# Report on G20 Investment Measures taken between 2 April 2009 and 15 October 2023

The present document contains a compilation of all measures that are included in the 30 reports on G20 investment measures that OECD and UNCTAD have made publicly available under a mandate by G20 Leaders.

This compilation distinguishes between policy measures specific to FDI, which are presented in the first section, and investment policy measures not specific to FDI, which are presented in the second section. The methodologies applied to establish the inventories in the respective sections are set out at the end of each list.

Section 1 is prepared and made available under the responsibility of the Secretary-General of the OECD and Secretary-General of UNCTAD, while Section 2 is prepared and made available exclusively under the responsibility of the Secretary-General of the OECD.[1]

[1] This Report has no legal effect on the rights and obligations of member states of the WTO, OECD, or UNCTAD. Nothing in this Report implies any judgment, either direct or indirect, as to the consistency of any measure referred to in the Report with the provisions of any WTO, OECD, or UNCTAD agreements or any provisions thereof. Also, the inclusion of any measure in this Report implies no judgement by the OECD or UNCTAD Secretariats on whether or not such measure, or its intent, is protectionist in nature. The 27th, 28th and 29th OECD/UNCTAD report contain additional annexes. These are not reproduced for this consolidated version.

# Section 1: Investment policy measures specific to FDI

| | Description of Measure | Date | Source |
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| **Argentina** | | | |
| *Investment policy measures* | On 29 December2011, Argentina promulgated the law on the "*Protección al Dominio Nacional sobre la Propriedad, Posesión o Tenecia de las Tierras Rurales*". The law restricts the extent to which foreigners are allowed to acquire farmland. It limits the overall foreign holdings of farmland in Argentina to 15% of the total surface, and individual foreigners would not be allowed to own more than 1,000 hectares. The law also defines future acquisitions of land as acquisition of a non-renewable resource rather than an investment. | 27 December 2011 | "*Ley 26.737, Régimen de Protección al Dominio Nacional sobre la Propiedad, Posesión o Tenencia de las Tierras Rurales*", 27 December 2011. |
| | On 3 May 2012, the National Congress of Argentina adopted a law declaring that the achievement of self-sufficiency in the provision of hydrocarbons (including exploration, exploitation, industrialization, transport and commercialization) is of national public interest and a priority goal of Argentina. To guarantee the fulfilment of this goal, the law declares to be in the public interest and subject to expropriation the 51% of the share capital (*patrimonio*) of YPF S.A. owned by Repsol YPF S.A. and the 51% of the share capital (*patrimonio*) of Repsol YPF Gas S.A. owned by Repsol Butano S.A. (represented by 60% of the Class A shares of Repsol YPF Gas S.A.). It establishes that among the principles of hydrocarbons policy is the integration of public and private, national and international capital in strategic alliances as well as the maximization of investment and resources. In order to fulfil its objectives, the law declares that YPF S.A. will turn to international and domestic financial resources, and to any type of agreement of association and strategic alliances with other public, private, national, foreign or mixed companies. | 3 May 2012 | *Reports on G20 Trade and Investment Measures*, OECD, WTO, UNCTAD, 31 May 2012;<br>Law No. 26.741, Boletin Oficial, 7 May 2012;<br>"*Yacimientos Petroliferos Fiscales. Declárase de Interés Público Nacional el logro del autoabastecimiento de hidrocarburos. Créase el Consejo Federal de Hidrocarburos. Declárase de Utilidad Pública y sujeto a expropiación el 51% del patrimonio de YPF S.A.*" |
| | Effective 2 July 2016, Argentina lifted certain restrictions on the acquisition and leasing of rural land by foreigners. | 2 July 2016 | Decree 820/2016, Official Gazette of 1 July 2016. |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Australia** | | | |
| *Investment policy measures* | On 22 September 2009, reforms to Australia's foreign investment screening framework came into effect for business proposals. The four lowest monetary thresholds for private business investment were replaced with a single indexed monetary threshold of AUD 219 million (the previous lowest threshold was AUD 100 million). The new threshold is indexed on 1 January each year to keep pace with inflation. The reforms also removed the need for private foreign investors to notify the Treasurer when they establish a new business in Australia. Other notification requirements and the indexed monetary threshold for investors from the United States in non-sensitive sectors (AUD 953 million in 2009) are unchanged. | 22 September 2009 | "*Reforming Australia's foreign investment framework*", Treasurer media release No. 089 of 2009, 4 August 2009; and Policy and Supporting Documents, Foreign Investment Review Board (FIRB) website. |
| | On 12 February 2010, regulations supporting the Foreign Acquisitions and Takeovers Amendment Act 2010 were given Royal Assent. The Amendment Act clarifies the operation of the *Foreign Acquisitions and Takeovers Act 1975* to ensure that it applies equally to all foreign investments irrespective of the way they are structured. The amendments are intended to capture complex investment structures which may provide avenues of | 12 February 2010 | Foreign Acquisitions and Takeovers Amendment Regulations 2010 (No. 1). |

| Description of Measure | Date | Source |
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| control beyond that provided through traditional shares or voting power. The regulations ensure that Australian companies are not inadvertently treated as foreign companies under the compulsory notification provisions of the 1975 Act. The amendments and the supporting regulations apply retrospectively from the date of the Treasurer's announcement (12 February 2009). | | |
| On 26 May 2010, changes to the Australian Government's foreign investment policy on residential real estate came into effect. The new rules, which were first announced on 24 April 2010 and operate from that date: require temporary residents to notify the Government and receive approval before buying residential real estate in Australia, prevent foreign non-residents from investing in Australian real estate if that investment does not add to the housing stock; ensure that investments by temporary residents in established properties are only for their use whilst they live in Australia; and if the investment concerns vacant land, foreigners are required to build within 24 months or resell the property. Among other changes, the new policy reverts the liberalisation that had become effective on 31 March 2009. | 24 April 2010 | Foreign Acquisitions and Takeovers Amendment Regulations 2010 (No. 2);<br>"*Government Tightens Foreign Investment Rules for Residential Housing*", Treasurer media release No. 074 of 2010, 24 April 2010. |
| On 30 June 2010, Treasury issued a new Foreign Investment Policy document. The document sets out the Foreign Investment Review Framework, which provides details on how the policy is applied to individual cases. | 30 June 2010 | Australia's Foreign Investment Policy – June 2010. |
| On 1 March 2013, the Protocol on Investment to the Australia-New Zealand Closer Economic Relations Trade Agreement (ANZCERTA) entered into effect. It had been signed on 16 February 2011.<br>Among other provisions, the Protocol increases the threshold that triggers inward investment screening procedures by private investors from the respective treaty partner: Private investors from New Zealand undertaking business acquisitions henceforth benefit from the higher screening threshold of AUD 1,078 million (indexed annually), up from AUD 248 million; this lower amount still applies to investors from all other countries except the United States. The lower threshold also continues to apply for New Zealand investments in sensitive sectors. In return, Australian investors benefit from higher thresholds that trigger investment reviews in New Zealand (NZD 477 million), whereas investments in New Zealand by investors from all other countries, face reviews for proposals worth NZD 100 million or more. | 1 March 2013;<br>16 February 2011 | "*Milestone in Investment Ties with New Zealand*", Joint media release, 1 March 2013.<br>*Protocol on Investment to the Australia - New Zealand Closer Economic Relations Trade Agreement* |
| On 8 August 2014, the Qantas Sale Amendment Act 2014 received Royal assent. The Act eases some foreign ownership restrictions on Australian flag carrier Qantas insofar as ownership by a single foreign investor may now exceed 25% and aggregate ownership by foreign airlines may now exceed 35%. However, foreigners may, cumulatively, still not own more than 49% in Qantas. | 8 August 2014 | Qantas Sale Amendment Act 2014. |
| The Australian Treasurer announced on 11 February 2015 that, effective 1 March 2015, lower screening thresholds will apply for investment proposals in for agricultural land. Approval by the Foreign Investment Review Board (FIRB) will henceforth be required for investments valued at over AUD 15 million; the previous threshold was AUD 252 million. | 1 March 2015 | "Government tightens rules on foreign purchases of agricultural land", Treasurer media release, 11 February 2015. |
| On 1 December 2015, changes to Australia's rules for inward foreign investment came into effect. Changes include the lowering of the screening threshold for foreign investment in agribusiness to AUD 55 million (with exceptions for investors from some countries with which Australia has concluded FTAs); the introduction of fees payable by foreign investors for reviews of their investment proposals and stricter penalties, now including criminal sanctions in case of breaches of review obligations and ownership restrictions. | 1 December 2015 | "*Stronger foreign investment regime comes into force*", Treasurer Media release, 1 December 2015.<br>"*Foreign Investment Reforms Factsheet: Reform overview*", FIRB, undated;<br>*Foreign Investment Framework* |

| Description of Measure | Date | Source |
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| | | *legislation and regulations*. |
| On 31 March 2016, changes to Australia's foreign investment review rules became effective. Henceforth, acquisitions by foreign non-government acquirers of certain infrastructure assets from the Commonwealth, a State, a Territory or a local governing body of Australia or an entity wholly owned by the Commonwealth, a State, a Territory or a local governing body, which had hitherto been exempted from reviews, are subject to review. | 31 March 2016 | *Foreign Acquisitions and Takeovers Amendment (Government Infrastructure) Regulation 2016* |
| In the reporting period, three territorial subdivisions of Australia – New South Wales, Queensland and Victoria – introduced, increased or announced additional stamp duties applicable to foreign acquirers of residential real estate. Such additional foreign acquirer duties were first introduced by Victoria in May 2015 at a 3% rate, calculated on the purchase price, for purchases on or after 1 July 2016, Victoria increased the rate of the additional foreign acquirer duty ("AFAD") to 7%. New South Wales introduced a similar "surcharge purchaser duty" of 4% for purchases by foreigners on or after 21 June 2016. In Queensland, an AFAD of 3% will come into effect on 1 October 2016 for residential real estate. The conditions under which AFADs apply vary among the States; in Victoria, acquisitions by New Zealanders are exempted; in New South Wales, New Zealanders who are ordinarily resident in Australia are not subject to the surcharge purchaser duty, either.<br>In addition, Victoria and New South Wales have introduced land tax surcharges of foreign owners of real estate. In Victoria, the land tax surcharge on foreigners was set at 0.5% effective from 1 January 2016, and was increased threefold to 1.5% effective from 1 January 2017; it is levied only on absentee foreign owners, but excludes Australian and New Zealand nationals. New South Wales introduced a 1.5% land tax surcharge for absentees – foreign owners of real estate under specific conditions – in 2016; the additional tax becomes effective from 2017. | 21 June 2016;<br>1 July 2016;<br>1 October 2016 | For New South Wales: NSW Budget Statement 2016-17; "Surcharge purchaser duty", NSW Office of State Revenue website;<br>For Queensland: Duties and Other Legislation Amendment Act *(no. 37 of 2016)*, assented 27 Jun 2016; "Additional foreign acquirer duty – FAQ", Queensland Government, 30 June 2016;<br>For Victoria: Duties Act 2005, Victoria Government Gazette No. G 33 Thursday 20 August 2015.<br>For Victoria: Guidelines Issued under Section 3b of the Land Tax Act 2005, Victoria Government Gazette No. G 33 Thursday 20 August 2015;<br>For New South Wales: Land Tax Act 2005 (No. 88 of 2005) as amended as at 29 June 2016. |
| Victoria and New South Wales introduced or increased land tax surcharges of foreign owners of real estate. In Victoria, the land tax surcharge on foreigners was increased to 1.5% effective from 1 January 2017; the tax surcharge had initially been introduced on 1 January 2016 at a rate of 0.5%; it is levied only on absentee foreign owners, but excludes Australian and New Zealand nationals. New South Wales introduced a 0.75% land tax surcharge for absentees – foreign owners of real estate under specific conditions – effective for the 2017 land tax year. | 1 January 2017 | For Victoria: Guidelines Issued under Section 3b of the Land Tax Act 2005, Victoria Government Gazette No. G 33 Thursday 20 August 2015;<br>Land Tax Act 2005 (No. 88 of 2005) as amended as at 29 June 2016;<br>Absentee owner surcharge, State revenue office, 1 January 2017.<br>For New South Wales: New South Wales 2016-17 Budget Speech, 21 June 2016;<br>"Land tax surcharge", Office of State Revenue, NSW government. |
| Effective 9 May 2017, Australia introduced an "annual charge on foreign owners of under-utilised residential property". Foreign owners of residential property will be required to pay an annual charge – the amount of which is equivalent to the relevant foreign investment application fee imposed on the property at the time it was acquired by the foreign investor – if the residential property is not occupied or genuinely available on the rental market for at least six months per year. | 9 May 2017 | Budget 2017-2018, Budget Measures – Budget Paper No. 2 2017-2018, 9 May 2017, p. 27. |
| Also as of 9 May 2017, Australia prohibits property developers to sell more than 50% of new residential housing developments to foreigners. | 9 May 2017 | Budget 2017-2018, Budget Measures – Budget Paper No. 2 2017-2018, 9 May 2017, p. 31. |
| On 1 July 2017, a series of changes to Australia's foreign investment framework entered into effect. The changes enhance and streamline the operation of the foreign investment framework by simplifying aspects of the regulations and the fee framework. Details on the changes are set out in publically available Guidance Notes. | 1 July 2017 | "*1 July amendments to streamline and enhance Australia's foreign investment framework*", FIRB website, undated.<br>"*Budget 2017 changes*", FIRB |

| Description of Measure | Date | Source |
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| Also effective on 1 July 2017, Australia increased most fees that foreign investors pay when seeking approval to purchase residential real estate by 10% to fund the Critical Infrastructure Centre. | | website, undated. |
| Some Australian states introduced or increased surcharges on foreign owners and acquirers of residential real estate. In the reporting period, changes came into force for New South Wales and South Australia:<br>• New South Wales, which had introduced surcharges on stamp duty for foreign acquirers of residential real estate in 2016 and increased land taxes on foreign-owned residential real estate in 2017 increased the land tax surcharge to 2% as of 1 January 2018, up from 0.75% in the preceding year; the purchaser duty surcharge has been increased to 8% through a change in the duties act, section 104U, effective on 1 July 2017.<br>• South Australia introduced a 7% stamp duty surcharge on foreign acquirers of residential real estate as of 1 January 2018. | 1 January 2018 | Notification by Australia to the OECD dated 19 April 2018;<br>Regarding New South Wales: "*Land tax surcharge*", New South Wales Revenue website, undated; *Duties Act 1997*.<br>Regarding South Australia: "*Foreign Ownership Surcharge*", Revenue South Australia website, undated. |
| On 1 February 2018, the Australian government further clarified its policies applicable to acquisitions of agricultural land by foreigners. The rules now contain an explicit statement that foreign acquirers are obliged to show that agricultural land they intend to acquire has been part of a public sales process and marketed widely to potential Australian bidders for a minimum of 30 days, and that Australian bidders have had an opportunity to participate in the sale process. | 1 February 2018 | "*Ensuring Australians can purchase agricultural land while foreign investment is geared toward jobs and growth*", Treasurer media release, 1 February 2018. |
| Some Australian states introduced or increased surcharges on foreign owners and acquirers of residential real estate. In the reporting period, changes came into force for the Australian Capital Territory (ACT), Queensland and Tasmania:<br>• Effective 1 July 2018, a land tax surcharge of 0.75% on assets located in ACT is applicable to foreigners –individuals who are not nationals or permanent residents of Australia.<br>• Queensland increased the 'Additional Foreign Acquirer Duty' for foreign real estate acquirers to 7% as of 1 July 2018, up from 3% previously.<br>• Tasmania introduced a 3% foreign investor duty surcharge for foreign real estate acquirers as of 1 July 2018. | 1 July 2018 | Regarding ACT: Land Tax Amendment Act 2018.<br>Regarding Queensland: Revenue Legislation Amendment Act 2018.<br>Regarding Tasmania: Duties Act 2001, part 3A. |
| On 25 September 2018, the Australian government issued revised guidelines on the application of the requirement for an open and transparent sale process for foreign purchases of agricultural land, a requirement that had been made explicit on 1 February 2018. The requirement has been refined to only apply to sales of agricultural land that are intended to be used for a primary production business or residential development. The revised guidelines also introduced further exceptions, including leasehold interests or licenses – except where they have freehold characteristics, and allows for alternative means to ensure participation by Australian bidders in land sales. | 25 September 2018 | "*Revised guidance – open and transparent sale process requirement*", Australian Government, 26 September 2018;<br>Guidance note 17, FIRB, 25 September 2018;<br>Guidance note 21, FIRB, 25 September 2018. |
| On 30 December 2018, the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)* entered into force for Australia, Canada, Japan, Mexico, New Zealand, and Singapore. The same agreement entered into force for Vietnam on 14 January 2019. Private investors from treaty partners now have access to higher investment thresholds before being subject to review. The threshold for reviewing treaty partners' proposed acquisition of non-sensitive businesses and developed commercial land in Australia increased from AUD 266 million to AUD 1,154 million. | 30 December 2018/ 14 January 2019 | "*Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)*", Australian Government website, undated.<br>"*Monetary thresholds*", FIRB website, undated. |
| On 1 January 2019, Western Australia began charging foreign buyers of residential property an additional 7% duty on direct or indirect acquisitions. | 1 January 2019 | "*Increase in Foreign Buyers Surcharge to assist in Budget repair*", Government of Western Australia Media Statement, 10 May 2018; |

