

ANTIGUA AND BARBUDA



**ANTIGUA AND BARBUDA SPECIAL ECONOMIC ZONE (YIDA INTERNATIONAL
INVESTMENT ANTIGUA LIMITED) LICENCE ORDER, 2015**

STATUTORY INSTRUMENT

2015, No. 53

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ANTIGUA AND BARBUDA SPECIAL ECONOMIC ZONE (YIDA INTERNATIONAL INVESTMENT ANTIGUA LIMITED) LICENCE ORDER, 2015

2015, No.53

ANTIGUA AND BARBUDA SPECIAL ECONOMIC ZONE (YIDA International Investment Antigua Limited) Licence Order, 2015 made by the Minister, in exercise of the powers contained in Section 23, Sub-Section (6) and (7) of the Special Economic Zone Act, 2015.

1. Short title

This Order may be cited as the Antigua and Barbuda Special Economic Zone (YIDA International Investment Antigua Limited) Licence Order, 2015.

2. Grant of Licence to Antigua and Barbuda Special Economic Zone

(1) By virtue of the powers and authority vested in me under Section 23, Sub-Section (6) and (7) of the Special Economic Zone Act, 2015, I hereby grant unto YIDA INTERNATIONAL INVESTMENT ANTIGUA LIMITED (“YIDA”) a licence to establish a Special Economic Zone in the designated lands specified in Schedule I hereto.

3. Incentives and Concessions

(1) The incentives and concessions granted to YIDA are specified in Schedule II and shall remain in force during the life of the Antigua and Barbuda Special Economic Zone (hereafter referred to) as the “Zone”.

(2) The incentives and concessions listed in Schedule II hereto shall apply to YIDA, the Licensee, and any approved entity admitted to operate a business or industry in the Zone.

SCHEDULE I**THE DESIGNATED LANDS OF THE
ANTIGUA AND BARBUDA SPECIAL ECONOMIC ZONE**

	Registration Section	Block	Parcel	Area
1	Crabbs Peninsula & Neighbouring Islands	21-2692A	2	110
2	Crabbs Peninsula & Neighbouring Islands	21-2892A	1	320.13
3	Crabbs Peninsula & Neighbouring Islands	21-2894A	6-/1	1.25
4	Crabbs Peninsula & Neighbouring Islands	21-2894A	7-/1	2
5	Crabbs Peninsula & Neighbouring Islands	21-2894A	8	5
6	Crabbs Peninsula & Neighbouring Islands	21-2894A	10-/1	1.25
7	Crabbs Peninsula & Neighbouring Islands	21-2894A	11-1	0.45
8	Crabbs Peninsula & Neighbouring Islands	21-2894A	13-/1	0.8
9	Crabbs Peninsula & Neighbouring Islands	21-2894A	14-/1	0.9
10	Gilberts	22-2690A	61	1,052
11	Gilberts	22-2890A	1	2.5
12	Gilberts	22-2890A	6	36

13	St. Phillips North	25-2990A	1	52
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SCHEDULE II

List of Incentives and Concessions granted to the Antigua and Barbuda Special Economic Zone of YIDA International Investment Antigua Limited

Functional Zones	
The Designated Lands for the Zone	All the incentives and concessions are granted to YIDA and applicable to any approved entity admitted to operate a business or industry in the Zone. The Antigua and Barbuda Special Economic Zone is located in the territory of Antigua and Barbuda and is owned by YIDA. The designated lands for the Zone includes lands in Crabbs Peninsula and Neighbouring Islands, Gilberts, and St. Philips North, with a total area of around 1,600 acres (around 9,800 Chinese mu).
Categories of approved functional businesses and industries of the Special Economic Zone	1. Antigua and Barbuda International Tourism Island
	2. Sino-Antiguan International Free Trade Zone (“FTZ”)
	3. Antigua and Barbuda Off-shore Duty Free Zone
	4. Antigua and Barbuda International Bonded Warehousing Zone
	5. Antigua and Barbuda Finance and Banking Center
	6. Antigua and Barbuda Investment Funds Center
	7. Antigua and Barbuda Off-shore Settlement Center
	8. Antigua and Barbuda Insurance and Trust Center

