



## **WELCOME TO CURAÇÃO**

Dear international investor and entrepreneurs,

The Dutch Caribbean island of Curação is strategically located in the Southern Caribbean between the Americas and being part of the Kingdom of the Netherlands has close ties with the European Union. Curação has a long tradition as a Service Center for International Business, Trade & Distribution.

The island has a state of the art Information and Communication Technology (ICT) connectivity, including a Tier IV datacenter, with the rest of the world and with its several direct satellite and 5 submarine optic fiber cables it is one of the countries with the highest Internet speed and reliability in the Western Hemisphere to set the tone for Curaçao to spread its wings toward further development of this Global ICT and data service sector.

Curaçao's diversified economy with sectors such as Tourism, Oil Refinery, International Financial Services, ICT, Logistics and Distribution offers several investment and development opportunities. Moving forward, Curaçao is committed to further strengthening these economic pillars and developing new ones.

Curaçao's multi-cultural and multi-lingual society and its highly skilled workforce facilitate the ease to understand and communicate business with the rest of the world. The internationally focused Economic Zones offer attractive tax rulings, like for example a 2% profit tax rate. The judicial system forms an integral part of the Kingdom of the Netherlands, which guarantees independent court proceedings and rules.

Curação welcomes direct foreign investments into its economy.

This document is intended to serve as a guide for investors interested in learning more about what Curaçao has to offer and provides as such all relevant information about the country's investment opportunities as well as key information regarding the process of successfully establishing an operation in Curaçao.

In Moving Forward, Curaçao Investment & Export Promotions Agency (CINEX), with the support of the Ministry of Economic Development, is already well in progress with several initiatives in further strengthening the economic platform, amongst which the establishment of the Curaçao Development Financial Institute (CDFI), a Fair Trade Authority and a Regulatory Board, all of which will be operational in 2015. The government of Curaçao remains committed to further developing the island as an attractive and friendly business environment offering a gateway from Europe towards the Latin American and Caribbean Markets and vice versa.

We invite you to further explore business opportunities and would like to encourage you to visit our website at www.curinvest.com and contact CINEX.

Sincerely,

Stanley Palm
Minister of Economic Development and Tourism

Ramon Koffijberg Director CINEX



ECONOMIC DEVELOPMENT





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## **WHY INVEST IN CURAÇÃO?**

Curaçao is situated in the Southern Caribbean Sea, about 44 miles off the coast of Venezuela, with neighboring islands Aruba and Bonaire. It is an autonomous country within the Kingdom of the Netherlands. Curaçao is a constitutional democracy with members of parliament elected to four-year terms. The judicial system forms an integral part of the legal system of the Kingdom of the Netherlands.

Curação has an educated multilingual population with a safe living and working environment. The island has an open and market driven economy where foreign investors are allowed to own property and where no restrictions exist with regards to repatriation of profits or invested capital. Investors can obtain an investor permit allowing them and their family (partner and children) to come and live in Curação.

### THE IMPORTANT INVESTMENT SECTORS IN CURAÇÃO ARE:



### FINANCIAL SERVICES

The Financial Services Sector is maturely developed and home to many of the world's leading financial institutions. The taxation system of Curaçao has been modernized and offers well-known incentives such as a participation exemption, tax friendly mergers, split-ups and allows for inversion of companies from other jurisdictions into a Curaçao entity. As a result, Curaçao is in compliance with the requirements regarding transparency, information exchange and the elimination of harmful tax regimes of the OECD, FATF and EU.



### **TOURISM**

The Tourism Sector is identified as the number one sector with significant growth potential.

Curaçao, with its authenticity and rich historical heritage, is an ideal destination for all types of travelers. In 2014 Curaçao became the global number one cruise destination, based on the percentual growth in numbers of cruise visitors. The number of stay-over visitors also increased resulting in an average occupancy rate of 75%. Amongst further investment opportunities are to double the availability of rooms in the coming 6 years and the construction of a second mega pier in 2015.



## OIL, REFINERY AND RENEWABLE ENERGY

The Venezuelan state-run oil company PDVSA has a long-term lease agreement for operating of the Isla Refinery. PDVSA also has two storage facilities for crude in Curação.

Renewable energy sources available already on the island are both solar power and wind energy. The government is committed to clean energy and dedicated to become the Caribbean leader in wind energy. Curação currently already has two wind parks.



### WHY INVEST IN CURAÇAO?



### **TECHNOLOGY**

A state-of-the-art telecommunication infrastructure with 6+ subsea fiber cables. Curação is located at the crossroads of the most high capacity Caribbean submarine fiber-cable networks like Arcos 1, PanAm and Americas II, and the newest PCCS providing ample bandwidth while maintaining redundant connectivity options to/from the island.

Curação is home to one of the 11 Tier IV certified data centers in the world offering safe and secure data and advance cloud services.



### **LOGISTICS**

For the Logistic Sector, both by sea or air offer many attractive solutions. The Curação International Airport can handle all types of aircrafts and welcomes daily flights from Europe, the U.S., South and Central America and the Caribbean. Plans are to further transform this island as the safe gateway to and from Latin America.

Curação is strategically situated outside the hurricane belt and has several large natural harbors. A well-developed harbor including a natural deep sea port, container terminal and dry dock with multiple connections from/to the Caribbean region as well as from/to South, Central and North America and the European Union. Mooring facilities are right at the center of Willemstad. These are used for cargo shipping, mega cruise ships, the refinery and the dry dock. The dry dock is the largest shipyard in the Caribbean region with over 45 years of experience.



### TRADE AND DISTRIBUTION

For the Trade and Distribution Sector, Curaçao is strategically located at the crossroad of important trade routes and proximity to attractive markets. This makes Curaçao an ideal hub location for warehousing and/or distribution center of goods and services. Business facilities in the economic zones are well equipped and offer many (tax) benefits and exemption of custom duties for these types of businesses.



### **MANUFACTURING**

For the Manufacturing Sector, products in Curaçao will, under certain conditions, have preferential access to the European Union and the United States based on the Overseas Countries and Territories and Caribbean Basin Initiative (CBI). Fully serviced industrial parks are conveniently located at the harbor and the airport. Curaçao also has several business parks with flexible multi-purpose buildings.

### WHY INVEST IN CURAÇAO?



### **CULTURAL AND CREATIVE INDUSTRIES**

The historical parts of downtown Willemstad are on the UNESCO's world heritage list. This industry has developed with the establishment of museums, art institutions, private galleries and international conferences. Curação is also home of many exciting international events such as the annual Carnival and the Curação North Sea Jazz festival.



### TRANSNATIONAL EDUCATION

The global education market is changing. The transnational education sector provides internationally recognized education to local and international students. These are accredited bachelor studies ranging from economics to medicine and accredited MBA programs.

### Incentives

Curação offers a range of general incentives supporting international business influx, such as IT centers, tax incentives on inward capital investment, investment allowances, expatriate exemptions on income tax, as well as so-called tax holidays for substantial investments in local start-ups, etc. Special tax incentives are available for enterprises that focus on exports or on doing business abroad, such as an export regime or a Free Zone. These are part of a wide range of legal and financial benefits, which include asset protection, tax minimization, privacy and investment diversification.

### Other International Benefits

Curação is one of the Overseas Countries and Territories (OCT) and as such has preferential access to the European Union. Products that are produced/manufactured in Curação obtain preferential duties when imported into the EU when certain criteria have been met.

Curaçao is also included in the Caribbean Basin Initiative (CBI), a trade program initiated by the United States to facilitate economic development and export of the Caribbean Basin economies. The CBI provides duty-free access to the U.S. market for most goods.

### In Summary

Curação has a diversified economy, an excellent infrastructure for doing business, and a friendly and well-educated population. Curação forms a safe environment for investments with its well established financial and legal structure and also offers attractive opportunities and incentives for inbound as well as international investments.



# GETTING TO KNOW CURAÇAO

12°10'N 68°59'W

## **GETTING TO KNOW CURAÇÃO**

The island of Curaçao lies in the Southern Caribbean about 70 km (44 miles) to the north of Venezuela. Curaçao is the largest of six islands in the Caribbean that together constitute the Dutch Caribbean. The island's total area is 444 square km (171 square miles). It is generally flat, with a small hilly area in the western part. Curaçao is characterized by warm tropical temperatures with the highest temperatures occurring in September. The skies are in general mostly clear to partly clouded. The average temperature in Curaçao is 28 degrees C (76F). Curaçao lies outside the hurricane zone.

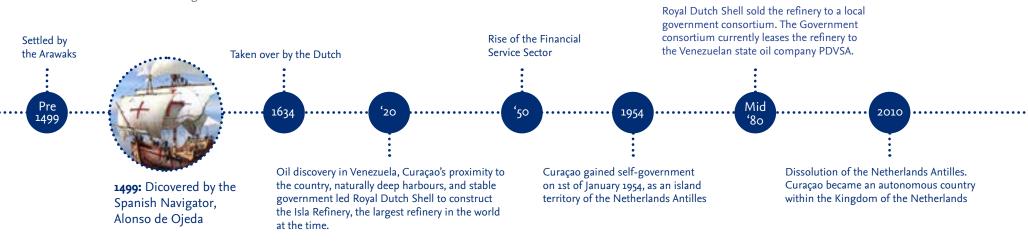
Government

Curaçao is an autonomous state within the Kingdom of the Netherlands. The island is a politically stable country in the Caribbean region. The form of government is a parliamentary democracy based on such underlying premises as freedom of association, right to form political parties, freedom of the press and freedom of speech. The Prime Minister is head of Government. Curaçao is fully responsible for the conduct of its domestic affairs. Defense and Foreign affairs are the responsibility of the Government of the Kingdom of the Netherlands.

