

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CIVIC CENTER, SAIPAN, MARIANA ISLANDS

VOLUME 5 NUMBER 1

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Date of Publication: January 31, 1983



Commonwealth

Register

Published monthly by the Registrar of Corporation
Office of the Attorney General
Saipan, Mariana Islands 96950

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The Commonwealth Register is published on the fifteenth day of each month or on the next succeeding business day, by the Registrar of Corporations, Office of the Attorney General, Commonwealth of the Northern Mariana Islands, Saipan, Mariana Islands 96950. Distribution is made by the Registrar of Corporations, Office of the Attorney General, Commonwealth of the Northern Mariana Islands, Saipan, Mariana Islands 96950.

The Commonwealth Register provides a uniform system for making available to the public the regulations, rules, decisions, orders and notices issued by Commonwealth agencies and required to be published and other Commonwealth agency documents of public interest.

The Commonwealth Register will be furnished to subscribers for \$48 per Volume (12 issues), payable in advance. The charge for individual copies is \$5 for each part as actually bound. Remit check or money order made payable to the Treasurer, Commonwealth of the Northern Mariana Islands, to the Registrar of Corporations, Office of the Attorney General, Commonwealth of the Northern Mariana Islands 96950.

There are no restrictions on the republication of material appearing in the Commonwealth Register.

Filed this 27th day of

January 1983.

Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands
PUBLIC NOTICE

PROPOSED AMENDMENTS TO REGULATIONS
FOR THE PROTECTION OF RESIDENT WORKERS
AND EMPLOYMENT OF NON-RESIDENT WORKERS

The Director of the Department of Commerce and Labor is proposing to promulgate amendments to the regulations for the protection of resident workers and employment of non-resident workers in accordance with Public Law 1-8, Chapter 9, Section 6; Title 49 of the Trust Territory Code and Title 17, Section 4(1) of the Trust Territory Code.

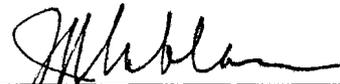
These amendments will amend sections 3.4.1, 3.2.3, and 3.2.4 of the regulations found in Volume 3, Number 5 of the July 31, 1981 Commonwealth Register to remove the four year limit on renewals of identification certificates and to prohibit transfers of employment to a new employer without requiring the non-resident worker to return to his place of recruitment.

Copies of the proposed amendments may be obtained from the Department of Commerce and Labor, Susupe, Saipan, CM 96950.

Anyone interested in commenting on the proposed amendments may do so by submitting comments in writing to the Director, Department of Commerce and Labor, Susupe, Saipan, CM 96950, within thirty days from the date this notice is published in the Commonwealth Register.

1/07/83

Date



JESUS R. SABLAN

Director, Commerce and Labor

January, 19 83

Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

EMERGENCY REGULATIONS

AMENDMENTS TO REGULATIONS FOR THE
PROTECTION OF RESIDENT WORKERS AND
EMPLOYMENT OF NON-RESIDENT WORKERS

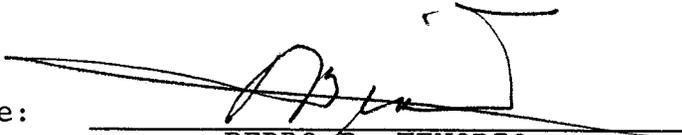
The Director of Commerce and Labor in accordance with Public Law 1-8, Chapter 9, Section 6; Title 49 of the Trust Territory Code and Title 17, Section 4(2) of the Trust Territory Code, hereby finds that the public interest requires the adoption of the attached regulations upon fewer than thirty days' notice. At present, section 3.4.1 of the regulations in Vol. 3, Number 5, page 1320 prohibit non-resident workers from employment in the Commonwealth for a period greater than four (4) years. This regulation may require as many as five hundred non-resident workers to leave the Commonwealth in 1983. Thirty-three non-resident workers have filed suit to prevent their forced departure. The immediate suspension of this rule for a period of one-hundred twenty days will provide adequate time for a public hearing on whether the rule should be retained without jeopardizing the substantial interests of those persons who otherwise would be required to leave during this period.

