
**Second Session Third Parliament Republic of Trinidad
and Tobago**



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 19 of 1988

[L.S.]

AN ACT to provide for the establishment of free zones in
Trinidad and Tobago and for matters incidental
thereto.

[Assented to 28th July, 1988]

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

1. This Act may be cited as the Trinidad and Tobago **Short title**
Free Zones Act, 1988.

PART I

PRELIMINARY

Interpretation

2. In this Act—

First Schedule

“approved activity” means any activity specified in the First Schedule which may be carried on in a free zone;

“approved enterprise” means any company, corporation, firm or individual approved by the Company to carry on an approved activity;

“the Central Bank” means the Central Bank of Trinidad and Tobago;

Ch. 31. No. 1

“the Company” means the Trinidad and Tobago Free Zones Company Limited, a limited liability company incorporated under the Companies Ordinance the shares in which shall be vested directly or indirectly in Corporation Sole established by the Minister of Finance (Incorporation) Act;

Chap. 69:03

“customs duty” in relation to a free zone includes purchase tax and stamp duty;

“customs territory” means Trinidad and Tobago but does not include any free zone;

“free zone” means an area designated as a free zone by or pursuant to this Act;

“manufacture” means the operation or process of converting materials into a new product or article, but does not include an operation or process which consists only of one or more of the following—

(a) packing, wherever the packing materials may have been manufactured or produced;

(b) dividing into lots;

(c) sorting or grading;

(d) marking; or

(e) packing into sets;

“Minister” means the Minister to whom responsibility for Industry is assigned.

Designation
of free zones

3. (1) The President may by Order designate such area as he thinks fit as a free zone and such Order shall name the free zone and define its limits.

(2) On the recommendation of the Company, the President may amend an Order made under subsection (1) but not so as to prejudice existing approved enterprises.

(3) Until other provision is made in accordance with this section, the area specified in the Second Schedule shall be a free zone and shall be known as the Point Lisas Free Zone. Second Schedule

4. (1) Subject to subsection (2) the activities specified in the First Schedule shall be approved activities for the purposes of this Act. Approved activities
First Schedule

(2) The Minister may by Order amend the First Schedule.

PART II

FUNCTIONS AND RESPONSIBILITIES OF THE COMPANY

5. The Company shall be managed by a Board of Directors (hereinafter referred to as "the Board"). Board of Directors

6. (1) The Company shall—

- (a) administer, control, operate and manage all free zones and any other property which may from time to time be vested in it under this Act;
- (b) provide and maintain such services, facilities and structures as are in its opinion necessary or desirable for the efficient operation of any free zone;
- (c) have authority over all goods deposited or manufactured in a free zone for the purpose of exercising its functions under this Act, subject to any restrictions which may be imposed by the Comptroller under the Customs Act;
- (d) permit customs offices to be established in any free zone and provide facilities for this purpose;
- (e) make provision for adequate fencing and enclosures to segregate a free zone from the customs territory;

Functions of
the Company

Chap. 78:01

- (f) supervise, control and prescribe conditions for the movement of persons, conveyances, vessels and goods, into, in, and out of the free zones;
- (g) approve and regulate activities which may be carried on in a free zone; and
- (h) take all necessary steps to ensure that the terms of service and working conditions in any approved enterprise do not fall below minimum accepted standards in Trinidad and Tobago for such class of enterprise.

(2) In the exercise of its functions under this Act, the Company may—

- (a) construct, maintain and operate warehouses, factories, commercial buildings, offices, freight-sheds, docking facilities, loading and unloading berths, landings for loading and unloading operations, storage facilities or workshops, ports, piers, shipyards, or other structures for the use of itself or other persons and may grant contracts or concessions to other persons for the construction or provision of any of the said facilities;
- (b) sell, rent, grant leases, sub-leases or other interests or concessions in respect of land, buildings or any other facility or structure within a free zone owned by, or under the control of, the Company on such terms and conditions and subject to the payment of such price, rental or other consideration as the Company may think fit;
- (c) subject to section 16, approve any company, corporation, firm or individual as an approved enterprise;
- (d) import, store, exhibit, pack, unpack, re-pack, manufacture, assemble, refine, purify, mix, transform, operate, re-ship (whether by sea or air), and manipulate all kinds of merchandise, products, raw materials, containers and other commercial goods other than those goods which are prohibited for importation, storage, or manufacture in a free zone;
- (e) authorize persons, whether national or alien, resident or non-resident, to carry out the operations, activities or negotiations specified in paragraphs (a) and (d);