The Government Program 'Hope and Confidence' for the period 2013-2016 sets out Curaçao's primary needs and takes full advantage of its potential with the aim of achieving continuous growth. The plan encompasses five principle strategies:

- 1. Nation Building.
- 2. Sustainable Economic Development/Recovery and Investments.
- 3. Enhance the Quality of Life.
- 4. Good Governance.
- Responsible and Cautious Budget Policy and Implementation.

MOVING FORWARD





### GETTING TO KNOW CURAÇAO

### **SOCIAL INDICATORS**



#### **POPULATION**

154,843 (from over 40 nationalities)



#### LIFE EXPECTANCY

77.8 years



#### **LANGUAGES**

English, Spanish, Dutch (official), Papiamentu (mixture of several languages), Portugese and other languages are widely used.



#### **EDUCATION**

Based on the Dutch system, high standards of Dutch institutions are met by local schools. Language of instruction is in Dutch, Papiamentu and English

### **ECONOMIC INDICATORS**



**GDP** 

Approximately US\$ 3.12 billion



GDP per capita

Approximately US\$ 19.482



HUMAN DEVELOPMENT INDEX

0,801



**INFLATION RATE** 

1,3%

### GETTING TO KNOW CURAÇÃO

	2011	2012	2013
GDP	3,016.76	3,128.49	3,128.49
FDI	921.23	921.23	956.20
FDI % of GDP	30.54%	29.45%	30.56%
Export Trade Balance	928.10	948.04	709.78
Export Service	1,228.04	1,421.12	1,571.23
Total Export	2,156.15	2,369.16	2,281.01
Import Trade Balance	2,129.78	2,254.36	1,922.07
Import Service Balance	794.80	877.09	885.87
Total Import	2,924.58	3,131.45	2,807.93

#### In millions US\$

#### Outlook

For 2014 an economic growth of 0.5% is expected. Stay-over tourism and the export of the tourism product are expected to result in an increase of 2%. Other export of goods and services are expected to increase by 1%. The US and the Netherlands are the most important countries from which Curação is importing goods.

#### Investment Grade

Rating Agency Standard & Poor's revised Curaçao sovereigns credit outlook from negative up to stable due to efforts from the government to improve its financial position such as reforms to health care and public pension. The rating in 2014 is A-minus.

### Monetary system

Key figures:

Currency: ANG, the (former) Netherlands Antillean guilder, for Curação and

St. Maarten.

Exchange rate: ANG 1,79 per U.S. dollar (USD) (pegged since 12 December 1971). The official selling rates for other currencies are set daily on the basis of their rate of exchange with the U.S. dollar.

Central Bank: Central Bank of Curação and St. Maarten.

#### Utilities

Water and electricity are provided for by the state-owned utility company, Aqualectra. The tap water is distilled seawater and safe to drink. The electrical current is 110-130 volts, 50 cycle and 220 volts. The Government also promotes the use of alternative energy sources. Solar panels may for example be imported free of import duties. Through investing in solar panels one may reduce the cost of energy substantially.

### **Telecommunications**

Curação has an efficient and reliable communications infrastructure including direct satellite connections and five submarine fiber cables. There are several wireless and cable internet providers one can choose from. Price will depend on the type of internet connection and the bandwidth selected. The Telecommunication Infrastructure is above average in comparison to the region.



### GETTING TO KNOW CURAÇAO



### GETTING TO KNOW CURAÇÃO



### Road network

The road network is well developed and main roads are in good condition. An extensive system of paved roads provides easy access to many sites. International road signs are used.

### Education

Public education is based on the Dutch educational system. The main institute of higher learning is the University of Curaçao, enrolling over 2,000 students. Other higher education offering on the island include offshore medical schools, language schools and academies for fine art, music, police, teacher and nurse-training. Every year a number of high school graduates leave the island to continue their education in the Netherlands, the United States or in the region. As a result Curaçao has a high skilled labor force.





### LEGAL AND INSTITUTIONAL FRAMEWORK

### **LEGAL**

The judicial system forms an integral part of the legal system of the Kingdom of the Netherlands. Judges appointed by the Dutch King serve the District Court and the Joint Court of Appeals, which serves all six Dutch Caribbean islands and hears civil cases as well as criminal cases. The Charter for the Kingdom of the Netherlands, the leading legal document within the Kingdom, forms the basis for the possibility to appeal to the Supreme Court in the Netherlands. The Charter is an assurance for good governance and the preservation of human rights. Numerous offices of renowned law firms have been established in Curaçao and assure a high level of legal services for advice, setting up your business and in court proceedings.

Curação has an independent and high-quality legal system which is based on the Dutch civil law system. Although the legal system of Curação is based on civil law, it also provides possibilities for common law structures like the Curação Trust.

### **FINANCIAL SYSTEM**

### General

Curação has a well-developed banking system that plays a vital role in both local and international businesses on the island. Most of these banks have international links, while branches of well-known European and American banks are established in Curação. The highest degree of compliance with the regulatory standards.

The financial services sector has been active in the support of legal and practical actions to prevent the banking system from being used for funds of criminal origin and has adopted the Statement of Principles, recommendations made by the International Committee on Banking Regulations and Supervisory Practices (The Basel Committee).

### Central Bank

Curaçao and St. Maarten together have one Central Bank and one currency, the (former) Netherlands Antillean guilder. The Central Bank of Curaçao and St. Maarten (formerly the Central Bank of the Netherlands Antilles, hereafter: Central Bank) was established in 1828. The Central Bank is responsible for control and regulation of the banking and insurance businesses and trust service providers on the island. One of the most important objectives of the Central Bank is to maintain the external stability of the Antillean guilder and to take care of the efficient functioning of the financial system of the island.

### High-quality of Regulation & Supervision

Financial institutions in Curaçao operate under the supervision of the Central Bank. The supervision is executed in close cooperation with the Central Bank of The Netherlands. As a consequence, the regulatory and supervisory environment in Curaçao are comparable to those of The Netherlands.

Trust service providers, fund administrators, local and international banks and insurance companies are licensed by and are under the supervision of the Central Bank. This guarantees high standards and compliance with the anti-money laundering and anti-terrorist financing guidelines of the G2o's Financial Action Task Force (FATF). Curação has a Reporting Center where any unusual transaction which is contemplated or has taken place must be reported by anyone who provides financial services as well as specific other businesses.



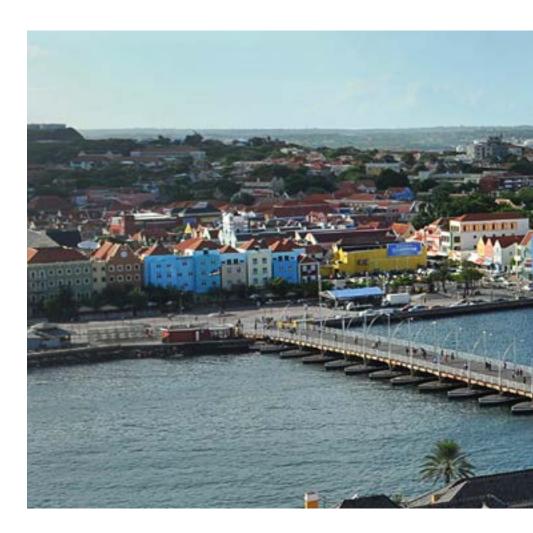
### LEGAL AND INSTITUTIONAL FRAMEWORK

### Banking

The local credit institutions on the island are well equipped with trust, insurance, and investment departments that provide local and international services. The local banking sector consists of local general banks, subsidiaries of foreign banks and branches of foreign banks. In the international banking sector a distinction can be made between consolidated and non-consolidated banks. Consolidated international banks are international credit institutions which are established in Curaçao and, through their parent company, are subject to adequate consolidated supervision by a foreign supervisory authority. The Central Bank acts as the primary supervisory authority for the non-consolidated international banks.

### Investment protection

Curaçao forms part of the Kingdom of the Netherlands. As such, the investment protection treaties concluded by the Kingdom of the Netherlands in general apply to Curaçao. This means that if Curaçao is used as the home base to invest in other countries, these treaties may help to mitigate certain risks that are involved with such investments. Based on these investment treaties the business is entitled to equal protection as an investor who is a resident of the treaty partner.



### LEGAL AND INSTITUTIONAL FRAMEWORK









### STEPS TO SET UP OR INCORPORATE A BUSINESS

The time required to complete the incorporation and to obtain the necessary licenses varies. Depending on the complexity of the legal form of the entity, an NV or BV can be incorporated in one day while the necessary licenses can be obtained within a few weeks.