1/27/83
Date


JESUS R. SABLAN

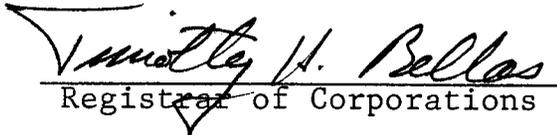
Director, Commerce and Labor

Concurrence:


PEDRO P. TENORIO
Governor

1-27-83

Date of Filing with Registrar


Registrar of Corporations

SECTION 1. Elimination of Four Year Maximum.

Section 3.4.1 of the Regulations for the Protection of Resident Workers and Employment of Non-Resident Workers adopted on July 31, 1981 in Volume 3, Number 5, page 1320 of the Commonwealth Register shall read:

"3.4.1 The identification certificate shall be issued for a period not to exceed one year and is renewable annually subject to the restrictions adopted in these regulations and in other law."

SECTION 2. Renewal of Contracts.

Section 3.2.3 of the Regulations referred to in Section 1 at page 1319 shall read:

"3.2.3 A non-resident worker may apply to renew employment with the same employer at the termination of his contract.

SECTION 3. Amendment of Section 3.2.4.

Section 3.2.4 of the Regulations referred to in Section 1 at page 1319 shall read:

"3.2.4 Applications for renewal shall be submitted 30 days prior to expiration of the worker's identification certificate. Late applications will be subject to a fine set by the Director."

Filed this 27th day of

January, 1983.

Office of Registrar of Corporations

Commonwealth of the Northern Mariana Islands

PUBLIC NOTICE

PROPOSED AMENDMENTS TO IMMIGRATION REGULATIONS
ADOPTED PURSUANT TO TITLE 53, TRUST TERRITORY CODE

The Chief of Immigration and Naturalization proposes to issue amendments to the Adopted Immigration Regulations for Title 53 in accordance with section 10.4 of Part 10 thereof (3 Comm. Reg. 1006ff; February 23, 1981) and Title 17, section 4(1) of the Trust Territory Code.

The proposed amendments will amend section 11.8(a)3 of the Adopted Regulations published in Vol. 4, Number 1 of the Commonwealth Register at p. 1060 (May 24, 1982) to remove in its entirety the four year limitation on renewals of entry permits issued in conjunction with Worker Identification Certificates (Work Permits) under the Protection of Resident Workers Act (Title 49, Trust Territory Code) and to eliminate the existing requirement that such non-resident workers depart the Commonwealth for a period of ninety (90) days before being eligible to apply for re-entry/re-certification.

Copies of the proposed amendments may be obtained from the Office of the Attorney General, Susupe, Saipan, CM 96950.

Those interested in commenting on the proposed amendments may do so by writing to the Office of the Attorney General, Susupe, Saipan, CM 96950, within thirty (30) days from the date this notice is published in the Commonwealth Register.

January 28, 1983
Date


FRANCISCO C. CASTRO
Chief, Immigration & Naturalization

Filed this 27th day of

January 19 83.

Office of Registrar of Corporations

Commonwealth of the Northern Mariana Islands

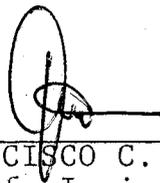
EMERGENCY REGULATIONS

AMENDMENTS TO IMMIGRATION REGULATIONS ADOPTED
PURSUANT TO TITLE 53, TRUST TERRITORY CODE

Pursuant to the authority conferred by the Governor under section 10.4 of Part 10 of the Adopted Regulations for Title 53 of the Trust Territory Code and in accordance with Title 17, section 4(2), Trust Territory Code, the Chief of Immigration and Naturalization hereby finds that the public interest requires the adoption of the attached regulations upon less than thirty (30) days' notice. At present, section 11.8(a)3 of the Adopted Regulations, published in Vol. 4, Number 1, at page 1460 of the Commonwealth Register (May 24, 1982) prohibits the employment of non-resident workers in the Commonwealth for a period greater than four (4) years; in addition, existing regulations require that non-resident workers admitted to entry under the Protection of Resident Workers Act (Title 49, TTC) for more than four (4) years depart the Commonwealth for a period of ninety (90) days before being eligible to apply for re-entry.