	9. Antigua and Barbuda Off-shore Wealth Management Center
	10. Antigua and Barbuda International Securities Exchange Center
	11. Antigua and Barbuda Multi-Purpose Entertainment Zone
	12. Antigua and Barbuda Casino Development
	13. Antigua and Barbuda Trading Logistics and Wholesale Center
	14. Antigua and Barbuda International Education and Research Zone
	15. Antigua and Barbuda International Corporate Headquarters Zone
	16. Antigua and Barbuda International Healthcare, Recovery and Rehabilitation Zone
	17. Antigua and Barbuda Comprehensive Industrial Park Zone
	18. Antigua and Barbuda Aviation Economic Development Zone
	19. Antigua and Barbuda Ports and Transportation Hub
Zone Supervision and Management	
Advisory Board	<p>The Advisory Board shall –</p> <ul style="list-style-type: none"> a) advise the minister on a strategic plan for the development of the Zone, b) carry out periodic inspection of the Zone, and c) monitor the operations of the Zone Committee
Zone Committee	The Zone committee is an independent administrative body of the Special Economic Zone, responsible for giving approvals,

	overseeing all promotions, planning, investment, development, construction and operations of the Zone and other related matters of the Zone.
General Policies	
Effective Date of the SEZ and its Concessions	The Special Economic Zone License and the incentives and concessions granted to YIDA shall be effective from the date of the licence and continue in force in accordance with the laws of Antigua and Barbuda.
Additional Concessions	In the event any new concessions are awarded to other parties for investment in Antigua and Barbuda, all projects of the Zone shall equally be entitled to enjoy the same incentives and concessions.
Protection of Approved Names and Categories of functional Businesses and Industries	The License awarded to YIDA and all its incentives and concessions shall be protected during the life of the Zone. The approved names and categories of functional businesses and industries operating in the Zone shall be protected and such approved names and categories shall not be accepted for approval for any other applicants.
Permissions	All residents and approved businesses and industries in the Zone are allowed to freely acquire, hold and sell land, shares and other properties in the Zone.
Financial and Tax Policies	
Waiver of taxes within the Zone	The Zone shall be free of all taxes levied in Antigua and Barbuda.
Waiver of all corporate and personal income taxes	The approved entities in the Zone shall be exempted from all corporate taxes. The shareholders of corporations registered in the Zone, the residents and foreign employees in the Zone, as well as the profits from their respective investments equity and other assets in both the Zone and overseas are exempted from

	corporate and personal income taxes.
Waiver of all import and export duties and taxes	<p>Exemption from the payment of all taxes and other duties on the importation and exportation of machinery and equipment, production, processing and assembly pieces, building materials office supplies, finished and semi-finished products, raw materials, other goods or services to be utilized in the performance of services, construction and works within the Zone.</p> <p>The import, export and re-export of all goods through the Zone and the import of personal belongings and household effects of all staff and residents of the Zone are exempted from the payment of all import and export taxes and other related duties.</p>
Waiver of value-added tax, sales tax and capital gains tax	All value-added tax, sales tax and capital gains tax and any relevant taxes shall be waived in the Zone.
Waiver of all sales and operation and development taxes and duties	All taxes related to sales, operations, development and construction activities within the Zone shall be waived.
Waiver of capital gains taxes and wealth taxes	All companies established within the Zone and their shareholders, all residents and personnel in the Zone are exempted from the payment of capital gains taxes and wealth taxes on land, shares, securities and any other investments and assets within the Zone and in any other country.
Waiver of inheritance and gift taxes	All companies and personnel, irrespective of the relationship between the donor and the recipient of the gift are exempted from all inheritance, gift and other related taxes.
Fees payable to the Zone Committee	<p>The Zone Committee shall determine the fees payable by each approved Zone entity to the Zone Committee in respect of the following items:</p> <p style="padding-left: 40px;">(a) a Zone admission fee;</p> <p style="padding-left: 40px;">(b) an annual fee;</p>