Certain formal steps must be taken in order to set up your business in Curação.

- A corporation is established by the execution of a notarial deed, including Limited Liability companies (NV or BV), Foundations and Private Foundations.
- The founders of the legal entity must sign the articles of association before the notary (it is possible to use a power of attorney). At least one founder is required to form the corporation, either an individual or a legal entity. Non-residents can establish a BV or NV by proxy.
- The notary must register the legal entity at the Curação Chamber of Commerce & Industry.



### Licenses

The most important licenses required are the following:

- Business license from the Ministry of Economic Development of Curação permitting the corporation to act on the island;
- Director's license for each managing director (the law does not limit the number of managing directors); in addition, managing directors need a residence and a working permit to work in Curaçao. This requirement applies to all expatriates. Expatriates with a Dutch passport do not need a working permit.

In specific cases, a foreign exchange license can be obtained, which exempts the corporation from foreign exchange controls. This license is issued by the Central Bank.



### General requirements for opening a Business Account for legal entities established in Curação

For opening a business account these are the most common documents you need.

- Articles of Association;
- A recent and original Chamber of Commerce excerpt;
- A certified copy of Shareholder's register or original excerpt shareholder register executed by the Managing Director;
- Valid identification document of the Ultimate Beneficial Owner(s), directors, authorized signatories and shareholders;
- One original bank reference;
- A copy of the license to establish a business (vestigingsvergunning);
- If applicable: a board resolution to open and operate the account. Entry and Immigration requirements.



### Entry and Immigration requirements

Generally visitors holding a valid passport may enter Curação without a written permit and remain with us for a period of 14 to 30 days. However, permits can be given to investors who fulfill the requirements, who own a boat or buy a property for an admission period of 6 months per calendar year.

Visitors traveling to Curação must be in possession of:

- A valid passport;
- A valid return- or onward ticket;
- The necessary documents for returning to the country of origin or to a country that one has the right to enter, for example a valid residence permit (temporary or permanent), a re-entry permit or an (entry) visa;
- Sufficient funds.





#### Visa

Several nationalities (e.g. Colombia, Cuba, Haiti and Peru) must present a tourist visa as part of the entry requirements. A visa should be applied for at least one month in advance at any representation of the Netherlands (in the concerning country).

Countries that do not need a visa are:

All Member states of the European Union, Andorra, Antigua and Barbuda, Argentina, Australia, Bahamas, Barbados, Belize, Brazil, Brunei, Canada, Chili, Costa Rica, Dominica, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Honduras, Hong Kong (holders of British National Overseas Passport or holders of Special Administrative Region Passport), Iceland, Israel, Jamaica, Japan, Republic of Korea (South Korea), Macao (holders of Special Administrative Region Passport), Malaysia, Mauritius, Mexico, Monaco, Nicaragua, New Zealand, Norway, Panama, Paraguay, San Marino, Seychelles, Singapore, St. Christopher (St. Kitts) & Nevis, St. Lucia, St. Vincent and the Grenadines, Switzerland, Suriname, Trinidad & Tobago, Uruguay, Vatican City, United States of America (USA).

Foreign nationals require a residence and a work permit to legally reside in Curação.

Residence permit: to obtain admission it is necessary to provide information
on how the applicant will support himself and accompanying dependents.
When eligible for a residence permit the applicant must pay a security deposit
which varies depending on the country of origin. Upon final departure the
applicant receives the deposit back.

- Work permit: will be granted if no suitable local qualified persons are available.
   A work permit is not necessary for expatriates with a Dutch passport (European Dutch individuals).
- The National Ordinance on Labor by Foreigners (Landsverordening Arbeid Vreemdelingen, "LAV") provides for information regarding rules for granting of work permits. A (temporary) work permit can be denied for protection of the local labor market.
- During the application period for a resident/work permit, the applicant must remain outside Curação. The local authorities must decide within 4 months about the outcome of the application process.
- A work permit is granted for a definite period or for the duration of a project.
- In some cases a working permit is not necessary:
  - Persons having admission by right (e.g. Dutch nationals);
  - Foreign nationals originating from countries in respect of whom a work permit cannot be requested pursuant to international treaties or according to international law;
  - Spouses or partners who are married to or have concluded a cohabitation contract before a Dutch civil law notary with a Dutch citizen, persons having a residence permit for an indefinite period;
  - Persons who have a residence permit granted by the Minister of Justice without prohibition for working.





US\$ 789

### **LABOR REGULATIONS**

There are statutory
minimum wages for
workers aged 21 years and
older. The monthly entry
level minimum wage (not
including benefits) in
2015, based on a 40 hour
workweek, is:

ANG
1.413

Actual wages paid are often higher than the minimum. The standard legal working hours are normally 8 per day and 40 per week. At least 15 working days' annual vacation must be given with pay, and 10 paid public holidays are also granted.

### Labor legislation

Collective labor agreements usually cover a period of two to three years, after which new terms are agreed upon for a similar period of time. The reliability provided by these contracts benefits both the employer and employee. In most cases there is a clause which provides for no strikes or lockouts during the contract period. All labor disputes where parties do not reach an agreement must be subjected to mediation. Parties may request intervention, or the mediator can ex-officio compel parties to accept mediation. The government has the authority to impose a 'cooling off' period.

	Percentage Employer	Percentage Employee	Maximum premium income (ANG)
Old Age Pension (AOV), Widow Pension (AWW)	9.5%	6.5% (plus 1% on income above ANG 100,000.)	150,000
Basic Health Care Insurance (BVZ)	9.3%	4.3%	150,000
General Insurance Exceptional Medical expenses (AVBZ)	0.5%	1.5%	456,642
Illness Insurance (ZV) (loss of income) (only if income below ANG 64.615)	1.9%	-	64.615
Accident Insurance (OV) (loss of income) (depending on class of risk)	0.5-5%	-	64.615
Severance Insurance (Cessantia)	ANG 40 per year	-	

Social security premiums (2015)

AOV and AWW premiums are due until the age of 65. In case of income other than from employment, the rates are 16% for AOV and AWW, 13.6% for BVZ and 2% for AVBZ.

The implementation of the social security insurances is entrusted to the Social Insurance Bank (SVB) However, payment of the AOV, AWW, BVZ and AVBZ must be made at the Tax Collector's office, and for information with regard to the assessment one should contact the Inspectorate of Taxes.

Most people in Curação are insured based on the Basic Health Care Insurance which was introduced in 2013. The insurance covers medical expenses in Curação. For medical expenses that occur while travelling abroad it is advisable to obtain separate private insurance.

### **ORGANIZATIONS**

### Employers' organizations

Several organizations serve the interest of local businesses, such as: Curação Chamber of Commerce and Industry;

- Curação Trade and Industry Association (Vereniging Bedrijfsleven Curação or VBC) for trade and industry;
- Curação Hotel and Tourism Association (CHATA).
- Antillean Contractors Association (A.A.V.)







Foreign investors wishing to set up their business in Curação can choose from a variety of business structures:

- SOLE PROPRIETORSHIP
- THE LIMITED LIABILITY COMPANY (NV)
- THE PRIVATE LIMITED LIABILITY COMPANY (BV)
- THE FOUNDATION
- THE PRIVATE FOUNDATION (ALSO KNOWN AS SPF)
- PARTNERSHIPS

It should be noted that the private limited liability company is the most popular form of vehicle for doing business in Curaçao. A distinction can be made between entities with and without legal personality. The corporate law of Curaçao is based on the Dutch corporate law.

### **CORPORATE ENTITIES**

#### The BV and NV

Under Curação law, two types of Limited Liability Companies are recognized:

- BV ('besloten vennootschap'). The BV is a privately held company comparable to the 'Limited Company' (Ltd) in the United Kingdom or the 'Gesellschaft mit beschränkter Haftung' (GmbH) in Germany; and
- NV ('naamloze vennootschap'). The NV is a public c company comparable to the 'Public Limited Company' (plc) in the United Kingdom or 'Aktiengesellschaft' (AG) in Germany. The shares in an NV may be freely transferable.

Both the BV and the NV are separate legal entities with shareholders. They can be used for the same business purposes, to be set out in articles of association. The BV is the more flexible of the two and is the most popular in local as well as international business.

A corporation is established by the execution of a notarial deed. At least one founder is required to form the corporation, either an individual or a legal entity. Non-residents can establish a BV or NV by proxy.



### Cooperative

Historically the cooperative (the co-op') was used by community organizations (e.g. a consumer cooperative) or businesses, such as credit unions, banks and insurance companies. In recent years the cooperative has also become popular as a holding company in international structures.

The cooperative is very flexible from a Curação legal and tax perspective. It is a separate legal entity similar to the NV and BV, governed by articles of association but is characterized by a less regulated governance structure.

The cooperative does not have a capital divided into shares, instead the participants are called members. At least two members are required to form a cooperative. It is considered an extension of the businesses of its members, who can be individuals, partnerships or legal entities.

### Private foundation

The private foundation is different from a 'normal' foundation as it is not subject to the disbursement restrictions which a 'normal' foundation is subject to. The founder enjoys a great deal of latitude to set up a private foundation in the way that he sees fit.