These regulations may require the repatriation of as many as five hundred non-resident workers in 1983. In excess of thirty three non-resident workers have filed suit challenging their forced departure. The immediate suspension of the regulations for a period of one hundred twenty (120) days will provide adequate time for a public hearing on whether the regulations should be retained, without jeopardizing the substantial interests of those who otherwise would be required to leave the Commonwealth during this period.

January 27, 1983 ✓
Date



FRANCISCO C. CASTRO
Chief, Immigration & Naturalization

Concurrence by:

1/27/83
Date


PEDRO P. TENORIO
Governor

1-27-83
Date of Filing with
Registrar


REGISTRAR OF CORPORATIONS

AMENDMENTS TO IMMIGRATION REGULATIONS

ADOPTED PURSUANT TO TITLE 53

Section 11.8(a)3 Entry Permits for Title 49 Non-Resident Workers are issued in conjunction with Title 49 Worker Identification Certificates (Work Permits). Cancellation, termination or expiration of the work permit constitutes cancellation, termination or expiration of the entry permit. An entry permit for a Title 49 non-resident worker may be renewed in conjunction with the renewal of the work permit, provided that an application for renewal is submitted prior to the expiration date of the permit(s). Nothing in this section shall be construed as giving rise to a claim of permanent residence, naturalization or citizenship in the Commonwealth of the Northern Mariana Islands on the part of non-resident workers, their families or relatives admitted to the Commonwealth under the provisions of Title 49 of the Trust Territory Code based upon durational residency in the CNMI or otherwise, except as may be provided by law.

Section 11.8(a)3 of the previously adopted regulations, as amended effective July 4, 1982 (4 C.R. 1458ff), is hereby repealed in its entirety.

January 1983.

Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

ADOPTED RULES AND REGULATIONS

FOREIGN INVESTOR VISAS

OFFICE OF IMMIGRATION & NATURALIZATION

The Chief of Immigration, pursuant to the authority vested in him under Public Law 1-8 and Title 53, Trust Territory Code, hereby issues the following rules and regulations establishing standards for the issuance of a FOREIGN INVESTOR VISA.

Section 1. Definitions.

a. "Approved Investment" means an investment made by an Alien Investor in the Commonwealth pursuant to a Certificate of Foreign Investment issued by the Director of Commerce and Labor.

b. "Alien Investor" means any individual, but not legal entities such as corporations, partnerships or other entities existing solely by virtue of the law. An "Alien Investor" is a person without United States citizenship, Commonwealth permanent residency or certificate of identity, or Trust Territory citizenship, that qualifies as a holder of a Certificate of Foreign Investment issued by the Director of Commerce and Labor.

c. "Certificate of Foreign Investment" means a Certificate issued by the Director of Commerce and Labor pursuant to rules and regulations issued by the Director of Commerce and Labor. The Certificate constitutes proof of the holder's participation as an Alien Investor in an Approved Investment in the Commonwealth of the Northern Mariana Islands.

d. "Chief" means the Chief of Immigration in the Office of the Attorney General for the Commonwealth of the Northern Mariana Islands.

e. "Family" of a holder of a Certificate of Foreign Investment means the holder's spouse, the holder's children by blood and the holder's children by legal adoption effective one year prior to the date of application for Certificate of Foreign Investment.

f. "Foreign Investor Visa" means a Visa issued by the Chief to a holder of a Certificate of Foreign Investment that complies with the conditions of issuance of a "Foreign Investor Visa" provided herein. The Visa is issued for

purposes of providing entry and exit into the Commonwealth of the Northern Mariana Islands for a holder of a Certificate of Foreign Investment, as long as the Certificate remains in force and effect. A "Foreign Investor Visa" is issued to any holder of a valid Certificate of Foreign Investment, and members of the holder's family complying with the conditions enumerated below.