	(c) operating and administrative fee
Financial Capital Policies	
Subletting and financial leasing	Permission shall be granted to approved entities to run commercial factoring businesses related to their main businesses operations.
Company activities	There is no restriction on commercial activities for companies except for prohibited activities.
Company finance	Corporate capital raising activities, including cash, debt, equity, convertibles, real estate investment trusts (REITs), and other forms of trusts are permitted.
Funding	Non-monetary company assets (e.g. intellectual property services) are permitted to be incorporated in the Zone.
Foreign equity and currency	Foreign equity investment of any kind (commercial and industrial) activity is not restricted. Foreign currency exchange among Zone entities are treated confidentially.
Business Administration Policies	
Allowance of use of foreign language	For registration of names for companies, a foreign language company name in addition to an English company name is acceptable.
Import and export process	The Zone shall be equipped with its own import and export customs gateway. The customs gateway shall be managed by customs department established in the Zone and monitored by the Zone Advisory Board. A specialized customs management department shall be established to ensure that the customs gateway shall operate independently and that a protocol will be set up to simplify and fast-track import and export procedures.
Zone-based Company Incorporation Fast-track	For incorporation of companies within the Zone, a time frame of 72 hours, equivalent to 3 working days, for completion of all correspondence processes shall be imposed. A company registry in the Zone shall be established to provide one-stop-

	shop service for incorporation of companies.
Management of Zone-based Company	Key policies include: Any 18-year-old individual of any nationality can incorporate a company. Incorporation capital shall not be less than USD 1,000. Application of formation of exempted companies, information of shareholders are completely confidential. Annual General Meeting (AGMs) for Zone entities are not required. Only one person acting as both the shareholder and director is required to incorporate the company. All other purpose companies are permitted except companies requiring licenses such as banking, insurance and financing services.
Establishment of the Financial Center Committee	Establishment of a Special Economic Zone Financial Center Committee shall be authorized by the Special Economic Zone Committee to administer and regulate the Financial Center. Such authorities include the governing of the Financial Center, offshore wealth management center, off-shore financial settlement center, off-shore banks, trust companies, fund companies, securities companies and insurance companies and their approvals. The Financial Center shall permit sole investments, joint investments and foreign direct investments. Flexible and creative corporate activities, day to day operational management, auditing and making of rules and by-laws.
Finance Policy – Foreign Currency	Provide a more relaxed monetary policy in the Zone, allowing free transfer of cross-border capital. There are no restrictions of foreign currency exchange Settlement of foreign currency transaction can be carried out directly through the country which issued the currency, without need for currency exchange Non-residents have no restriction on transfer of foreign currency into and out of Antigua and Barbuda. Free transfer of funds is allowed, with no restrictions on trade, non-trade and fund budgets. Residents in the Zone could transfer money with each other with no restrictions.
Finance Policy – Foreign Currency Transactions in the Zone	Free floating on foreign exchange rates of deposits and loans Inward and outwards transfers of foreign currencies are not mandatory for local currency settlement. Releasing interest rates controls and financial trading restrictions, and eliminating foreign currency reserve requirements.

	The Zone shall maintain an effective anti-money laundering (AML) policy in accordance with relevant anti-money laundering laws.
Finance Policy - Taxation	The Government shall not impose direct taxes to the Financial Center, including its investors, managers and operators. There are no restrictions on investment strategies, usage of currencies, investment tools and investment risks. Flexible financial structures are allowed, and financial reporting can be done using any accounting standards applicable under the laws of Antigua and Barbuda.
Verification and Taxation	Freedom of choice for entity names is permitted. Single-man shareholder incorporation is permitted. All types of business are permitted except for those restricted by law. There are no restrictions on frequency of board meetings. Minimum requirements on annual returns and information disclosure. Shareholder's personal and confidential information are protected. Off-shore business activities are tax-free, including business tax, interest tax, income tax, capital gains tax, etc.
Confidentiality	Absolute confidentiality of customer information is observed by the financial institutions in the Zone.
Waiver of approval	Entities approved to operate in the Zone do not require project proposals, feasibility reports, working administrative examinations or approvals to commence development.
Construction licenses and approvals	The Government of Antigua and Barbuda shall provide all required approvals and permissions to the Zone for all masterplan and environment protection related matters in a single instance. Approvals for all infrastructure and construction projects within the Zone shall be given by the authority in charge of development control established in the Zone. This authority shall approve all areas related to architecture, structure, anti-hurricane, environmental assessment and others, and shall be responsible for issuing permits upon fully satisfying all requirements for approvals. All permits issued within the Zone shall carry the same legal validity and rights as those issued by the Development Control Authority. International architect firms for each project in the Zone shall participate in the master planning and design in compliance with the required Antigua and Barbuda Physical Planning Act. All approvals and permits for the construction of

