

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 5902. Foreign Investment Policy.

The secretary makes the following declarations:

(a) It is declared that all investments in the Commonwealth by foreign nationals shall fall under the classification of foreign investment;

(b) It is declared that all investments by foreign nationals in existing enterprises shall fall under the foreign investment classification;

(c) It is declared that all investments by foreign nationals or foreign corporations, proposed or actual, in new enterprises which are not engaged in business, but are proposed to engage shall fall under the classification of foreign investment;

(d) It is declared that if an investment in a proposed or existing enterprise cannot be categorized as falling under foreign investment, the secretary must make findings and determine whether such an investment should be classified as a foreign investment or an investment by United States citizens; and

(e) These regulations should provide foreign investors a sense of direction and guideline to proceed onto the next phases of investor classifications from short term business entry permit holder to regular term business certificate or two year term business certificate and ideally to the foreign investor certificate classification. Holders of a one year term business entry permits are encouraged to apply for the two year business certificate.

Source: PL 10-44, § 7 (“Part II - Foreign Investments” regulations (Commonwealth Register, Vol. 17, No. 01, January 15, 1995) § 401, modified).