

**From:** "jeffrey E." <jeevacation@gmail.com>  
**To:** Cecile de Jongh <[REDACTED]>  
**Subject:** Re: See section 736(c)  
**Date:** Tue, 14 Feb 2017 23:04:16 +0000

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Ok

On Tue, Feb 14, 2017 at 5:51 PM Cecile de Jongh <[REDACTED]> wrote:

I spoke with Erika today and the B&I folks will want us to pay the \$10,000 to the board of ed. There may be some other requirements as well TBD.

With warm regards,

Cecile

Sent from my iPhone and misspellings courtesy of iPhone.

Begin forwarded message:

**From:** Erika Kellerhals <[REDACTED]>  
**Date:** February 14, 2017 at 1:55:08 PM AST  
**To:** Cecile de Jongh <[REDACTED]>  
**Subject:** See section 736(c)

### § 736. Tax Incentive Benefits

(a) Any international business entity licensed and regulated under this chapter, is eligible to receive any tax exemption, tax credit, or tax privilege pursuant to this chapter.

(b) The Director may:

(1) review all applications for tax incentive benefits, issue a Certificate of Eligibility for Tax Incentive Benefits to: international banking entities licensed and regulated under this chapter;

(2) determine compliance of the beneficiary with the provisions of this chapter and the regulations issued under this chapter. The expenses of any investigation by the Director to determine compliance by any beneficiary must be borne by the beneficiary;

(3) modify, suspend or revoke a certificate of tax incentive benefits, and hold a hearing in which the beneficiary must show cause why its certificate of tax incentive benefits should not be modified, suspended or revoked;

(4) in connection with any investigation or hearing required by this chapter or regulations issued pursuant to this chapter, subpoena witnesses, records, books, and administer oaths, and inspect properties and facilities of tax incentive beneficiaries and applicants for tax incentive benefits.

(5) request and obtain from the Commissioner of Finance and Director of the Internal Revenue Bureau such auditing services as considered necessary to the proper administration of this chapter, or the Director may outsource the auditing service necessary to this function. Reasonable costs of such outsourcing, as determined by the Director, shall be borne by the international banking entity.

(6) prepare and promulgate, in accordance with title 3, chapter 35 of the Virgin Islands Code, such regulations as may be necessary to implement the provisions of this chapter;

(7) prepare and submit annual reports to the Governor and the Legislature containing data regarding all tax incentive benefits outstanding and the beneficiaries of such tax incentives;

(8) in addition to the application fee and annual compliance fees, assess against an applicant or beneficiary any extraordinary costs and expenses to process the application or monitor the beneficiary's performance of the conditions in the certificate, including costs for the services of outside consultants necessitated by the application or compliance investigation;

(9) notify the office of the Lieutenant Governor of any corporation, joint venture, limited liability company, partnership or any other entity which have been approved for tax incentive benefits within 60 days of such approval; as well as prepare and submit an annual listing of all entities that are approved for tax incentive benefits whether they are currently operational or not;

(10) conduct investigations with respect to all applications for tax incentive benefits;

(11) promote the tax incentive program; prepare an annual budget for consideration and approval by the Lieutenant Governor;

(12) perform such other acts or functions within the area of responsibility as it may be necessary in furtherance of the purposes of this chapter.

**(c) Notwithstanding any provision of this chapter, law or regulation, any business organized and licensed pursuant to this chapter and which receives any benefit under this chapter, shall make a yearly contribution of not less than \$ 10,000 to the Virgin Islands Board of Education to be used exclusively as funding for territorial scholarships.**

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