- (f) provide water, light and power, telecommunications and any other public utilities or services and enter into contracts for the supplying of the said utilities and services;
- (g) develop industrial areas for the manufacture, processing, finishing, re-packing and trans-shipment of products;
- (h) subject to section 16, enter into joint ventures with any person for the purpose of any approved activity; and
- (i) carry on or permit to be carried on such other activities as appear to it necessary, advantageous or desirable for or in connection with the exercise and performance of its functions or the operation of a free zone.

7. (1) The President may, by Order, transfer to the Company, any property belonging to the State which is necessary for, or useful to the Company in carrying out its functions under this Act and such property shall vest in the Company by virtue of the Order and without further assurance.

Transfer
of property

- (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.

(3) All property vested in the Company under this Act shall be exempt from land and buildings tax.

8. The funds and resources of the Company in relation to the operation of a free zone shall comprise—

Funds and
resources of
the Company

- (a) moneys derived from rentals, leases, concessions or other activities carried on in the free zones;
- (b) sums derived from loans raised by the Company in accordance with the provisions of this Act;
- (c) moneys earned by or arising from investments made by the Company in connection with the operation of the free zones;

- (d) such moneys as may from time to time be placed by Parliament at the disposal of the Company for the purposes of this Act; and
- (e) such other moneys as may lawfully be paid to the Company in respect of any matter incidental to its powers and duties under this Act.

Borrowing powers 9. (1) The Company may with the approval of the Minister borrow money for the purpose of carrying out its functions under this Act.

(2) The approval of the Minister may be general or limited to a particular transaction and may be either unconditional or subject to such conditions as he thinks fit.

Power to invest funds 10. Funds of the Company not immediately required to be expended in the meeting of any obligations or the performance of any functions of the Company under this Act, may be invested as the Company thinks fit.

Power to delegate 11. The Company may appoint employees or officers and vest in them such functions as it may determine, but subject as aforesaid and subject to the provisions of section 6(2)(e), the Company may with the approval of the Minister delegate to any person any or all of its functions under this Act.

Accounts and audit

12. (1) The Company shall—

- (a) keep proper accounts and records in respect of its operations; and
- (b) prepare a statement of accounts in a form which conforms with established commercial accounting principles in respect of each financial year.

(2) The accounts required to be kept pursuant to subsection (1) shall be audited by an auditor appointed annually by the Company.

(3) As soon as the said accounts have been audited, the Company shall send the statements of its accounts referred to in subsection (1) to the Minister, together with copies of any reports made by the auditors on those statements or on the audited accounts.

13. (1) The Company shall, not later than five months Annual reports after each financial year or within such further time as may in special circumstances be allowed by the Minister, cause to be made and transmitted to the Minister, a report dealing generally with the operations of the Company during the preceding financial year.

(2) The Minister shall cause a copy of each annual report together with the annual statement of accounts and the auditor's report thereon submitted to him pursuant to section 12(3) respectively, to be laid in Parliament.

14. The Company may, with the approval of the Minister, Bye-laws make bye-laws for all or any of the following purposes—

- (a) specifying the returns and information to be submitted to the Company by approved enterprises;
- (b) prescribing and regulating the conditions for use of a free zone and its facilities and services, including the charges to be made for the use of that free zone and its facilities and services;
- (c) regulating, promoting or restricting the movement of persons, conveyances, vessels and goods in and out of a free zone;
- (d) regulating vehicular traffic anywhere within a free zone and in particular imposing speed limits on vehicles therein;
- (e) providing for security arrangements in respect of a free zone;
- (f) providing for the disposal of unclaimed property within a free zone;
- (g) prescribing any other matter or thing, whether similar to the above or not, in respect of which it may be expedient to make regulations for the purpose of carrying this Act into effect.