The private foundation can generally be used for the same purposes as a trust. However, contrary to the trust it has the status of a legal entity. In addition to this the private foundation is also a form of the foundation, a legal entity that exists in many jurisdictions.

### **NON-CORPORATE ENTITIES**

### Curação Trust

The Curaçao trust regime is comparable to that of trusts in Anglo-Saxon jurisdictions. When setting up a trust, at least one trustee must be appointed along with one or more beneficiaries. It is mandatory for a trust to be established in Curaçao that at least one trustee must live or is located here. The trust will cease to exist in case the trustee becomes the sole beneficiary, the trust has no assets anymore or, if the trust has been set up for a set period, after that period.

### Beneficiary and protector

When setting up the trust at least one beneficiary must be designated and the trust assets must be defined. The settlor may also become the trustee and can even be designated as beneficiary. However, it is not permissible that a trustee is the sole recipient. In that case someone else should be appointed as trustee.

The deed of establishment of the trust may appoint a protector. The protector may also be designated as beneficiary, but like the trustee may not be the sole beneficiary.

#### Procedure

A Curação trust must be established in Curação by a notarial deed. The trust must be registered at the registry of the Chamber of Commerce. Amendments to the trust deed must also be recorded in this register.

### Partnership

Open or limited partnership

Partnerships are used by individuals and entities to work together without being incorporated in a separate legal entity. No legal form is required, only a partnership agreement. Although it can acquire rights and assume obligations in its own name, it is not a legal entity separate from its partners.

The most common partnerships are the general partnership (ov or openbare vennootschap) and the limited partnership (cv or commanditaire vennootschap). Partners in an ov have unlimited liability, as do the general partner(s) in a cv. The limited partners in a cv have limited liability but are not allowed to perform acts of management and / or represent the partnership.

### Transparent company

An alternative to the partnership can be the transparent company. A transparent company is a legal entity except for tax purposes. This combines the liability protection of a legal entity with the tax efficiency of a partnership such as with regard to offsetting startup losses against existing business profits.

A corporation in the international financial services industry is in practice often incorporated by a local trust office. After incorporation the shares will be transferred to the beneficial owner.

A corporation must have one or more 'managing directors', who can be either an individual or a legal entity. At least one managing director must be a resident of, or domiciled in, Curaçao. The powers of the management board are set out in the law and in the articles of incorporation.

### Capital

The Public as well as the Private Limited Liability Corporation have to issue at least one share with any nominal value. The equity is not allowed to be negative during the period of existence.

#### Shares

Different classes of shares may be issued, for variations in voting rights, participation in profit distributions and in entitlement to a balance after liquidation. Shares are registered. However, an NV may also issue bearer shares.

- No minimum capital is required. The founders will determine the issued capital (at least one share) and required paid-up capital. The issued capital and paid-up capital will be laid down in the articles of association. Companies with multiple shareholders can issue different types of shares to vary the voting rights of shareholders and to vary their dividend rights;
- Some shareholders (e.g. banks) can be excluded from voting rights;
- Shares of a particular class may give no or limited entitlement to profit sharing. Shares with no rights to profit or liquidation proceeds must always have voting rights;
- Depending on the wording in the articles of association, shares may or may not be freely transferable.

#### Please note:

A BV can only issue registered shares and they cannot be listed on a stock exchange.



#### Governance

A supervisory board (or non-executive directors (NEDs) on the board) is optional. Large companies may be subject to the 'Large Company regime'. In that case, the supervisory board (or the NEDs) is mandatory. In case a company has a supervisory board, the requirements of the 'Large Company regime' must always be complied with.

#### Please note:

For a BV it is also possible to be managed directly by the shareholders. In that case the BV does not have a separate board of directors; the shareholders combined operate as directors. This has the advantage of simplifying formalities such as appointing, suspending or discharging of directors, and there is also no difference between shareholder meetings and board meetings.

### Publication obligations for a large NV

An NV is deemed to be a large NV depending on three cumulative criteria, namely the number of employees, the total balance sheet value of assets and the net turnover. NVs that do not meet these criteria as well as all BVs, even those that are comparable in size to the so-called large NV, do not have the obligation to deposit their financial statements for inspection by third parties.

A so-called large NV must deposit the financial statements at the offices of the limited liability company for inspection by interested parties within eight days after approval of the financial statements and during two years thereafter, thus enabling inspection by parties concerned such as creditors, employees or business partners. The Trade Register of the Chamber of Commerce must be notified of the deposit of the financial statements for inspection. Further publication is not required. It is for example not necessary to deposit the financial statements at the Trade Register.

### Transforming into another legal entity

If required, an NV may be transformed into a BV and vice versa. It is also possible for a foreign entity to be transformed into an NV or BV if the law governing that entity does not oppose this. The reverse is also possible.

#### Licenses

The most important licenses required are the following:

- Business license from the Ministry of Economic Development permitting the corporation to act on the island;
- Director's license for each managing director (the law does not limit the number of managing directors); in addition, managing directors need a residence permit and a working permit to work in Curaçao. This requirement applies to all expatriates except those with a Dutch passport who no longer need a working permit.

In specific cases, a foreign exchange license can be obtained, which exempts the corporation from foreign exchange control. This license is issued by the Central Bank.

### Transparent company

It is possible to request a transparent status. A BV or an NV may opt, if certain conditions are met, to be treated as a partnership (fiscal transparent company). The fiscal transparent company is not subject to corporate income tax. However, if it carries on a business in Curaçao through a permanent establishment, the shareholder could be subject to corporate income tax with regard to this permanent establishment.

The main requirement for this status is that all the company's shares must be registered and a notification for the application of this status must be filed with the Tax Authorities.

### Accounting and reporting requirements

Accounting requirements

There are no specific accounting requirements. It is general practice that when the accounts for international corporations are prepared, the requirements that are complied with by accountants are the financial reporting standards applied in the country of the parent corporation.

### Reporting requirements

According to law, anyone who conducts a business must:

- Administer their affairs in accordance with the standards of the business in such a way that it will always be possible to know one's rights and obligations;
- Prepare annual financial statements; and
- Keep all books and documents, including balance sheets, correspondence received and copies of outgoing correspondence for a period of ten years.

For the regular NV and the BV, financial statements must be prepared within eight months after the end of the financial year. Each shareholder is entitled to inspect the financial statements within a period of two years.

The reporting requirements for the large NV are more specific than for the regular NV or the BV.

- The financial statements must be prepared within six months after the end of the financial year;
- The financial statements must be prepared in accordance with standards set by the International Accounting Standards Board ('IASB'); and
- An external qualifying expert, such as a chartered accountant or a certified public accountant must be appointed to audit the financial statements.







## RULES AND REQUIREMENTS FOR THE PRIVATE FOUNDATION

The private foundation is different from a 'normal' foundation in the sense that it is not subject to the disbursement restrictions which a "normal" foundation is subjected to. The founder enjoys a great deal of freedom to set up a private foundation in the way that he sees fit. Very specific and requisite instructions may be put to management by the founding party on how to make disbursements from the equity of the private foundation.

### Private foundation and taxation

Gift tax

The transfer of capital into a private foundation by a resident of Curaçao is subject to 25% gift tax. The transfer of capital by non-residents is exempted from gift tax. In that case however, a gift tax may apply in the country of residence. Each payment from a private foundation is exempted from gift tax. There are no disbursement restrictions applicable.

### Profit tax

The private foundation is exempted from profit tax on condition that it does not earn any income from operating an enterprise. Investment and holding activities (managerial activities excluded) are not considered operating an enterprise.

It is possible for a private foundation to opt for the status of a special purpose fund. In that case the private foundation will be subjected to profit tax, with an effective tax rate of 10%.

Income tax

The disbursement of a private foundation to a resident of Curação will be subjected to income tax. Disbursements to non-residents are not taxable in Curação.

### Private foundation and fiscal transparence

If there is no clear segregation between the equity of the private foundation and the founder, the private foundation may be regarded as fiscally transparent. No clear segregation exists when it is established that the founder of the private foundation has actual control over the equity of the private foundation as if it were his personal equity. Transparency means that the private foundation will be deemed non-existent for tax purposes, resulting in the income and capital of the private foundation being attributed to the founder.

### Purpose and use of the private foundation

The private foundation can generally be used for the same purposes as a trust. However, contrary to the trust it has the status of a legal entity. In addition to this the private foundation is also a type of foundation, a legal entity that exists in many jurisdictions.

Possible use for private foundations and the trusts:

- Estate planning.
- Investment in new activities.
- Acting as a holding company.
- Investment (group) company.
- Asset protection.

#### For the private foundation:

A private foundation can exercise all rights and powers of the Trustee.

#### Procedure

The private foundation has to be established by notarial deed. The private foundation should be registered in the register of foundations at the Chamber of Commerce.





## **TAX INCENTIVES**

### Curação offers a wide range of tax incentives geared towards specific business needs.

#### For all businesses the following fiscal incentives are available:

- Accelerated depreciation of business assets;
- Investment allowance of 10% of the total investments. The investment allowance cannot be applied to certain investments (e.g. in land). However, if the investments are alienated, a disinvestment addition should be included to the taxable income of the year of the disinvestment.