Section 2. Foreign Investor Visa.

a. The Chief shall issue a Foreign Investor Visa to any Alien Investor (and members of his family) for each Alien Investor:

1. who presents to the Office of the Chief a current Certificate of Foreign Investment issued to himself or to a person of such relation that the applicant would be considered a member of a Certificate holder's family; and
2. who submits evidence of good moral character in seeking such permit, which evidence shall be obtained from a competent authority of and certified by an officer in the United States Consulate, or law enforcement official, of the country in which the Alien Investor permanently resides; and
3. who submits payment of a non-refundable application fee for issuance of a Foreign Investor Visa, as specified below; and
4. who presents a currently valid passport or certificate of identity for himself and any member of his immediate family seeking such permit.

b. The Foreign Investor Visa shall allow the Alien Investor entry and exit, of any frequency or duration, to and from the Commonwealth of the Northern Mariana Islands. The Visa shall have no effect other than for the purposes of Foreign Investment and shall not vest in the holder thereof, or his immediate family, any rights to permanent residence for reasons unrelated to operation of an Approved Investment, or rights to CNMI citizenship or United States citizenship.

c. The Foreign Investor Visa shall be valid for an indefinite period of time, subject to revocation upon the conditions specified below.

d. The Chief shall review and take action (issuance or denial within fifteen (15) days following receipt of a complete application.

e. In the event the Chief denies the Alien Investor's application for a Foreign Investor Visa, he shall state the reasons for the denial, in writing, within the time period specified in section 2(d).

Section 3. Revocation of Foreign Investor Visa.

a. Upon written notification from the Director of Commerce and Labor that a Certificate of Foreign Investment has been revoked, the Chief shall revoke the Visas of the holder and his family; provided, however, that the revocation shall not take effect until six (6) months following the date of revocation of the Certificate of Foreign Investment.

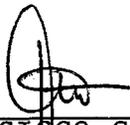
b. Upon written notice from the Director of Commerce and Labor of the revocation of a Certificate of Foreign Investment, the Chief shall send written notice of revocation of the Foreign Investor Visas for the Certificate holder and his family to the Certificate holder. This written notice shall specify the date of termination of the Visas which shall be six months from the date of revocation of the Certificate of Foreign Investment.

Section 4. Schedule of Fees.

a. An application for a Foreign Investor Visa shall be accompanied by:

1. a non-refundable application fee of five hundred (\$500.00) dollars for the holder of the Certificate of Foreign Investment; and
2. a non-refundable application fee of five hundred (\$500) dollars for each member of the holder's family for which he or she desires issuance of a Foreign Investment Visa.

January 27, 1983
Date



FRANCISCO C. CASTRO
Chief of Immigration Naturalization

Filed this 27th day of

January 1983.

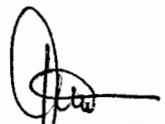
Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

PUBLIC NOTICE OF ADOPTED REGULATIONS

The Chief of Immigration, pursuant to authority vested in him under Public Law No. 1-8 and Title 53 of the Trust Territory Code, hereby adopts rules and regulations establishing procedures for the issuance of a Foreign Investor Visa.

The following rules and regulations are hereby adopted.

January 27, 1983
Date



FRANCISCO C. CASTRO
Chief of Immigration

Filed this 27th day of

January 1983.

Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

PUBLIC NOTICE OF ADOPTED REGULATIONS

The Director of Commerce and Labor, pursuant to the authority vested in him under Public Law No. 1-8, Chapter 9, Section 6 hereby adopts rules and regulations establishing standards and criteria for the issuance of a Certificate of Foreign Investment.

The following rules and regulations are hereby adopted.

1/27/83
Date

J. Sablan
JESUS R. SABLAN
Director, Commerce and Labor

ADOPTED RULES AND REGULATIONS
CERTIFICATES OF FOREIGN INVESTMENT
DEPARTMENT OF COMMERCE AND LABOR

The Director of Commerce and Labor, pursuant to the authority vested in him under Public Law 1-8 and Public Law 3-11, hereby issues the following rules and regulations establishing standards and criteria for the issuance of a CERTIFICATE OF FOREIGN INVESTMENT.