	projects within the Zone shall be completed within 7 working days, and delivered to Development Control Authority and Environmental Planning Division for filing.
Widen the constitution boundary of medical care industry	Any investments and operation of the medical care and health industries including those related to stem cells, shall be tax-free in the Zone, with no restrictions on business types and trading of medical goods and equipment. Foreign medical practitioners registered in Antigua and Barbuda are allowed to practice in the Zone. Professionals in other healthcare industries are free to operate in the Zone.
Employment and Information center	Grant of permission to hire foreign work force.
No visa-restrictions	Work permit applications of up to 5 years shall be approved within 14 days for employees in the Zone.
Work permits	Foreigners (non-residents) are allowed to be employed or work in any commercial and industrial profession (incl. supervisory, technical and advisory positions) in any field of business. Permits will be approved within 14 days of the applications.
Sales to domestic market	Any commercial and industrial entity is allowed to sell products, services and machines to the domestic market. Sales to the domestic market from the Zone are considered as imports into Antigua and Barbuda.
Custom procedures and approvals	The Government of Antigua and Barbuda shall provide all required approvals and permissions to the Zone for the sole operating rights of a customs gateway in a single instance. The Zone shall be equipped with its own import and export customs gateway. The customs gateway shall be managed by customs department established in the Zone and monitored by the Zone Advisory Board. A specialized customs management department shall be established to ensure that the customs gateway shall operate independently and that a protocol will be set up to simplify and fast-track import and export procedures. The Zone shall implement streamlined and efficient import and export custom procedures, including customs clearance that adhere to World Customs Organization (WCO) principles and standards at its own customs gateway, inclusive

	of the Electronic Data Interchange (EDI) platform. All import and export customs procedures within the Zone shall be completed within 3 working days to complete.
Infrastructure Policies	
No (Spatial) planning and construction restrictions	No (spatial) planning, density ratio and construction restrictions (both on- and off-shore) - necessary constructions may include (not limited to): (private) marina, (artificial) beaches, trenching, channels, groins, (underwater) attractions - all shall have no restrictions, subject to the minimum requirement of Antigua and Barbuda Physical Planning Act.
Environmental protection and approvals	The Government of Antigua and Barbuda shall provide all required approvals and permissions to the Zone for its environmental impact assessment in a single instance. The Zone Committee shall establish a professional environmental assessment and fire control approvals department, for the purpose of conducting environmental and fire control evaluations of all projects within the Zone and issuing permits. All permits issued within the Zone shall carry the same legal validity and rights as those issued by the Government. International professional environmental assessment and fire control experts shall be recruited by the Zone Committee. On the basis of compliance with the required rules and regulations of Antigua and Barbuda in relation to environmental assessment and fire control, approvals and permits for the projects within the Zone shall be issued within 7 working days.
Grant of Permissions	Grant of permission to build over and under water, subject to the requirement of Antigua and Barbuda Physical Planning Act.
Environmental Protection	It is prohibited to build new polluting industries within a 2 mile radius out of the Zone.
Government infrastructure investments (out of the Zone)	The Government undertakes to construct, install, deliver and maintain necessary infrastructure connections to the Zone (e.g. construction of roads, highways, power, telecommunication, water supply and sewage treatment etc.).
Customs branches and ancillary facilities	The Government undertakes to provide customs connected ancillary facilities in relation to independent operation and maintenance of the Zone, such as postal services, including