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| | | Duties Amendment (Additional Duty for Foreign Persons) Act 2018;<br>Information on Foreign Buyers Duty, Australian Government website, undated. |
| On 26 March 2019, the Australia-Hong Kong Free Trade Agreement and the associated Investment Agreement were signed. Once in force, private investors from Hong Kong, China, will have access to higher investment thresholds before being subject to review. The threshold for reviewing treaty partners' proposed acquisitions of non-sensitive businesses and developed commercial land in Australia will increase from AUD 266 million to AUD 1,154 million. | 26 March 2019 | "*Australia-Hong Kong Free Trade Agreement*", Australian Government website, undated. |
| On 17 January 2020, the Australia-Hong Kong Free Trade and Investment Agreement entered into force. The investment content replaces the Australia-Hong Kong BIT (1993), which was terminated on the same day. The treaty guarantees investors from Hong Kong (China) a higher screening threshold under the screening framework established under the Foreign Acquisitions and Takeovers Act 1975 – for non-land acquisitions – AUD 1,134 million for non-sensitive businesses, AUD 261 million for sensitive businesses – than the one investors from most other countries are subjected to (Annex 1). | 17 January 2020 | Australia-Hong Kong Free Trade and Investment Agreement |
| On 11 February 2020, the Peru-Australia Free Trade Agreement (PAFTA) entered into force. The treaty replaces the Australia-Peru BIT (1995), which was terminated on the same day. The PAFTA guarantees Peruvian investors a higher screening threshold under the screening framework established under the Foreign Acquisitions and Takeovers Act 1975 – for non-land acquisitions – AUD 1,134 million for non-sensitive businesses, AUD 261 million for sensitive businesses – than the one investors from most other countries are subjected to (PAFTA, Annex I). | 11 February 2020 | Peru-Australia Free Trade Agreement |
| On 1 March 2020, the State of Victoria changed the rules on the application of the foreign purchaser additional duty in relation to discretionary trusts. The change reclassifies the trust as 'foreign' for the purpose of the application of the additional duty if the trust has any potential foreign beneficiary. The foreign purchaser additional duty had first become effective in Victoria on 1 July 2015. | 1 March 2020 | "*Foreign purchaser additional duty and discretionary trusts change from March 2020*", State Revenue Office Victoria, undated. |
| On 29 March 2020, the Australian Government announced temporary changes to the foreign investment review framework that are designed to safeguard Australia's national interest during the COVID-19 pandemic. During this period the monetary threshold amounts under the *Foreign Acquisitions and Takeovers Act 1975* are AUD 0 for proposed foreign investments made on or after 10:30pm (AEDT) 29 March 2020. The *Foreign Acquisitions and Takeovers Amendment (Threshold Test) Regulations 2020* was published on 16 April 2020. These temporary measures will remain in place for the duration of the COVID-19 crisis. | 29 March 2020 | Foreign Acquisitions and Takeovers Amendment (Threshold Test) Regulations 2020.<br>"*Changes to foreign investment framework*", Treasurer announcement, 29 March 2020. |
| On 1 April 2020, Tasmania's Duties Amendment Act 2020 entered into effect. The changes brought by the Act increase the rate of the additional duty that foreign purchasers of residential property are charged from 3% to 8%, and to 1.5% rather than 0.5% for the purchase of primary production land by foreigners. In turn, foreigners who have paid the surcharge and ceased to be foreigners within six months from the dutiable transaction may obtain a refund. | 1 April 2020 | Duties Amendment Act 2020 |
| On 1 April 2020, new regulations for Foreign Financial Services Providers (FFSPs) that provide financial services to Australian wholesale clients came into effect. The Australian Securities and Investments Commission (ASIC) had announced the rules on 10 March 2020. They bring a new foreign Australian financial services licensing regime for FFSPs and exempt certain providers | 1 April 2020 | ASIC Corporations (Foreign Financial Services Providers—Foreign AFS Licensees) Instrument 2020/198; "*Following consultation, ASIC releases new regulatory framework for foreign financial* |

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| | of funds management financial services from the licensing requirement. | | *services providers*", Australian Securities & Investments Commission media release, 10 March 2020. |
| | On 24 June 2020, the State Revenue Legislation Further Amendment Act 2020 came into force in New South Wales. The Act introduces changes to the Duties Act 1997, the Land Tax Act 1956 and the Land Tax Management Act 1956 to clarify that discretionary trusts will now be deemed "foreign persons" for taxation purposes if any one of the potential beneficiaries is a foreign person, thereby attracting a surcharge purchaser duty of 8% and surcharge land tax of 2% on residential land. A transition period applies until 31 December 2020 during which discretionary trust deeds can be amended to exclude foreign persons permanently as beneficiaries in order to qualify the trust for an exemption from the surcharges. The N.S.W. Government Revenue Service published a practice note on 1 July 2020 to explain the changes. | 24 June 2020 | State Revenue Legislation Further Amendment Act 2020 (NSW), Act No. 14 of 2020, assented to on 24 June 2020;<br>"*Foreign surcharges and discretionary trusts*", Practice Note CPN 004 v2, Commissioner of State Revenue, 1 July 2020. |
| | On 4 September 2020, the Foreign Acquisitions and Takeovers Amendment (Commercial Land Lease Threshold Test) Regulations 2020 entered into force. The Regulations, which apply in all states of Australia, reinstate monetary thresholds for some acquisitions that fall under Australia's Foreign Acquisitions and Takeovers rules to those applicable before they had been reduced to 0 AUD on 29 March 2020 in the context of the COVID pandemic. The Regulations reinstate the previously applicable threshold for the renewal or material variation of existing non-sensitive leasehold interests in developed commercial land, where the same acquirer held a substantially similar interest under a lease on 29 March 2020. | 4 September 2020 | Foreign Acquisitions and Takeovers Amendment (Commercial Land Lease Threshold Test) Regulations 2020, 3 September 2020. |
| | On 1 January 2021, reforms to Australia's foreign investment framework (which is set by the Foreign Acquisition and Takeovers Act 1975, the Foreign Acquisitions and Takeovers Fees Imposition Act 2015 and their associated regulations) entered into force.<br>The reforms update the framework in three broad ways: they address national security risks, streamline foreign investment in non-sensitive businesses, and strengthen the existing system including compliance and enforcement powers. These powers included increased penalties, directions powers and new monitoring and investigative powers, in line with those of other regulators. Amendments to the Foreign Acquisitions and Takeovers Fees Imposition Act 2015 and the introduction of the Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020 made foreign investment fees fairer and simpler, and established new fees for new actions.<br>Other aspects of the reforms included a new register of foreign owned assets which will be an amalgamation of the existing registers which record all foreign interests acquired in Australian land, water entitlements and contractual water rights, and expanded to include business acquisitions that require foreign investment approval. | 1 January 2021 | Foreign Acquisition and Takeovers Act 1975, 1 January 2021;<br>Foreign Acquisition and Takeovers Regulation 2015, 1 January 2021;<br>Foreign Acquisitions and Takeovers Fees Imposition Act 2015, 1 January 2021;<br>Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020, 1 January 2021 |
| | On 1 April 2022, the Foreign Acquisitions and Takeovers Amendment Regulations 2022 came into effect (the Regulations). The Regulations, which amend the Foreign Acquisitions and Takeovers Regulation 2015, clarify certain aspects of the foreign investment review framework and streamline the process for certain less sensitive types of investment. The Regulations are inter alia intended to reduce the regulatory burden for foreign investors that engage in moneylending, invest in unlisted land entities or Australian media businesses, acquire shares or units under rights issues and other pro-rata offers, or transact on behalf of institutional investors as part of a custodian service (through amendments that refine the rules for the notification of these kinds of foreign investments, including raising thresholds and providing broader exemptions from foreign investment screening).<br>On 13 April 2022, the Australian Treasury updated the Guidance | 1 April 2022;<br>13 April 2022 | Foreign Acquisition and Takeovers Amendment Regulations 2022, Australian Government, Federal Register of Legislation, 31 March 2022;<br>Explanatory Statement, Australian Treasurer, 31 March 2022;<br>Guidance Notes, Foreign Investment Review Board, 13 April 2022. |

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| | Notes available to investors to reflect the amendments made to the foreign investment framework and to address certain issues identified during the evaluation of the 2021 foreign investment reforms. | | |
| | Treasury doubled foreign investment fees for notification and applications made on or after 29 July 2022. | 29 July 2022 | Foreign Acquisitions and Takeovers Fees Imposition Regulations 2022, 29 July 2022. |
| | On 1 January 2023, the maximum financial penalties for contraventions of the Foreign Acquisitions and Takeovers Act 1975's provisions that relate solely to residential land were doubled. The changes are laid down in Schedule 1 to the Treasury Laws Amendment (2022 Measures No.3) Act 2022 and Schedule 1 to the Foreign Acquisitions and Takeovers Fees Imposition Amendment Act 2022. | 1 January 2023 | Treasury Laws Amendment (2022 Measures No.3) Act 2022, Australian Government, Federal Register of Legislation, 6 December 2022;<br>Foreign Acquisitions and Takeovers Fees Imposition Amendment Act 2022, Australian Government, Federal Register of Legislation, 6 December 2022. |
| | On 1 July 2023, the new Register of Foreign Ownership of Australian Assets was implemented. The Register is governed by Part 7A of the Foreign Acquisitions and Takeovers Act 1975 as added by the Foreign Investment Reform (Protecting Australia's National Security) Act 2020. The Register is administered by the Australian Taxation Office (ATO) with the Commissioner of Taxation appointed as the Registrar. The Register amalgamated the Register of Foreign Ownership of Water Entitlements and Register of Foreign Ownership of Agricultural Land and create additional obligations to notify the Registrar of a broader range of interests.<br>The Register will provide Government with a broad data set to aid future policy consideration and assist with efficient case processing by making more information available to decision makers on foreign ownership of specific assets in Australia. The Treasury published guidance in mid-August 2023 which detailed the operation of the Register, the process of registration of foreign-owned assets by investors, and the interaction between the new regime with existing notification obligations for foreign persons under previous instruments. | 1 July 2023 | Foreign Acquisitions and Takeovers Act 1975, Federal Register of Legislation, 30 September 2023;<br>Foreign Investment Reform (Protecting Australia's National Security) Act 2020, Federal Register of Legislation, 21 September 2021;<br>"*Register of Foreign Ownership of Australian Assets, Guidance Note 15*", The Treasury, 17 August 2023;<br>"*Register of Foreign Ownership of Australian Assets, Transitional Guide*", The Treasury, 17 August 2023. |
| *Investment measures relating to national security* | On 1 February 2018, the Australian government further clarified how it administers the review process of acquisitions of electricity transmission and distribution assets, and some generation assets by foreigners: ownership restrictions or conditions may be imposed on a case by case basis on national security grounds. | 1 February 2018 | "*New conditions on the sale of Australian electricity assets to foreign investors*", joint media release, by the Treasurer, the Minister for Home Affairs and The Minister for Immigration and Border Protection, 1 February 2018. |
| | On 11 April 2018, the Security of Critical Infrastructure Act 2018 received assent. The Act creates a framework for managing critical infrastructure by establishing a non-public register of critical infrastructure assets, and by collecting and updating – via reporting obligations for interest holders – information on the operation, ownership and control of the assets in the register. The rules are asset-specific and ownership-neutral and hence apply to domestic and foreign owners alike. The Act also gives the Minister for Home Affairs a power of "last resort" to direct the operator of a listed asset in the registry to do or not do a specific thing to manage an identified national security risk in certain circumstances. | 11 April 2018 | Security of Critical Infrastructure Act 2018. |
| | On 1 January 2021, the reforms to Australia's foreign investment review framework addressing national security risks came into effect.<br>The new rules test for a narrower set of national security interest and supplement the existing national interest test, which already allowed for national security concerns to be considered in relation to foreign investments above relatively higher monetary | 1 January 2021 | Foreign Acquisition and Takeovers Act 1975, 1 January 2021;<br>Foreign Acquisition and Takeovers Regulation 2015, 1 January 2021;<br>"Foreign Investment Review Board, Guidance 8 – National Security Test", Foreign Investment |

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| | thresholds.<br>The national security test requires mandatory notification for foreign investments of any value (i.e. zero dollar monetary threshold) in national security businesses and national security land. It allows for investments not otherwise notified to be 'called in' for review within 10 years of the action being taken if they raise national security concerns. Foreign investors have the option of voluntarily notifying their proposed investment to receive certainty over, and protection from, being subsequently called in. Under the new national security test, there is also a 'last resort' power which foreign investment approvals given after 1 January 2021 can be reviewed on national security grounds, have new conditions imposed, existing conditions varied, or as a last resort, divestment ordered where national security risks emerge. | | Review Board, 17 December 2020. |
| | On 2 December 2021, the Security Legislation Amendment (Critical Infrastructure) Act 2021 (SLACI Act) entered into force. In light of increasing security threats identified during the legislative process, the Act fast-tracks certain changes to the Security of Critical Infrastructure Act 2018 (SOCI Act) initially proposed by the Security Legislation Amendment (Critical Infrastructure) Bill 2021. Among other aspects, the SLACI Act and its implementing rules, expand the scope of the SOCI Act from four to eleven sectors and create new regimes for the reception of reports relating to cyber-security incidents and for the response to serious cyber security incidents.<br>On 2 April 2022, the second part of the amendments to the SOCI Act introduced by the Security Legislation Amendment (Critical Infrastructure Protection) Act 2022 (SLACIP Act) entered into force. Among others, this new reform revisits some of the critical infrastructure assets definitions and introduces enhanced cybersecurity obligations for highly critical assets. Changes were also complemented by a new rule and amendments to an existent one. | 2 December 2021;<br>2 April 2022 | Security Legislation Amendment (Critical Infrastructure) Act 2021, Act No. 124 of 2021, assented to 2 December 2021;<br>Security of Critical Infrastructure (Definitions) Rules (LIN 21/039) 2021, Minister for Home Affairs, 8 December 2021;<br>Security of Critical Infrastructure (Definitions) Amendment Rules (LIN 22/021) 2022, Minister for Home Affairs, 7 March 2022;<br>Security Legislation Amendment (Critical Infrastructure Protection) Act 2022, Act No. 33 of 2022, assented to 1 April 2022;<br>Security of Critical Infrastructure (Application) Rules (LIN 22/026) 2022, Minister for Home Affairs, 6 April 2022. |
| **Brazil** | | | |
| *Investment policy measures* | A presidential decree of 16 September 2009 raised the limit of foreign participation in the capital of *Banco do Brasil*, a state-owned bank, from 12.5% to 20%. | 16 September 2009 | Presidential Decree of 16 September 2009. |
| | On 23 August 2010 Brazil reinstated restrictions on rural land-ownership for foreigners. The measure results from the publication of a Presidential Order, approving a Government Legal Opinion (Parecer CGU/AGU No. 01/2008) on the application of Law 5709 of 7 October 1971 to foreign owned Brazilian companies. The reinterpreted law establishes that, on rural land-ownership, Brazilian companies which are majority owned by foreigners are subject to the legal regime applicable to foreign companies. The Law permits resident foreigners to acquire up to three 'rural modules' modules without seeking approval and limits foreign acquisition to fifty modules. Acquisitions of between three and fifty modules require approval by the Ministry of Agricultural Development. Foreign companies can only acquire rural land for agricultural, cattle-raising, industrial or development projects. No more than 25% of the rural areas of any municipality may be owned by foreigners, and no more than 10% may be owned by foreigners of the same nationality. The policy change does not affect transactions made by Brazilian companies controlled by foreigners closed before its publication on 23 August 2010. | 23 August 2010 | "*Presidential Order approving Parecer CGU/AGU No. 01/2008-RVJ*", 23 August 2010;<br>Law 5709, 7 October 1971. |
| | With the entry into force of Law No. 12485 on 13 September 2011 the 49% cap on foreign ownership on telecoms network operators providing pay-TV, including cable TV services, was lifted. | 13 September 2011 | Lei Nº 12.485, 12 September 2011. |