Section 1. Definitions.

a. "Alien Investor" means any individual seeking or holding a Certificate of Foreign Investment but does not include entities such as corporations, partnerships or other entities existing solely by virtue of the law. An "Alien Investor" is an individual without United States citizenship, a Commonwealth certificate of identity or permanent residence status, or Trust Territory citizenship who wishes to participate in an Approved Investment in the Commonwealth of the Northern Mariana Islands. An "Alien Investor" shall be an individual of good moral character, with no conviction for any crime which could have been punished by greater than one year imprisonment if committed in the Commonwealth, with no conviction for a felony under the laws of the United States government, and with no convictions for any crime in any jurisdiction involving moral turpitude.

b. "Approval Letter" means a letter issuable by the Director certifying acceptance of an Approved Investment subject to minimum investment amounts and investment standards set forth in Section 1(e) herein.

c. "Approved Investment" means an investment approved by the Director, which approval shall be subject to the following standards:

1. Minimum Amount of Investment. The amount of the "Approved Investment" shall be \$100,000 per person in an aggregate "Approved Investment" in excess of \$2,000,000; or, \$250,000 by an individual in a single "Approved Investment."
2. Local Participation. An "Approved Investment" shall be subject to local participation. After the Director's issuance of an Approval Letter certifying an "Approved

Investment," and prior to issuance of a Certificate of Foreign Investment, the applicant shall offer, by public announcement acceptable to the Director, a minimum local participation of thirty (30%) percent in the "Approved Investment." Investment by any resident of the Commonwealth shall constitute local participation. This requirement shall be waived by the Director if there already is local participation of thirty (30%) percent in the "Approved Investment."

3. Approved Investment Standards. In reviewing the acceptability of an Approved Investment for purposes of determining issuance or denial of a Certificate of Foreign Investment, the Director shall consider:
 - (a) the relative need for or desirability of the type of enterprise described by the applicant;
 - (b) whether or not the proposed enterprise is in compliance with local and/or federal laws;
 - (c) the number and description of employment positions created by the enterprise or which will be created for qualified Commonwealth residents and the extent to which non-residents personnel are or will be utilized at the outset of the applicant's enterprise;
 - (d) the effect which the enterprise will have upon the ecology of the Commonwealth including its pollutant or non-pollutant status, its potential impact on the fresh water table, and the likelihood of creating waste products that would be detrimental to the environment.
 - (e) the personal integrity and business reputation of the Alien Investor and any associate investors involved in the enterprise;
 - (f) to the extent that such factor can be determined, the likelihood that the enterprise will continue its operation in the Commonwealth for a substantial

period of time:

- (g) the extent to which contractors, subcontractors, labor and materials and other supplies available locally have been or will be utilized in the establishment, construction and operation of the enterprise;
- (h) the extent to which the enterprise will impact upon power and water resources in the Commonwealth, whether or not the enterprise includes water catchments, separate power plant, separate water wells, other independent water or power resource; and if not, the amounts of water and power necessary for establishment, construction and operation of the enterprise;
- (i) the quality and projected performance of a resident employee training program, if any;
- (j) the likelihood that the enterprise has not been organized in good faith or with a permanent character or that the issuance of a Certificate of Foreign Investment will be misused;
- (k) nothing in these standards shall preclude the Foreign Investor from investing in an ongoing enterprise.

d. "Certificate of Foreign Investment" means a Certificate issued by the Director under the standards and conditions enumerated herein as proof of the holder's participation as an Alien Investor in an Approved Investment in the Commonwealth of the Northern Mariana Islands. The Certificate shall be required by the holder in order to apply for a Foreign Investment Visa issuable by the Chief of Immigration.

e. "Director" means the Director of Commerce and Labor for the Commonwealth of the Northern Mariana Islands.

Section 2. Issuance of Certificates of Foreign Investment.

a. The Alien Investor shall submit an application for an Approved Investment subject to the standards and criteria outlined in section 1. The applicant shall provide all information necessary for the Director to conduct a

background check to ensure that the Alien Investor is of good moral character and that the criteria listed in section 1 will be met. The application shall be accompanied with a non-refundable application fee in the amount specified in section 5.

b. The Director shall review the application for Approved Investment and, in the event that the proposal complies with the standards and criteria outlined in section 1, he shall issue an Approval Letter indicating acceptance of the plan. The Approval Letter shall not be evidence of a Certificate of Foreign Investment as referenced in section 1(a). The Approval Letter shall be issued or denied within a time period not to exceed forty-five (45) days from the date of application.