	placement, building and maintenance.
Land use right	If under the circumstance whereby a proposed project committed to the Zone cannot come to fruition due to land restrictions at the time of the investment, the lands acquired for such project outside of the Zone shall be treated as a natural and legal extension of the Zone, and all attached rights and concessions shall be consequentially awarded.
Energy Saving Policies	
Clean Production	For the institutions that voluntarily implement "clean production" projects and pass the examinations, the Government gives subsidies; for the institutions that voluntarily undertake clean production and pass the examinations, the Government gives subsidies; if the companies are affirmed by the city industry and trade bureau, the Government gives an incentive if and when this becomes applicable.
Smart Cities	Within the scope allowed by Government, arrangement for funds to develop a smart city will be considered. Enterprises will be encouraged to secure loans for the development of smart cities.
Off-shore Duty Free Policies	
Off-shore Duty-Free Shopping	There is no limit or restriction for duty-free shopping for foreign residents within the Zone. There is no restriction as to age, amount of times, total value and category of items with waiver of all import and sales tax. Simplified, fast-track custom procedures are provided in addition to pick-up at airports or ports.
Job Creation Policies	
Education and Employment	The Zone shall establish an Education and Research Zone, for the purpose of furthering employment opportunities, and all education taxes and other relevant taxes and duties shall be waived.

Licensing Policies	
Lottery Policy approval	Concession to the Zone for establishing, engaging and developing gambling activities (incl. e-gaming) such as but not limited to casinos, sports, dog racing, horse racing, car racing or any other kinds of betting.
Lottery Policy approval	Grant of Casino license to the Zone and exemption of gaming taxes and casino operations revenue related tax, inclusive of all annual licensing fees for the casino. Winnings from gambling customers are also fully tax exempt.
License for scheduled items	License to be granted for scheduled items (e.g. food and beverage, liquor, entertainment, hotel and casino to be effective 365 days a year and 24 hours a day, etc.).
Licensing of financial institutions	The Government will grant of licences, approvals and permits to the financial centre, the offshore wealth management centre, off-shore financial settlement centre, trust companies, fund companies, securities companies, securities exchange companies, off-shore banks and insurance companies in the Zone.
Off-shore Settlement Center	Allow for the off-shore settlement center in the Zone to transact in multiple currencies, including USD, CNY, EUR, XCD and more.
Fish Farming License	YIDA will establish and invest in a Seafood harvesting company within the Zone, and create significant employment opportunities. 10% of the profit of the seafood harvesting company shall be given to the Government of Antigua and Barbuda. The Company shall set up an ocean monitoring team to supervise the seas, to prevent non-Antiguan and Barbudan boats from seafood harvesting and to regulate in general within the Antigua and Barbuda sea territories.
CIP Rights Policies	
CIP Rights for qualified investors.	Any investments and acquisitions of lands and other real estate, regardless of form and category, in the Zone (i.e. for every USD 400k (0.4 million) invested) shall qualify as CIP product.

Application Fee	Families of 4 will be processed at USD 50,000 for the entire family for the first 500 family applications into the Zone, and transfer taxes and stamp duties shall be waived.
Funding for Infrastructural Development	The CIP funds for all family applications into the Zone shall be paid in full upfront to the license holder of the Special Economic Zone upon issuance of passports within 3 working days, for the purpose of infrastructure development in the Zone.
CIP Representative Office Policies	
Establish Representative Office	The Government of Antigua and Barbuda shall officially establish and set up a representative office in China for the Zone, For the purpose of nationwide promotion of tourism and CIP.
Official CIP representative	Government will appoint YIDA International Investment Group as the only official CIP representative in China for all Chinese-passport holding applicants (except agency rights).
Approval for Offices of YIDA International Investment Antigua Limited in China to receive CIP Application	YIDA International Investment Antigua Limited and its offices in China are the only Government approved offices, and are authorised to receive CIP application from Chinese passport holders.

Made this 3rd day of December, 2015.

Hon. Gaston Browne,
*Prime Minister and Minister
Responsible for special economic zone.*