone <input type="checkbox"/> Development Zone
16. Brief Description of Proposed Business Activity

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APPLICATION FORM FOR AN SEZ ENTERPRISE LICENCE

17. Does the applicant have operations in the customs territory? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details
18. Has the applicant ever been denied approval to operate as an SEZ Enterprise/ Single Zone Enterprise? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details

SECTION 4 - DETAILS OF PROPOSED LOCATION

19. Please indicate your legal interest in the property : <input type="checkbox"/> Owner <input type="checkbox"/> Leasehold interest If Leasehold Interest, please indicate tenure of lease agreement: _____
20. If the applicant is not the owner, please provide the name and address of the property owner.
Name: _____
Address: _____
21. Please provide the precise location of the property comprising the proposed business activities.
22. Size of the proposed location of business operations
Land Area: _____
Building Area: _____

23. Zoning Classification, please select: <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agricultural <input type="checkbox"/> Residential
24. Provide a brief description of the Existing Land Use:
25. Approvals
(a) Outline Planning Approval: _____
Date of Application: _____

SCHEDULE 1—Continued

FORM 3—Continued

(Regulation 14)

APPLICATION FORM FOR AN SEZ ENTERPRISE LICENCE

Anticipated Date of Approval:	
(b) Town & Country	
Date of Application:	
Anticipated Date of Approval:	
(c) Environmental Management Authority	
Date of Application:	
Anticipated Date of Approval:	

SECTION 5 - INVESTMENT AND FINANCIAL INFORMATION

26. Proposed Financial/Investment Details	
Land:	\$
On-Site Infrastructure (fencing, roads, drainage, water supply, sewage, electricity, telecommunication etc.):	\$
Building:	\$
Machinery and Equipment:	\$
Professional Fees:	\$
Other (provide details):	\$
Total Investment:	\$
27. Means of Financing	
Equity Capital:	\$
Bank Loan:	\$
Other Third-Party Loans:	\$
External Commercial Borrowings:	\$
Other (provide details):	\$
(Total):	\$
28. Foreign Direct Investment	
Extent of Foreign Direct Investment (if any):	\$
Source of Foreign Direct Investment (company and country details):	

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APPLICATION FORM FOR AN SEZ ENTERPRISE LICENCE

SECTION 6 - ATTESTATION

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.	
Declared to at _____ in _____	
By _____	
This _____ day of _____, _____	
Before me, Commissioner of Affidavits	
Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

The Applicant shall also be required to submit the following documents in support of this Application:

1. Where applicable, certified by the Registrar of Companies, the Office of the Attorney General and Ministry of Legal Affairs:

- (a) **Business** - the Certificate of Business Registration, where registered as a Partnership under the Registration of Business Name Act;
- (b) **Local Company** - the Certificate of Incorporation, Articles of Incorporation, By-Laws and the last year's Annual Return;
- (c) **External Company** - the Certificate of Registration, Application for Registration and the last year's Annual Return; or
- (d) **Public-Private Partnership** - the Partnership Agreement.

2. An Operation Plan - Form 4 in Schedule 1 to the Regulations.

3. A copy of the deed of conveyance, certificate of title, lease agreement or other documentary evidence establishing the right to occupy the property, certified by the Registrar General, Land Registry, the Office of the Attorney General and Ministry of Legal Affairs.

4. The written consent of the owner of the property for the designation and use of the property as a Special Economic Zone.

5. An AML/CFT/PF risk assessment - Form 7, Schedule 1 to the Regulations.

6. Audited Financial Statements and/or Management Accounts for the last two years of operation, if applicable; financial projections; bank statements; or any other financing and or contractual arrangements as evidence of the applicant's ability to meet the Zone-related investment criteria specified in Schedule 4 of the Act.

SCHEDULE 1—Continued

FORM 3—Continued

(Regulation 14)

APPLICATION FORM FOR AN SEZ ENTERPRISE LICENCE

7. *A list of the employee names, identification numbers, positions and level within the organisation, as evidence of the applicant's ability to meet the minimum personnel requirements for the management of the Special Economic Zone.*
8. *A Declaration consenting to the entry of inspectors - Form 8 in Schedule 1 to the Regulations.*
9. *An affidavit verifying the property comprising the proposed Special Economic Zone is not subject to any dispute or any actual or impending legal liability or contingency that could give rise to a legal claim relating to the occupancy of the said property.*
10. *A copy of all building permits and/or planning approvals to satisfy the requirements for development standards for roads, drainage and utilities.*
11. *A copy of any certificates issued under the Environmental Management Act, Chap. 35:05.*
12. *A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08.*

FORM 4

(Regulation 14)

OPERATION PLAN FOR AN SEZ ENTERPRISE LICENCE

The Operation Plan for SEZ Enterprises should be in the format and contain the information as set out below.

<p>1. <u>Executive Summary</u></p> <p>The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.</p>
<p>2. <u>Background</u></p> <p>The following matters may be included in the Background:</p> <ul style="list-style-type: none">(a) A brief overview of the applicant (products/ services provided, duration of operations, achievements, global reach, partners, suppliers, customers etc.);(b) A profile of the leadership team;(c) The type of business to be undertaken in the Special Economic Zone;(d) The location, size and suitability of the land for the proposed Special Economic Zone; and(e) Likely commencement date of operations.
<p>3. <u>Approvals and Infrastructure</u></p> <ul style="list-style-type: none">(a) All required approvals should be identified (Town and Country, Environmental Management Authority, Occupational Safety and Health Authority (OSHA), fire services);(b) The date of application to all the relevant authorities and the anticipated date of receipt of approvals;(c) The environmental impact should be highlighted as well as any measures proposed to be taken in mitigation;(d) The existing infrastructure on the property;(e) Plans for construction of buildings/facilities;(f) The estimated number of persons that would be employed during construction ;(g) A timeline for all infrastructure development works; and(h) Technical drawings and maps may be included, as necessary.
<p>4. <u>Core Income Generating Activities</u></p> <ul style="list-style-type: none">(a) Detailed description of the business activity to be undertaken in the Special Economic Zone; and(b) In the event that the applicant intends to carry on any of the business activities in the sectors as set out in Schedule 2 of the regulations, it shall provide such information and/or documentation to satisfy the requirements that it would be conducting the core income generating activities relevant to its business.
<p>5. <u>Finance and Investment</u></p> <ul style="list-style-type: none">(a) The total value of the investment with a detailed description of the expenditure incurred;(b) The source of funding;(c) A detailed estimate of the annual operating expenditure associated with the operation of the Special Economic Zone; and(d) Financial projections for at least three years.

SCHEDULE 1—Continued

FORM 4—Continued

(Regulation 14)

OPERATION PLAN FOR AN SEZ ENTERPRISE LICENCE

6. <u>Marketing</u> Marketing strategy for products/services.
7. <u>Human Resource</u> (a) Organization chart; (b) List of the employees; (c) Total number of persons employed by the SEZ Enterprise licenced to carry on business in the Special Economic Zone, including the number of qualified full-time personnel and other persons with appropriate qualifications; (d) The estimated salary levels of employees; and (e) Whether employees would be nationals of Trinidad and Tobago or elsewhere.
8. <u>Corporate Social Responsibility</u> Identify potential corporate social responsibility activities.
9. <u>Growth Strategy</u> (a) Strategic goals for the next five years; and (b) Building and/or business expansion plans including timeframes.

FORM 5

(Regulation 14)

APPLICATION FORM FOR A SINGLE ZONE ENTERPRISE LICENCE

We hereby apply for a Single Zone Enterprise Licence pursuant to the provisions of the Trinidad and Tobago Special Economic Zones Act, 2022.

