

Application for permission to sell / transfer / donate machinery

1. Name of Company ..... (Tax ID. Nbr.....)  
 is promoted pursuant to promotion certificate nbr. ....  
 dated ..... under category .....  
 Size of business, as stated in the promotion certificate .....  
 .....  
 Name of contact person ..... Tel..... ext.....  
 Fax..... e-mail.....
2. Pursuant to the conditions stated in the promotion certificate, the period during  
 which the machinery may be imported shall end on (date).....
3. The company must commence its operation by (date).....
  - The company was granted approval by the Office of the Board of  
 Investment to commence its operation on (date) .....  
 according to certificate nbr....., as attached.
  - Production has commenced but the company has not yet received the  
 necessary certificate to commence operation from the Office of the  
 Board of Investment.
  - The company has not commenced its operation.
4. According to the promotion certificate,
  - there is no condition regarding exportation.
  - there is a condition regarding exportation and  the company has  
 performed accordingly pursuant to evidence of inspection from the  
 Office of the Board of Investment as attached (no. of page) ...../  
 OR  the company has not yet been inspected because the company  
 has not commence its operation.
5. The company request the following permission for the machinery (as shown  
 on the attached machine list) that was imported using import privileges as  
 granted by the Office of the Board of Investment, pursuant to Section .....  
 (mark  for the disposition of the machinery for which permission is being  
 sought - if there is more than one item, the company shall apply for permission  
 for each item separately):
  - Sell to .....
  - Transfer to (name of company) .....  
 (tax ID number)....., which has  
 received promotion privileges under promotion certificate  
 nbr..... dated ..... with rights to  
 import machinery pursuant to Section ..... The period for the  
 import of machinery is scheduled to end on (date).....
  - Donate to ....., which is a  
 government sector / government entity / charity public entity.  
 The machinery shall be used for (purpose).....

The company certifies that the above statement is true in all respects.

..... (Authorized Person)

(Affix Company's Seal) (.....)  
 Date .....

The Office of the Board of Investment shall consider approval to sell, transfer, or donate machinery under the following criteria:

Approval will be considered for machinery that is in compliance with all of the criteria in nbr. 1 – 3 and the details of the approval shall be in accordance to nbr. 4.	For official use: (compliance / non-compliance) specify reason
<b>1.</b> Machinery that has been granted rights and privileges of import by the Office of the Board of Investment.	
<b>2.</b> The company is in compliance with the terms and conditions stipulated in the promotion certificate (such as date of commencement of operation, export, termination of operation) and the machinery is not being used for any other purpose without prior permission.	
<b>3.</b> Neither the production process nor the production capacity shall be altered by a margin of more or less than 20% of the production capacity stated in the promotion certificate, unless there exists another piece of machinery to be used as a replacement for the requested machinery.	
<b>4.1</b> In the event the company is requesting permission to sell, if the machinery was imported less than 5 years ago, the company shall be liable for taxes and duties, computed on the state of machinery on the date the application was submitted. If the machinery was imported more than 5 years ago , permission shall be granted without tax liability.	
<b>4.2</b> In the event that permission is been requested to transfer, the transferee shall be a promoted person with a project suitable to receive the transfer of the machinery of the transferor in terms of the relevant production process and ability to use used machinery. The period of importation of machinery of the transferee must not yet have expired. In the case that the rights of the transferee is less than that of the transferor, the transferee shall be liable for the excess taxes and duties.	
<b>4.3</b> In the case of requesting permission to donate, approval shall be granted if the machinery is donated to the government sector, a government entity, or a public charity entity that can benefit from the donated machinery.	

To Director ..... through ..... (For official use)

Considering a request to sell/transfer/donate (please specify) machinery by the company in accordance to the above criteria, the following opinion has been reached:

- The company has complied with the stated criteria, permission should be granted.
- Permission should not be granted due to non-compliance with the following criteria:.....

For your consideration and signature in the attached notification letter to the company.

Signature ..... (Officer)

- Agree as proposed  Disagree with the proposal
- Signature affixed therefore proceed accordingly.

Director .....

List of machinery using rights and privileges when imported by (name of company).....  
 promotion certificate no..... dated....., requesting permission to sell / transfer/ donate.

Item and quantity	Imported under		Date of import	Use in production process	Production capacity of the requested machinery
	Release letter nbr.	Dated			

NOTE: Please attach copies of evidence of importation of all of the machinery for which permission is being sought. The copies shall be signed and affixed with company's seal on all of the pages. If the list of machinery cannot fit into this page, a copy of this page can be used as part of the application.

(affix company's seal)

Signature ..... Authorized Person  
 Position.....  
 Date.....