

LEGAL NOTICE No. 169

REPUBLIC OF TRINIDAD AND TOBAGO

THE FISCAL INCENTIVES ACT, 1979

ORDER

MADE BY THE PRESIDENT UNDER SECTION 10 OF THE FISCAL INCENTIVES ACT

THE FISCAL INCENTIVES (FERTILIZERS OF TRINIDAD AND TOBAGO LIMITED) (FERTRIN) ORDER, 1985

1. This Order may be cited as the Fiscal Incentives (Fertilizers of Trinidad and Tobago Limited) (Fertrin) Order, 1985. Citation

2. Fertilizers of Trinidad and Tobago Limited a company incorporated under the Companies Ordinance (hereinafter referred to as "the Company") is declared an approved enterprise in respect of anhydrous ammonia, carbon dioxide, demineralised water and high pressure steam (hereinafter referred to as "the approved products") manufactured at its factory situated at Goodrich Bay, Point Lisas, Couva Estate, with effect from the first day of November, 1981 (hereinafter referred to as the "production day"). Declaration of approved enterprise and approved products

3. The Company, classified as a Highly Capital Intensive Enterprise in respect of its approved products is granted for a period of four years commencing on the production day, the following: Concessions

- (a) total relief from corporation tax;
- (b) set-off of losses in accordance with the provisions of sections 5 and 24 of the Fiscal Incentives Act, 1979; and
- (c) total relief from income tax on dividends or other distributions other than interest out of profits or gains derived from the manufacture of the approved products.

No. 22 of 1979

4. The Company shall—

- (a) undertake locally or cause to be undertaken locally the minimum manufacturing process as set out in the First Schedule to this Order;
- (b) maintain to the satisfaction of the Board of Inland Revenue accounts in respect of its business and the accounts so maintained shall allow for the transactions relating to the manufacture of approved products to be clearly identifiable from the transactions relating to the other business of the Company;
- (c) submit annually, notwithstanding the relief from tax under this Order, a return of the income so exempt from tax, at the same time, and in the same manner as would have been required had income not been so exempted;
- (d) comply with the conditions set out in the Second Schedule to this Order; and
- (e) observe the practice and policy prevailing in Trinidad and Tobago as regards labour relations and conditions of employment.

Obligations imposed on approved enterprise First Schedule

Second Schedule

FIRST SCHEDULE

[Paragraph 4(a)]

MINIMUM MANUFACTURING PROCESS

1. Processing of Natural Gas through a steam/air refiner to produce a mixture of hydrogen, nitrogen and carbon dioxide.
2. Removal of carbon dioxide by an absorbent.
3. Processing of the hydrogen nitrogen mixture through a catalytic convertor to produce ammonia.

SECOND SCHEDULE

[Paragraph 4(d)]

CONDITIONS ATTACHED TO THE GRANT OF CONCESSIONS

1. The Comptroller of Customs and Excise shall exercise adequate control over the concessions granted by this Order.
2. The Company shall as far as practicable recruit its employees through the Employment Exchange of the Ministry of Labour, Social Security and Co-operatives.
3. The products of the Company shall be labelled with the words "made in Trinidad and Tobago".
4. The products of the Company shall conform to standards or specifications which may from time to time be declared or prescribed by the Bureau of Standards.
5. The Company shall from time to time permit the Industrial Development Corporation or an agency designated by it to take random samples free of cost.
6. The site and building of the Company shall be inspected and approved by—
 - (a) the Town and Country Planning Division of the Ministry of Finance and Planning in accordance with the provisions of the Town and Country Planning Act; and
 - (b) the Industrial Inspection Supervisor of the Inspection Services Branch of the Ministry of Labour, Social Security and Co-operatives in accordance with the provisions of the Factories Ordinance.

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7. The Company shall make arrangements to the satisfaction of the Local Health Authority for the control of the quality and for the safe disposal of its effluents and emissions.
8. The design and commissioning of all sewerage treatment facilities of the Company shall be approved by the Water and Sewerage Authority.
9. The Company shall as far as practicable, utilise the services of the national carrier for the transport of air cargo and personnel.
10. The Company shall submit to the Industrial Development Corporation in the manner directed, such information as the Industrial Development Corporation may from time to time request.

Made this 30th day of September, 1985.

K. BOSWELL INNIS
Secretary to Cabinet