### Tax deferral or exemptions

- Retirement contributions for pensions are tax deductible.
- Profits and losses from a permanent establishment abroad are tax exempted.
- Income from foreign real estate is tax exempted.
- It is possible to achieve a profit tax exempt company merger or a stock merger.

#### Tax holiday

This incentive is available for newly incorporated companies that contribute to broadening the local economic base. This so called 'tax holiday' consists of tax exemptions and/or reduced tax rates such as:

- Exemption from import duties;
- Exemption from income tax on dividends;
- Corporate tax rate of 2% or in certain cases up to 15%;
- Exemption from property tax.

The tax holiday is granted for a period of 5 to 11 years. Requirements for the tax holiday:

- Minimum investment of at least ANG 250,000 (approx. USD 140,000);
- For hotels and similar recreational businesses a minimum investment of at least ANG 1 million (USD 555,000).

In addition to these general incentives Curação offers the following specific incentives and entities depending on your specific situation.



### TAX INCENTIVES

### **International Shipping Company**

Aside from the shipping and aviation tax rate, international shipping companies can request the application of the tonnage tax. With the tonnage tax the company declares a fixed amount of profit based on the tonnage of the ship instead of the actual profit. The tonnage tax can be requested by companies that solely exploit ships. To use the tonnage tax the company must register its ship in the tonnage tax register.

#### Key factors:

- Gross profit of the company is calculated based on a fixed profit starting at ANG 2.00, going down to ANG 0.60 per net registered ton (USD 1,12 and USD 0.34 respectively).
- The calculated fixed profit is taxed at the general rate of 25%.
- The user/non-owner and the managing company can also be assessed on the tonnage.

### **Export company**

The export regime applies to companies that are active internationally. There is no distinction between companies owned by local or foreign shareholders. The most important requirement is that 90% or more of the company's business profit is the result of transactions with foreign clients. There is also no distinction between income from trade or from services.

The regime supports the following activities:

- Export of goods.
- International trade and services.
- Providing loans and licenses, providing the use of intellectual property, acting as a holding company or being a member of a cooperation.

The profit of a qualifying company will be taxed against an effective tax rate of approximately 3.6%. This will be reduced in 2016 to 3.2% depending on a further reduction of the general Corporate Income Tax rate from 25% now to 22% in 2016.

### **Transparent Company**

Through the use of a transparent company, the risks of operating a business may be limited without the company being subjected to profit tax. The company is transparent for tax purposes and will be treated as a partnership and the shareholders as the partners in that partnership. The shareholders / partners are deemed to have received direct benefits according to their share in the profit of the company. The transparent company is for example often used to set up a joint venture.

### **Exempt Company**

The BV and the NV can obtain an exempted status for profit tax. The exempt company regime is geared towards investment and finance purposes. An exempt company may for example be used as a mutual fund or for intercompany finance activities. However, investment in real estate is not allowed. To qualify for the exempted status, the BV must meet certain conditions with regard to the allowed activities, management, shareholders registry and annual accounts.

### Private foundation and a Curação trust

A private foundation and a trust are widely used for investment purposes or for management of family assets. If the private foundation or trust do not carry on a business, it is exempted from corporate income tax. It is possible to request that the private foundation or trust are regarded as a taxable Special Purpose Fund (in Dutch: doelvermogen).

The corporate tax rate will be 10% on regular income as well as capital gains. In case the Private Foundation does operate a business, the profit from that business will be subject to the general profit tax rate of 25%, and 22% in 2016.

## TAX INCENTIVES

### **PERSONAL TAX**

Two special income tax regimes are available for those who want to move to Curação:

- Pension (penshonado) regime.
- Expatriate regime.

#### Penshonado regulation

Available to individuals who earn pension income or who live from capital returns and take up residence in Curaçao. To be eligible the following requirements must be met. Persons can apply that:

- Have lived abroad in the five years before becoming a resident;
- Have reached the age of 50;
- Are legally admitted for residency for an indefinite period of time;
- Are entitled either to a foreign pension or other income from sources abroad, including income from work performed abroad;
- Own a residence on the island with a value of at least ANG 450,000 (approx. USD 250,000).

There is no requirement as to nationality and no stipulation of a minimum period of residency.

The legislation provides for two income tax options, namely:

- Income from foreign sources is taxed at 10%, or
- Foreign income is fixed at ANG 500,000 (USD 280,000) and the corresponding income tax due amounts to approx. ANG 220,000 (USD 120,000)

Depending on the age of the individual social securities will be due as well.

#### Expatriate regime

The regime is meant for employees who contribute 'specific expertise' to a company in Curaçao. It offers advantages such as exempted salary components and fringe benefits. Most important advantage is that a net salary does not have to be grossed up. If granted it applies for a maximum of 5 years, with the possibility of an extension up to 10 years.

#### Requirements:

- Completed studies at an institution of higher education or academic institution;
- At least 5 years of working experience;
- A salary of at least ANG 150,000 (approx. USD 83,500); and
- The "specific expertise" may not be, or not readily be, available in the local labor market.





# INVESTMENT INCENTIVES INCENTIVES FOR SELECTED BUSINESS INVESTMENTS

	Hotel Sector	Real Estate Development	Real Estate Development	Other
Criteria	Curaçao Limited liability company (NV or BV)	Curaçao Limited liability company (NV or BV)	First needs to be admitted to the economic zone area	
Minimum Investment	US\$550,000 (if renovation, US\$165,000)	US\$1,100,000 excluding the value of the land		US\$137,500
Other requirement		Investment needs to be made within 5 years of the date of the Government's decision to grant the incentives		Create at least 5 permanent jobs for persons born in Curaçao
Corporate Tax	At least 2% for a period of up to 11 years	At least 2% for a period of up to 15 years	At least 2% till December 2025	At least 2% for a period of up to 11 ye
Other Tax			Exemption of turnover tax and excises	
Exemptions of import duties	On materials and goods required for construction and initial furbishing of the hotel's premises (in case of renovation, exemption is for two years)	On materials and goods intended for the investment in roads, construction of real estate and on the construc- tion of locations for entertainment purposes	Exempted	On materials and on goods required for construction and initial capital equipment (includes expansions) of the business' premises. In addition, exemption from import duties for a period of up to 10 years on raw materials and semi-manufactured articles, as far as these components are processed by the company.
Exemption of Property Tax	On hotel premises for 10 years after becoming taxable	As long as the plots of land, which are being developed, are not sold or leased, for up to 15 years		On the business' premises for 10 years after becoming taxable
Exemption from personal income tax	On income earned from dividends and other distribution of profits within two years after the fiscal year in which the profit was obtained	On income earned from dividends and other distribution of profits within two years after the fiscal year in which the profit was obtained		On income earned from dividends and other dis- tribution of profits within two years after the fiscal year in which the profit was obtained
Foreign exchange license fee			Upon request, the Central Bank will grant an exemption from the payment of foreign exchange license fee charges for merchan- dise transactions	



### INVESTMENT INCENTIVES

#### Investor permit

When investing in a business or real estate in Curaçao it is easy to obtain an investor permit allowing them and their family (partner and children) entrance to Curaçao. It is required however that the persons for whom admittance is requested have sufficient financial means of support and have a health insurance policy. The investor permit will be indefinite with investments over US\$ 840,000 (ANG 1,500,000). For investments of US\$ 280,000 (ANG 500,000) up to USD 840,000, a temporary investor permit will be issued for up to 5 years. The temporary investor permit may be extended as long as the conditions are met. The investor permit is the fastest way to come and invest, work and live in Curaçao.

Other incentives based on international initiatives:

#### Tax Agreement Netherlands - Curação (TANC)

Curação forms part of the Kingdom of the Netherlands. For many years a Tax Agreement for the Kingdom (TAK) regulated the right to tax between the countries that form part of the Kingdom (Aruba, Curação, St. Maarten and the Netherlands). Recently Curação and the Netherlands have agreed on a new Tax Agreement. This is expected to take effect on 1 January 2016.

The Dutch withholding tax is currently 8.3% in case a company that is a resident in Curaçao holds at least 25% of the shares or profit sharing certificates in a company in the Netherlands. Based on this new agreement, the dividend withholding may be reduced to 5% or even 0%. This is an important reduction and in combination with special regimes such as the export regime will make Curaçao more attractive for doing business.



## INVESTMENT INCENTIVES



#### Overseas Countries and Territories

Curaçao is one of the Overseas Countries and Territories (OCT). As a result, nationals of Curaçao are citizens of the European Union, even though it does not form part of the European Union. Based on the status of OCT territory Curaçao does benefit from the special association with the EU in the sense that products that originate in Curaçao have preferential access to the EU. These products are exempt from import duty.

### Caribbean Basin Initiative

The Caribbean Basin Initiative is a unilateral United States program initiated by the Caribbean Basin Economic Recovery Act (CBERA) and later expanded by the Caribbean Basin Trade Partnership Act (CBTPA). The aim of the CBI is to provide tariff and trade benefits to Caribbean and Central American countries.