| | Description of Measure | Date | Source |
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| | On 25 June 2016, Brazil's president vetoed a law that would have abolished foreign ownership restrictions of domestic airlines. The veto also led to an unwinding of a lesser liberalisation that had been passed through Provisional Measure No. 714, issued on 1 March 2016 and effective 2 March 2016. That measure had increased the foreign ownership cap in domestic airlines to 49%, up from 20%, and repealed the requirement that directors be exclusively Brazilian nationals. With the veto, the ownership limit that existed prior to March 2016 is anew effective. However, the issue remains under discussion in the government and a new proposal of air services liberalisation is expected to be submitted to Congress. | 25 June 2016; 2 March 2016 | MPV 714/2016 (medida provisória) 03/01/2016, Diario oficial, 2 March 2016.<br>Mensagem Nº 421 of 25 July 2016. |
| | On 30 November 2016, changes to the laws affecting Brazil's pre-salt oil industry came into effect. The changes allow the National Council for Energy Politics (CNPE) to tender concessions to operators other than the national oil company Petrobras, which now holds the right of first refusal for 30 days. Previous legislation required that Petrobras, be the sole operator of all pre-salt fields and to hold a minimum of 30% equity in each of those blocks.<br>In May 2017, the CNPE introduced a further change to the regulatory framework (Resolution 07/2017). This change aims at reducing national content requirements for the exploration of oil and natural gas fields in future bidding rounds. | 30 November 2016; 9 May 2017 | Lei No. 13.365, Official Gazette, 30 November 2016 |
| | On 30 January 2017, Brazil simplified the registration of Foreign Direct Investment. Henceforth, only the Brazilian recipient entity is responsible for the registrations – the foreign investor is no longer required to appoint representatives that will respond for the registration to register – and the recipient entity may appoint a representative to carry out the registration. A financial and economic statement was also put in place for companies with assets or net worth equal to or greater than R$250 million – the new statement follows the new simplified system and will improve the collection of data for the compilation of the Balance of Payments by the Central Bank. | 30 January 2017 | Central Bank of Brazil, "Resolução nº 4.533, de 24/11/2016", 26 November 2016 |
| | Effective 13 December 2018, Brazil allowed 100% foreign ownership of air transport services in the country by revoking conditions in the Aeronautical Code, that hitherto capped foreign ownership of air transport services at 20% and required that the management be exclusively in the hands of Brazilian nationals. To remain effective, the provisional measure needs to be confirmed by the Parliament within 180 days. A similar temporary measure had been introduced in 2016 but had not become permanent. | 13 December 2018 | Provisional Measure No.863 of 13 December 2018. |
| | On 24 January 2020, the Central Bank of Brazil Circular No.3,977 came into effect. It replaces Circular 3,317 of 29 March 2006 and rescinds its authorisation requirements for foreign investment in financial institutions based in Brazil and applies the principle of national treatment of foreign investors to this sector. It implements the Presidential Decree No.10,029 of 26 September 2019, which delegated regulatory power to the Central Bank. | 24 January 2020 | Central Bank Circular 3,977 of 22 January 2020. |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Canada** | | | |
| *Investment policy measures* | During the reporting period, Canada modified in several stages the *Investment Canada Act* (ICA) and related provisions, the country's framework for the review of inward investment projects. The changes began with a change of the ICA itself on 12 March 2009 – outside the reporting period – and led to the following | | |

| | Description of Measure | Date | Source |
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| | related changes: | | |
| | – Three years after the change of the law, on 25 May 2012, the Canadian Government announced plans to change the basis for the general review threshold from the book value of the gross assets to enterprise value and to eliminate the application of the lower review threshold in identified sectors (i.e., transportation services, financial services and uranium production sectors). The regulations would be amended to progressively raise the review threshold from CAD 330 million in asset value to CAD 1 billion in enterprise value. However, on 7 December 2012, Canada announced that the change of the threshold to CAD 1 billion in enterprise value over four years would only apply to private sector investors, while the review threshold for foreign SOEs would remain at CAD 330 million in asset value. | 25 May 2012; 7 December 2012 | "*Minister Paradis Announces Additional Improvements to the Foreign Investment Review Process*", Canada News Center release, 25 May 2012;<br>"*Statement Regarding Investment by Foreign State-Owned Enterprises*", Industry Canada release, 7 December 2012. |
| | – Also in May 2012, Canada announced to improve transparency in the administration of the ICA. Amendments to the ICA would require the Minister to justify any decisions to disallow an investment; will allow the Minister to disclose administrative information on the review process; and require the publication of an annual report on the operations of the Act. As a first related step, Canada released the annual report 2009-2010 on the implementation of the Act on 25 May 2012. The report, the first of its kind since 1992, explains features of the review mechanisms and informs about the administration of the Act. | 25 May 2012 | *Investment Canada Act–Annual Report 2009–2010*. |
| | – On 7 December 2012, Canada announced several clarifications to the foreign investment review process and expanded the definition of SOEs, which henceforth includes foreign companies that are "influenced" by a foreign state. The changes include a clarification regarding reviews of proposed investments by foreign SOEs. When reviewing SOE transactions, the Minister will examine: the degree of control or influence a state-owned enterprise would likely exert on the Canadian business that is being acquired; the degree of control or influence a state-owned enterprise would likely exert on the industry in which the Canadian business operates; and the extent to which a foreign state is likely to exercise control or influence over the state-owned enterprise acquiring the Canadian business. As a general rule, non-controlling minority interests in Canadian businesses proposed by foreign SOEs, including joint ventures, will continue to be welcome, while investments by foreign SOEs to acquire control of a Canadian oil sands business will be found to be of net benefit on an exceptional basis only. | 7 December 2012 | "*Statement Regarding Investment by Foreign State-Owned Enterprises*", Industry Canada announcement, 7 December 2012. |
| | – The changes also include an authorization of the government to review investments on national security grounds (see below). | | |
| | On 25 May 2012, the government announced further plans to amend the *Investment Canada Act* to increase the ability to publicly communicate certain information on the review process, while preserving commercial confidences; and promote investor compliance with undertakings by authorising the Minister of Industry and the Minister of Canadian Heritage to accept security from an investor for any penalties that may be ordered by a court in the event of a contravention of the Act. | 25 May 2012 | "*Minister Paradis Announces Additional Improvements to the Foreign Investment Review Process*", Canada News Center release, 25 May 2012. |
| | At the same time of the change of the ICA in 2009, an amendment of the Canada Transportation Act, authorised the Governor in Council to increases the foreign ownership limit of Canadian air carriers to up to 49%, up from 25%.<br>Steps towards a first use of this authority came when the *Canada–EU Air Transport Agreement* was signed on 18 December 2009. The agreement foresees that EU investors will be able to acquire up to 49% of Canadian airline companies, up from 25% and | 18 December 2009 | Budget Implementation Act, 2009;<br>Canada Transportation Act, Section 55.1;<br>"*The EU-Canada aviation agreements – Q&A*", EU press release MEMO/09/218, 6 May |

| | Description of Measure | Date | Source |
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| | ultimately be allowed to set up and control new airlines in each other's markets. At the end of the reporting period in March 2013, the Agreement had not been ratified. | | 2009;<br>"*Canada will sign its most comprehensive air agreement ever*", Transport Canada press release, 17 December 2009;<br>"*EU and Canada sign Air Transport Agreement*", EU press release IP/09/1963, 17 December 2009. |
| | On 25 May 2012, the Canadian Government released a *Mediation Guideline* to make formal mediation procedures available under the *Investment Canada Act*. This mediation procedure provides a voluntary means of resolving disputes when the Minister believes an investor has failed to comply with a written undertaking given as part of an investment agreement. Mediation does not necessarily replace litigation in such cases but may be chosen as a less costly and quicker option. | 25 May 2012 | "*Minister Paradis Announces Additional Improvements to the Foreign Investment Review Process*", Canada News Center release, 25 May 2012. |
| | On 29 June 2012, changes to the Telecommunications Act received Royal Assent. The changes, which were introduced through Bill C-38, Part 4, Division 41, liberalise foreign investment in the telecom sector. Foreign investors are now allowed to invest in telecom companies that have a market share of no more than 10%. A liberalisation in this sector had been announced in the Throne speech on 3 March 2010 and a public consultation on the subject was held in June 2010. | 29 June 2012 | Bill C-38, Part 4, Division 41.<br>"*Opening Canada's Doors to Foreign Investment in Telecommunications: Options for Reform*", Consultation Paper, Industry Canada, June 2010;<br>"*Canada's Foreign Ownership Rules And Regulations In The Telecommunications Sector*", Report of the Standing Committee on Industry, Science and Technology, House of Commons, June 2010. |
| | On 26 June 2013, changes to the Investment Canada Act (ICA) received Royal assent. The changes introduce the possibility for the Minister (Industry Canada) to decide – in the context of 'net benefit' reviews under the ICA – that an entity is controlled by one or more state-owned enterprises even though it would qualify as Canadian-controlled under the criteria established by the act; this decision can be made retroactively for any date after the 29 April 2013. The amendments also introduce a definition of the term "state-owned enterprise" for the purpose of the Act; a definition of State-owned enterprises had already been established on 7 December 2012 in a "Statement Regarding Investment by Foreign State-Owned Enterprises", but the definition in the ICA expands the scope of SOEs further to include, inter alia individuals that are acting under the direction or influence of a foreign state. | 26 June 2013 | An Act to Implement Certain Provisions of the Budget Tabled in Parliament on March 21, 2013 and other Measures, Statutes of Canada 2013, Chapter 33.<br>"Statement Regarding Investment by Foreign State-Owned Enterprises", Industry Canada announcement, 7 December 2012. |
| | On 25 March 2015, amendments to the *Regulations Respecting Investments in Canada* were published. The amendments, which came into effect on 24 April 2015, brought into force legislative amendments that increased the threshold above which an acquisition of control of a Canadian business by a private-sector, foreign investor from a WTO country is assessed, and also changed the method of valuation of the threshold from asset value to enterprise value.<br>The threshold, now CAD 600 million in enterprise value, will increase to CAD 800 million on 24 April 2017 and to CAD 1 billion on 24 April 2019. Beginning in January 2021, the threshold will be indexed annually to reflect the change in Canada's nominal gross domestic product in the previous year. For foreign investors that are state-owned enterprises, the threshold is CAD 369 million in asset value for 2015 (also indexed annually). The schedules specifying the information that foreign investors must submit were also updated. | 24 April 2015 | Regulations Amending the Investment Canada Regulations, P.C. 2015-310 March 12, 2015. |

| | Description of Measure | Date | Source |
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| | Effective 2 August 2016, British Colombia, a province of Canada, imposed an additional property transfer tax on residential property transfers to foreign entities – natural and legal persons – in the Greater Vancouver Regional District. The tax, at 15% of the fair market value of the acquired property, applies in addition to the general property transfer tax. The tax does not apply to non-residential property, or to trusts that are mutual fund trusts, real estate investment trusts or specified investment flow-through trusts. | 2 August 2016 | Property Transfer Tax Act [RSBC 1996] CHAPTER 378, Section 2.01-2.04;<br>"Additional Property Transfer Tax on Residential Property Transfers to Foreign Entities", Ministry of Finance Tax Information Sheet 2016-006, 27 July 2016. |
| | As of 21 April 2017, the Non-Resident Speculation Tax (NRST) is effective. The NRST is a 15% tax on the purchase or acquisition of an interest in residential property located in the Greater Golden Horseshoe Region by individuals who are not citizens or permanent residents of Canada or by foreign corporations (foreign entities) and taxable trustees. It applies in addition to the general land transfer tax in Ontario. Binding agreements of purchase and sale signed on or before 20 April 2017, and not assigned to another person after 20 April 2017, are not subject to the NRST. Exemptions and rebates in relation to the NRST may be available if certain criteria are met. | 21 April 2017 | "*Land Transfer Tax*", Ontario Ministry of Finance website, undated. |
| | Effective 24 April 2017, Canada increased the net benefit review threshold for inward foreign investment. From that date, direct acquisitions of control by private investors from WTO countries are reviewed if the enterprise value of the Canadian businesses reaches or exceeds CAD 800 million, up from CAD 600 million previously. The same threshold applies when a private non-WTO investor acquires an enterprise that had immediately previously been controlled by a WTO investor. | 24 April 2017 | Investment Canada Act – Thresholds, Canada government website. |
| | As of 22 June 2017, the net benefit review threshold for direct acquisitions of control by private investors from WTO countries are reviewed if the enterprise value of the Canadian businesses reaches or exceeds CAD 1 billion, up from CAD 800 million previously. The same threshold applies when a private non-WTO investor acquires an enterprise that had immediately previously been controlled by a WTO investor. | 22 June 2017 | Investment Canada Act – Thresholds, Canada government website.<br>Budget 2017 & Bill C-44. |
| | With the provisional entry into force of the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) on 21 September 2017, a review threshold of CAD 1.5 billion in enterprise value applies to investments by private investors from EU Member States and other trade agreement partner countries with relevant most-favoured nation provisions (i.e., Chile, Colombia, Honduras, Mexico, Panama, Peru, Republic of Korea and the United States). | 21 September 2017 | Canada-European Union Comprehensive Economic and Trade Agreement & Bill C-30;<br>Investment Canada Act – Thresholds, Canada government website;<br>"*EU-Canada trade agreement enters into force*", European Commission press release, 20 September 2017. |
| | Effective 21 February 2018, the Canadian Province of British Columbia increased the additional property transfer tax on residential property transfers to foreign entities, to 20%, up from 15%, and extended its territorial application to include the Capital Regional District, the Fraser Valley, the Central Okanagan and the Nanaimo Regional District. The additional tax that foreigners have to pay was initially introduced on 2 August 2016 for the Greater Vancouver Regional District of British Columbia. The tax does not apply to non-residential property, or to trusts that are mutual fund trusts, real estate investment trusts or specified investment flow-through trusts. | 21 February 2018 | "*Additional Property Transfer Tax for Foreign Entities & Taxable Trustees*", British Columbia government website, undated;<br>*Budget and Fiscal Plan,* Ministry of Finance, 20 February 2018. |
| | On 23 May 2018, the Transportation Modernization Act received royal assent. Effective 27 June 2018, it amends the *Canada Transportation Act* and its rules on Canadian ownership and control in fact for Canadian air carriers. Henceforth, the ceiling for foreign ownership has been set at 49%, up from 25%, subject to restrictions: a single foreigner may not own or control more than 25% of the voting interests in a Canadian air carrier, and foreign air carriers may not own more than 25% of the voting interest in a | 23 May 2018 | Canada Transportation Act;<br>Bill C-49.<br>*"Minister Garneau's statement on the Transportation Modernization Act receiving Royal Assent (23 May 2018)",* Government of Canada, 23 May 2018. |