SECTION 1 – GENERAL INFORMATION

1. Name of Applicant:	
2. Address:	
3. Office Number:	
4. Fax Number:	
5. Email Address:	
6. Website:	
7. Select as appropriate: <input type="checkbox"/> Limited Liability Company* <input type="checkbox"/> External Company* <small>*Incorporated or registered in accordance with the Trinidad and Tobago Companies Act, 1995, Chap. 81:01</small>	
8. Board of Inland Revenue File Number:	
9. Value Added Tax Registration Number:	
10. National Insurance Board Registration Certificate:	
11. Bankers – Contact Information	
Name of Bank:	
Branch Address:	
Bank Contact Official:	
Telephone Number:	

SCHEDULE 1—Continued

FORM 5—Continued

(Regulation 14)

APPLICATION FORM FOR A SINGLE ZONE ENTERPRISE LICENCE

12. Details of Shareholders/Partners

Name	Address	Occupation	Nationality	Number & Type of Shares or percentage of Ownership

13. Details of Directors

Name	Address	Occupation	Nationality

14. Principal Officers

Name	Address	Occupation	Nationality

SECTION 3 – BUSINESS ACTIVITY

15. Select appropriate Zone: <input type="checkbox"/> Free Port <input type="checkbox"/> Free Trade Zone <input type="checkbox"/> Industrial Park <input type="checkbox"/> Specialised Zone <input type="checkbox"/> Development Zone
16. Brief Description of Proposed Business Activity

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[Subsidiary]

APPLICATION FORM FOR A SINGLE ZONE ENTERPRISE LICENCE

17. Does the applicant have operations in the customs territory? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details
18. Has the applicant ever been denied approval to operate as an SEZ Enterprise/Single Zone Enterprise? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details

SECTION 4 – DETAILS OF PROPOSED LOCATION

19. Please indicate your legal interest in the property : <input type="checkbox"/> Owner <input type="checkbox"/> Leasehold interest If Leasehold Interest, please indicate tenure of lease agreement: _____
20. If the applicant is not the owner, please provide the name and address of the property owner.
Name:
Address:
21. Please provide the precise location of the property comprising the proposed business activities.
22. Size of the proposed location of business operations
Land Area:
Building Area:
23. Zoning Classification, please select: <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agricultural <input type="checkbox"/> Residential
24. Provide a brief description of the Existing Land Use:
25. Approvals
(a) Outline Planning Approval:
Date of Application:

SCHEDULE 1—Continued

FORM 5—Continued

(Regulation 14)

APPLICATION FORM FOR A SINGLE ZONE ENTERPRISE LICENCE

Anticipated Date of Approval:	
(b) Town & Country	
Date of Application:	
Anticipated Date of Approval:	
(c) Environmental Management Authority	
Date of Application:	
Anticipated Date of Approval:	

SECTION 5 – INVESTMENT AND FINANCIAL INFORMATION

26. Proposed Financial/Investment Details	
Land:	\$
On-Site Infrastructure (fencing, roads, drainage, water supply, sewage, electricity, telecommunication etc.):	\$
Building:	\$
Machinery and Equipment:	\$
Professional Fees:	\$
Other (provide details):	\$
Total Investment:	\$

27. Means of Financing	
Equity Capital:	\$
Bank Loan:	\$
Other Third Party Loans:	\$
External Commercial Borrowings:	\$
Other (provide details):	\$
Total:	\$

28. Foreign Direct Investment	
Extent of Foreign Direct Investment (if any):	\$
Source of Foreign Direct Investment (company and country details):	

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[Subsidiary]

APPLICATION FORM FOR A SINGLE ZONE ENTERPRISE LICENCE

SECTION 6 – ATTESTATION

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.	
Declared to at	in
By	
This day of	,
Before me, Commissioner of Affidavits	
Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/ Stamp:	

The Applicant shall also be required to submit the following documents in support of this Application:

- Where applicable, certified by the Registrar of Companies, the Office of the Attorney General and Ministry of Legal Affairs:*
 - Business - the Certificate of Business Registration, where registered as a Partnership under the Registration of Business Name Act;*
 - Local Company - the Certificate of Incorporation, Articles of Incorporation, By-Laws and the last year's Annual Return;*
 - External Company - the Certificate of Registration, Application for Registration and the last year's Annual Return; or*
 - Public-Private Partnership - the Partnership Agreement.*
- An Operation Plan – Form 6, Schedule 1 to the Regulations.*
- A copy of the deed of conveyance, certificate of title, lease agreement or other documentary evidence establishing the right to occupy the property, certified by the Registrar General, Land Registry, the Office of the Attorney General and Ministry of Legal Affairs.*
- The written consent of the owner of the property for the designation and use of the property as a Special Economic Zone.*
- An AML/CFT/PF risk assessment – Form 7, Schedule 1 to the Regulations.*

L.R.O.

SCHEDULE 1—Continued

FORM 5—Continued

(Regulation 14)

APPLICATION FORM FOR A SINGLE ZONE ENTERPRISE LICENCE

6. *Audited Financial Statements and/or Management accounts for the last two years of operations, if applicable; financial projections; bank statements, or any other financing and or contractual arrangements as evidence of the applicant's ability to meet the Zone-related investment criteria specified in Schedule 4 of the Act.*
7. *A list of the employee names, identification numbers, positions and level within the organisation, as evidence of the applicant's ability to meet the minimum personnel requirements for the management of the Special Economic Zone.*
8. *A Declaration consenting to the entry of inspectors - Form 8, Schedule 1 to the Regulations.*
9. *an affidavit verifying the property comprising the proposed Special Economic Zone is not subject to any dispute or any actual or impending legal liability or contingency that could give rise to a legal claim relating to the occupancy of the said property.*
10. *A copy of all building permits and/or planning approvals to satisfy the requirements for development standards for roads, drainage and utilities.*
11. *A copy of any certificates issued under the Environmental Management Act, Chap. 35:05.*
12. *A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08*

FORM 6

(Regulation 14)

OPERATION PLAN FOR A SINGLE ZONE ENTERPRISE LICENCE

The Operation Plan for Single Zone Enterprises should be in the format and contain the information as set out below.

<p>1. Executive Summary</p> <p>The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.</p>
<p>2. Background</p> <p>The following matters may be included in the Background:</p> <ul style="list-style-type: none">(a) A brief overview of the applicant (products/services provided, duration of operations, achievements, global reach, partners, suppliers, customers etc.);(b) A profile of the leadership team;(c) The type of business to be undertaken in the Special Economic Zone;(d) The location, size and suitability of the land for the proposed Special Economic Zone; and(e) Likely commencement date of operations.
<p>3. Approvals and Infrastructure</p> <ul style="list-style-type: none">(a) All required approvals should be identified (Town and Country, Environmental Management Authority, Occupational Safety and Health Authority (OSHA), fire services);(b) The date of application to all the relevant authorities and the anticipated date of receipt of approvals;(c) The environmental impact should be highlighted as well as any measures proposed to be taken in mitigation;(d) The existing infrastructure on the property;(e) Plans for construction of buildings/facilities;(f) The estimated number of persons that would be employed during construction ;(g) A timeline for all infrastructure development works; and(h) Technical drawings and maps may be included, as necessary.
<p>4. Core Income Generating Activities</p> <ul style="list-style-type: none">(a) Detailed description of the business activity to be undertaken in the Special Economic Zone; and(b) In the event that the applicant intends to carry on any of the business activities in the sectors as set out in Schedule 2 of the regulations, it shall provide such information and /or documentation to satisfy the requirements that it would be conducting the core income generating activities relevant to its business.
<p>5. Finance and Investment</p> <ul style="list-style-type: none">(a) The total value of the investment with a detailed description of the expenditure incurred;(b) The source of funding;(c) A detailed estimate of the annual operating expenditure associated with the operation of the Special Economic Zone; and(d) Financial projections for at least three years.
<p>6. Marketing</p> <p>Marketing strategy for products/services.</p>
<p>7. Human Resource</p> <ul style="list-style-type: none">(a) Organization chart;(b) List of the employees;(c) Total number of persons employed by the Single Zone Enterprise licenced to carry on business in the Special Economic Zone, including the number of qualified full-time personnel and other persons with appropriate qualifications;(d) The estimated salary levels of employees; and(e) Whether employees would be nationals of Trinidad and Tobago or elsewhere.
<p>8. Corporate Social Responsibility</p> <p>Identify potential corporate social responsibility activities.</p>
<p>9. Growth Strategy</p> <ul style="list-style-type: none">(a) Strategic goals for the next five years; and(b) Building and/or business expansion plans including timeframes.