Curação is one of the beneficiaries of the CBI and as a result products originating in Curação can be imported tax free into the U.S. if at least 35% has been added to the value of these products in Curação.







### **FINANCIAL SERVICES**

Curação has been a true financial center since 1954. Due to its long time activity in this area, the island has developed an infrastructure well suited for international finance, investment banking, shipping registration, mutual funds and others alike.

Key factors for Curação as a financial center are:

- As part of the Kingdom of the Netherlands, the legal system is linked to the Dutch Supreme Court in The Hague;
- Supervision of the Central Bank of Curação and St. Maarten provides complete security and stability;
- Investment protection treaty eligibility as part of the Kingdom of the Netherlands;
- Tax system is linked to well-known regulations and incentives of the Netherlands and other EU member countries.

### International banking

Investment and other financial companies conduct a wide range of international banking transactions for individual, institutional and corporate clients throughout the world. In addition, the international banks operating in Curação offer a broad range of commercial banking services.

The banks that are represented in the international financial sector represent various countries, among them the Netherlands, Venezuela, France, Italy, Switzerland, the United Kingdom, Germany, Canada, Saudi Arabia and the United States.

### Dutch Caribbean Securities Exchange (DCSX)

The international securities exchange that lists bonds, equity and funds is licensed by the Minister of Finance. This stock exchange operates under supervision of the Central Bank of Curaçao and St. Maarten. The DCSX is known for its efficient listing procedure, civil legal framework and supervision (which makes it a listing destination of choice for this region).

# **INVESTMENT OPPORTUNITIES**

International banking
 New products for different niche

markets around the world

• To attract new equity, wealth management, expansion, substance and fiscal advantages.

FINANCIAL SERVICES

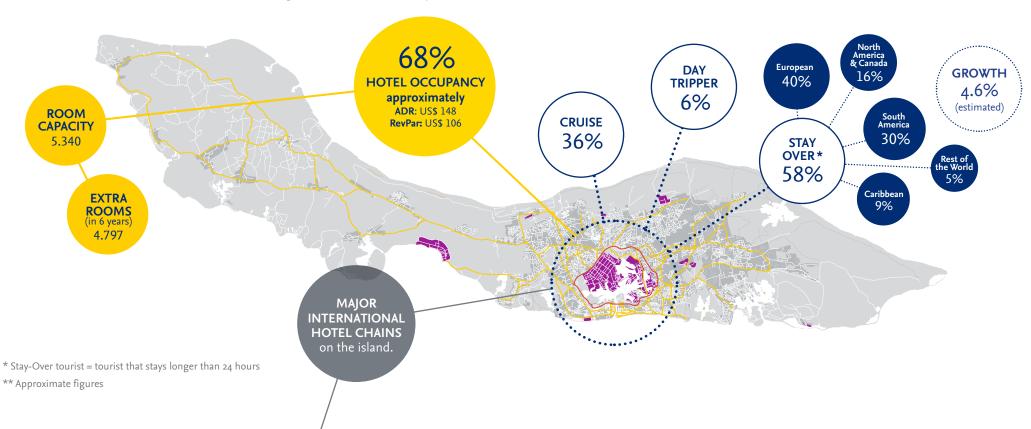




### **TOURISM**

The tourism sector is identified as the sector with significant growth potential to boost the economy of Curaçao. Curaçao is becoming an ideal destination for visitors and it is often referred to as the best kept secret in the Caribbean and the ultimate travel experience by many renowned travel publications. Curaçao is authentic with a historical rich heritage. A cultural melting pot influenced by the African, Dutch, South American and Caribbean cultures resulting in flavorful restaurants. Curaçao has a vibrant nightlife, more than 60 impressive world-class

diving sites and beautiful beaches. Water activities can vary from swimming with the dolphins to discovering the sea at a depth of 320 meters with the submarine. Outdoor adventures include: (kite) surfing, hiking, biking and ATV tours amongst many things to do. UNESCO has recognized the historic city center of Willemstad as a UNESCO World Heritage Site. Furthermore, Curação offers a luxurious championship golf course, casinos and high end retails stores and has the North Sea Jazz Festival, the Regatta and the Carnival as well known annual events attracting visitors from all over the world. The Amstel Curação Race is a cycling event where professional tour cyclers from different parts of the world and amateurs compete together.



#### Cruise Tourism

Curaçao has two port facilities for cruise liners of all sizes: the Mega Cruise terminal right outside the harbor and the Cruise Terminal within the harbor. These seaports are natural shelter ports. Over the past years there has been an increase in the number of port calls and visitors. In 2013 the number of cruise visitors increased with 34% compared to the year before. Mid 2015 will see the start of the construction of a second mega pier, Rif Seaport Curaçao. Some of the Cruise operators coming to Curaçao are: Royal Caribbean, Holland America Line, Pullman Tours and Celebrity Cruises.

	2011	2012	2013
Ships	246	226	291
Tourists	400,596	436,068	583,994

Source: www.cbs.cw

### Yachting

Curaçao is the perfect destination for yacht and boat owners because it is outside the Hurricane Zone. The facilities are renowned among the Caribbean Islands. The facilities are modern and fully-equipped. Some can accommodate vessels of varying lengths and offer 24/7 security and other privileges such as private beach access. Some marinas also offer bunkering services, repair, dry storage, sea rescue services, hauling out and much more. The waters are safe and fees for services are competitive and attractive compared to the region.

INVESTMENT
OPPORTUNITIES

 Hotels and Resorts
 Cruise Tourism
 Yachting
 Niche tourism products (Golf,
Medical, MICE (Meetings, Incentives,
Conferences and Exhibitions))

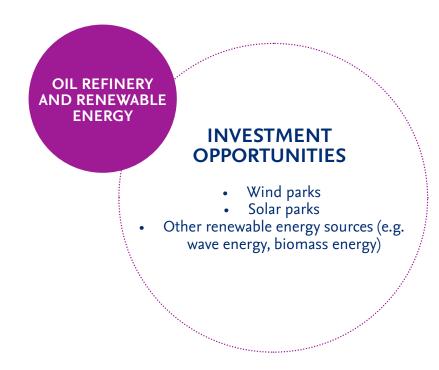


### Refinery

The Isla Refinery was opened by the Shell during World War I. Since 1985, the Venezuela state oil company PDVSA is in charge of operations, however this lease contract expires in 2019. Dialogues are being held with the government of Venezuela regarding the future of the refinery. Scenarios such as upgrading, building a new refinery and closing (and redeveloping the land) are being evaluated by the Government. The refinery contributes to the direct employment of approximately 1500 persons including contractors and 5.3% of the island's GDP.

### Renewable Energy

The cost of energy in Curaçao is around US\$ o.45/ kWh. Increase in prices has led to an increase in interest of renewable energy sources such as seawater air conditioning, wind energy and solar power. Studies show that 95% of the wind in Curaçao comes from the same direction with almost constant speeds (average wind speeds at 30 m is 8-9 m/s) creating good conditions for Wind Farms. Curaçao has two Wind Farms which are situated at Playa Kanoa and Tera Kora. The local government is committed to clean energy as the Caribbean leader in wind energy. Small businesses and inhabitants with a solar power system have the ability to offset the electricity costs by selling excess power back to the local utility company.





### **TECHNOLOGY**

Curaçao hosts one of the few Tier IV certified datacenters in the world and is the only one of its kind in the region. It is the newest and most advanced datacenter in Caribbean, Latin & Central America. This datacenter received the highest level of certification by the Uptime Institute and is connected to five (5) international subsea fiber cables, with at least three (3) more coming at the North side of the island. This Tier IV certified datacenter is aiming to service Caribbean, North & Latin American and European companies, that have investments in this region and are in need for high-end datacenters. Also Caribbean companies that need a safe and secure location are seen as potential clients. As Curacao is part of the Kingdom of the Netherlands and outside of the Hurricane belt, it provides its clients protection from both a jurisdictional and geographical standpoint.





### LOGISTICS: AIRPORT, MARITIME

#### **Airport**

Curaçao has a modern and international airport which can handle all types of aircraft, including Boeing 747's. The airport handles on average 22,000 flights and more than 1.6 million passengers per year; 13,000 tons of cargo passes through the airport annually. There are daily flights to and from Europe, the U.S., South and Central America and the other Caribbean islands. Various airlines maintain extensive air transportation facilities, both for passengers and air freight. Future plans are to further transform the island into a safe gateway to and from Latin America and other parts of the world by developing a green sustainable, 100% self-sufficient Airport City using green energy innovations such as Saltwater Air Conditioning, Waste to Energy and Ocean Thermal Energy Conversion to generate electricity. Airport City aims to attract business to further stimulate economic growth. Future plans are to offer commercial space travel.



