

LEGAL NOTICE NO. 195

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 (AIR LIQUIDE TRINIDAD AND
TOBAGO LIMITED) ORDER, 2008

1. This Order may be cited as the Fiscal Incentives (Air Liquide Trinidad and Tobago Limited) Order, 2008. Citation
2. In this Order “the Act” means the Fiscal Incentives Act. Interpretation
3. Oxygen, nitrogen and argon are declared approved products. Declaration of approved
4. Air Liquide Trinidad and Tobago Limited (hereinafter referred to as “the Company”) is declared to be an approved enterprise in respect of oxygen, nitrogen and argon (hereinafter referred to as the “approved products”) to be manufactured at its factory located at North Sea Drive, Point Lisas Industrial Estate, Savonetta, with effect from 15th August, 2009 (hereinafter referred to as “the production day”). Declaration of approved enterprise
5. The Company, classified as a highly capital intensive enterprise under section 9(2) of the Act, is granted total relief from customs duty in respect of the approved products, for a period of ten (10) years commencing from the production day— Classification and benefits
6. The Company shall— Conditions imposed on approved enterprise Schedule
 - (a) undertake locally or cause to be undertaken locally, the minimum manufacturing process 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 and obtain the related Certificate of Environmental Clearance;
- (f) submit to the Ministry of Trade and Industry any information requested in the manner directed and at such times as the Ministry may request; and
- (g) obtain all statutory approvals from the Town and Country Planning Division, Ministry of Planning, Housing and the Environment.

SCHEDULE

[Clause 6(a)]

MINIMUM MANUFACTURING PROCESS

The air is filtered and compressed, after which it is then cooled by passing through water or air-cooled heat exchangers. Condensed water is removed from the system as the air is cooled. The remaining water vapour, carbon dioxide and other contaminants are then removed in the purification unit. The air is then cooled to cryogenic temperature through the use of an additional heat exchanger, using refrigeration recovered from cold gases exiting the plant. Distillation columns are then used to separate the air into oxygen and nitrogen. Pure liquid nitrogen is produced in the high pressure column. Impure oxygen from the high pressure column is further purified in a low pressure column. There may also be an additional argon removal column to separate argon from the oxygen. The pure liquid products are then warmed to their gaseous states by exchanging against incoming air. A portion of the gaseous oxygen and nitrogen is sent through the pipeline network, while the remainder is stored in large storage tanks.

Dated this 18th day of December, 2008.

A. LEUNG WOO-GABRIEL
Secretary to Cabinet