SCHEDULE 1—Continued

FORM 7

(Regulations 4, 14, 15 and 25)

AML/CFT/PF RISK ASSESSMENT FORM FOR AN OPERATOR LICENCE,
SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE

SECTION 1 – GENERAL INFORMATION

This section is to be completed by all applicants

1. Name of Applicant	
2. Legal Status, select as appropriate <input type="checkbox"/> Public Body ¹ <input type="checkbox"/> Private Body <input type="checkbox"/> Public-private partnership	
3. Office Number	
4. Email Address	
5. Certified copies of the following documents are to be submitted: (a) Certificate of Incorporation (b) Articles of Incorporation (c) Company By-Laws (d) Certificate of Registration of External Company (e) Name and address of local agent, where applicable (f) Most recent Annual Return (g) Most recent Return of Beneficial Interest in the Shares of a Company (h) Partnership Agreement, where applicable (i) Public-Private Partnership Agreement, where applicable	

¹ A Public Body is:

- (a) a Ministry or a department or division of a Ministry;
- (b) the Tobago House of Assembly, or a division of the Tobago House of Assembly;
- (c) a Municipal Corporation established under the Municipal Corporations Act;
- (d) a Regional Health Authority established under the Regional Health Authorities Act;
- (e) a statutory body, responsibility for which is assigned to a Minister of Government;
- (f) a State-controlled enterprise;
- (g) a body corporate or unincorporated entity –
 - i. in relation to any function which it exercises on behalf of the State; or
 - ii. which is established by virtue of the President's prerogative, by a Minister of Government in his capacity as such another public authority; or
- (h) a body corporate or unincorporated entity in relation to any function, project, scheme or arrangement which involves the use of public money.

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[Subsidiary]

AML/CFT/PF RISK ASSESSMENT FORM FOR AN OPERATOR LICENCE,
SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE

6. Primary address where business operations will be carried out
7. Number of Employees currently in the Applicant's employ
8. Applicant's Total Asset size at end of last financial year

SECTION 2 - KEY PERSONNEL

This section is to be completed by all applicants

9. Details of Directors

Name	Address	Occupation	Nationality

10. Details of Partners

Name	Address	Occupation	Nationality

11. Principal Officers

Name	Address	Position	Nationality

12. Are any of the directors, principal officers or partners listed above a politically exposed person?²

Yes No

If yes, provide details

² A politically exposed person would include current holders of the following positions or persons who have previously held such positions: Head of State, Head of Government, Ministers of Government, Senior Politicians, Senior Government Officials, Senior Military Officials, Judicial Officers, Senior Executives of State-Owned Corporations and Senior Political Party Officials.

SCHEDULE 1—Continued

FORM 7—Continued

(Regulations 4, 14, 15 and 25)

**AML/CFT/PF RISK ASSESSMENT FORM FOR AN OPERATOR LICENCE,
SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE**

SECTION 1—GENERAL INFORMATION

Please provide copies of one of the following valid picture identification documents for each of the directors, partners and officers listed above: Bio-data page of passport, national identification card or driver's licence.

SECTION 3 – OWNERSHIP STRUCTURE

This section is to be completed by all applicants

13. Name and registered address of Applicant's parent company (if applicable)

14. Name, registered address and location of operations of Applicant's branches and/or subsidiaries operating **outside** of Trinidad and Tobago (if applicable)

Name	Registered Address	Location of operations

Additional information attached

15. Relationship of branches/subsidiaries **outside** of Trinidad and Tobago to the Applicant and percentage owned by the Applicant (if applicable)

Name	Branch/Subsidiary/Other	Percentage owned
		%
		%
		%
		%
		%

Additional information attached

16. Operations of the Applicant's branches/subsidiaries in **another** Special Economic Zone (SEZ) or Free Trade Zone (FTZ) (if applicable)

Name	Branch/Subsidiary/Other	SEZ/FTZ location

Additional information attached

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SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE

17. Name, registered address and location of operations of Applicant's branches and/or subsidiaries operating **within** Trinidad and Tobago (if applicable)

Name	Registered Address	Location of operations

Additional information attached

18. Relationship of branches/subsidiaries **within** Trinidad and Tobago to the Applicant and percentage owned by the Applicant (if applicable)

Name	Branch/Subsidiary/Other	Percentage owned
		%
		%
		%
		%

Additional information attached

SECTION 4 – OPERATIONAL INFORMATION

This section is to be completed by all applicants

19. Type of License(s) for which the Applicant has applied

20. Activities performed by the Applicant and percentage of Assets applicable to each activity in relation to Total Assets:

Activity	Percentage of Total Assets
<input type="checkbox"/> Manufacturing	%
<input type="checkbox"/> Maritime Services	%
<input type="checkbox"/> Aviation Services	%
<input type="checkbox"/> Fishing and Fish Processing	%
<input type="checkbox"/> Agriculture and Agro Processing	%
<input type="checkbox"/> Information and Communications Technology	%
<input type="checkbox"/> Creative Industries	%
<input type="checkbox"/> Financial Services	%
<input type="checkbox"/> Medical Tourism Services	%
<input type="checkbox"/> Renewable Energy	%
<input type="checkbox"/> Logistics and Distribution	%

SCHEDULE 1—Continued

FORM 7—Continued

(Regulations 4, 14, 15 and 25)

AML/CFT/PF RISK ASSESSMENT FORM FOR AN OPERATOR LICENCE,
SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE

SECTION 1—GENERAL INFORMATION

<input type="checkbox"/> Business Process Outsourcing	%
<input type="checkbox"/> Other (please state)	%

21. Activities performed by the Applicant and percentage of Revenue applicable to each activity in relation to Total Revenue received in last financial year:

Activity	Percentage of Total Revenue
<input type="checkbox"/> Manufacturing	%
<input type="checkbox"/> Maritime Services	%
<input type="checkbox"/> Aviation Services	%
<input type="checkbox"/> Fishing and Fish Processing	%
<input type="checkbox"/> Agriculture and Agro Processing	%
<input type="checkbox"/> Information and Communications Technology	%
<input type="checkbox"/> Creative Industries	%
<input type="checkbox"/> Financial Services	%
<input type="checkbox"/> Medical Tourism Services	%
<input type="checkbox"/> Renewable Energy	%
<input type="checkbox"/> Logistics and Distribution	%
<input type="checkbox"/> Business Process Outsourcing	%
<input type="checkbox"/> Other (please state)	%

22. Date of the Applicant's last Audited Financial Statement

23. Applicant's Total Assets at date of last Audited Financial Statement

24. Applicant's Gross Income at date of last Audited Financial Statement

25. Estimated geographical distribution of Applicant's current or intended customer/client base

Location	Percentage of Total customers/clients
Domestic (within Trinidad and Tobago)	%
International	%

26. Estimated geographical distribution of Applicant's total revenue/intended total revenue derived from Domestic and International trade

Location	Percentage of Total Revenue
Domestic (within Trinidad and Tobago)	%
International	%

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[Subsidiary]

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SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE

27. Current/Intended jurisdictions to which Applicant's goods will be exported and imported

Jurisdiction	Percentage of Exports	Percentage of Imports
	%	%
	%	%
	%	%
	%	%
	%	%

Additional information attached (please attach any additional jurisdictions and percentage of imports and exports on a separate sheet)

28. Current/Intended jurisdictions to which Applicant's services will be exported and imported

Jurisdiction	Percentage of Exports	Percentage of Imports
	%	%
	%	%
	%	%
	%	%
	%	%

Additional information attached (please attach any additional jurisdictions and percentage of imports and exports on a separate sheet)

29. What percentage of the Applicant's revenue is intended to be derived from the following payment methods:

Payment Method	Percentage of Revenue
Cash	%
Cheque	%
Credit Card	%
Debit Card	%
Travellers' Cheque	%
Credit Facility Repayment	%
Wire Transfers	%
Virtual Assets	%
Other [Money Orders, Bearer Bonds, Internet]	%

30. Does the Applicant have systems in place to record, monitor and/or store customer/client transactions?
 Yes No

31. Does the Applicant have systems in place to record and store customer/client identification information?
 Yes No

SCHEDULE 1—Continued

FORM 7—Continued

(Regulations 4, 14, 15 and 25)

AML/CFT/PF RISK ASSESSMENT FORM FOR AN OPERATOR LICENCE,
SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE

SECTION 1—GENERAL INFORMATION

32. If answered "Yes" to questions 30 or 31 above, please provide a brief summary of the methods used to record, monitor and/or store customer transaction or identification information.