PART III

OPERATIONS WITHIN A FREE ZONE

15. (1) An enterprise which proposes to undertake an Approval of approved activity shall apply to the Company in writing enterprise to for permission to do so and shall submit to the Company undertake such documents and information as the Company may approved activity prescribe.

(2) Subject to this Act, the Company may by Order grant, subject to such terms and conditions as it thinks fit, approval to an enterprise to undertake the approved activity specified in its application made under subsection (1).

(3) Every Order made under subsection (2) shall specify a date on which the relevant approved enterprise is deemed to begin that approved activity for the purposes of this Act.

(4) On the application of an approved enterprise, the Company may, upon such conditions as it thinks fit, amend the date specified in an Order made under subsection (2) and thereupon, this Act shall have effect from the date as so amended.

Companies to be incorporated or registered locally

16. (1) The Company shall not grant approval for any activity in a free zone—

(a) to any company other than a company incorporated or registered in Trinidad and Tobago in accordance with the Companies Ordinance;

Chap. 82:85

(b) to any firm other than a firm registered under the Registration of Business Names Act; or

Chap. 79:50

(c) to any company or firm other than a company or firm which has obtained all necessary approvals from the Central Bank pursuant to the Exchange Control Act.

(2) Any purchase, assignment or transfer of shares in an approved enterprise shall require—

(a) in the case of any company incorporated in Trinidad and Tobago or any firm any of whose members is a resident of Trinidad and Tobago, the approval of the Central Bank; and

(b) in the case of any other company or firm, the approval of the Company.

Insurance business

17. (1) The Company shall not grant approval to any person to carry on insurance business in a free zone unless that person—

Act No. 6 of 1980

(a) is registered in Trinidad and Tobago in accordance with the Insurance Act; or

- (b) if not so registered, has obtained the approval of the Supervisor of Insurance in respect of the particular insurance business for which approval is sought,

and has obtained all necessary approvals from the Central Bank pursuant to the Exchange Control Act.

(2) Any insurance company, broker, agent or sub-agent which is in compliance with the provisions of the Insurance Act may, with the approval of the Company establish a branch within a free zone for the conduct of insurance business therein.

(3) An approval mentioned in subsection (2) shall be subject to such conditions as the Company may consider necessary.

(4) All insurance business carried on in a free zone shall be subject to any written law relating to insurance.

(5) A person granted approval under this section shall—

(a) keep such records in such forms containing such particulars; and

(b) make such reports at such times,

as may be required by the Supervisor of Insurance, and shall permit the Supervisor of Insurance or any person authorised by him at all reasonable times to inspect such records and any documentation relevant thereto.

(6) Where a person conducting insurance business establishes a branch in a free zone pursuant to subsection (2), the Company shall permit the Supervisor of Insurance or any person authorised by him to enter that free zone for the purpose of carrying out the inspection of records mentioned in subsection (5).

18. (1) Subject to section 26 and to any absolute or specific prohibition imposed by any written law, the Company and any approved enterprise shall be entitled to import into a free zone free of customs duty—

Dealing with or disposal of goods in free zones

(a) any capital goods, spare parts for machinery, consumer goods, raw materials, components or articles intended to be used for the purposes of, or in connection with, an approved activity; and

Third Schedule

(b) any of the articles specified in the Third Schedule where the Company or the approved enterprise, as the case may be, satisfies the Comptroller that such articles are imported for the construction, alteration, reconstruction, extension or repair of premises in a free zone or for the equipping of such premises.

(2) For the purposes of subsection (1)(b), articles for equipping premises include equipment for offices and other ancillary facilities necessary for the proper administration of the premises and for the health, safety, hygiene and welfare of persons employed at such premises.

(3) The Minister may by Order amend the Third Schedule.

(4) All goods brought into a free zone shall be consigned—

(a) to the Company or to an approved enterprise and such goods may, with the approval of the Company, be transferred from one approved enterprise to another or from the Company to an approved enterprise, or from an approved enterprise to the Company; or

(b) without prejudice to section 29, to a bank acting on behalf of any party to a transaction involving the Company or an approved enterprise.

(5) The Company may take such steps as it deems necessary to preserve goods within a free zone, whether by moving such goods from one place to another or by storing such goods, and where any expenses are incurred by the Company in so doing, the owner or consignee of such goods shall reimburse the Company for any expenses so incurred.