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| | Canadian carrier. The Canadian Minister of Transport had announced the planned change in November 2016. | | |
| | On 30 December 2018, the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)* entered into force for Australia, Canada, Japan, Mexico, New Zealand, and Singapore; on 14 January 2019 the same agreement entered into force for Vietnam. With the entry into force, a review threshold of CAD 1.568 billion in enterprise value applies to investments by private investors from these countries (Mexican investor already benefitted from a higher threshold), while private investment originating in WTO countries with which Canada has no trade agreement in force attracts a review as of CAD 1.045 billion in enterprise value. | 30 December 2018; 14 January 2019 | Investment Canada Act – Thresholds, Canada government website, undated. |
| | On 1 January 2023 the Prohibition on the Purchase of Residential Property by Non-Canadians Act entered into force. Unless an exception applies, the Act prohibits the purchase of residential property in Canada by non-Canadians for two years. A Regulation was issued on the definitions of the terms employed and the exception for persons and properties.<br>On 27 March 2023, Regulations Amending the Prohibition on the Purchase of Residential Property by Non-Canadians Regulations entered into force. These amendments expand exceptions to allow non-Canadians to purchase a home in certain circumstances. Announced by the Canadian Minister of Housing and Diversity and Inclusion, these amendments allow more work-permit holders to purchase residential property, exclude the prohibition from lands zoned for residential and mixed use, and introduce exceptions for development purposes. | 1 January 2023; 27 March 2023 | Prohibition on the Purchase of Residential Property by Non-Canadians Act, S.C. 2022, c.10, s.235, 6 March 2023;<br>Prohibition on the Purchase of Residential Property by non-Canadians Regulations, SOR/2022-250, Canada Gazette, Part 2, Vol.156, Number 26, 2 December 2022;<br>Regulations Amending the Prohibition on the Purchase of Residential Property by Non-Canadians Regulations, SOR/2023-66, Canada Gazette, Part II, Volume 157, Number 8, 27 March 2023.<br>"Amendments to the Prohibition on the Purchase of Residential Property by Non-Canadians Act's accompanying Regulations", Canada Mortgage and Housing Corporation media release, 27 March 2023. |
| *Investment measures relating to national security* | On 17 September 2009, the *National Security Review of Investments Regulations*, which apply to national security reviews under the Investment Canada Act (ICA), came into force. The new Regulations prescribe the various time periods within which action must be taken to trigger a national security review, to conduct the review, and, after the review, to order measures in respect of the reviewed investment to protect national security. The Regulations also provide a list of investigative bodies with which confidential information can be shared and which may use that information for the purposes of their own investigations. | 17 September 2009 | "*Investment Canada Act—National Security Review of Investments Regulations*", P.C. 2009-1596, 17 September 2009, Canada Gazette Vol. 143, No. 20 of 30 September 2009. |
| | On 25 March 2015, amendments to the *National Security Review of Investments Regulations* that set out new procedural provisions related to the national security review process were published and are now in force. | 25 March 2015 | Regulations Amending the National Security Review of Investments Regulations, P.C. 2015-311 March 12, 2015. |
| | On 19 December 2016, the Canadian Government issued *Guidelines on the National Security Review of Investments* under the *Investment Canada Act*. The Guidelines provide information to investors about the administration of the Act's national security review process and include factors that the Government considers when assessing whether an investment poses a national security risk. | 19 December 2016 | "Guidelines on the National Security Review of Investments".<br>"Attracting global investments to develop world-class companies", Government of Canada news release, 19 December 2016. |
| | On 27 July 2020, the Time Limits and Other Periods Act (COVID-19) entered into force. The order expands certain time limits for administrative processes in light of the Coronavirus pandemic.<br>On 31 July 2020, the Order Respecting Time Limits and Other Periods Established By or Under Certain Acts and Regulations for | 27 July 2020; 31 July 2020 | Time Limits and Other Periods Act (COVID-19), S.C.2020, c.11, s.11, 27 July 2020;<br>Order Respecting Time Limits and Other Periods Established By or Under Certain Acts and |

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| | Which the Minister of Industry is Responsible (COVID-19) was issued based on the Act. Among others, it extends the initial review period under the *National Security Review of Investments Regulations* for any investments notified between 31 July 2020 and 31 December 2020. The Order also extends the time given to the Minister to take action for investments that are subject to the *Investment Canada Act* but do not require a filing. | | Regulations for Which the Minister of Industry is Responsible (COVID-19), Ministry of Industry, S.C.2020, c.11, s.11, 31 July 2020. |
| | On 24 March 2021, the Canadian Government issued updated *Guidelines on the National Security Review of Investments* under the Investment Canada Act. Such Guidelines had first been made public in December 2016. Among others, the revised Guidelines identify sensitive technology areas, critical minerals, sensitive personal data and investments by state-owned or state-influenced investors as areas of heightened scrutiny by Canadian authorities when assessing whether an investment poses a security risk. | 24 March 2021 | Guidelines on the National Security Review of Investments, Government of Canada, 24 March 2021. |
| | On 2 August 2022, the Regulations Amending the National Security Review of Investments Regulations came into force. These Regulations provide an option for non-Canadian investors to obtain pre-implementation regulatory certainty with respect to a national security review of investment that do not require a filing under the Investment Canada Act (ICA). Where a voluntary filing is submitted, non-Canadian investors will benefit from a shorter period of 45 days (as compared to five years) during which the Canadian Government must initiate a national security review. | 2 August 2022 | Regulations Amending the National Security Review of Investments Regulations: SOR/2022-124, Canada Gazette, Part 2, Vol.156, Number 13, 3 June 2022. |
| | On 28 October 2022, the Government of Canada released a policy statement clarifying how the Investment Canada Act will be applied to investments in Canadian entities and assets in critical minerals sectors from foreign state-owned enterprises (SOEs). The policy recognizes the strategic importance of critical minerals, as per the list of critical minerals defined on 11 March 2021, and states that SOEs investment in these sectors "carry a greater inherent risk to Canada's growth, prosperity and security." The policy sets out a framework for the review of such investments under the two main review powers of the Investment Canada Act: the net benefit and the national security reviews. The policy sets that net benefit approval of acquisitions of control of a Canadian business involving Critical Minerals by a foreign SOE "will only be approved on an exceptional basis". The policy also states that investment by SOEs in critical minerals sectors "will support a finding by the Minister that there are reasonable grounds to believe that the investment could be injurious to Canada's national security as set out in Part IV.1 of the Investment Canada Act". The policy applies to such investments regardless of value, whether direct or indirect, whether controlling or non-controlling, and across all stages of the value chain. | 28 October 2022 | Policy Regarding Foreign Investments from State-Owned Enterprises in Critical Minerals under the Investment Canada Act, 28 October 2022. |
| **P.R. China** | | | |
| *Investment policy measures* | On 1 June 2009, Decree No. 7 of the State Council Information Office, the Ministry of Commerce, and the State Administration for Industry and Commerce entered into force. The Decree introduces new provisions on the *Administration of Provision of Financial Information Services in China by Foreign Institutions*. These ease restrictions on provision of financial information services by foreign institutions. | 1 June 2009 | |
| | A similar step of delegation of authority, this time related to outbound investments by Chinese companies, came into effect on 1 May 2009, when the MOFCOM *Measures for the Administration of Outbound Investments* became effective. The measures simplify the approval regime of outward investment by a domestic Chinese enterprise. MOFCOM expects that 85% of outbound investment projects will be reviewed by the agency's provincial counterparts, rather than MOFCOM. | 1 May 2009 | *Measures for the Administration of Outbound Investments* |

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| | In August 2009, the Shanghai municipal government extended the scope of inbound foreign investments that can be cleared by district authorities. The delegation of the power to clear foreign investment projects now includes investments of up to USD 100 million, up from USD 30 million previously. | August 2009 | Shanghai Municipal Commission of Commerce website. |
| | On 4 January 2010, the State Administration for Industry & Commerce and the Ministry of Public Security jointly issued the *Notice on Further Administration of Registration of Foreign Companies' Resident Representative Offices* that introduces new regulations for the administration of representative offices of foreign enterprises. Detailed measures include the strengthened screening of registration materials, the registration form of one-year duration, and a requirement of no more than four representatives under normal circumstances. | 4 January 2010 | MOFCOM Laws and regulations site (in Chinese). |
| | On 1 October 2009, the *Decision on Revising the Measures for the Administration of Associations Formed by Hong Kong SAR-based Law Firms or Macao SAR-based Law Firms and Mainland Law Firms* by the Ministry of Justice came into effect. This decision specifies the conditions under which mainland law firms and law firms from Hong Kong, China or Macao, China may apply for association. | 1 October 2009 | Decision on Revising the Measures for the Administration of Associations Formed by Hong Kong SAR-based Law Firms or Macao SAR-based Law Firms and Mainland Law Firms |
| | Decree No. 45 [2009] of GAPP and MOFCOM, which came into effect on 1 October 2009, clarifies which regulations apply to enterprises from Hong Kong, China and Macao, China investing in the mainland that are engaged in the distribution of books, newspapers and periodicals. Requirements for minimum registered capital are the same as applied to enterprises in the mainland. | 1 October 2009 | "*Decree on the Supplementary Provisions to the Measures for Administration of Foreign Invested Enterprises Engaged in Distribution of Books, Newspapers and Periodicals (II)*", General Administration of Press and Publication and the Ministry of Commerce. |
| | On 1 March 2010, the Decree of the State Council of the People's Republic of China No. 567 on *Measures for the Administration on the Establishment of Partnership Business by Foreign Enterprises or Individuals in China* entered into force. The decree, which was promulgated on 25 November 2009, allows foreign investors to use the partnership structure for investments in China. The Decree of the State Administration for Industry and Commerce No. 47, promulgated on 29 January 2010 contains administrative provisions on the registration of foreign-funded partnership enterprises. | 1 March 2010 | Decree of the State Council of the People's Republic of China No. 567 on Measures for the Administration on the Establishment of Partnership Business by Foreign Enterprises or Individuals in China;<br><br>Decree of the State Administration for Industry and Commerce No. 47, 29 January 2010. |
| | On 10 June 2010, the threshold that triggers central level approval for foreign-invested projects in the "encouraged" or "permitted" categories was increased to USD 300 million, up from USD 100 million, by a MOFCOM Circular. This Circular implements a policy change announced in the *Opinions on Foreign Investment* that the State Council had released on 6 April 2010 and that reaffirms China's policy to encourage foreign investment. Other elements of the opinions are expected to guide more specific regulatory action in the future, including a revision of the *Catalogue for the Guidance of Foreign Investment Industries* with a view to expand the domains open to foreign investment. A *Plan for the Division of Labor of Departments on Implementing Several Opinions of the State Council on Futher Handling Well the Utilization of Foreign Investment*, published on 18 August 2010 specifies the internal responsibilities and further steps in the implementation of the opinions. | 10 June 2010 | *Circular of the Ministry of Commerce on Delegating Approval Authority over Foreign Investment to Local Counterparts*, No. 209/2010;<br><br>*Several Opinions of the State Council on Further Utilizing Foreign Capital*, Guo Fa [2010] No. 9;<br><br>*Plan for the Division of Labor of Departments on Implementing Several Opinions of the State Council on Futher Handling Well the Utilization of Foreign Investment*, 18 August 2010. |
| | On 19 August 2010, the Ministry of Commerce released a circular that extends existing business permits of foreign-invested companies for retail distribution to online sales over the internet. | 19 August 2010 | *Circular of the General Office of the Ministry of Commerce on Issues Concerning Examination and Approval of Foreign-Invested Projects of Selling Goods via the* |

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| | | *Internet and Automat*, No. 272/2010. |
| On 15 November 2010, China restricted the extent to which foreign investors may acquire residential or commercial real estate. The new rules issued by the Ministry of Housing and Urban-Rural Development (MHURD) limit such acquisitions by foreign nationals who have been living and working in China to one home in mainland China. Overseas institutions can only buy non-residential properties in cities where they were registered. Unlike the past regional regulations, this new policy is implemented nationwide. | 15 November 2010 | *Notice NO. (186) on Further Regulating on Housing Purchasing by Overseas Organizations and Individuals* (in Chinese) |
| A circular dated 26 November 2010 further opens China's medical institutions sector for foreign capital. Henceforth, foreign investors may establish fully owned hospitals – foreign medical service providers were only authorised to participate in joint ventures up to 70%. The circular suggests that the full liberalisation will first apply in designated pilot cities before being extended countrywide. The circular further states that joint venture approval authority be devolved to the local level; and that minimum investment requirements be lowered. | 26 November 2010 | "*Circular on Further Encouraging and Guiding Social Capital to Investing in the Foundation of Medical Organizations*", State Council Gazette, No. 58, 26 November 2010. |
| A circular dated 25 February 2011 clarifies the application of the *Decision concerning Items (V) with respect to Which Administrative Examination and Approval Are Cancelled or Adjusted* (Guo Fa [2010] No.21) and *Some Opinions on Better Utilization of Foreign Investment* (Guo Fa [2010] No.9) promulgated by the State Council. | 25 February 2011 | "*Circular of the Ministry of Commerce on Issues concerning Foreign Investment Administration*", Shang Zi Han [2011] No.72. |
| On 1 March 2011, the *Regulations on Administration of Registration of Resident Offices of Foreign Enterprises*. entered into effect. The Regulations, which replace rules dating back to 1983, govern a broad range of subjects, including the allowable scope of business activities, registration requirements and liability. The regulation also does away with the requirement to renew registrations annually. | 1 March 2011 | *Regulations on Administration of Registration of Resident Offices of Foreign Enterprises*, Decree of the State Council of the People's Republic of China no. 584, 19 November 2010. |
| On 30 January 2012, a revised "*Catalogue for Guidance for Foreign Investment*" came into effect. The Catalogue, published by the National Development and Reform Commission (NDRC) in late December 2011, expresses the Chinese government's receptiveness of foreign investment in specific sectors as "encouraged", "restricted", or "prohibited". The new edition of the Catalogue has moved products and technologies in the textile, chemical and mechanical manufacturing industries to the category "encouraged"; the new edition of the catalogue also reduces the Chinese share in joint ventures in certain areas where foreigners can only invest through joint ventures. | 30 January 2012 | "*Catalogue for the Guidance of Foreign Investment Industries (Amended in 2011) Jointly Promulgated by the National Development and Reform Commission and the Ministry of Commerce of the People's Republic of China*", Decree of the National Development and Reform Commission, the Ministry of Commerce of the People's Republic of China, No.12. |
| On 11 October 2012, the China Securities Regulatory Commission allowed foreign investors to hold stakes in the country's securities firms up to 49%, up from one third. In addition, securities firms, including joint ventures, can apply for permission to expand their businesses two years after going into operation in China (CSRC Decree No.86). | 11 October 2012 | "*CSRC Decree No.86: Decision on Amending the Rules for the Establishment of Foreign-shared Securities Companies*", China Securities Regulatory Commission, 11 October 2012. |
| On 1 March 2014, the amended Company Law, promulgated by the Standing Committee of the National People's Congress on 13 December 2013, took effect. The amended law applies to Chinese joint ventures with foreign investors. It removes the requirement that the contribution in cash by all shareholders shall not be less than 30 percent of the registered capital of the company. On the other hand it removes the requirements of paying the initial capital contribution by all shareholders upon establishment of the company. It also removes the previous minimum contribution | 1 March 2014 | "Amendments To The PRC Company Law". Mondaqu.com, 9 April 2014. |