--

33. If answered "Yes" to questions 30 or 31 above, for how long is this type of information stored?

34. If answered "Yes" to questions 30 or 31 above, does the Applicant have measures in place to ensure the security and confidentiality of the information stored?

Yes No

The following documents are to be provided:

- (a) *Financial projections, bank statements, or any other financing and or contractual arrangements of the applicant;*
- (b) *Where applicable, an affidavit verifying the source of funds other than from the business activities of the applicant; and*
- (c) *A reference from a banker or a reputable firm of lawyers or accountants.*

SECTION 5 – TARGETED FINANCIAL SANCTIONS AND PROLIFERATION FINANCING

This section should only be completed by applicants who intend to provide Financial Services as their core business

35. Is the Applicant and/or any of its subsidiaries, counterparties, directors or officers the subject of any economic or other financial sanctions imposed by the United Nations?
 Yes No

(please click here to access the [UN Sanctions List](#))

36. If answered "Yes" to the above, please list the name of the jurisdiction/individual or entity that is the subject of the economic or financial sanction

AML/CFT/PF RISK ASSESSMENT FORM FOR AN OPERATOR LICENCE,
SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE

<p>Jurisdiction/individual/entity</p> <table border="1"> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> </table> <p><input type="checkbox"/> Additional information attached (please list any additional jurisdictions and sanctions in a separate sheet)</p>													
<p>37. Is the Applicant and/or any of its subsidiaries or counterparties engaged in transactions, investments, business or other dealings that directly or indirectly involve or benefit any jurisdiction/entity/individual that is subject to a financial sanction/s imposed by the United Nations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(please click here to access the UN Sanctions List)</p>													
<p>38. If answered "Yes" to the above, please list the sanctioned jurisdictions and the number of transactions conducted.:</p> <table border="1"> <thead> <tr> <th>Jurisdiction</th> <th>Number of transactions over last financial year</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table> <p><input type="checkbox"/> Additional information attached (please list any additional jurisdictions and sanctions in a separate sheet)</p>		Jurisdiction	Number of transactions over last financial year										
Jurisdiction	Number of transactions over last financial year												
<p>39. Does the Applicant have measures in place to screen its clients/customers against domestic or international lists for targeted financial sanctions? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>													
<p>40. Does the Applicant trade in or intend to trade in any of the following types of controlled or dual use items?</p> <table border="1"> <tr> <td>Yes/No</td> <td>Nuclear Materials - Nuclear Reactor - Pressure Tubes - Zirconium Metal Tubes - Steam generators</td> </tr> <tr> <td>Yes/No</td> <td>Special Materials - Protective and detection equipment - Body armour and components - High-density lead glass</td> </tr> <tr> <td>Yes/No</td> <td>Material Processing - Bearing systems - Milling Machines - Robotics - Vibration test systems - Motion simulators</td> </tr> <tr> <td>Yes/No</td> <td>Electronics - Microcomputers - Microcircuits - Microwave Amplifiers - Oscillator - High-speed pulse generators</td> </tr> <tr> <td>Yes/No</td> <td>Computers - Electronic Computers - Hybrid Computers - Analogue Computers</td> </tr> <tr> <td>Yes/No</td> <td>Telecommunications - Telecommunication systems - Electronically steerable antennae - Interception & Jamming equipment</td> </tr> </table>		Yes/No	Nuclear Materials - Nuclear Reactor - Pressure Tubes - Zirconium Metal Tubes - Steam generators	Yes/No	Special Materials - Protective and detection equipment - Body armour and components - High-density lead glass	Yes/No	Material Processing - Bearing systems - Milling Machines - Robotics - Vibration test systems - Motion simulators	Yes/No	Electronics - Microcomputers - Microcircuits - Microwave Amplifiers - Oscillator - High-speed pulse generators	Yes/No	Computers - Electronic Computers - Hybrid Computers - Analogue Computers	Yes/No	Telecommunications - Telecommunication systems - Electronically steerable antennae - Interception & Jamming equipment
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SCHEDULE 1—Continued

FORM 7—Continued

(Regulations 4, 14, 15 and 25)

**AML/CFT/PF RISK ASSESSMENT FORM FOR AN OPERATOR LICENCE,
SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE**

SECTION 1—GENERAL INFORMATION

Yes/No	Sensors - Acoustic systems - Optical sensors - Scanning cameras - Imaging cameras - Optical equipment
Yes/No	Navigations & Avionics - Accelerometers - Gyros - Inertial measurement equipment - Global Navigation Satellite Systems
Yes/No	Aerospace & Propulsion - Gas Turbine Engines - Marine gas turbine engines - Liquid rocket propulsion - Ramjet - Scramjet
Yes/No	National Controlled Commodities - Armoured components and technologies
Yes/No	Other (please state)

41. If answered "Yes" to any of the above, does the Applicant have authorization to conduct such trade?
 Yes (Please attach copy of authorisation attached)
 No

42. Has the Applicant conducted transactions with entities or individuals based in any of the countries listed by the Financial Action Task Force (FATF) as High-risk and other monitored jurisdictions (See list on FIUTT's website <https://fiu.gov.tt/about-us/publications/fatf-statements/>) within its last financial year?
 Yes No

43. If answered "Yes" to question 42 above, please state the countries involved and number of transactions conducted.

High Risk or Other Monitored Jurisdiction	Number of transactions over last financial year

Additional information attached (please list any additional countries and transactions in a separate sheet)

SECTION 6— GENERAL ML/TF/PF RISKS

This section is to be completed by all applicants

44. Please indicate whether the Applicant reviews the Money Laundering, Terrorist Financing or Proliferation Financing Risks of the following:

The Applicant's customers/clients (including Politically Exposed Persons or High Risk customers)	Yes/No
The Applicant's products, services and activities (including those of its subsidiaries and branches)	Yes/No

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The geographic location of the Applicant's counterparties, subsidiaries and branches (e.g. crime hot spots or high risk jurisdictions)	Yes/No								
The Applicant's mechanisms used to engage with customers (e.g. use of intermediaries, delivery channels, technologies)	Yes/No								
45. Where the Applicant reviews the risks identified in question 44 above, please indicate the percentage of customers/clients which fall into the following categories:									
<table border="1"><thead><tr><th>Risk Level</th><th>Percentage</th></tr></thead><tbody><tr><td>High Risk</td><td>%</td></tr><tr><td>Medium Risk</td><td>%</td></tr><tr><td>Low Risk</td><td>%</td></tr></tbody></table>	Risk Level	Percentage	High Risk	%	Medium Risk	%	Low Risk	%	
Risk Level	Percentage								
High Risk	%								
Medium Risk	%								
Low Risk	%								
46. Where the Applicant conducts reviews of the risks identified in question 45 above, please indicate whether these risks are reviewed at least annually. <input type="checkbox"/> Yes <input type="checkbox"/> No									
47. Has the Applicant conducted transactions with/does the Applicant intend to conduct transactions with individuals regarded as Politically Exposed Persons? <input type="checkbox"/> Yes <input type="checkbox"/> No									
48. If answered "Yes" to question 47 above, please indicate the number of Politically Exposed Persons with whom transactions have been conducted or are intended to be conducted. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>									