(6) Subject to this Act, goods brought into a free zone pursuant to this section may—

(a) unless otherwise directed by the Company, be stored, sold, exhibited, broken up, packed, unpacked, assembled, distributed, sorted, graded, cleaned, marked, re-marked, loaded, unloaded, reloaded, divided, mixed, separated, or otherwise manipulated;

(b) be worked, processed or re-processed or otherwise manipulated or manufactured;

(c) subject to any written law pertaining thereto, be destroyed; or

(d) subject to subsections (7) and (8), be removed from a free zone or sent into the customs territory, whether as originally packaged or otherwise.

(7) Where any goods which are dutiable on entry into the customs territory, whether in their original condition or after manufacture or as part of or an ingredient of any goods manufactured in a free zone, are sent from a free zone into the customs territory, such goods shall be subject to the Customs Act and, if such goods are intended to be disposed of in the customs territory, they shall not be removed from a free zone until the Comptroller is satisfied that all import restrictions relevant thereto have been complied with and all duties payable in connection with the importation thereof into the customs territory have been paid or security given therefor to his satisfaction.

(8) Samples of goods may be displayed in a free zone but shall not be taken into the customs territory without payment of or without an undertaking satisfactory to the Comptroller for the payment of the relevant duty.

(9) Subsection (8) does not apply to goods which to the satisfaction of the Comptroller are of no commercial value.

(10) Notwithstanding any written law to the contrary, where goods are brought from the customs territory into a free zone for the purposes of an approved activity, such goods however packaged, shall be deemed to be exported for the purposes of duty drawback under the Customs Act.

19. (1) No person shall enter, remain in or reside in any free zone without the prior permission of the Company.

Persons not to enter free zones without permission

(2) Any person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

20. (1) No retail trade shall be conducted within any free zone without the prior approval in writing of the Comptroller and of the Company and any approval so granted shall be subject to such terms and conditions as the Comptroller or the Company, as the case may be, may impose.

Retail trade

(2) Any person who contravenes the provisions of subsection (1) or of any term or condition imposed pursuant to that subsection commits an offence.

Prohibition on consumption or use of dutiable goods in free zones

21. (1) No goods, of a type prescribed in the Fourth Schedule which would on entry into the customs territory be dutiable, shall be used or consumed in a free zone without the prior approval in writing of the Comptroller.

(2) Any person who contravenes subsection (1) commits an offence.

Fourth Schedule

(3) The Minister may by Order amend the Fourth Schedule.

Recording, marking and inspection of articles imported with customs duty concessions

22. The Company and every approved enterprise which imports into a free zone any article with any benefit in respect of customs duty under this Act shall—

- (a) keep such records in such form and containing such particulars of the articles as may be required by the Comptroller;
- (b) cause such articles to be marked with such mark and in such manner as may be required by the Comptroller;
- (c) permit the Comptroller or any person authorised by him at all reasonable times to inspect the records relating to those articles; and
- (d) permit the Comptroller to have access to any factory, warehouse, assembly plant or other premises under the control of the approved enterprise in order to examine any such article which the Comptroller believes to be therein and to satisfy himself of the accuracy of the particulars in relation to any such article contained in such records.

Restriction on disposal of articles imported with customs duty concessions

23. (1) In this section "sell" includes give away or otherwise dispose of.

(2) Neither the Company nor an approved enterprise may use any article imported into a free zone with any benefit in respect of customs duty under this Act for purposes other than those of an approved activity.

(3) Subject to subsections (4) and (5) neither the Company nor an approved enterprise shall sell any article referred to in subsection (2).

(4) Notwithstanding subsection (3), in the case of an assignment of an approved enterprise, the approved enterprise may sell any article referred to in subsection (2) to the assignee of the enterprise to be used in a free zone for the purposes for which any such article was imported into that free zone.

(5) Notwithstanding subsection (3), the Company or an approved enterprise may sell an article referred to in subsection (2) in such circumstances, other than those referred to in subsection (4), as the Minister and the Comptroller may approve.