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| | requirement for shareholders. | | |
| | Foreign investors are allowed, since 25 July 2014, to wholly own hospitals in Beijing, Tianjin and Shanghai and the provinces of Jiangsu, Fujian, Guangdong and Hainan as part of a pilot test. | 25 July 2014 | "Notice on the establishment of foreign-owned hospitals", Ministry of Health and Family Planning, Ministry of Commerce, 27 August 2014. |
| | On 1 August 2014, the China (Shanghai) Pilot Free Trade Zone (FTZ) regulation came into effect. The new regulation, which fulfilled the mandates provided by the decision of the National People's Congress and Framework Plan of China (Shanghai) Pilot FTZ of the State Council, established reforms in the FTZ, such as the negative list for foreign investment, measures to facilitate customs clearance procedures and rules to boost financial liberalisation in the zone. On 7 January 2014, the People's Bank of China, China's central bank, had released *Opinions on Financial Measures to Support the China (Shanghai) Pilot Free Trade Zone* (FTZ). The Opinions allow a series of policy changes applicable in the FTZ with a view to move towards capital account convertibility and advance foreign exchange administration reform. These include the possibility for residents and non-residents to establish accounts in local and foreign currency in the FTZ and use them for certain transactions. Also, cross-border investment is allowed and delinked from approval procedures that would apply outside the FTZ. The FTZ had officially been opened on 29 September 2013.<br>Since the opening of the FTZ, a series of liberalisations have been announced, including: Foreign enterprises in the zone with a registered capital of no less than CYN 1 million can apply for investment in the value-added telecom business sector (15 April 2014); Companies registered in the FTZ or Chinese and foreign individuals working there for more than a year can open free trade accounts with banks, insurers and brokerages in Shanghai with greater freedom to move money on- and off-shore (22 May 2014); and the negative list that contains restrictions on foreign investment in the FTZ has been shortened (1 July 2014). | 1 August 2014 | "Shanghai FTZ regulation passed", News&Information, 28 July 2014.<br>"The PBC Releases Opinions on Financial Measures to Support the China (Shanghai) Pilot Free Trade Zone" |
| | On 6 October 2014, new rules on Administration of China's Outward Direct Investment came into effect. Henceforth, only outward direct investment in countries or regions and industries identified as "sensitive" require the approval of the Ministry of Commerce (MOFCOM). Outward direct investment in all other countries or regions and industries only need to be registered with MOFCOM or provincial MOFCOM. Previously, MOFCOM had to approve any outward investment project worth more than USD 100 million. | 6 October 2014 | "Ministry of Commerce Introduces Newly Revised Measures for Foreign Investment Management", Ministry of Commerce, 12 September 2014. |
| | On 10 April 2015 the new "Catalogue for the Guidance of Foreign Investment Industries" came into effect. The Catalogue, which replaces the version in force since 2012 (see above) and had been made public on 10 March 2015 by the Ministry of Commerce and the National Development and Reform Committee, stipulates in which of over 400 industry sectors foreign investment is "encouraged", "restricted" or "prohibited". Compared to its predecessor, the new Catalogue overall lifts restrictions on foreign inward investment by reclassifying individual sectors. Most liberalizations are found in the manufacturing sector. | 10 April 2015 | Catalogue for the Guidance of Foreign Investment Industries |
| | On 20 April 2015 the State Council of China made public the Framework Plan for China (Guangdong) Pilot Free Trade Zone, the Framework Plan for China (Tianjin) Pilot Free Trade Zone, the Framework Plan for China (Fujian) Pilot Free Trade Zone, and the Plan for Further Deepening of Reform and Opening in China (Shanghai) Pilot Free Trade Zone. On the same day the General Office of the State Council made public Special Administrative Measures for Market Access for Foreign Investments in PFTZs (the Negative List) and Trial Methods of National Security Review of Foreign Investments in PFTZs; both measures are applicable in all four PFTZs. With the above-mentioned | 20 April 2015 | |

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| documents a foreign investment management model namely the pre-establishment national treatment plus negative list is established in PFTZs, which further opens sectors like international shipping, distribution, automotive manufacturing, agricultural and non-staple food processing, etc. Restrictions of foreign investment in these sectors are reduced and a corresponding national security review mechanism for foreign investments is applied on trial basis in PFTZs. | | |
| Effective 1 June 2015, P.R. China allowed foreign companies to set up bank card clearing companies and provide bank card clearing services in China. Where clearing services concern Chinese domestic bank card transactions, a business license and a registered capital of over RMB 1 billion are required. | 1 June 2015 | |
| On 19 June 2015, the Ministry of Industry and Information Technology relaxed foreign ownership restrictions in the e-commerce sector; henceforth, 100% foreign ownership is allowed in this sector. The liberalisation followed the issuing of the State Council *Opinions on Vigorous Development of E-Commerce to Accelerate the Cultivation of a New Driving Force in the Economy* on 4 May 2015. | 19 June 2015 | "*Circular of the Ministry of Industry and Information Technology on Liberalizing the Restrictions on Foreign Shareholding Percentages in Online Data Processing and Transaction Processing Business (For-Profit E-Commerce Business)*", [2015] Circular No. 196. |
| On 19 August 2015, China relaxed restrictions on foreign investment in the real estate market. In particular, restrictions on the ratio of registered capital to total investment by foreign real estate enterprises were eliminated. In addition, restrictions that prohibit foreign real estate investment enterprises from access to bank lending in and outside China and to foreign exchange settlement were also relaxed. | 19 August 2015 | Press conference, Ministry of Commerce, 16 September 2015; *"Circular of the Ministry of Housing and Urban-Rural Development regarding the adjustment of the access and administration of foreign investment in real estate"*, [2015] No. 122. |
| On 28 October 2015, the Ministry of Commerce issued Order No.2 of 2015 on Revising Certain Regulations and Regulated Documents. The Order modified 29 circulars, most of which were related to foreign investments with the aim of simplifying the capital registration system for companies in China. The main areas of reform are the following; (1) Minimum registered capital requirements on foreign investment in certain industries and for companies limited by shares have been abolished. (2) Certain rules governing foreign invested holding companies have been changed. (3) Capital verification reports issued by Chinese certified public accountants will generally no longer be required. (4) In some cases, a mere filing certificate replaces the traditional Foreign Investment Approval Certificate. (5) The "foreign-invested enterprise joint annual inspection" is replaced by a joint annual report. | 28 October 2015 | Order No. 2 of 2015 on Revising Certain Regulations and Regulated Documents |
| On 3 September 2016, the National People's Congress decided to modify four laws, including the Law on Foreign-funded Enterprises. Subsequently, the National Development and Reform Commission (NDRC) and the Ministry of Commerce (MOFCOM) jointly issued one announcement specifying the scope of the Special Administrative Measures of Market Entry for Foreign Investment.<br>The policy change seeks to facilitate investment and increase transparency of the investment environment. Among others, the change replaces to a large extent the requirement to obtain approval for the establishment and changes of foreign invested enterprises by a nation-wide filing system. Only for business proposals that fall under the scope of the Special Administrative Measures of Market Entry for Foreign Investment, approval from MOFCOM or its local branches is still required. | 3 September 2016; 8 October 2016 | "*National Development and Reform Commission and Ministry of Commerce Announces to Promote the Reform of Foreign-invested Enterprises to Set up Filing Management*", MOFCOM media release, 10 October 2016. |
| On 7 January 2017, the *State-owned Assets Supervision and Administration Commission* (SASAC) issued regulatory rules on outbound investments by central state-owned firms. SASAC also | 7 January 2017 | "Measures for the Supervision and Administration of Overseas Investment of Central State-Owned |

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| | announced the release of a list of projects that Central state-owned enterprises would not be allowed to invest in. By the end of the reporting period on 15 May 2017, the list had not been made public. | | Enterprises", SASAC, Order No.35, 7 January 2017. |
| | On 17 January 2017, China's State Council announced a series of 20 measures to further liberalise inward foreign investment, set out in the "*Circular On Several Measures on Expanding the Opening to and Active Use of Foreign Investment*". They include lifting and relaxation of investment restrictions in sectors including financial and other services, certain manufacturing and mining sectors, among others, and would be achieved through a future revision of the *Catalogue for the Guidance of Foreign Investment Industries* (the *Catalogue*) and other policies. | 17 January 2017; | "Notice on Several Measures on Increasing of Openness to Foreign Investment and Active Use of Foreign Investment", Guo Fa [2017] No. 5. |
| | On 17 February 2017, the National Development and Reform Commission (NDRC) and the Ministry of Commerce (MOFCOM) jointly released Order No. 33 of 2017 - Revision of Catalogue of Priority Industries for Foreign Investment in Central and Western Regions. The new Catalogue lists 639 priority industrial items, including 173 newly-added, 34 deletions, and 84 modifications. It entered into force on 20 March 2017. | 20 March 2017 | Ministry of Commerce of the People's Republic of China, NDRC and MOFCOM jointly released the (Order No.33) Catalogue of Priority Industries for Foreign Investments in the Central and Western Regions, 17 February 2017. |
| | On 10 July 2017, a revised foreign investment negative list applicable for the 11 free trade zones came into effect. It replaces a negative list that came into effect in 2015. The new list lifts restrictions in sectors such as mining, manufacturing, transportation, information, commercial service, finance, scientific research, and culture. | 10 July 2017 | *Notice of the General Office of the State Council on Printing and Distributing the Special Administrative Measures for Foreign Investment Admission (Negative List) (2017) for the Free Trade Experimental Zone*, State Council, 16 June 2017. |
| | On 28 July 2017, an updated version of the *Investment Industry Guidance Catalogue* came into effect. The new catalogue, issued jointly by NDRC and MOFCOM, replaces the 2015 version of the Catalogue. The 2017 Catalogue introduces a negative list structure; investment in areas that are not on the negative list do not require approval but only filing of an acquisition. | 28 July 2017 | Investment Industry Guidance Catalogue 2017, NDRC/MOFCOM, 28 June 2017. |
| | On 30 July 2017, the Ministry of Commerce issued revisions to the rules applicable to foreign funded enterprises. The changes simplify the procedures for foreign invested enterprises. | 30 July 2017 | *Decision of the Ministry of Commerce of the People's Republic of China No. 2 of 2017 on Amending the Interim Measures for the Establishment and Change of Record Management by Foreign-funded Enterprises*, 30 July 2017. |
| | On 4 August 2017, the State Council issued a notice by the NDRC, MOFCOM, MOFA, and PBoC on further guidance and regulation of overseas investment. The notice contains guiding principles for outbound foreign investment and lists fields in which outbound investment is encouraged, limited or prohibited. According to the document, China encourages domestic enterprises to make foreign investment in upgrading national research and manufacturing industries and the energy sector. Moreover, it will support those firms in joining the construction of projects in the "Belt and Road Initiative". Overseas investments against the peaceful development, win-win cooperation, and China's macro control policies will be restricted and overseas investment that may jeopardize China's national interests and security will be prohibited. | 4 August 2017 | State Council note [2017] No.74<br>"*State Council issues guideline on overseas investment*", The State Council, 18 August 2017. |
| | On 16 August 2017, the State Council issued a notice on measures to promote foreign investment in certain industry sectors in China. The notice calls for certain reform steps including: the full implementation of pre-establishment national treatment with a negative-list approach; enhanced market access in certain sectors, especially linked to transport, to foreign capital; the development of a conducive tax policy; and improvements of the investment environment. | 16 August 2017 | *Notice of the State Council on Several Measures to Promote Foreign Investment Growth*, Guo Fa [2017] No. 39, 16 August 2017. |

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| | On 6 December 2017, the National Development and Reform Commission (NDRC), the Ministry of Commerce, the People's Bank of China, the Ministry of Foreign Affairs and the National Federation of Industry and Commerce issued a Code of Conduct for Overseas Investment Operations of Private Enterprises. The document sets out how privately owned Chinese companies may invest abroad. | 6 December 2017 | "*About the release of 'private enterprises overseas investment management' – Notice of Code of Conduct*", note No 2050 by the NDRC [2017];<br>Code of Conduct for Overseas Investment Operations of Private Enterprises |
| | A decision of the State Council of 25 December 2017, published on 9 January 2018, temporarily relaxed certain restrictions on foreign enterprises in the current 11 Pilot Free Trade Zones (PFTZs). The relaxations concern enterprises operating in the sectors of printing; aviation aircraft maintenance, ground services and related matters; certification; entertainment; education; travel agencies; petrol stations; international shipping; wholesale of certain grains; design and manufacturing of certain aircrafts; urban rail transport; internet provision and online publishing; banking; and performing arts. Some of the relaxations had already been in place in four of the 11 pilot free trade zones, and their applications were extended to the others. | 9 January 2018 | State Council's Provisional Adjustment on Free Trade Pilot Zones Administrative regulations, State Council documents and State Council Decisions, Guofa [2017] No. 57. |
| | On 1 March 2018, the National Development and Reform Commission (NDRC)'s *Measures for the Administration of Outbound Investment by Enterprises (Regulation No.11)* came into effect. The rules, which were issued on 26 December 2017 after public consultation between 3 November 2017 and 3 December 2017, govern outbound direct investment by Chinese companies. This is a follow-up measure to the State Council's guideline on overseas investment issued in August 2017. The new rules replace the *Measures for the Administration of Approval and Filing of Outbound Investment Projects* of 2014.<br>The new rules prohibit investments in countries or regions that have no diplomatic ties with China, zones at war or under civil disturbance, or are subject to investment restrictions by international treaties or agreements to which China is a Party. Restrictions also apply for outbound investment in certain sensitive sectors, notably media organisations, weapons manufacturing, multi-national water resources exploitation, as well as sectors in which outbound investment is restricted under China's laws, regulations and macroeconomic policies, and which include sectors such as hotels, cinemas, entertainment, and sports clubs.<br>The rules also streamline requirements to inform authorities about overseas investment in non-sensitive sectors below USD 300 million, and abolish a requirement to submit a project information report to NDRC prior to competitive bidding on projects of USD 300 million or above.<br>Finally, the rules strengthen the supervision over outbound investment projects. | 1 March 2018 | National Development and Reform Commission of the People's Republic of China Regulation No. 11, 26 December 2017. |
| | On 28 April 2018, the *Administrative Measures for Foreign-Invested Securities Companies* came into effect. The major changes include; (1) allowing foreign investors to be controlling shareholders in joint-venture (JV) securities companies; (2) gradually expanding the business scope for JV securities companies; (3) unifying the caps on foreign ownership in both listed and unlisted securities companies. | 28 April 2018 | "*CSRC Officially Released Administrative Measures for Foreign-Invested Securities Companies*", China Securities Regulatory Commission, 29 April 2018;<br>Administrative Measures for Foreign-invested Securities Companies, Order No.140, China Securities Regulatory Commission, 28 April 2018. |
| | On 28 July 2018, the 2018 Special Administrative Measures on Access to Foreign Investment, issued by the Ministry of Commerce and the National Development and Reform Commission ("NDRC") came into effect, replacing sections of the 2017 Catalogue of Industries for Guiding Foreign Investment, | 28 July 2018 | 2018 Special Administrative Measures on Access to Foreign Investment, Ministry of Commerce/National Development and Reform Commission. |