SECTION 7 – FINANCIAL SECTOR AML/CFT/CPF COMPLIANCE

This section is to be completed by all applicants

49. Is the Applicant registered with a financial sector regulatory body in Trinidad and Tobago or elsewhere? <input type="checkbox"/> Yes <input type="checkbox"/> No											
50. If answered yes to the above, please state the name and location of the financial sector regulator											
<table border="1"><thead><tr><th>Regulatory Body</th><th>Location</th></tr></thead><tbody><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></tbody></table>	Regulatory Body	Location									
Regulatory Body	Location										
<input type="checkbox"/> Additional information attached (please list any additional regulators and jurisdictions in a separate sheet)											

SCHEDULE 1—Continued

FORM 7—Continued

(Regulations 4, 14, 15 and 25)

**AML/CFT/PF RISK ASSESSMENT FORM FOR AN OPERATOR LICENCE,
SEZ ENTERPRISE LICENCE AND SINGLE ZONE LICENCE**

SECTION 1—GENERAL INFORMATION

51. Is the Applicant required to comply with the AML/CFT/CPF laws of any jurisdiction outside of Trinidad and Tobago?

Yes No

52. If answered "Yes" to question 51 above, please list the jurisdictions to which question 51 applies.

--

53. Has the Applicant ever been subject to regulatory action by a financial sector regulator (either within Trinidad and Tobago or outside of Trinidad and Tobago) for non-compliance with AML/CFT/CPF laws?

Yes No

54. If answered "Yes" to question 53 above, please state the Regulatory Bodies to which question 53 applies.

--

SECTION 8—ATTESTATION

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.

Declared to at _____ in _____
By _____
This _____ day of _____, _____

Before me,
Commissioner of Affidavits

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Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/ Stamp:	

UNOFFICIAL

SCHEDULE 1—Continued

FORM 8

(Regulations 6, 16, 17 and 24)

DECLARATION OF CONSENT TO ENTRY OF INSPECTORS

TO: The Trinidad and Tobago Special Economic Zones Authority

Name of Applicant: _____

Presented by: _____

Pursuant to our application for * an Operator Licence/ an SEZ Enterprise Licence/ a Single Zone Enterprise Licence,

I, _____, of

(Name in block Letters)

(Address)

(Occupation and Nationality)

do solemnly and sincerely declare that in the event that the said * Operator Licence/ SEZ Enterprise Licence/ Single Zone Enterprise Licence is granted, we hereby consent to the entry of inspectors on any of the premises specified in the * Operator Licence/ SEZ Enterprise Licence/ Single Zone Enterprise Licence during working hours or such other times as the premises are open to the public or otherwise in use by the applicant, for the purposes of the exercise of their powers under the provisions of the Trinidad and Tobago Special Economic Zones Act, 2022.

(*Delete if not applicable)

Sworn to at)

.....)

this day of, 20.....)

Before me:

.....
Commissioner of Affidavits

Trinidad and Tobago Special Economic Zones No. 1 of 2022

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[Subsidiary]

FORM 9

(Regulation 19)

SEMI-ANNUAL REPORT FOR SEZ ENTERPRISES

1. SEZ Enterprise Details The details of the Enterprise should be clearly stated, including the name, address, contact information, the reporting period and the approved Activity of the Enterprise.
2. Facilities and infrastructure (a) A list of all approvals obtained by the Enterprise (Town and Country, Environmental Management Authority, Occupational Safety and Health Authority (OSHA), fire services; (b) A detailed description of all improvements to the facilities and or infrastructure for the Enterprise; and (c) The value of the improvements made to the Enterprise during the reporting period.
3. Sales Turnover (a) <u>Total sales turnover for the previous six month period, in the Zone.</u>
4. Investments (a) <u>Property, plant, equipment and other types of investment.</u>
5. Imports into the Zone (a) A detailed breakdown of the goods purchased and imported into the Zone, from foreign territories and the customs territory, for use in the Zone; (b) A detailed breakdown of the goods purchased and imported into the Zone, from foreign territories and the customs territory, for exportation from the Zone; (c) A detailed breakdown of the services purchased and imported into the Zone, from foreign territories and the customs territory, for use in the Zone; and (d) The number of shipping containers imported into the Zone and total cost of associated fees.
6. Exports from the Zone (a) A detailed breakdown of the custom territory goods sold and exported from the Zone to foreign territories; (b) A detailed breakdown of the foreign territory goods sold and exported from the Zone to other foreign territories or the customs territory; and (c) The number of shipping containers exported from the Zone and total cost of associated fees.
7. Human Resource (a) Total number of employees, including the number of qualified full-time /part-time personnel, contractors and other persons with appropriate qualifications; (b) The estimated salary levels of employees; (c) Whether employees would be nationals of Trinidad and Tobago or elsewhere; and (d) Total salaries and wages paid to personnel employed in the Zone.
8. Marketing A description of the Marketing strategies implemented for the reporting period for the promotion of the Zone.
9. Support Services Describe any support services provided to SEZ Enterprises for the reporting period: maintenance services, security services, administrative services, etc.

SCHEDULE 1—Continued

FORM 10

(Regulation 19)

SEMI-ANNUAL REPORT FOR SINGLE ZONE ENTERPRISES

The Semi-Annual Report for Single Zone Enterprises should be in the format and contain the information as set out below.

1. <u>Single Zone Enterprise Details</u> The details of the Enterprise should be clearly stated, including the name, address, contact information, the reporting period and the approved Activity of the Enterprise.
2. <u>Facilities and infrastructure</u> (a) A list of all approvals obtained by the Enterprise (Town and Country, Environmental Management Authority, Occupational Safety and Health Authority (OSHA), fire services; (b) A detailed description of all improvements to the facilities and or infrastructure for the Enterprise; and (c) The value of the improvements made to the Enterprise during the reporting period.
3. <u>Sales Turnover</u> (a) Total sales turnover for the previous six month period, in the Zone.
4. <u>Investments</u> (a) <u>Property, plant, equipment and other types of investment.</u>
5. <u>Imports into the Zone</u> (a) A detailed breakdown of the goods purchased and imported into the Zone, from foreign territories and the customs territory, for use in the Zone; (b) A detailed breakdown of the goods purchased and imported into the Zone, from foreign territories and the customs territory, for exportation from the Zone; (c) A detailed breakdown of the services purchased and imported into the Zone, from foreign territories and the customs territory, for use in the Zone; and (d) The number of shipping containers imported into the Zone and total cost of associated fees.
6. <u>Exports from the Zone</u> (a) A detailed breakdown of the custom territory goods sold and exported from the Zone to foreign territories; (b) A detailed breakdown of the foreign territory goods sold and exported from the Zone to other foreign territories or the customs territory; and (c) The number of shipping containers exported from the Zone and total cost of associated fees.
7. <u>Human Resource</u> (a) Total number of employees, including the number of qualified full-time / part-time personnel, contractors and other persons with appropriate qualifications; (b) The estimated salary levels of employees; (c) Whether employees would be nationals of Trinidad and Tobago or elsewhere; and (d) Total salaries and wages paid to personnel employed in the Zone.
8. <u>Marketing</u> A description of the Marketing strategies implemented for the reporting period for the promotion of the Zone.
9. <u>Support Services</u> Describe any support services provided to SEZ Enterprises for the reporting period: maintenance services, security services, administrative services, etc.

FORM 11

(Regulation 9)

ANNUAL OPERATION PLAN FOR AN OPERATION LICENCE

The Annual Operation Plan for should, be in the format and contain the information as set out below.