c. After receiving an Approval Letter regarding a proposed Approved Investment, the Alien Investor shall secure the necessary financial backing to proceed with the Approved Investment.

d. After obtaining necessary financial backing to finance the Approved Investment, the Alien Investor shall supply documentary proof of such backing to the Director for his review and approval. This documentation shall be sufficient to convince the Director that the Alien Investor has sufficient backing to initiate the Approved Investment within one hundred and eighty (180) days following the issuance of a Certificate of Foreign Investment. This documentation may include cash deposits, letters of credit, or any other evidence of financial ability acceptable to the Director.

e. Upon receipt and approval of documentation proving financial ability of the Alien Investor, the Director shall issue a Certificate of Foreign Investment. Issuance or denial of the Certificate of Foreign Investment shall be effected by the Director within a time period not to exceed thirty (30) days after the receipt of the financial backing documentation.

f. In the event the Director denies issuance of either an Approval Letter or a Certificate of Foreign Investment to any applicant, the Director shall deliver the reasons for denial in writing to the applicant within the time periods specified in section 2(b) and/or section 2(e).

Section 3. Duration of Certificate of Foreign Investment.

The duration of the Certificate of Foreign Investment shall be perpetual; provided that the Approved Investment continues to comply with the standards of issuance.

Section 4. Annual Report.

The holder of a Certificate of Foreign Investment must submit to the Director an annual report of investment activities in the Commonwealth on or before January 1 of each year. The report shall contain the information necessary for the Director to determine whether or not the Certificate holder is under continuing compliance with the standards of issuance.

Section 5. Schedule of Fees.

An application for a Certificate of Foreign Investment shall be accompanied by a non-refundable fee of \$2,500 for the processing of the application.

Section 6. Revocation of Certificate of Foreign Investment.

a. The Director, after permitting the Certificate holder (or his authorized representative) to appear before him, in person, and finding, upon a preponderance of the evidence reviewed by him, that the Alien Investor has:

- (1) not maintained on Approved Investment in continuing compliance with the standards of issuance of a Certificate of Foreign Investment; and/or
- (2) committed fraud or misrepresentation in any material assertion in the application for the Approval Letter, the Certificate of Foreign Investment, or the Annual Report required pursuant to Section 4 herein; and/or
- (3) been subjected to an adjudication of bankruptcy regarding the Alien Investment; and/or
- (4) failed to comply with any conditions or obligations stated in the Certificate of Foreign Investment, after having been afforded by the Director a reasonable period within which to correct such failure; provided, however, that should the Alien Investment fail for reasons beyond the control of the Alien Investor, the Director shall provide a reasonable time to the Alien Investor within which to refinance the Approved Investment, or secure participation in an alternative Approved Investment.

- (5) been subjected to a finding by the Attorney General that the corporate parent for the enterprise, if any, has been dissolved; and/or
- (6) violated any provision of these rules and regulations,

shall, either take steps to secure correction of any insufficiency or non-compliance, or revoke the Certificate of Foreign Investment. This revocation may occur at any time during the pendency of the Certificate of Foreign Investment.

b. Should the Director decide to revoke a Certificate of Foreign Investment, the Alien Investor shall be afforded a six-month grace period following termination or revocation of his Certificate, in order to take steps necessary to liquidate, transfer or otherwise dispose of assets connected with the Alien Investor's Approved Investment activity. The Director shall inform the Chief of Immigration in writing of his decision to revoke and/or deny renewal of the Certificate of Foreign Investment, and compute the six month's grace period date commencing from the date of denial and/or revocation. The Alien Investor's Foreign Investment Visa (and any visas held by members of his immediate family) shall be valid up to and including the final day of the six-month grace period following termination of the Certificate of Foreign Investment.

Section 7. Other Foreign Investment.

Nothing in these rules and regulations shall preclude foreign investment in the Commonwealth; however, any other manner of foreign investment shall not entitle the Alien Investor to a Certificate of Investment.

1/27/83
Date



JESUS R. SABLAN
Director of Commerce and Labor