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| | which was promulgated on 28 June 2017. Compared to the 2017 entries, the 2018 list relaxes or removes restrictions on foreign investments in several areas. The document also sets out plans and timelines for planned further relaxations of rules on foreign investment in specific sectors such as vehicle manufacturing, shipbuilding and airplane manufacturing. | | |
| | A new negative list for foreign investment in China's currently 11 Pilot Free Trade Zones became effective 30 July 2018. The list, issued by NDRC and the Ministry of Commerce, further reduces the number of sectors in which restrictions for foreign investors apply. The document, officially called "*Special Management Measures for Foreign Investment Access in the Free Trade Zone (Negative List) (2018 Edition)*", allows broader foreign access in sectors such as the seed industry, oil and gas, mineral resources, value-added telecommunications, and culture. The new list had been trialled in the Shanghai Pilot FTZ prior to being applied more broadly to all PFTZs. | 30 July 2018 | Special Management Measures for Foreign Investment Access in the Free Trade Zone (Negative List) (2018 Edition) |
| | On 21 December 2018, the Ministry of Commerce and the National Development and Reform Commission (NDRC) issued a Negative List of Market Access, which applies to both domestic and foreign investment. | 21 December 2018 | Negative List of Market Access (2018 Edition)<br>MOFCOM/NDRC media release No.1892 (2018). |
| | On 15 March 2019, China adopted its new Foreign Investment Law. This legislation will provide a better business environment for foreign investments. The law will take effect on 1 January 2020, and will replace the three existing laws on Chinese-foreign equity joint ventures, wholly foreign-owned enterprises and Chinese-foreign contractual joint ventures. The new law is aimed to further encourage foreign investment in China, strengthen protection of the legal rights and interests of foreign investors and foreign invested-enterprises. The State shall administer foreign investments under the regime of pre-establishment national treatment with a negative list, which will promote a level playing field that is stable, transparent and predictable, and ensure that foreign-invested enterprises participate in market competition on an equal basis. | 15 March 2019 | The National People's Congress (NPC) of the People's Republic of China, "Foreign Investment Law of the People's Republic of China (2019)", 15 March 2019 |
| | On 20 July 2019, the People's Bank of China announced measures to further open China's financial sector to foreign capital. Foreign-funded institutions are henceforth allowed: to conduct credit-rating businesses for the bond market; to establish foreign-controlled asset-management companies jointly with subsidiaries of Chinese banks and insurers; to invest in pension management companies; wholly-own currency brokerage; to invest beyond 25% equity in insurance asset management companies held by domestic insurers; and to obtain certain underwriting licenses in the inter-bank bond market, among other measures. | 20 July 2019 | "Measures for Further Opening Up the Financial Sector", People's Bank of China media release, 20 July 2019. |
| | On 30 July 2019, the Special Administrative Measures on Access to Foreign Investment (2019 edition), the Free Trade Zone Special Administrative Measures on Access to Foreign Investment (2019 edition), and the Catalogue of Encouraged Industries for Foreign Investment 2019 came into effect. The catalogues define which market access rules apply for different sectors in the overall territory and in the free-trade zones.<br>The revised Special Administrative Measures on Access to Foreign Investment now contain 40 restricted and prohibited items, 8 items fewer than in the 2018 version. The changes lift foreign investment restrictions in specific segments of the agricultural, infrastructure, manufacturing, mining and service sectors.<br>The Free Trade Zone Special Administrative Measures on Access to Foreign Investment now covers 37 industry items, 8 items fewer than the 2018 version. It particularly opens fishery and the printing of publications to foreign investors, thereby going beyond the degree of liberalisation at the national level.<br>The number of items in the Catalogue of Encouraged Industries for Foreign Investment has been increased to 415, with 67 new | 30 July 2019 | Decree No.25 of the National Development and Reform Commission and the Ministry of Commerce, Ministry of Commerce announcement, 1 July 2019; Special Administrative Measures (Negative list) for Access of Foreign Investment (2019 Revision) ;<br>Decree No. 26 of the National Development and Reform Commission and the Ministry of Commerce, Ministry of Commerce announcement, 1 July 2019. Special Administrative Measures (Negative List) for the Access of Foreign Investment to Pilot Free Trade Zones (2019) ;<br>Decree No. 27 of the National Development and Reform Commission and the Ministry of |

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| | items and 45 updated items compared with the 2017 version. More than 80% of the changes are in manufacturing industry categories. | | Commerce, Ministry of Commerce announcement, 1 July 2019.Catalogue of Industries that Encourage Foreign Investment (Version 2019) |
| | On 18 September 2019, the municipal government of Shanghai released Several opinions of the Shanghai Municipal People's Government on further promoting foreign investment in this Municipality. The opinions, which had been implemented as of 16 September 2019, provide detail regarding policies established by the Foreign Investment Law 2019 for the municipality of Shanghai and cover market access, investment attraction and investor protection. | 16 September 2019 | Several opinions of the Shanghai Municipal People's Government on further promoting foreign investment in this Municipality, Shanghai Government Regulations [2019] No. 37. |
| | On 15 October 2019, amendments to the *Regulations of the People's Republic of China on the Administration of Foreign-funded Insurance Companies* and the *Regulations of the People's Republic of China on the Administration of Foreign-funded Banks* came into force. Foreign insurance group companies are henceforth allowed to establish foreign-invested insurance companies in China; also, foreign banks are allowed to set up wholly owned banks and branches in China concurrently, including joint-ventures. The total asset requirements for foreign banks to set up branches and subsidiaries in China have been removed. Also, foreigners may wholly own institutions that offer futures contracts in China. | 15 October 2019 | Decision of the State Council on Amending the "Regulations on the Administration of Foreign-funded Insurance Companies of the People's Republic of China" and the "Regulations on the Administration of Foreign-funded Banks of the People's Republic of China" (State Council National Order No.720, 30 September 2019).<br>"*Amendments to regulations in finance sector*", State Council media release, 15 October 2019.<br>"*Removal of foreign ownership limit in foreign-invested futures companies*", China Securities Regulatory Commission news release, 15 October 2019; |
| | In order to implement the Foreign Investment Law passed in 2019, on 26 December 2019, the State Council published the *Implementing Regulation for the Foreign Investment Law of the People's Republic of China*. The regulation, which has been implemented along with the Foreign Investment Law on 1 January 2020, specifies the provisions on investment promotion, investment protection and investment administration, including equal treatment between foreign invested enterprises and domestic enterprises, the protection of intellectual property rights and other legitimate rights of foreign investors and foreign invested enterprises, foreign investment promotion measures, foreign investment information reporting system, and complaints mechanism for foreign invested enterprises, etc. | 26 December 2019; 1 January 2020 | Regulations for the Implementation of the Foreign Investment Law of the People's Republic of China (Decree of the State Council of the People's Republic of China No.723, 26 December 2019). |
| | On 31 December 2019, the market supervision authorities of Shanghai, Jiangsu, Zhejiang and Anhui jointly published trial measures in relation to foreign-invested enterprises that apply to the territorial jurisdiction of the four authorities. The measures came into force on 1 January 2020. Among other aspects, the trial measures address investment by Chinese nationals in foreign-invested enterprises; and the establishment by foreign residents of science and technology enterprises. | 31 December 2019; 1 January 2020 | Administrative Measures on Permitting Domestic Natural Persons to Invest In and Establish FIEs (Zhejiang Supervision Note No.30, 31 December 2019);<br>Trial Measures on Simplifying Registration Materials and Implementing Mutual Recognition of Subject Qualification Evidence Documents (Zhejiang Provincial Market Supervision Administration, Policy Interpretation No. 002482410/2019-679781, 31 December 2019);<br>Trial Measures on Foreign Natural Persons Holding Permanent Resident ID Cards Establishing Science and Technology Enterprises (Zhejiang Provincial |

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| | | | Market Supervision Administration, Policy Interpretation No. 002482410/2019-679780, 31 December 2019). |
| | Since 1 April 2020, foreigners are allowed to be full owners of fund management companies in China, and fully foreign owned brokers will be allowed to operate in China as of 1 December 2020. | 1 January 2020; 1 April 2020 | "*Order No.10, 2019 - Revised Implementation Rules on Administrative Licensing of Foreign-funded Banks*", China Banking and Insurance Regulatory Commission, 26 December 2019;<br>"*CSRC announces timetable to remove equity cap in foreign-invested securities and fund management firms*", China Securities Regulatory Commission news release, 15 October 2019*;*<br>*"CBIRC Releases the Revised Implementation Rules on Administrative Licensing of Foreign-funded Banks"*, China Banking and Insurance Regulatory Commission news release, 3 January 2020. |
| | The restrictions on foreign ownership in joint-venture life insurance companies were removed on 1 January 2020. Foreign ownership in joint-venture life insurance companies can reach 100%. | 1 January, 2020 | Notice of the CBIRC General Office on Clarifying Timing of Removing Foreign Ownership Restrictions on Joint Venture Life Insurance Companies, Order No. 230, 2019. |
| | The State Council of the People's Republic of China put forward 20 opinions in four areas, namely Expanding Opening-Up, Further Promoting Investment, Deepening Reform to Facilitate Investment and Protecting Legitimate Interests of Foreign Investors to safeguard a more "fair, transparent and predictable" business environment for foreign-invested enterprises. | 30 October 2019 | Opinions of the State Council on Further Improving the Utilization of Foreign Investment (State Council No.23[2019], 30 October 2019) |
| | On 23 June 2020, the National Development and Reform Commission (NDRC) and the Ministry of Commerce (MOFCOM) jointly released Order No.32 of 2020, Special Administrative Measures (Negative List) for Foreign Investment Access (2020 edition) ("Negative List for Foreign Investment Access") and Order No.33 of 2020, Special Administrative Measures (Negative List) for Foreign Investment Access in Pilot Free Trade Zones (2020 Edition) ("FTZ Negative List"). Both lists replace the respective earlier versions of 2019 and entered into force on 23 July 2020. Compared with the 2019 editions, the Negative List for Foreign Investment Access and the FTZ Negative List contain fewer items; in particular, the new lists lift restrictions in sectors such as financial services, manufacturing, agriculture, radioactive mineral smelting, and in the pharmaceutical sector. | 23 July 2020 | Order No.32 of 2020 Special Administrative Measures for Foreign Investment Access (Negative List) (2020 version), National Development and Reform Commission, Ministry of Commerce, 23 June 2020;<br>Special Administrative Measures (Negative List) for Foreign Investment Access (2020 edition), National Development and Reform Commission, Ministry of Commerce, 23 June 2020;<br>Order No.33 of 2020 Special Administrative Measures for Foreign Investment Access in Pilot Free Trade Zones (Negative List) (2020 version), National Development and Reform Commission, Ministry of Commerce, 23 June 2020;<br>Special Administrative Measures (Negative List) for Foreign Investment Access in Pilot Free Trade Zones (2020 Edition), National Development and Reform Commission, Ministry of Commerce, 23 June 2020. |

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| | On 19 September 2020, the Regulation on the Unreliable Entity List entered into force, following an announcement by the Ministry of Commerce in May 2019. The Regulation establishes a framework for restrictions or penalties on foreign entities that are considered to endanger the national sovereignty, security, or development interests of China or that seriously harm the legitimate rights and interests of Chinese enterprises, organizations, or individuals. Among others, restrictions and penalties may include prohibitions to trade with Chinese entities or to invest in China. At the end of the reporting period on 15 October 2020, no company had yet been placed on the Unreliable Entity List. | 19 September 2020 | Regulation on the Unreliable Entity List, Order No.4 of 2020, Ministry of Commerce, 19 September 2020. |
| | On 1 October 2020, the Rules on Handling Complaints of Foreign-Invested Enterprises entered into force. The rules were released on 25 August 2020 and are based on Article 26 of the recently adopted Foreign Investment Law and its implementing regulations. They replace rules on complaints of foreign-invested enterprises that the Ministry of Commerce had issued on 1 September 2006.<br>Among others, the rules broaden the scope of possible complaints. A National Centre for Complaints of Foreign Invested Enterprises will specifically be in charge of complaints that may have a significant national or international impact. | 1 October 2020 | Order No.3 of 2020 on Rules on Handling Complaints of Foreign-Invested Enterprises, Ministry of Commerce, 25 August 2020;<br>"*China improves foreign investment complaint system*", State Council media release, 31 August 2020. |
| | On 16 December 2020, the *Negative List of Market Access (2020 Edition)* entered into force. The new list reduces the number of items to 123, down from 131 items in the 2019-version of the list, and relaxes market access rules requirement in several sectors, such as trading and financial services, oil and gas, and resource management. | 16 December 2020 | "*Negative List of Market Access (2020 Edition)*";<br>Notice No.1880 on Printing and Distributing the "Negative List of Market Access (2020 Edition)", National Development and Reform Commission, Ministry of Commerce, 10 December 2020. |
| | On 27 December 2020, the National Development and Reform Commission and the Ministry of Commerce issued the Catalogue of Encouraged Industries for Foreign Investment (2020 Version) to be implemented from 27 January 2021, replacing its 2019 version. | 27 December 2020 | "中华人民共和国国家发展和改革委员会中华人民共和国商务部令第38号", National Development and Reform Commission, Ministry of Commerce, 27 December 2020. |
| | On 31 December 2020, the National Development and Reform Commission and the Ministry of Commerce released the Special Administrative Measures for the Access of Foreign Investment in Hainan Free Trade Port (2020 Edition), also known as the "Hainan FTP FI Negative List". The Measures apply as of 1 February 2021. The Hainan FTP FI Negative List enumerates industries and sectors that are restricted or prohibited for foreign investment in Hainan island. | 31 December 2020 | "中华人民共和国国家发展和改革委员会中华人民共和国商务部令第39号", National Development and Reform Commission, Ministry of Commerce, 31 December 2020. |
| | On 10 March 2021, the China Banking and Insurance Regulatory Commission released the Decision on Amending the Implementation Rules of the Regulations of the People's Republic of China on Foreign-funded Insurance Companies. The Decisions entered into force on 19 March 2021.<br>Among others, the decision removes the 51% cap on foreign ownership of insurance companies, while explicitly pointing to the possibility that acquisitions could be subject to a foreign investment security review. | 19 March 2021 | Decision on Amending the Implementation Rules of the Regulations of the People's Republic of China on Foreign-funded Insurance Companies, China Banking and Insurance Regulatory Commission, 19 March 2021;<br>*"CBIRC Releases the Decision on Amending the Implementation Rules of the Regulations of the People's Republic of China on Foreign-funded Insurance Companies"*, China Banking and Insurance Regulatory Commission Media release, 19 March 2021. |
| | On 8 October 2021, the State Council Reply approving the Temporary Adjustment and Implementation of Relevant Administrative Regulations and Departmental Rules and | 18 October 2021 | State Council Reply approving the Temporary Adjustment and Implementation of Relevant |

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| | Regulations Approved by the State Council in Beijing (State Letter No.106 of 2021) was issued, implementing temporary relaxations on restrictions on foreign investment in certain service sectors, specifically in the Beijing municipal area. It also provides adjustments to existing restrictions to foreign participation in the service industries and temporary exemptions to items on the Special Administrative Measures for Foreign Investment Access (Negative List) (2020 Edition). It came into effect on 18 October 2021 and replaced and repealed the earlier State Council Reply approving Temporary Adjustment and Implementation of Relevant Administrative Regulations and Departmental Rules and Regulations Approved by the State Council in Beijing (No.111 of 2019). | | Administrative Regulations and Departmental Rules and Regulations Approved by the State Council in Beijing, State Letter [2021] No. 106, PRC State Council, 8 October 2021. |
| | On 27 December 2021, the National Development and Reform Commission (NDRC) of the Ministry of Commerce of the People's Republic of China (MOFCOM) released Order No. 47 of 2021 on Special Administrative Measures (Negative List) for Foreign Investment Access (2021 edition) ("Negative List for Foreign Investment Access) and Order No.38 of 2021 on Special Administrative Measures (Negative List) for Foreign Investment Access in Pilot Free Trade Zones (2021 edition) ("FTZ Negative List"). These lists entered into force on 1 January 2022, and replaced and repealed the earlier versions of 2020, namely, Order No. 32 of 2020 on Special Administratives Measures (Negative List) for Foreign Investment Acces (2020 edition) and Order No. 33 of 2020, Special Administrative Measures (Negative List) for Foreign Investment Access in Pilot Free Trade Zones (2020 Edition). Compared with the earlier versions of these lists, the Negative List for Foreign Investment Access and the FTZ Negative List contain fewer items; in particular, the new list lifts restrictions in the manufacturing sector (including the automotive and broadcasting industries) and in the leasing and business services sector. | 1 January 2022 | Order No. 47 of 2021 on Special Administrative Measures (Negative List) for Foreign Investment Access (2021 edition), National Development and Reform Commission, Ministry of Commerce, 27 December 2021;<br>Special Administrative Measures (Negative List) for Foreign Investment Access (2021 edition); National Development and Reform Commission, Ministry of Commerce, 27 December 2021;<br>Order No. 33 of 2020, Special Administrative Measures (Negative List) for Foreign Investment Access in Pilot Free Trade Zones (2020 Edition), National Development and Reform Commission, Ministry of Commerce, 27 December 2021;<br>Special Administrative Measures (Negative List) for Foreign Investment Access in Pilot Free Trade Zones (2021 edition), National Development and Reform Commission, Ministry of Commerce, 27 December 2021. |
| | On 1 January 2023, the 2022 list of sectors for foreign investment became effective. The list replaces the 2020 list and was issued on 25 October 2022 by the National Development and Reform Commission (NDRC) The new list expands the number of manufacturing activities open to investment from 480 to 519. Air ground support equipment and key components related to autonomous driving were added to the list. | 25 October 2022; 1 January 2023 | "China unveils measures to promote manufacturing-focused foreign investment", the National Development and Reform Commission (NDRC), 25 October 2022. |
| *Investment measures relating to national security* | On 3 March 2011, a State Council General Office circular dated 3 February 2011 entered into effect. The circular establishes a joint ministerial committee to review foreign acquisitions or mergers with domestic firms. The committee, co-chaired by the National Development and Reform Commission (NDRC) and the Ministry of Commerce (MOFCOM) with the participation of other competent authorities and overseen by the State Council, will carry out national security reviews of foreign acquisitions of or mergers with domestic firms to assess the impact of the acquisition or merger on national defence, national economic stability, basic order in social life, and research and development capacities in key technologies related to national security.<br><br>In terms of scope, the review covers mergers and acquisitions of domestic military and affiliate enterprises, facilities located near major and sensitive military facilities, as well as other entities related to national security. Also subject to the review are foreign mergers and acquisitions of enterprises in sectors such as major agricultural products, major energy and resources, key | 3 March 2011 | "*Circular of the General Office of the State Council on Launching the Security Review System for Mergers and Acquisitions of Domestic Enterprises by Foreign Investors*", Guo Ban Fa [2011] No. 6 |