<p>1. <u>Executive Summary</u></p> <p>The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.</p>
<p>2. <u>Review of Operations in Current Financial Year</u></p> <p>A review of operations in the current financial year, including:</p> <ul style="list-style-type: none">(a) Overall operating expenditure incurred in the current financial year;(b) New investments made in Zone-related buildings, machines, equipment, facilities and other assets in the current financial year;(c) The total number of persons employed in the current financial year(d) The various support services provided to Enterprise in the Special Economic Zone in the current financial year;(e) The other users of the zone including all persons not providing support services but, who may provide activities or other services in the Zone;(f) Any other information (such as) lease agreements between Operators and SEZ Enterprises; and(g) Any other relevant information relating to the operations of the Special Economic Zone in the current financial year.
<p>3. <u>Operations in New Financial Year</u></p> <p>The Operator shall provide the following information with respect to operations in the new financial year:</p> <ul style="list-style-type: none">(a) Overall operating expenditure expected to be incurred in the new financial year;(b) New investments expected to be made in Zone-related buildings, machines, equipment, facilities and other assets in the new financial year;(c) The total number of persons that would be employed in the new financial year(d) The various support services that would be provided to Enterprise in the Special Economic Zone in the new financial year;(e) The other users of the zone including be all persons not providing support services but, who may provide activities or other services in the Zone;(f) Any other information (such as) lease agreements between Operators and SEZ Enterprises; and(g) Any other relevant information relating to the operations of the Special Economic Zone in the new financial year.

Please provide the following documents in support of the Annual Operation Plan for the Operator Licence:

- 1. The management accounts in year one and the latest audited financial statements of the Operator thereafter.***
- 2. A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08.***
- 3. A valid Income Tax Clearance Certificate.***
- 4. A valid Value Added Tax Clearance Certificate.***
- 5. A valid National Insurance Board (NIB) Compliance Certificate.***
- 6. A copy of the registration documents for the registration of the Operator with the Financial Intelligence Unit of Trinidad and Tobago.***

L.R.O.

SCHEDULE 1—Continued

FORM 12

(Regulation 20)

ANNUAL OPERATION PLAN FOR AN SEZ ENTERPRISE

The Annual Operation Plan for SEZ Enterprises should be in the format and contain the information as set out below.

<p>1. Executive Summary</p> <p>The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.</p>
<p>2. Review of Operations in Current Financial Year</p> <p>A review of operations in the current financial year, including:</p> <ul style="list-style-type: none">(a) Overall operating expenditure incurred in the current financial year;(b) New investments made in Zone-related buildings, machines, equipment, facilities and other assets in the current financial year;(c) The total number of persons employed in the current financial year, including the number of qualified full-time personnel and other persons with appropriate qualifications(d) The total sales turnover in the Zone; and(e) Any other relevant information relating to the operations of the Special Economic Zone in the current financial year.
<p>3. Operations in New Financial Year</p> <p>An SEZ Enterprise shall provide the following information with respect to operations in the new financial year:</p> <ul style="list-style-type: none">(a) Overall operating expenditure expected to be incurred in the new financial year;(b) New investments expected to be made in Zone-related buildings, machines, equipment, facilities and other assets in the new financial year;(c) The total number of persons that would be employed in the new financial year, including the number of qualified full-time personnel and other persons with appropriate qualifications;(d) Any other relevant information relating to the operations in the Special Economic Zone in the new financial year; and(e) An SEZ Enterprise carrying on any of the business activities in the sectors as set out in Schedule 2 of the regulations, shall provide additional information and or documentation to satisfy the requirements that the enterprise is conducting the core income generating activities relevant to its business.

Please provide the following documents in support of the Annual Operation Plan for the SEZ Enterprise Licence:

- (a) *The management accounts in year one and the latest audited financial statements of the SEZ Enterprise thereafter.*
- (b) *A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08.*
- (c) *A valid Income Tax Clearance Certificate.*
- (d) *A valid Value Added Tax Clearance Certificate.*
- (e) *A valid National Insurance Board (NIB) Compliance Certificate.*
- (f) *A copy of the registration documents for the registration of the Enterprise with the Financial Intelligence Unit of Trinidad and Tobago.*

FORM 13

(Regulation 20)

ANNUAL OPERATION PLAN FOR A SINGLE ZONE ENTERPRISE

The Annual Operation Plan for Single Zone Enterprises should be in the format and contain the information as set out below.

1. Executive Summary

The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.

2. Review of Operations in Current Financial Year

A review of operations in the current financial year, including:

- (a) Overall operating expenditure incurred in the current financial year;
- (b) New investments made in Zone-related buildings, machines, equipment, facilities and other assets in the current financial year;
- (c) The total number of persons employed in the current financial year, including the number of qualified full-time personnel and other persons with appropriate qualifications
- (d) The total sales turnover in the Zone; and
- (e) Any other relevant information relating to the operations of the Special Economic Zone in the current financial year.

3. Operations in New Financial Year

A Single Zone Enterprise shall provide the following information with respect to operations in the new financial year:

- (a) Overall operating expenditure expected to be incurred in the new financial year;
- (b) New investments expected to be made in Zone-related buildings, machines, equipment, facilities and other assets in the new financial year;
- (c) The total number of persons that would be employed in the new financial year, including the number of qualified full-time personnel and other persons with appropriate qualifications;
- (d) Any other relevant information relating to the operations in the Special Economic Zone in the new financial year; and
- (e) A Single Zone Enterprise carrying on any of the business activities in the sectors as set out in Schedule 2 of the regulations, shall provide additional information and or documentation to satisfy the requirements that the enterprise is conducting the core income generating activities relevant to its business.

Please provide the following documents in support of the Annual Operation Plan for the Single Zone Enterprise Licence:

- 1. *The latest audited financial statements of the Single Zone Enterprise.*
- 2. *A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08.*
- 3. *A valid Income Tax Clearance Certificate.*
- 4. *A valid Value Added Tax Clearance Certificate.*
- 5. *A valid National Insurance Board (NIB) Compliance Certificate.*
- 6. *A copy of the registration documents for the registration of the Operator with the Financial Intelligence Unit of Trinidad and Tobago*

SCHEDULE 1—Continued

FORM 14

(Regulation 11)

APPLICATION FORM FOR AMENDMENT OR VARIATION OF
AN OPERATOR LICENCE

SECTION 1 – GENERAL INFORMATION

1. Name of Applicant:	
2. Date Operator Licence Granted	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 – REQUEST FOR AMENDMENT OR VARIATION

6. The Operator is requesting the following amendments and variations to the Operator Licence:	
7. The following are the reasons being presented by the Operator for the requested amendments and/or variations to the Operator Licence:	

SECTION 3 – ATTESTATION

Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

FORM 15

(Regulation 22)

APPLICATION FORM FOR AMENDMENT OR VARIATION OF
AN SEZ ENTERPRISE LICENCE

SECTION 1 – GENERAL INFORMATION

1. Name of Applicant:	
2. Date Enterprise Licence Granted:	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 – REQUEST FOR AMENDMENT OR VARIATION

6. The Enterprise is requesting the following amendments and variations to the SEZ Enterprise License:
7. The following are the reasons being presented by the Enterprise for the requested amendments and/or variations to the SEZ Enterprise License:

SECTION 3 – ATTESTATION

Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/ Stamp:	

SCHEDULE 1—Continued

FORM 16

(Regulation 22)

APPLICATION FORM FOR AMENDMENT OR VARIATION OF
A SINGLE ZONE ENTERPRISE LICENCE

SECTION 1 – GENERAL INFORMATION

1. Name of Applicant:	
2. Date Enterprise Licence Granted:	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 – REQUEST FOR AMENDMENT OR VARIATION

6. The Enterprise is requesting the following amendments and variations to the Single Zone Enterprise License:
7. The following are the reasons being presented by the Enterprise for the requested amendments and/or variations to the Single Zone Enterprise License:

SECTION 3 – ATTESTATION

Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

FORM 17

(Regulation 12)

APPLICATION FORM FOR THE SURRENDER OF
AN OPERATOR LICENCE

SECTION 1 - GENERAL INFORMATION

1. Name of Applicant:	
2. Date Operator Licence Granted	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 - REQUEST FOR SURRENDER

