

LEGAL NOTICE No. 133

REPUBLIC OF TRINIDAD AND TOBAGO

THE FISCAL INCENTIVES ACT, CHAP. 85:01

ORDER

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

THE FISCAL INCENTIVES (ATLANTIC LNG COMPANY
OF TRINIDAD AND TOBAGO) ORDER, 1996

1. This Order may be cited as the Fiscal Incentives (Atlantic LNG ^{Citation} Company of Trinidad and Tobago) Order, 1996.

2. In this Order—

Interpretation

“approved products” means liquefied natural gas and a mixed stream of natural gas liquids;

“mixed stream of natural gas liquids” means a mixed stream of natural gas liquids composed primarily of propane, butane (consisting of normal butane and isobutane) and natural gasolene (consisting of normal pentanes and higher hydrocarbons including condensate produced in the liquefaction process).

3. Atlantic LNG Company of Trinidad and Tobago, a company ^{Declaration of approved enterprise} incorporated in Trinidad and Tobago (hereinafter referred to as “the Company”) is declared an approved enterprise in respect of the approved products to be manufactured at its plant to be constructed at Point Ligoure Road, Point Fortin, with effect from 31st December, 1998 (hereinafter referred to as “the production day”).

4. The Company, classified as a highly capital intensive enterprise ^{Classification and benefits} in respect of the approved products, is granted for a period of ten years commencing from the production day—

- (a) total relief from corporation tax in relation to the approved products;
- (b) total relief from customs duty in relation to the approved products;
- (c) subject to section 16 of the Act, 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 during the tax holiday period; such relief is to be in respect of that portion of the tax liability of the recipient shareholders as exceeds the tax liability in the country in which the recipient is resident.

Obligations
imposed on
approved
enterprise
Schedule

5. The Company shall—

- (a) undertake locally or cause to be undertaken locally the minimum manufacturing processes set out in the Schedule;
- (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 the approved products to be clearly identifiable from the transactions relating to any 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) observe the practice and policy prevailing in Trinidad and Tobago as regards labour relations and conditions of employment;
- (e) comply with the requirements of the Environmental Management Authority on the environmental codes of conduct for the industry.

SCHEDULE

[Paragraph 5(a)]

MINIMUM MANUFACTURING PROCESSES

The Minimum Manufacturing Processes to be observed by the Company are as follows:

- (a) carbon dioxide removal by a process of absorption into an amine liquid stream;
- (b) removal of trace quantities of carbon dioxide, water and sulphur products by molecular sieve beds;
- (c) mercury removal using activated carbon beds;
- (d) first stage refrigeration to recover propane, butanes and natural gasolene; and
- (e) cryogenic process and first stage fractionation to recover propane, butanes and natural gasolene.

Made this 26th day of August, 1996.

A. LEUNG WOO-GABRIEL
Acting Secretary to Cabinet