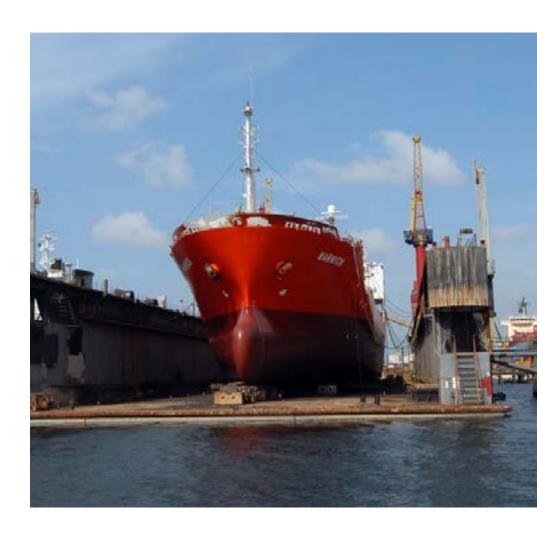




### Ship repair

Curação has one of the largest commercial dry docks in the Caribbean, the Curação Dry Dock, with over 45 years of experience and an effective quality management system proven by ISO 9001-2000 issued by Lloyds. Services being offered are ship repair, engineering, conversion, port repair and on-voyage Services. In 2013 a total of 707.000 man hours were sold, an increase of 16% compared to 2012.







### TRADE AND DISTRIBUTION

Curaçao's strength lies in its location at the crossroads of important trade routes and proximity to attractive markets. Curaçao can provide a good complement(connection) to U.S. or European companies with operations in South America and the Caribbean Basin, as a regional warehousing/distribution center, or for distribution through intermediaries. Under intermediary arrangements, Curaçao trading companies manage the product for the investor in the region. Companies either operate in the economic zone to service export markets or in the World Trade Center to promote their goods and services to the U.S., Europe and other parts of the world.

### The Curação economic zone

Curação has several economic zones. Two of them, one at the harbor and one next to the airport, offer opportunities for sales, warehousing, distribution, assembly, manufacturing as well as technical services. Land in the economic zone can be leased on a long term basis, and showrooms and storage area for warehouses can be obtained at competitive prices. Companies operating in an Economic Zone are

TRADE AND OPPORTUNITIES

• Distribution center
• Warehousing
• E-commerce

exempt from customs duties and enjoy a reduced tax rate of 2% on profits earned from sales. Goods sold or services rendered to the domestic market from the economic zone, however, are subject to the normal profit tax rate of 25%.

Other economic zones are established in office buildings with special facilities geared to internet access and telecommunication for E-commerce purposes.

The following forms of service are permitted:

- Carrying out maintenance and repair work in the zone to the goods of businesses that operate abroad;
- The execution of maintenance and repair work to machinery and other equipment located abroad with goods stored in the zone;
- Other forms of services aimed at foreign clients, including the warehousing business, and new commercial enterprises and ancillary trades and other servicing activities new to the international marketplace that can be carried out using electronic communications and information technology tools, insofar as these do not involve the financial services sector (such as investment companies, patents, and royalties etc.).

### The World Trade Center Curação (WTC)

The 150,000 square foot complex offers businesses and institutions the possibility of further penetration into South America and the Caribbean region.

Located a short ride from the airport, downtown Willemstad and the economic zone, the WTC includes a spacious exhibition hall, a very modern auditorium, separate meeting rooms, a trade mart where approximately 80 companies can have their permanent showrooms, a representative office building where international companies can rent space for their executive offices, temporary business units, a trade information center and a spacious reception room. The room is equipped with all facilities appropriate to the status of a world trade center.





### **MANUFACTURING**

### **European Union**

Curaçao is one of the Overseas Countries and Territories (OCT) and as such has preferential access to the European Union. Products manufactured in Curaçao obtain preferential duties when imported into the EU. Goods to be transported to the EU, however, should have the 'Curaçao origin' specified.

#### **United States**

Curação is also included in the Caribbean Basin Initiative (CBI). Goods that are manufactured in Curação can be imported duty free into the U.S., provided that there is 35% value added in Curação (including 15% for U.S. components) and the product has undergone 'substantial transformation'. Several industries have been established both by local and foreign investors that are successfully producing for the export as well as the domestic markets.

### Industrial Park Brievengat

Attractive tax incentives are available to manufacturing companies that engage in export oriented industries and want to locate in the Industrial Park. The fully serviced industrial park is located only 15 minutes from Willemstad, the harbor and the international airport. Industrial sites can be obtained on long leases, and multipurpose industrial buildings are available for rent at competitive rates. Examples of (foreign) industrial operations located in Curaçao include: pharmaceutical products, plastics and electronic devices.





# CULTURAL AND CREATIVE INDUSTRIES SECTOR

In terms of infrastructure, the Cultural and Creative Industry has developed substantially over the past couple of years through museums, art institutions, private galleries and international conferences to name a few. This sector is growing and offers great opportunities. The annual Carnival, The Curação North Sea Jazz festival, the annual International Film Festival and being on UNESCO's

World Heritage list are good examples and attract international visitors. Other sub categories within this sector are Music, (Online) Publishing, Visual Arts, Fashion, Performing Arts, Crafts.

### **INVESTMENT OPPORTUNITIES**

**CULTURAL AND CREATIVE INDUSTRIES SECTOR** 

- Development of festivals and events
  - Musical production
    - Art school
    - Craft Market
- Management of artists and events Intellectual property registration









### TRANSNATIONAL EDUCATION

The global education market is changing rapidly. The number of students choosing an overseas education continues to increase. Transnational Education is important in the overall higher education landscape of Curaçao. This form of education has impact on academic, economic, human resource development, socio-cultural and status of this island.

#### Higher education institutions in Curação are:

- The University of Curaçao (UoC): UoC offers a wide variety of bachelor studies such as economics, law, engineering and the Executive Master in Financial Management in conjunction with the Rotterdam School of Management, Erasmus University in the Netherlands.
- The University of the Dutch Caribbean (UDC): UDC offers several bachelor studies such as fiscal economy, accountancy, sport management accredited by the Dutch organization NVAO and a MBA program in collaboration with the Webster University.
- The St. Martinus University (USM): USM offers two 20 week semesters per year for medical students. The courses are consistent with LCME-accredited US and Canadian Medical Schools.
- The College of the Dutch Caribbean(CDC): CDC offers a wide variety of full time and part time courses in close collaboration with the Dutch ROC and Schoevers and the Examen Instituut voor Informatica (EXIN).
- Carmabi (Caribbean Research and Management of Biodiversity): Carmabi offers tropical marine science studies.







# NEXT STEPS

Here are a number of key recommendations for foreign investors to establish and develop their investment project successfully.

- Contact CINEX, the local agency for investment promotion by email at: info@curinvest.com or by phone at: +5999 462 1444.
- Get informed about the (tax) incentives and benefits available in Curaçao. Curaçao has investment incentives that can be applied in many priority sectors.
- Seek legal advice in Curaçao. Law firms can assist you with all queries regarding
  incorporation of companies, immigration requirements, employment issues,
  purchase or lease of property, tax issues, permits and licenses and any other
  legal advice that you need.
- Make sure the resident and work permits are granted.
- Rely on professional financial service companies in Curaçao. All the major international accounting firms are represented in Curaçao. They and other smaller firms can advise you on your financial issues, provide tax advice and other operational and/or management advice.
- Obtain all necessary permits and licenses required to operate your business.
   Before the company is operational all permits and licenses required have to be in good order.
- Obtain the necessary permits for construction. Building permits are required by the Ministry of Traffic, Transport and Urban Planning. Permits should be granted by the department of Urban Planning (DROV) before any construction work begins.
- Contact Curaçao Chamber of Commerce, Curaçao Trade and Industry Association or the Ministry of Economic Development. These institutions have qualified advisors to provide key information and support your business in Curaçao. See the contact details in the 'useful contacts' section on page 67.







# INTERVIEW INSEL AIR

### Company profile Insel Air:

In August 28th, 2006 Insel Air based in Curaçao operated its first flight with its only aircraft to by then its only destination Aruba. Since then Insel Air has steadily added more aircrafts and more destinations within the Pan-American region, and currently has services to 22 international destinations in 15 countries using 17 aircrafts and developed 30 routes. In South America Insel Air operates 10 destinations being Caracas, Valencia, Barquisimeto, Maracaibo and Las Piedras in Venezuela, Medellin and Baranquilla in Colombia, Georgetown Guyana, Manaus Brazil and Paramaribo Suriname. The two destinations within the USA include Miami and Charlotte. The ten destinations in the Caribbean are Aruba, Bonaire, Curaçao, Kingston, St. Maarten, St. Domingo capital and La Romana, Trinidad, Cuba and Haiti. Destinations St Maarten, Curaçao, Aruba, St Maarten and Miami are used as hubs; In Aruba Insel Air Aruba is organized as a separate airline with its own operating certificate. In a number of destinations Insel Air is the largest Caribbean based carrier. In 2015 Insel Air's network will increase to 26 destinations.

Insel Air's international destinations and hub service gives it a great strength in creating connectivity within the Pan-American region while focusing on safety, on-time performance and great customer service. We've grown to be one of the best connecting airlines within this region, providing flexible connectivity to Northand South America and the Caribbean region. Also our interline and Code share partnerships with airlines such as Air France, KLM, Avianca, Win Air, GOL, Air Berlin and others improve even further this connectivity, connecting our passengers throughout the world. Insel Air operates 10 Jets (MD 80-152 seaters and 7 Turboprops (750-50 seaters and 7 EMB 110-15 seaters).