| Description of Measure | Date | Source |
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| infrastructure, major transportation services, key technologies and equipment manufacturing where actual control may be assumed by foreign investors.<br><br>If the merger or acquisition has or may have substantial impact on national security, MOFCOM may, according to the decision made by the joint ministerial committee, suspend the transaction or take other measures including transfer of equity or assets, to eliminate the impact on national security.<br><br>*The Several Opinions of the State Council on Further Utilizing Foreign Capital* issued on 6 April 2010 preceded the introduction of the review mechanism. | | |
| On 25 August 2011, China's Ministry of Commerce (MOFCOM) released new "*Regulations on the Implementation of the Security Review System for M&As of Domestic Enterprises by Foreign Investors*" that set out the procedure of security reviews. Effective 1 September 2011, the regulations replace the "*Interim Provisions on Issues Related to the Implementation of the Security Review System for M&As of Domestic Enterprises by Foreign Investors*". | 1 September 2011 | Regulations on the Implementation of the Security Review System for M&As of Domestic Enterprises by Foreign Investors, *MOFCOM Announcement No.53/2011.* |
| On 1 July 2015, the National Security Law came into effect. As a framework law, it lays down the general principles and obligations of the State in maintaining security in the country. Article 59 of the Law allows the State to establish, inter alia, a national security review and oversight mechanism to conduct a national security review of foreign commercial investment, special items and technologies, internet services and other major projects and activities which might impact national security. The framework for such reviews based on national security considerations had first been established in 2011. | 1 July 2015 | |
| On 29 March 2018, the State Council Measures for the Overseas Transfers of Intellectual Property Rights (trial) entered into effect. Released on 18 March 2018, the Measures set out review procedures for the transfer of intellectual property from China abroad for implications for national security and China's innovation and development capabilities. Intellectual property for the purpose of the rules includes patent rights, proprietary rights related to integrated circuit design, computer software copyrights, and rights related to new plant varieties. Transfers may occur when technology is exported, in the course of foreign acquisition of Chinese enterprises, or any other technology transactions, such as involving, for example, changes in the IP ownership or license. The review is conducted under the responsibility of specified authorities in relation to the assets subject to transfer. The new rules do not apply for intellectual property transfers that touch upon national defence, for which specific rules continue to apply. The length of the trial implementation of the measure is not yet defined. | 29 March 2018 | Measures for the Overseas Transfers of Intellectual Property Rights (trial), State Council release No.19 (2018), 18 March 2018. |
| On 28 August 2020, China's Ministry of Commerce and Ministry of Science and Technology announced the amendment of the "Catalogue of Technologies Prohibited and Restricted from Exporting in China", which came into effect on the same day. These rules, which had been in effect unchanged since 2008, add 23 categories of technologies to the list of technologies restricted from exportation, remove some categories from the lists of technologies restricted or prohibited, and modifies control parameters for several technologies. | 28 August 2020 | Announcement No.38 (2020) on Adjusting and Issuing the Catalogue of Technologies Prohibited and Restricted from Exporting in China, Ministry of Commerce and Ministry of Science and Technology, 28 August 2020;<br><br>Amended Catalogue of China's Export Prohibited and Restricted Technologies, Ministry of Commerce and Ministry of Science and Technology, 28 August 2020. |
| On 18 January 2021, the Order No.37 of 2020, "Measures for the Security Review of Foreign Investment" entered into force. Jointly adopted by the National Development and Reform Commission (NDRC) and the Ministry of Commerce, the Order establishes a new body dedicated to national security reviews (the NSR Office) | 18 January 2021 | Order No.37 of 2020, "Measures for the Security Review of Foreign Investment", National Development and Reform Commission, Ministry of |

| | Description of Measure | Date | Source |
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| | jointly headed by the NDRC and the Ministry of Commerce. The new rules also set-up a three-stage national security review process as foreshadowed by the Foreign Investment Law, which took effect on 1 January 2020.<br>The new framework establishes both a sector-specific mandatory review for all foreign investments in the defense industry or related sector irrespective of value, and a mandatory review mechanism for certain acquisitions in specified sectors that include among others, natural energy, key technologies, or heavy equipment infrastructure. | | Commerce, 19 December 2020. |
| **France** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | On 9 May 2012, the *decree n°2012-691 of 7 May 2012 on foreign investments subject to prior authorisation* entered into effect. The decree further specifies the scope of the sectors in which foreign investment is subject to prior authorisation and abolishes all reference to the notion of indirect control by an investor. | 9 May 2012 | Decree n°2012-691 du 7 mai 2012 relatif aux investissements étrangers soumis à autorisation préalable. |
| | On 14 May 2014, the Minister of Economy issued a decree amending the articles of the law that inter alia regulates foreign investment. The decree amends the list of activities subject to review for foreign investors equipment, services and products that are essential to safeguard national interests in the areas of public order, public security and national defence, as follows: i) sustainability, integrity and safety of energy supply (electricity, gas, hydrocarbons or other sources of energy); ii) sustainability, integrity and safety of water supply; iii) sustainability, integrity and safety of transport networks and services; iv) sustainability, integrity and safety of electronic communications networks and services; v) operation of a building or installations of vital importance as defined in articles L. 1332-1 and L.1332-2 of the Code of Defence; and vi) protection of public health. | 14 May 2014 | Code Monétaire et Financier, Articles L151-3 and R153-2; Decree No. 2014-479 of 14 May 2014. |
| | On 1 January 2019, changes to France's mechanism for the review of foreign investment to safeguard its essential security interests became effective. The changes broaden the sectors to which the authorisation requirement applies; add additional reasons that may justify the refusal of a foreign investment under the mechanism; and allow the takeover target to request an opinion on whether an envisaged transaction would require authorisation. | 1 January 2019 | Décret no 2018-1057 du 29 novembre 2018 relatif aux investissements étrangers soumis à autorisation préalable, Journal Officiel de la République Française, 1 December 2018, |
| | On 22 May 2019, changes to France's mechanisms to manage acquisition- and ownership-related risk to its essential security interests came into effect. The reform, incorporated in the law commonly referred to as loi PACTE, bring enhanced follow-up on mitigation agreements; stronger injunctions and sanctions in case of non-respect of rules and mitigation agreements; stronger transparency of the mechanism by the implementation of a parliamentary control and an obligation for the French Government to publish an annual report including aggregate statistics about the procedure. | 22 May 2019 | Loi n° 2019-486 du 22 mai 2019 relative à la croissance et la transformation des entreprises. |
| | On 1 January 2020, changes to France's investment screening mechanism entered into effect. The changes, introduced in *Décret n° 2019-1590 du 31 décembre 2019 relatif aux investissements étrangers en France* expand and clarify the foreign investment screening regime in France. Some of the new rules apply only to authorisation requests filed on or after 1 April 2020. Among other measures, the change lowers the trigger thresholds for the screening mechanism to 25%, down from 33.33%; adds additional industry sectors to the list of sectors to which the review mechanism applies. The Arrêté du 31 décembre 2019 relatif aux | 1 January 2020 | Décret n°2019-1590 du 31 décembre 2019 relatif aux investissements étrangers en France;<br>Arrêté du 31 décembre 2019 relatif aux investissements étrangers en France |

| | Description of Measure | Date | Source |
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| | investissements étrangers en France provides further details on the application of the rules of the review mechanism. | | |
| | Effective 30 April 2020, the Arrêté du 27 avril 2020 relatif aux investissements étrangers en France added biotechnologies to the list of industries to which the mandatory review mechanism applies. | 30 April 2020 | Arrêté du 27 avril 2020 relatif aux investissements étrangers en France;<br>"*Covid-19 – Update of the foreign direct investment screening procedure in France*", French Treasury website, 30 April 2020. |
| | On 29 April 2020, France also announced a temporary lowering of the shareholding threshold to 10%, down from 25%, for listed companies, until the end of 2020. At the end of the reporting period on 15 May 2020, this measure had not been brought into effect. | | "*Covid-19 – Update of the foreign direct investment screening procedure in France*", French Treasury website, 30 April 2020. |
| | On 23 July 2020, the Décret n° 2020-892 du 22 juillet 2020 relatif à l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé became effective. It temporarily lowers the trigger threshold for the French FDI review mechanism to a 10% foreign shareholding, down from 25%, for FDIs made in listed companies. | 23 July 2020 | Décret n° 2020-892 du 22 juillet 2020 relatif à l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé, JORF, No. 0179, 23 July 2020. |
| | Also on 23 July 2020, the Arrêté du 22 juillet 2020 relatif à l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé became effective with a view to adjust the information requested under the FDI review mechanism in accordance with the Décret. | | Arrêté du 22 juillet 2020 relatif à l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé, JORF No.0179, 23 July 2020. |
| | On 31 December 2020, France extended the application of the temporary regime that lowers the trigger threshold for the French FDI review mechanism until 31 December 2021. The temporary regime, which lowers the trigger threshold for the French FDI review mechanism to a 10% foreign shareholding, down from 25%, for FDI in listed companies, had initially come into effect on 23 July 2020 based on Décret n°2020-892 du 22 juillet 2020 relatif à l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé. The measure is applicable to non-EU, non-EEA investors only. | 31 December 2020 | Décret n°2020-1729 du 28 décembre 2020 modifiant le décret n°2020-892 du 22 juillet 2020 relatif à l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé, JORF No.0315, 30 December 2020. |
| | On 22 September 2021, France published the Arrêté du 10 septembre 2021 relatif aux investissements étrangers en France. When the rules will enter into force, on 1 January 2022, they will add technologies involved in the production of renewable energy to the list of critical technologies to which the FDI review mechanism applies, among other aspects. | 22 September 2021 | Arrêté du 10 septembre 2021 relatif aux investissements étrangers en France, JORF n°0221, 22 September 2021. |
| | Effective 25 December 2021, France extended the application of the temporary regime that lowers the trigger threshold for the French FDI review mechanism a third time until 31 December 2022. The extension was enacted by Decree n° 2021-1758 of 22 December 2021. The temporary regime was initially adopted in response to the specific circumstances resulting from the COVID-19 pandemic and lowers the trigger threshold for the French investment review mechanism to a 10% foreign shareholding, down from 25% for FDI in listed companies. It had initially come into effect on 23 July 2020 based on Decree n° 2020-892 of 22 July 2020. The measure is applicable to non-EU, non-EEA investors only. | 25 December 2021 | Décret n° 2021-1758 du 22 décembre 2021 prorogeant l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé, JORF n°0299, 24 December 2021. |
| | On 1 January 2022, the Arrêté du 10 septembre 2021 relatif aux investissements étrangers en France entered into force. Among other aspects, the new rules add technologies related to the production of renewable energy to the list of critical technologies | 1 January 2022 | Arrêté du 10 septembre 2021 relatif aux investissements étrangers en France, JORF n°0211, 22 September 2021. |

| | Description of Measure | Date | Source |
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| | to which the investment review mechanism applies. | | |
| | On 24 December 2022, France extended for a third time the application of the temporary regime that lowers the trigger threshold for the French FDI review mechanism until 31 December 2023. The extension was enacted by Decree n° 2022-1622 of 23 December 2022. The temporary regime was initially adopted in response to the specific circumstances resulting from the COVID-19 pandemic and lowers the trigger threshold for the investment review mechanism to a 10% foreign shareholding, down from 25%, for FDI by non-EU and non-EEA investors in listed companies. It had initially come into effect on 23July 2020 based on Decree n° 2020-892 of 22 July 2020. | 23 December 2022 | Décret n° 2022-1622 du 23 décembre 2022 relatif à l'abaissement temporaire du seuil de contrôle des investissements étrangers dans les sociétés françaises dont les actions sont admises aux négociations sur un marché réglementé, JORF No. 0298, 24 December 2022. |
| **Germany** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | On 24 April 2009, the amendment of the German Foreign Trade and Payments Act (*Außenwirtschaftsgesetz*) entered into force. The amendment establishes a review procedure, administered by the Federal Ministry of Economic Affairs and Technology, for investments that threaten "public policy" or public security (In the sense of Article 46 para 1 and Article 58 para 1 of the EC Treaty). The Ministry may prohibit acquisitions or subject them to mitigation measures. Reviews may be performed for investments by non-EU/non-EFTA investors that lead to a 25% or greater equity ownership. The procedure complements an existing review procedure that addresses only investments in certain military goods and cryptographic equipment; the new procedure is not limited to specific industries. | 24 April 2009 | "*Dreizehntes Gesetz zur Änderung des Außenwirtschaftsgesetzes und der Außenwirtschaftsverordnung*." The amendment entered into force on 24 April 2009. |
| | On 1 September 2013, changes to the German review mechanism for foreign investment came into effect. The changes, introduced through an amendment to the Foreign Trade and Payments Act (*Außenwirtschaftsgesetz* or AWG) and the Foreign Trade and Payments Regulation (*Außenwirtschaftsverordnung* or AWV): reduce the information that generally needs to be submitted to the Ministry in the sector-specific review – a description of the main features of the investment is henceforth sufficient where full documentation was required earlier –; and allow the Ministry to give clearance before the end of the one-month review period set for the sector-specific review. The changes also clarify that an investment in a company that has in the past produced a specific type of cryptographic equipment and is still in the possession of the related technology, even though the company is no longer producing such cryptographic equipment, can be subject to a sector-specific review. | 1 September 2013 | Außenwirtschaftsverordnung, 2 August 2013, BGBl. I p. 2865. |
| | On 18 July 2017, an amendment to the Foreign Trade and Payments Ordinance entered into effect.<br>The changes substantiate the scope of the cross-sectoral review mechanism, referring to foreign direct investment that may threaten public order or security. The amendments describe the increasing importance and vulnerability of key infrastructure and specify that threats to public order or security may arise from foreign ownership in companies that host critical infrastructure, produce industry-specific software for it, work with surveillance mechanisms, cloud-computing-services or telematic infrastructure.<br>The scope of the sector-specific review mechanism now covers some additional defence-related industries, such as sensor and electronic warfare technologies.<br>Finally, the rules of administration of the review procedures have been adjusted with a view to the growing number and complexity of acquisitions. | 18 July 2017 | Neunte Verordnung zur Änderung der Außenwirtschaftsverordnung, 14 July 2017.<br>Press release, Federal Ministry for Economic Affairs and Energy, 12 July 2017. |