6. The Operator is requesting the surrender of the Operator Licence for the following Special Economic Zone:
7. The following are the reasons being presented by the Operator for the surrender of the Operator Licence:

SECTION 3 - ATTESTATION

Signature:	
Name in Block Letters:	
Position:	
Date:	

SCHEDULE 1—Continued

FORM 18

(Regulation 23)

APPLICATION FORM FOR AMENDMENT OR VARIATION OF
A SEZ ENTERPRISE LICENCE

SECTION 1 - GENERAL INFORMATION

1. Name of Applicant:	
2. Date Enterprise Licence Granted:	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 - REQUEST FOR SURRENDER

6. The Enterprise is requesting the surrender of the SEZ Enterprise License for the following reasons:
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SECTION 3 - ATTESTATION

Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

FORM 19

(Regulation 23)

APPLICATION FORM FOR AMENDMENT OR VARIATION OF
A SINGLE ZONE ENTERPRISE LICENCE

SECTION 1 - GENERAL INFORMATION

1. Name of Applicant:	
2. Date Enterprise Licence Granted:	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 - REQUEST FOR SURRENDER

6. The Enterprise is requesting the surrender of the Single Zone Enterprise License for the following reasons:
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SECTION 3 - ATTESTATION

Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

SCHEDULE 1—Continued

FORM 20

(Regulation 13)

APPLICATION FORM FOR THE RENEWAL OF AN OPERATOR LICENCE

SECTION 1 – GENERAL INFORMATION

1. Name of Applicant:	
2. Date Operator Licence Granted:	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 – COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE OPERATOR LICENCE

6. Has a Notice of Non-Compliance been issued to the Operator at any time throughout the duration of the existing Operator Licence by the Authority for non-compliance with the provisions of the *Trinidad and Tobago Special Economic Zones Act, 2022* or the terms and conditions of the Operator Licence?

Yes No

If yes, provide details:

SECTION 3 – CORRECTIVE ACTION

7. If yes to item 6 above, has the Operator completed all corrective actions within the period as specified by the said Notice of Non-Compliance?

Yes No

If yes, provide details:

Trinidad and Tobago Special Economic Zones No. 1 of 2022

135

Trinidad and Tobago Special Economic Zones Regulations

[Subsidiary]

APPLICATION FORM FOR THE RENEWAL OF AN OPERATOR LICENCE

SECTION 4 - ATTESTATION

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.	
Declared to at _____ in _____	
By _____	
This _____ day of _____, _____	
Before me, Commissioner of Affidavits	
Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

Please provide the following documents in support of the Application for Renewal of the Operator Licence:

- (a) An Operation Plan - Form 21, Schedule 1 to the Regulations.*
- (b) An updated AML/CFI/PF risk assessment - Form 7, Schedule 1 to the Regulations.*
- (c) The latest audited financial statements of the Operator.*
- (d) A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08.*
- (e) A Declaration consenting to the entry of inspectors - Form 8, Schedule 1 to the Regulations.*
- (f) A valid Income Tax Clearance Certificate.*
- (g) A valid Value Added Tax Clearance Certificate.*
- (h) A valid National Insurance Board Compliance Certificate.*
- (i) A copy of the registration documents for the registration of the Operator with the Financial Intelligence Unit of Trinidad and Tobago.*

SCHEDULE 1—Continued

FORM 21

(Regulation 13)

OPERATION PLAN FOR THE RENEWAL OF AN OPERATOR LICENCE

The Operation Plan for renewal of the Operator Licence should be in the format and contain the information as set out below.

<p>1. <u>Executive Summary</u> The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.</p>
<p>i. <u>Current Status of Special Economic Zone</u></p> <p>A brief overview of the Special Economic Zone:</p> <ul style="list-style-type: none">(b) A description of the land, buildings, facilities and other infrastructure in the Special Economic Zone;(c) Total value of investments made in the Special Economic Zone, as at the date of the renewal application;(d) A list of the current occupants in the Special Economic Zone and the types of business activities undertaken therein;(e) The current occupancy rate in the Special Economic Zone;(f) An updated organization chart;(g) The total number of persons currently employed in the Special Economic Zone;(h) The various support services provided to enterprise in the Special Economic Zone by the Operator;(i) The other users of the zone including all persons not providing support services but, who may provide activities or other services in the Zone; and(j) Any other relevant information relating to the operations of the Special Economic Zone.
<p>2. <u>Proposed Operations</u></p> <p>The Operator shall provide the following information with respect to the proposed operations of the Special Economic Zone upon renewal of the licence:</p> <ul style="list-style-type: none">(a) Overall operating expenditure expected to be incurred on an annual basis;(b) New investments expected to be made in Zone-related buildings, machines, equipment, facilities and other assets;(c) A timeline for all development works;(d) The total number of persons that would be employed, including the number of qualified full-time personnel and other persons with appropriate qualifications;(e) Any additional support services that would be provided to enterprise in the Special Economic Zone;(f) Financial projections for at least three years;(g) Marketing strategy to attract potential enterprise;(h) Building and/or business expansion plans including timeframes;(i) The other users of the zone including all persons not providing support services but, who may provide activities or other services in the Zone; and(j) Any other relevant information relating to the operations of the Special Economic Zone.

FORM 22

(Regulation 24)

APPLICATION FORM FOR THE RENEWAL OF
AN SEZ ENTERPRISE LICENCE

SECTION 1 - GENERAL INFORMATION

1. Name of Applicant:	
2. Date Enterprise Licence Granted:	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 - COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE SEZ ENTERPRISE LICENCE

6. Has a Notice of Non-Compliance been issued to the SEZ Enterprise at any time throughout the duration of the existing SEZ Enterprise Licence, by the Authority, for non-compliance with the provisions of the Trinidad and Tobago Special Economic Zones Act, 2022 or the terms and conditions of the SEZ Enterprise Licence?

Yes No

If yes, provide details:

SECTION 3 - CORECCTIVE ACTION BY SEZ ENTERPRISE

7. If yes to item 6 above, has the SEZ Enterprise completed all corrective actions within the period as specified by the said Notice of Non-Compliance?

Yes No

If yes, provide details:

SCHEDULE 1—Continued

FORM 22—Continued

(Regulation 24)

APPLICATION FORM FOR THE RENEWAL OF
AN SEZ ENTERPRISE LICENCE

SECTION 4 - ATTESTATION

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.	
Declared to at _____ in By _____, This day of _____,	
Before me, Commissioner of Affidavits	
Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

Please provide the following documents in support of the Application for Renewal of the SEZ Enterprise Licence or the Single Zone Enterprise Licence:

- 1. An Operation Plan - Form 23, Schedule 1 to the Regulations.*
- 2. An updated AML/CFT/PF risk assessment - Form 7, Schedule 1 to the Regulations.*
- 3. The latest audited financial statements of the SEZ Enterprise.*
- 4. A Declaration consenting to the entry of inspectors - Form 8, Schedule 1 to the Regulations.*
- 5. A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08.*
- 6. A valid Income Tax Clearance Certificate.*
- 7. A valid Value Added Tax Clearance Certificate.*
- 8. A valid National Insurance Board Compliance Certificate.*
- 9. A copy of the registration documents for the registration of the SEZ Enterprise with the Financial Intelligence Unit of Trinidad and Tobago.*

FORM 23

(Regulation 24)

**OPERATION PLAN FOR THE RENEWAL OF
AN SEZ ENTERPRISE LICENCE**

The Operation Plan for SEZ Enterprises, for the renewal of an SEZ Enterprise Licence, should, as far as practicable, be in the format and contain the information as set out below.