24. (1) Where any process of manufacture or manipulation which takes place within a free zone involves the use of dutiable materials, whether local or imported, the manufacturer or manipulator, as the case may be, shall maintain in a form acceptable to the Comptroller, records of the quantities of the various materials used in the process and, when required to do so by the Comptroller, shall permit verification of the records.

(2) Where under this Act—

- (a) entry into the customs territory of any goods manufactured, assembled, mixed or otherwise manipulated in a free zone is permitted, and
- (b) either the goods or the materials used in the manufacture or manipulation thereof are dutiable,

the manufacturer or manipulator of such goods shall—

- (i) obtain the prior approval in writing of the Comptroller for such entry which approval may be granted or withheld as the Comptroller thinks fit, and
- (ii) where the Comptroller so requires, manufacture or manipulate the goods under the supervision of the Comptroller.

(3) Any manufacture or manipulation permitted under this section shall be subject to such terms and conditions as the Comptroller may impose and to such regulations as may be made pursuant to this Act.

(4) The Comptroller may give an allowance for recoverable or irrecoverable waste, except that where such recoverable waste is sent into the customs territory, it shall be dutiable in its condition and quantity and at its weight at the time of entry.

25. Regulations under this Act may prescribe allowances or deductions which may, having regard to the extent to which Trinidad and Tobago citizens or materials contribute to the ultimate value of any goods, be made in assessing the customs duty on goods which have entered the customs territory from a free zone.

Manufacture or
manipulation in
a free zone

Allowances for
Trinidad and
Tobago citizens
or materials

Disposal of goods
abandoned in a
free zone

26. (1) Where it appears to the Company that any goods or property have been abandoned in a free zone for a period exceeding six months, the Company may dispose of such goods or property whether by destruction, sale or otherwise and in the case of disposal by sale, shall apply the proceeds of such sale against any fees or other expenses incurred in connection with those goods or property or such disposal.

(2) Where any balance remains after the settling of the fees and expenses pursuant to subsection (1), that balance may, if claimed within three months of the date of the disposal, and if the Company is satisfied that the claimant was the owner of the goods disposed of or is entitled thereto, be paid to the claimant, but where there is no claimant for the proceeds of any such disposal by sale, such proceeds shall be paid into and become part of the funds of the Company.

(3) Nothing in subsection (1) shall be construed as authorising the sale or the disposal of any goods for use in the customs territory other than in such circumstances and on such terms as the Minister and the Comptroller may approve.

Goods not to be
taken into or
stored in a free
zone

27. Notwithstanding any other provision contained in this Act, the following goods shall not be taken into or stored in any free zone—

- (a) firearms and ammunition, other than by members of the Trinidad and Tobago Police Service or the Trinidad and Tobago Defence Force or by security guards employed in the course of their duties, or by such other persons as may be authorised by the Company;
- (b) dangerous explosives; or
- (c) petroleum, inflammable materials, hazardous cargoes and oil fuels other than in such quantities and on such terms and conditions as may be prescribed or permitted by the Company.

PART IV

LICENCES

28. (1) Approved enterprises shall not be subject to import and export licensing or, where goods are being shipped other than to the customs territory, to export licensing.

(2) Export of goods from a free zone to the customs territory shall, save as otherwise prescribed by or pursuant to this Act, be subject to the same customs and licensing requirements as apply to goods imported from other countries.

PART V

BANKING AND FOREIGN CURRENCY ACTIVITIES

29. (1) Subject to this section, all banking activities carried on in a free zone shall be subject to the written laws relating to banking and exchange control.

(2) Any bank registered under the Banking Act may, with the approval of the Company and subject to subsection (1), establish a branch within a free zone, and may at such branch—

(a) conduct normal banking business permitted under the Banking Act, except that it may not, without the approval of the Central Bank, lend or make advances or otherwise grant credit to—

(i) a person designated non-resident for the purposes of the Exchange Control Act; or

(ii) an approved enterprise operating within such free zone; and

(b) subject to the approval of the Central Bank, operate foreign currency accounts for approved enterprises operating within such free zone.

(3) Where an overseas bank establishes a branch within a free zone which is independent of any other activity carried on in Trinidad and Tobago by that bank, that branch may with the approval of the Minister engage in foreign currency transactions whereby it can receive and make payments in foreign currencies without reference to the Central Bank.

