

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 2: TOURISM**

**§ 2201. Definitions.**

For the purpose of this chapter:

(a) "Authority to sell duty-free merchandise" means the authority to use a port of entry to offer to sell or sell duty-free merchandise, or to deliver duty-free merchandise, sold in less than a wholesale quantity, to or for the direct or indirect benefit of a departing individual (regardless of the time or place of the individual's departure and regardless of the time or place of the order and/or payment for the merchandise) as delineated in a concession agreement.

(b) "Concession" means a privilege of establishing, operating, and maintaining facilities at a port of entry for the sale or delivery of merchandise (including food and beverages for on-premises consumption) and/or the provision of retail services (including advertising). The scope of a concession shall be determined by the Commonwealth Ports Authority.

(c) "Concession agreement" means a contract between the Commonwealth Ports Authority and a person awarded a concession in accordance with the provisions of this chapter delineating the terms upon which facilities operating under a concession shall be established, operated, and maintained.

(d) "Concessionaire" means a person operating under the privilege of a concession.

(e) "Duty-free merchandise" means any merchandise with regard to which Commonwealth tariffs, duties, excise tax, sales tax, gross revenue tax and/or any other tax has been waived (regardless of whether the waiver is implemented by direct forgiveness of the tax, refund of tax previously paid, or by other means).

(f) "Person" means any individual, partnership, proprietorship, company, corporation, joint venture, association, or other enterprise or entity.

(g) "Port of entry" means any publicly owned or operated seaport or airport in the Commonwealth, together with all related lands and facilities. These include, but are not limited to:

(1) Saipan:

(i) Port of Saipan; and

(ii) Francisco C. Ada / Saipan International Airport.

(2) Tinian:

(i) Tinian Harbor; and

(ii) Tinian International Airport.

(3) Rota:

(i) Rota West Harbor; and

(ii) Benjamin Taisacan Manglona International Airport.

(h) "Tax" means any tax, impost, levy, tariff, duty, or assessment.

**Source:** [PL 4-60](#), § 2 (§ 2201); (c) amended by [PL 19-21](#) § 2 (Nov. 13, 2015); repealed and reenacted by [PL 19-76](#) § 2 (Jan. 12, 2017), modified.

**Commission Comment:** [Historical comments removed.]

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In codifying [PL 19-76](#), the Commission inserted serial commas in (e) and (h) pursuant to [1 CMC § 3806](#)(g). The Commission renumbered (g)(1)(A)–(B) to (g)(1)(i)–(ii), (g)(2)(A)–(B) to (g)(2)(i)–(ii), and (g)(3)(A)–(B) to (g)(3)(i)–(ii) pursuant to [1 CMC § 3806](#)(a).