<p>1. <u>Executive Summary</u></p> <p>The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.</p>
<p>2. <u>Current Status of the SEZ Enterprise</u></p> <p>A brief overview of the SEZ Enterprise:</p> <ul style="list-style-type: none">(a) Current annual operating expenditure incurred in the Special Economic Zone;(b) Total investments made in Zone-related buildings, machines, equipment, facilities and other assets in Special Economic Zone, to date;(c) An updated organization chart;(d) The total number of persons currently employed in the Special Economic Zone, including the number of qualified full-time personnel and other persons with appropriate qualifications; and(e) Any other relevant information relating to the operations in the Special Economic Zone.
<p>3. <u>Proposed Operations</u></p> <p>The SEZ Enterprise shall provide the following information with respect to the proposed operations in the Special Economic Zone upon renewal of the licence:</p> <ul style="list-style-type: none">(a) Overall operating expenditure expected to be incurred on an annual basis;(b) New investments expected to be made in Zone-related buildings, machines, equipment, facilities and other assets;(c) A timeline for all development works;(d) The total number of persons that would be employed, including the number of qualified full-time personnel and other persons with appropriate qualifications;(e) Financial projections for at least three years;(f) Marketing strategy to attract new business opportunities;(g) Building and/or business expansion plans including timeframes; and(h) Any other relevant information relating to the operations in the Special Economic Zone.

SCHEDULE 1—Continued

FORM 24

(Regulation 24)

APPLICATION FORM FOR THE RENEWAL OF A SINGLE ZONE
ENTERPRISE LICENCE

SECTION 1 – GENERAL INFORMATION

1. Name of Applicant:	
2. Date Enterprise Licence Granted:	
3. Office Address:	
4. Office Number:	
5. Email Address:	

SECTION 2 – COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE SINGLE ZONE ENTERPRISE LICENCE

6. Has a Notice of Non-Compliance been issued to the Single Zone Enterprise at any time throughout the duration of the existing Single Zone Enterprise Licence, by the Authority, for non-compliance with the provisions of the Trinidad and Tobago Special Economic Zones Act, 2022 or the terms and conditions of the Single Zone Enterprise Licence?

Yes No

If yes, provide details:

SECTION 3 – CORECCTIVE ACTION BY SINGLE ZONE ENTERPRISE

7. If yes to item 6 above, has the Single Zone Enterprise completed all corrective actions within the period as specified by the said Notice of Non-Compliance?

Yes No

If yes, provide details:

Trinidad and Tobago Special Economic Zones No. 1 of 2022

141

Trinidad and Tobago Special Economic Zones Regulations

[Subsidiary]

APPLICATION FORM FOR THE RENEWAL OF A SINGLE ZONE
ENTERPRISE LICENCE

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Act, and I am aware that if there is any statement in this declaration which is false in fact, which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.	
Declared to at _____ in _____ By _____ This _____ day of _____, _____	
Before me, Commissioner of Affidavits	
Signature:	
Name in Block Letters:	
Position:	
Date:	
Official Seal/Stamp:	

Please provide the following documents in support of the Application for Renewal of the SEZ Enterprise Licence or the Single Zone Enterprise Licence:

- (a) An Operation Plan – Form 25, Schedule 1 to the Regulations.*
- (b) An updated AML/CFT/PF risk assessment – Form 7, Schedule 1 to the Regulations.*
- (c) The latest audited financial statements.*
- (d) A Declaration consenting to the entry of inspectors - Form 7, Schedule 1 to the Regulations.*
- (e) A copy of any certificates issued under the Occupational Health and Safety Act, Chap. 88:08.*
- (f) A valid Income Tax Clearance Certificate.*
- (g) A valid Value Added Tax Clearance Certificate.*
- (h) A valid National Insurance Board Compliance Certificate.*
- (i) A copy of the registration documents for the registration of the SEZ Enterprise or the Single Zone Enterprise with the Financial Intelligence Unit of Trinidad and Tobago.*

L.R.O.

SCHEDULE 1—Continued

FORM 25

(Regulation 24)

OPERATION PLAN FOR A SINGLE ZONE ENTERPRISE LICENCE

The Operation Plan for Single Zone Enterprises, for the renewal of a Single Zone Enterprise Licence, should, as far as practicable, be in the format and contain the information as set out below.

<p style="text-align: center;">1. <u>Executive Summary</u></p> <p>The executive summary summarizes the contents of the Operation Plan in a concise manner highlighting the most important information in the plan.</p>
<p style="text-align: center;">2. <u>Current Status of Single Zone Enterprise</u></p> <p>A brief overview of the Single Zone Enterprise:</p> <ul style="list-style-type: none">(a) Current annual operating expenditure incurred in the Special Economic Zone;(b) Total investments made in Zone-related buildings, machines, equipment, facilities and other assets in Special Economic Zone, to date;(c) An updated organization chart;(d) The total number of persons currently employed in the Special Economic Zone, including the number of qualified full-time personnel and other persons with appropriate qualifications; and(e) Any other relevant information relating to the operations in the Special Economic Zone.
<p style="text-align: center;">3. <u>Proposed Operations</u></p> <p>The Single Zone Enterprise shall provide the following information with respect to the proposed operations of the Special Economic Zone upon renewal of the licence:</p> <ul style="list-style-type: none">(a) Overall operating expenditure expected to be incurred on an annual basis;(b) New investments expected to be made in Zone-related buildings, machines, equipment, facilities and other assets;(c) A timeline for all development works;(d) The total number of persons that would be employed, including the number of qualified full-time personnel and other persons with appropriate qualifications;(e) Financial projections for at least three years;(f) Marketing strategy to attract new business opportunities;(g) Building and/or business expansion plans including timeframes; and(h) Any other relevant information relating to the operations in the Special Economic Zone.

SCHEDULE 2

(Regulation 15)

CORE INCOME GENERATING ACTIVITIES

The core income generating activities relevant to the following business sectors are set out below –

- (a) in the case of banking business:
 - (i) raising funds;
 - (ii) managing risk including credit, currency and interest risk;
 - (iii) taking hedging positions;
 - (iv) providing loans, credit or other financial services to customers;
 - (v) managing regulatory capital; and
 - (vi) preparing regulatory reports and returns.
- (b) in the case of insurance business:
 - (i) predicting and calculating risk;
 - (ii) insuring or re-insuring against risk;
 - (iii) providing client services; and
 - (iv) preparing regulatory reports and returns.
- (c) in the case of financing and leasing business:
 - (i) agreeing funding terms;
 - (ii) identifying acquiring assets to be leased in the case of leasing;
 - (iii) setting the terms and duration of any financing or leasing;
 - (iv) monitoring and revising any agreements; and
 - (v) managing any risks.
- (d) in the case of fund management business:
 - (i) taking decisions on the holding and selling of investments;
 - (ii) calculating risks and reserves;
 - (iii) taking decisions on currency or interest fluctuations and hedging positions; and
 - (iv) preparing relevant regulatory or other reports for government authorities and investors.
- (e) in the case of logistics and distribution business:
 - (i) transporting and storing goods;
 - (ii) managing stocks and taking orders; and
 - (iii) providing consulting or other administrative services.
- (f) in the case of maritime services:
 - (i) managing crew, including hiring, paying and overseeing crew members;
 - (ii) hauling and maintaining ships;
 - (iii) overseeing and tracking deliveries;
 - (iv) determining what goods to order and when to deliver them; and
 - (v) organizing and overseeing voyages.
- (g) Any combination of the business activities as contained in this Schedule 2.

SCHEDULE 3

(Regulations 4, 10, 14, 22, 23 and 24)

FEES

Description	Amount of Fee [TTD]
Application for Operator Licence	\$5,000.00
Application for Amendment or Variation of Operator Licence	\$2,500.00
Application for Renewal of Operator Licence	\$2,500.00
Application for Surrender of Operator Licence	\$1,000.00
Application for SEZ Enterprise Licence/ Single Zone Enterprise Licence	\$2,500.00
Application for Amendment or Variation of SEZ Enterprise Licence/ Single Zone Enterprise Licence	\$1,000.00
Application for Renewal of SEZ Enterprise Licence/ Single Zone Enterprise Licence	\$1,000.00
Application for Surrender of SEZ Enterprise Licence/ Single Zone Enterprise Licence	\$1,000.00
Fee for Inspection of Public Register	\$100.00
Fee for Certified Copy or Extract from Public Register	\$100.00