(4) An overseas bank referred to in subsection (3) shall not be accorded "authorized dealer" status pursuant to the Exchange Control Act and shall not purchase or sell foreign currency in exchange for Trinidad and Tobago currency.

Restrictions on borrowing and payment of employees

30. (1) An approved enterprise operating in a free zone—

- (a) may move funds related to that enterprise into and out of that free zone without the permission of the Central Bank, but
- (b) shall not without the approval of the Central Bank, borrow funds for use in that approved enterprise from commercial banks, approved lending institutions or other sources situated in the customs territory.

(2) Where an approved enterprise is established within a free zone and employs persons on its staff who are designated non-resident for the purposes of the Exchange Control Act, that enterprise may pay the emoluments of such staff in foreign currency and any staff so paid may operate an external account with any commercial bank whether within or outside of the free zone.

(3) Where an approved enterprise is established within a free zone and employs persons on its staff who are designated resident for the purposes of the Exchange Control Act, that enterprise shall pay the emoluments of such staff in Trinidad and Tobago currency and for that purpose that approved enterprise may, with the approval of the Central Bank, operate an imprest account in Trinidad and Tobago currency funded from purchases of foreign currency from authorised dealers under the Exchange Control Act within the free zone or in the customs territory.

Payment for goods and services

31. (1) Where an approved enterprise operating in a free zone supplies goods or services to a customer within the customs territory, that enterprise shall receive payment for such goods or services in foreign currency where the customer concerned has obtained the relevant approval from the Central Bank under the Exchange Control Act.

(2) Where a person within the customs territory supplies goods and services to an approved enterprise established within a free zone, that person shall be entitled to receive payment for such goods or services in foreign currency but shall be required within seven days of the receipt of such payment to sell the foreign currency to an authorized dealer in exchange for Trinidad and Tobago currency.

(3) Notwithstanding subsection (2), where a person within the customs territory supplies insurance services within a free zone, that person may, with the approval of the Central Bank and on such terms and conditions as the Bank may impose pursuant to the Exchange Control Act, operate an external account funded from any foreign currency received as payment for premiums.

32. (1) Every approved enterprise established within a free zone may with the approval of the Central Bank operate a foreign currency account with any commercial bank within the free zone, in the customs territory or outside Trinidad and Tobago.

Foreign currency accounts and payments in foreign currency

(2) Where a person designated resident for the purposes of the Exchange Control Act has an interest in an approved enterprise operating within a free zone, payment of interest, dividends or profits shall be made to such resident in foreign currency, but such payments shall be repatriated to the customs territory in accordance with the requirements of the Central Bank under the Exchange Control Act.

33. An approved enterprise engaged in manufacturing in a free zone shall be exempt from corporation tax, withholding tax, unemployment levy, national recovery impost and business levy in respect of profits or gains earned from such manufacture.

Income tax relief in relation to manufacturing activities

34. An approved enterprise not engaged in manufacturing but engaged in activities involving international trading in products, including products originating in countries belonging to the Caribbean Common Market, shall be exempt from corporation tax, unemployment levy, national recovery impost and business levy in respect of profits or gains earned from such activities.

Income tax relief in relation to international trading activities

PART VI

MISCELLANEOUS

Service charges and dividends subject to exchange control and withholding tax
Chap. 75:01

35. Service charges and dividends payable to an approved enterprise by organisations operating in the customs territory shall be subject to the Exchange Control Act and when paid to withholding tax under the Income Tax Act as though remitted abroad.

Approved enterprises to submit returns

36. Every approved enterprise shall submit to the Company at such intervals as may be prescribed, such statistical data and such information and returns in relation to their sales and purchases and other operations as the Company may require or as may be prescribed.

Board of Inland Revenue may issue certificates regarding benefits

37. The Board of Inland Revenue may certify in such form as may be prescribed the fiscal benefits enjoyed by an approved enterprise under this Act in order that such certificate may be produced by the approved enterprise to the fiscal authorities of any other country in which the approved enterprise may be liable to suffer taxation.