# Why invest in Curação? And Why did you decide to start an airline in Curação instead of any other island?

The founders and all the shareholders of Insel Air are from Curaçao and all are active in other business sectors in Curaçao and also in the other Dutch Caribbean Islands. In 2004 an opportunity was created for the private sector to invest in the airline Industry. The government of Curaçao closed its government owned airline and opened the possibility for the private sector to fill in the void that was left behind. Curaçao transport sector shipping and air transport are industries that have been around for a very long time. This lead to a good infrastructure for the industry including educated professionals. This is not a coincidence, Curaçao is strategically well located for the transport sector.

## Which sectors are you currently more interested in for new investment?

In general I think there is an opportunity in every business sector on the Island and possibilities to copy innovations that work on the island to the region. Of course you have to do right research and deliver quality. And very important you have to be able to scale your operations to the market size of the small markets in the region and be sensitive to different cultures and preference in the region. A complex exercise but rewarding. For Insel Air we invested heavily in heavy maintenance last 2 years. At the moment all heavy maintenance on the aircrafts are done locally, which gives the company a lot of flexibility by having highly trained specialist on the Island that support our operation. We created more than 100 high quality jobs on Curaçao by doing heavy maintenance in house. In total Insel Air created more than direct 600 jobs. Indirect it is close to 3000 jobs on Curaçao.



### INTERVIEW INSEL AIR

# What is your opinion about Curação as a product – that is, what does the island have to offer to its visitors?

Compared to other large tourist destinations in the Caribbean, Curaçao offers a more adventurous experience. Curaçao offers great possibilities to move around the Island and experience the different and full variety of activities, culture and nature of the Island. For younger tourists Curaçao offers a good night live entertainment including good restaurants, beach parties etc. Having visited most islands in the Caribbean, Curaçao will be on the top of the list of adventure and variety. Another advantage of Curaçao is that Curaçao is Spanish speaking and therefore is a natural choice for Latin America visitors. Curaçao however has still a long way to go to position itself in the Latin America market, but I strongly believe that's the way to go.

### What could we expect from Insel Air in the next 5 years?

Insel Air has been growing with 15% every year in the last 5 years; we plan to continue with this growth. At this rate we will increase to 40 destinations in the coming 5 years.

### Which were (or are) the obstacles that you have found as an investor?

We have found that government policies are often not in line with what a local investor needs to move forward. I think an export agency like the one you are leading right now could improve the relationship between the private and public sector, in a way that the public sector gives support to initiatives of the private sector. We experienced on several occasions that what the government was doing or not doing was not in the interest of growth in the aviation sector.

### What information would be important to acquire before investing?

The most encouraging description of entrepreneurship I found in a Harvard business school book about venture capital Entrepreneurial behavior is marked by the pursuit of opportunity regardless of resources currently controlled; it requires finding, gaining control of and effectively utilizing resources as necessary. Prime entrepreneurial skill is the identification of opportunity – the ability to continuously scan the world outside oneself and identify gaps between people's needs and what actually exists. Innovation is the successful implementation of creative ideas of an organization. These 3 skills and steps are needed by every investment.

### What information did you use before your investment?

We gathered all information regarding traffic in the past in the region especially around Curaçao. We than designed an optimal way to serve this traffic. We gathered benchmark information out of the industry to be sure we are keeping the highest standards in operation. Insel Air is for instance IOSA certified and meets the highest operational and safety standards (IATA Operational and Safety Audit). The most important in the beginning is to have operational and financial projections that are realistic. Sometimes it will take you 2 to 3 years where you want to be at starting point. Be relaxed, plan right and take the time that it takes to get you where you want to go. At the moment we have developed advanced traffic tools where we can forecast existing and potential demand and we still have the same operational and financial projection tools from day one, but they got more reliable in forecasting in time.

### INTERVIEW INSEL AIR

### Where did you find useful information before investing?

Most useful information we retrieved from different professionals in the industry that were willing to share valuable information with us. Suppliers usually have a lot of knowledge and are willing to share information for free as they are interested in selling products to you in the future. And you will be amazed how much you can find on internet if you carefully think about the correct search words to use.

### What advice would you give to future investors?

When we started we got great advice from Tula Jesserun who was an aviation fanatic that supported our plans and gave us good directions. He pointed out 2 basics. The first: "Aviation is politics and politics is aviation", pointing out the interest of politicians in getting involved in the aviation industry and the impact of decisions made by governments on the industry. His second advice was, since we chose to start small and grow in time in a market with large players and a lot of competition: "If you are small you have to learn to swim with the sharks". Pointing out that we had to find a niche in the industry that was not in direct conflict with other interest of large airlines.







# INTERVIEW SAMBIL

### Why invest in Curação?

Curaçao is a wonderful island with so much potential for economic growth. It has a high purchasing power and a stable currency. In the 70s and 80s, Curaçao was the main shopping destination in the Caribbean. In these past few years, its neighbors Aruba, Venezuela, Saint Martin, Colombia, etc. have grown a lot while Curaçao hasn't followed the same course. So, the idea is that Curaçao gets back to what it was in the golden years. Curaçao is just a 25-minute flight from Venezuela and we know that Venezuelans like shopping and they do it a lot at Sambil.

# Which sectors are you currently more interested in for new investment?

We are a chain of shopping centers where the tenant mix must be balanced so that visitors do not just want to come and spend time, but that they want to come back. In general, we look for a variety of shops, whether fashion, services, food, among others. We are trying to establish a shopping mall with a variety of activities and stores.

# What is your opinion about Curação as a product – that is, what does the island have to offer to its visitors?

Curação is a fabulous island that we have been getting to know since we started this project 2 years ago. All of us in the team have really fallen in love with Curação. It has magical places that I am sure anyone who visits would love! There are hotels, idyllic beaches, good infrastructure, excellent restaurants, and good weather on offer – basically, an island that has everything to be the perfect Caribbean island.

### What could we expect from Sambil in the next 5 years?

From Sambil, a spectacular shopping mall with a variety of American-style shops, where people can feel safe, relaxed, and comfortable, with air conditioning. A unique place that we are sure will help the trade of the island, because the idea is to grow together with the rest of the current commercial activities in Curação.

# Why did you decide to build a shopping mall in Curação instead of any other island?

Because as I mentioned before, Curaçao has a gigantic potential that we believe hasn't yet been fulfilled. There is no other shopping mall and the simple fact that such a spectacular island with all its attributes does not have a shopping mall is enough to make the decision. It has many financial institutions, a strategic location in the Caribbean, where Venezuela is the closest neighboring country, and we know that having a Sambil just 25 minutes flight away is going to mean that Venezuelans will come to visit and shop. Of course the Sambil of Curaçao is for the locals. We are counting, in the first place, on the people who live in Curaçao, and in second place, we are focusing on bringing as many tourists as possible.

### Which were (or are) the obstacles that you have found as an investor?

The obstacles have been the four languages and being a Dutch island and for us as a Venezuelan company, sometimes it is difficult to approach Dutch people, and that there are also more than 50 nationalities, which means that we have a diversity of idiosyncrasies. We have adapted very well, but it was not easy for us at the beginning.



## INTERVIEW SAMBIL

### What information would be important to acquire before investing?

Knowing the idiosyncrasies of the island. To study the local commerce, not only now but to visualize the future of the island and the scope for growth, to get to know its people, culture, taxes, and traditions. Basically, having the enthusiasm and trust to start a new project that is counting highly on growth in the Caribbean – because we are not just investing in Curaçao, but also in the Dominican Republic and Puerto Rico.

### What information did you use before your investment?

We did several market surveys, we analyzed the financial and tax advantages and carefully detailed the potential to invest in Curaçao, with a stable economy, a democratic government and a strong currency that has kept its value through time. Moreover, the tourism development, with cruise ships arriving almost every day and flights from many parts of the world. For example, from Venezuela there are 5 daily flights to Curaçao from different cities — Caracas, Valencia, Barquisimeto, Maracaibo and Paraguaná.

### Where did you find useful information before investing?

Through several studies that we did, with Venezuelan friends who live in Curaçao, and particularly the need for a different space which the island does not have – the most beautiful and complete shopping mall of the Caribbean, the dream shopping mall of any island.



### INTERVIEW SAMBIL



### What advice would you give to future investors?

That they trust in Sambil. We are going to do everything in our power to achieve our objective, which is to have the most complete shopping mall in the Caribbean, and we are sure that this is how it will be! That they trust in the growth of Curaçao. We have more than 20 years of experience in shopping malls, operating more than twelve shopping malls in Venezuela and one in Santo Domingo. We are confident that Curaçao is going to be an interesting market with good economic yield.

# What are your expectations for the first year after the completion of the shopping mall?

We are sure that from the beginning, Sambil is going to quickly become the ideal place for the people and visitors of Curaçao. We at Sambil are renting 100% of the units. We are not selling anything because we understand that the business is short, medium and long-term. We are counting on not just the first year but the next 5, 10, 20 and 50 years to come!





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