Work permits

38. (1) A person who is a foreign national or Commonwealth citizen employed by the Company or by an approved enterprise established in any free zone shall not, by virtue only of such employment, be exempt from the Immigration Act, but the Minister responsible for the administration of that Act shall, in considering applications by or on behalf of such a person, have regard to the need to facilitate the operations of the free zone.

Chap. 18:01

(2) Where a person referred to in subsection (1) is employed by an approved enterprise, he and that enterprise shall be exempt from such provisions of the Immigration Act as authorize or require the payment or imposition of fees in relation to the grant of a work permit to him.

Chap. 58:02

(3) The Aliens (Landholding) Act shall not apply with respect to an investment in an approved enterprise established in a free zone or the holding of an interest in land in a free zone.

PART VII

OFFENCES AND PENALTIES

Penalty for offences not otherwise provided for

39. Any person who contravenes or fails to comply with this Act commits an offence and, if no penalty is expressly provided therefor in any other section of this Act, is liable on summary conviction to a fine of five thousand dollars and to imprisonment for twelve months.

40. (1) Section 119(1) of the Income Tax Act shall apply ^{Penalties} to any false statement or representation made or any false return delivered or any false accounts kept or prepared with reference to any of the fiscal benefits created by this Act as if such false statement or representation had been made or such false return had been delivered or such false accounts had been kept or prepared with reference to income tax on profits or gains chargeable under the Income Tax Act.

(2) Every approved enterprise which contravenes section 22 and every director, manager, agent or officer of that approved enterprise who is knowingly a party to that contravention commits an offence and is liable on summary conviction to a fine of one thousand dollars and to imprisonment for twelve months.

(3) Every approved enterprise which contravenes section 23 and every director, manager, agent and officer of that approved enterprise who is knowingly a party to that contravention commits an offence and is liable on summary conviction to a penalty three times the value of the article in respect of which the contravention occurred and, to imprisonment for twelve months.

(4) Any person who contravenes any bye-law made under this Act and published in the *Gazette* shall be guilty of an offence and liable on summary conviction to a fine of five thousand dollars and to imprisonment for twelve months.

FIRST SCHEDULE

[Section 4(1)]

Prescribed activities which may be carried on in a free zone

- (1) Warehousing and storing.
- (2) Manufacturing operations.
- (3) Trans-shipment operations.
- (4) Loading and unloading operations.
- (5) Exporting.
- (6) Importing.
- (7) Service operations, including banking, insurance and professional services.
- (8) Packaging and shipping.
- (9) Assembling.
- (10) Processing, refining, purifying and mixing.
- (11) Merchandising.

SECOND SCHEDULE

(Section 3)

Area of free zone

POINT LISAS FREE ZONE

ALL AND SINGULAR that certain piece or parcel of land situate in the Ward of Couva in the County of Caroni in the Island of Trinidad on the Point Lisas Industrial Estate owned by the POINT LISAS INDUSTRIAL PORT DEVELOPMENT CORPORATION LIMITED (the "Corporation") comprising two hundred and fifty thousand square metres more or less and bounded on the North by Monkey Point Road, on the South by other lands of the Corporation, on the East by a drain reserve and on the West by reclaimed lands.

THIRD SCHEDULE

(Section 18)

Articles which, subject to section 18, may be imported free of customs duty into a free zone

Building materials including tools, pipes, pumps, conveyor belts, electronic and electrical machinery, and goods and machinery incidental to the setting up of an enterprise in the free zone.

Other appliances and materials necessary for construction, alteration, extension or repairs to premises.

Raw material, packaging material, intermediate goods, and sub-assembly goods to be used in manufacturing, processing, refining, assembly, purifying, mixing, or otherwise transformed by enterprises in the free zone.

Goods entered for trans-shipment or repacking, labelling or warehousing.

Spare parts for machinery.

FOURTH SCHEDULE

(Section 21)

Goods which, subject to section 21 shall not be used in a free zone

Food
Beverages
Cigarettes
Tobacco
Petroleum products.

Passed in the Senate this 30th day of June, 1988.

Z. SEEREERAM
Acting Clerk of the Senate

Passed in the House of Representatives this 11th day of July, 1988.

J. E. CARTER
Clerk of the House

House of Representatives amendments were agreed to in the Senate on 19th July, 1988.

Z. SEEREERAM
Acting Clerk of the Senate