| | Description of Measure | Date | Source |
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| | On 29 December 2018, a revision of the *Foreign Trade and Payments Ordinance* came into effect. It modifies the existing national investment screening procedure to safeguard Germany's essential security interests in particular by lowering the screening threshold from previously 25% of voting rights to 10% for acquisitions by non-EU foreigners in the sectors critical infrastructure; related software; cloud-computing; telematics; and certain media. | 29 December 2018 | "*Investment policy related to national security*", Notification by Germany to the OECD, 13 February 2019. |
| | On 20 May 2020, the German government adopted a revision of the *Foreign Trade and Payments Ordinance,* which changes procedural and substantive aspects of Germany's investment screening procedure to safeguard essential security interests. The changes extend the application of a 10% trigger threshold for acquisitions by non EU-foreigners and an associated notification requirement to health-related sectors and adjusts some procedural rules to close identified shortcomings in the operation of the mechanism. The changes had been first announced in January 2020 and the text was released on 11 May 2020. | 11 May 2020; 20 May 2020 | Fünfzehnte Verordnung zur Änderung der Außenwirtschaftsverordnung; Erstes Gesetz zur Änderung des Außenwirtschaftsgesetzes. |
| | On 3 June 2020, an amendment to the *Foreign Trade and Payments Ordinance* came into effect. The amendment changes procedural and substantive aspects of Germany's investment screening procedure to safeguard essential security interests. The changes extend the application of a 10% trigger threshold for acquisitions by non EU-foreigners and an associated notification requirement to health-related sectors and adjust some procedural rules to overcome identified shortcomings in the operation of the mechanism. | 3 June 2020 | Fünfzehnte Verordnung zur Änderung der Außenwirtschaftsverordnung, 3 June 2020 |
| | On 17 July 2020, an amendment to the Foreign Trade and Payments Act came into effect. The law adapts the German review framework to the European Union Regulation establishing a framework for the screening of FDI into the EU, among others by taking other EU members' interests and European programmes into consideration for the risk assessment. Furthermore, the probability threshold for the prognosis of risk is revised in accordance with the EU Screening Regulation. The amendment introduces a new provision stipulating the time limits for the different stages of the screening process, in a comprehensive, differentiated and transparent manner. | 17 July 2020 | Erstes Gesetz zur Änderung des Außenwirtschaftsgesetzes, 17 July 2020 |
| | On 29 October 2020, an amendment to the Foreign Trade and Payments Ordinance came into effect. The changes complement changes brought by the reform of the Foreign Trade and Payments Act in July 2020 with a view to implement in German law the requirements of the European Union Regulation establishing a framework for the screening of FDI into the EU. | 29 October 2020 | 16th amendment to the Foreign Trade and Payments Ordinance, 29 October 2020. |
| | On 1 May 2021, the 17th amendment to the German Foreign Trade and Payments Ordinance entered into force. Among others, the amendment broadens the list of sectors and activities covered by notification requirements. The trigger threshold for acquisitions by foreigners in these sectors and activities is 20%. The 20% trigger threshold also applies for notifiable acquisitions in the health sector (previously 10%). | 1 May 2021 | 17th amendment to the Foreign Trade and Payments Ordinance, 1 May 2021. |
| | On 5 October 2023, amendments of the Foreign Trade Ordinance (AWV) came into effect. Under the revised rules, administrative decisions issued on the basis of the Foreign Trade Act (AWG) or on the basis of the Ordinance may be issued electronically. Investors may also submit their applications for acquisition authorisations and supporting documentation electronically to the Ministry. | 5 October 2023 | *Zwanzigste Verordnung zur Änderung der Außenwirtschaftsverordnung*, Federal Law Gazette 2023 I, No. 264, 4 October 2023. |
| **India** | | | |
| *Investment policy* | On 30 December 2009, the Reserve Bank of India (RBI) issued | 30 December 2009 | Reserve Bank of India, RBI/2009- |

| | Description of Measure | Date | Source |
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| *measures* | guidelines on the implementation of India's foreign exchange control regime. The Guidelines liberalise the establishment of foreign branch and liaison offices in India, and delegated respective powers concerning the administration of their establishment. On the same day, the RBI also provided eligibility criteria and procedural guidelines for the establishment of such offices. | | 2010/279 A.P. (DIR Series) Circular No.24, dated 30 December 2009.<br><br>Reserve Bank of India, RBI/2009-2010/278 A. P. (DIR Series) Circular No.23, dated 30 December 2009. |
| | On 25 March 2010, India increased the thresholds that trigger certain approval procedures for inward investments. The new rules foresee that inward investment proposals worth up to INR 12 billion, up from INR 6 billion, would be considered by the Minister of Finance. Only proposals exceeding this threshold need to be approved by the Cabinet Committee on Economic Affairs. The amendment also abolishes the requirement for prior approval for additional foreign investment into the same entity under certain conditions. These changes, which were initially announced in a press note, have been integrated into the new Consolidated FDI Policy, section 4.9. | 25 March 2010 | Press Note No.1 (2010 Series), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 25 March 2010; "Consolidated FDI Policy", Circular 1 of 2010, Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | On 1 April 2010, the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry issued a first Consolidated FDI Policy document that compile in one circular all prior regulations on FDI, including those contained in the Foreign Exchange Management Act (1999) and RBI Regulations issued under FEMA, as well as Press Notes issued by the Department of Industrial Policy and Promotion (DIPP). Beyond the consolidation, some policy changes are introduced directly by the Consolidated FDI Policy circulars.<br><br>Since this first Consolidated FDI Policy circular, India has re-issued updated and amended versions each semester, and, since 2012 once per year.<br><br>The Consolidated FDI Policy circular issued on 30 September 2011, for instance, introduced the exemption of construction-development activities in the education sector and in old-age homes, from the general conditionalities in the construction-development sector; included 'apiculture', under controlled conditions, under the agricultural activities permitted for FDI.<br><br>The Consolidated FDI policy circular – "Circular 1 of 2012 – Consolidated FDI policy document" – effective on 10 April 2012, also included a number of policy changes, including on:<br><br>– the abolition of the requirement of government approval for investments in commodity exchanges by Foreign Institutional Investors (FII);<br><br>– the possibility for Foreign Venture Capital Investors to invest in eligible securities through private arrangement or purchase from a third party;<br><br>– the requirement for Indian companies to inform the Reserve Bank of India if the Board of Directors and their General Body wish to accept foreign ownership by Foreign Institutional Investors under the Portfolio Investment Scheme of an aggregate of more than 24% of their capital. | 1 April 2010; 10 April 2012; 2 July 2012 | "Consolidated FDI Policy", Circular 1 of 2010, Department of Industrial Policy and Promotion, Ministry of Commerce and Industry;<br><br>"Master Circular on Foreign Investment in India", Reserve Bank of India, RBI/2012-13/15 Master Circular No.15/2012-13;<br><br>"Master Circular on Direct Investment by Residents in Joint Venture (JV)/ Wholly Owned Subsidiary (WOS) Abroad", Reserve Bank of India, RBI/2012-13/11, Master Circular No. 11/2012-13 |
| | On 1 April 2010, the Reserve Bank of India allowed Indian companies to participate in a consortium with international operators to construct and maintain submarine cable systems on a co-ownership basis under the automatic route. | 1 April 2010 | Reserve Bank of India, RBI/2009-10/376 A.P. (DIR Series) Circular No.45, dated 1 April 2010. |
| | On 10 May 2010, the Indian Government prohibited FDI in manufacturing of cigars, cigarettes, cigarillos as well as tobacco and tobacco substitutes for both domestic consumption and export; the measure also concerns production in tax-free special economic zones. Previously, foreign ownership of up to 100% was allowed in this area. | 10 May 2010 | Press Note No.2 (2010 Series), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 10 May 2010. |

| | Description of Measure | Date | Source |
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| | On 1 April 2011, the entry into force of a new Consolidated FDI Policy brought some further steps of liberalisation.<br>– Henceforth, foreign companies operating through existing joint ventures or technical agreements are allowed to set up new units in the same business without prior government approval. Also, foreign companies that have an existing joint venture in India no longer needed the permission of the local partner if they want to set up a wholly-owned subsidiary in the same field of business.<br>– India also allowed the conversion of non-cash items such as the import of capital goods, machinery and pre-operative or pre-incorporation expenses into equity with approval from the government.<br>– Foreign direct investment in the development and production of seeds and planting materials, which were only allowed under 'controlled conditions', has also been allowed. | 1 April 2011 | *"Consolidated FDI Policy"*, Circular 1 of 2011, Department of Industrial Policy and Promotion, Ministry of Commerce and Industry; Press release, Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | On 11 May 2011, the Cabinet committee on economic affairs (CCEA) decided that LLPs with FDI will be allowed through the government approval route, in sectors or activities where 100% FDI is allowed through the automatic route and there are no FDI-linked performance related conditions. | 11 May 2011 | "*Government Permits FDI in LLP Firms*", press release, Ministry of Commerce and Industry, 20 May 2011;<br>"*Approval for FDI in Limited Liability Partnership firms*", DIPP Circular, 11 May 2011. |
| | On 7 July 2011, the Union Cabinet approved the 'Policy Guidelines on Expansion of FM radio broadcasting services through private agencies (Phase-III)'.These new policy guidelines raised the ceiling of FDI in FM radio broadcasting to 26%, up from 20%. | 7 July 2011 | "*Policy Guidelines for expansion of FM Radio Broadcasting services through private agencies (Phase III)*", press release, Government of India, 7 July 2011. |
| | On 27 May 2011 and 29 June 2011, the Reserve Bank of India released two circulars that consolidate and liberalise policies regarding the rules applicable for divestment of Indian outward FDI. | 27 May 2011; 29 June 2011 | "*Overseas Direct Investment – Liberalisation/ Rationalisation*", Reserve Bank of India Circulars RBI/2010-11/548 A.P. (DIR Series) Circular No. 69 and RBI/2010-11/584 A.P. (DIR Series) Circular No. 73. |
| | On 8 November 2011, the Indian Government amended rules applicable to foreign investment in the pharmaceuticals sector with immediate effect. While hitherto 100% foreign ownership in the pharmaceuticals sector was permitted through the automatic route, foreign investments in existing companies henceforth need to be passed through the government route, but 100% foreign ownership remains permitted in this sector. Greenfield investment in this sector is exempt from the change and here, 100% foreign ownership remains allowed through the automatic route. | 8 November 2011 | *Press Note No.3 (2011 Series)*, Government of India, Ministry of Commerce & Industry, Department of Industrial Policy & Promotion, dated 8 November 2011. |
| | On 25 November 2011, the Indian Cabinet announced the liberalisation of foreign direct investment in multi-brand retail; according to the announcement, foreigners would be allowed to hold 51% shares in multi-brand retailers in cities with a population of over 1 million inhabitants and under the condition that they sourced at least 30% of their items from "small industries". However, on 8 December 2011, this decision was suspended.<br>On 20 September 2012, the liberalisation of FDI in multi-brand retailing entered into effect. However, it only applies in in States that agree to allow FDI in this sector and only in or around cities with a population of more than 1 million. Also, at least 50% of the investment has to be made in backend infrastructure. | 25 November 2011; 8 December 2011; 20 September 2012 | *Press Note No. 1* (2012 Series), Government of India, Ministry of Commerce & Industry, Department of Industrial Policy & Promotion, dated 10 January 2012.<br>"*Review of the policy on Foreign Direct Investment – allowing FDI in Multi-Brand Retail Trading*", Press Note No. 5 (2012 Series), Department of Industry Policy and Promotion, Ministry of Commerce and Industry. |
| | On 25 November 2011, the Cabinet also announced the liberalisation of foreign investment in single-brand retail. The change came into effect on 10 January 2012 and was announced in | 25 November 2011: 10 January 2012; | *Press Note No. 1* (2012 Series), Government of India, Ministry of Commerce & Industry, Department |

| | Description of Measure | Date | Source |
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| | Press Note 1 (2012 Series). Henceforth, 100% foreign ownership is allowed in single-brand retailing under the government approval route subject to certain conditions, up from 51% previously. These conditions include that the products to be sold should be of a single brand, the products should be sold under the same brand internationally, the products should have been branded during manufacture and that the foreign investor should be the owner of the brand. Where investments exceed the 51% threshold, there should be mandatory sourcing of at least 30% of the value of products sold from Indian small industries (industries having a total investment in plant and machinery not exceeding USD 1 million), village and cottage industries, artisans and craftsmen.<br><br>Effective 20 September 2012, India eased the conditions for foreign investment in single brand retailing. While 100% FDI in single-brand retailing has been allowed since January 2012, specific conditions had to be met, among others that the foreign investor must be the owner of the brand and that, for FDI beyond 51%, local sourcing was required to be at least 30%. Henceforth, the foreign investor does not need to be the brand owner – to accommodate franchising and licensing arrangements –, and the local sourcing requirement has been softened to adapt it to the feasibility, for instance for high-tech and similar products where local sourcing is impractical. | 20 September 2012 | of Industrial Policy & Promotion, dated 10 January 2012.<br><br>"*Amendment of the existing policy on Foreign Direct Investment in Single-Brand Product Retail Trading*", Press Note No. 4 (2012 Series), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | On 1 August 2012, India allowed citizens of Pakistan or entities incorporated in Pakistan to make investments in India, under the Government route; defence, space and atomic energy remain excluded from this liberalisation.<br><br>On 7 September 2012, India also allowed outward investment by Indian parties in Pakistan. | 1 August 2012<br>7 September 2012 | *Press Note No.3 (2012 Series)*, Department of Industry Policy and Promotion, Ministry of Commerce and Industry, 1 August 2012;<br><br>"*Overseas Investment by Indian Parties in Pakistan*", Reserve Bank of India, RBI/2012-13/198, A. P. (DIR Series) Circular No. 25. |
| | Foreign airlines are henceforth allowed to own up to 49% in scheduled and non-scheduled air transport services. Hitherto, foreign investment in airlines was allowed, but only by foreigners that were not themselves airlines. Restrictions remain beyond the ownership ceiling; a scheduled operator's permit will only be granted to a company: that is registered and has its principle place of business within India; the Chairperson and at least two thirds of Directors must be Indian nationals and the substantial ownership and control must be vested in Indian nationals. | 20 September 2012 | "*Review of the policy on Foreign Direct Investment in the Civil Aviation Sector*", Press Note No. 6 (2012 Series), Department of Industry Policy and Promotion, Ministry of Commerce and Industry. |
| | Foreign investment in companies in the broadcasting sector was liberalised; the ceilings for foreign investment in teleports and mobile TV were lifted to 74%, up from 49%. | 20 September 2012 | "*Review of the policy of Foreign Investment (FI) in companies operating in the Broadcasting Sector*", Press Note No. 7 (2012 Series), Department of Industry Policy and Promotion, Ministry of Commerce and Industry. |
| | Since 20 September 2012, foreign investment is allowed up to 49% in Power Trading Exchanges; FDI is allowed up to a limit of 26% under the government approval route, and the remainder under the automatic route for Foreign Institutional Investors (FII). Any single FII may not hold more than 5% of equity in such companies, and these investors may only acquire shares on the secondary market. | 20 September 2012 | "*Policy on foreign investment in Power Exchanges*", Press Note No. 8 (2012 Series), Department of Industry Policy and Promotion, Ministry of Commerce and Industry. |
| | On 3 October 2012, the Government of India allowed non-banking financial corporations (NBFCs) to set up step-down subsidiaries for specific NBFC activities, without any restriction on the number of operating subsidiaries and without bringing in additional capital, provided these NFBCs have foreign investment between 75% and 100% and have a minimum capitalisation of USD 50 million. | 3 October 2012 | "*Setting up of step down (operating) subsidiaries by NBFCs having foreign investment above 75% and below 100% and with a minimum capitalisation of US$ 50 million - amendment of paragraph 6.2.24.2 (1) (iv) of 'Circular 1 of* |

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| | | *2012- Consolidated FDI Policy*", Press Note No. 9 (2012 Series), Department of Industry Policy and Promotion, Ministry of Commerce and Industry. |
| On 21 December 2012, the Indian government announced an increase in the ceiling for foreign direct investment in Assets Reconstruction Companies to 74%, up from 49%. However, no individual sponsor may hold more than 50% of the shareholding in an ARC either by way of FDI or by routing through an FII. The foreign investment in ARCs need to comply with the FDI policy in terms of entry route conditionality and sectoral caps. The liberalisation was published in the Consolidated FDI Policy Circular, which became effective on 5 April 2013. | 21 December 2012;<br>5 April 2013 | "*Government Reviews Foreign investment Policy for Assets Reconstruction Sector; Ceiling for FDI in ARCs increased from 49% to 74%*", Ministry of Finance press release nr. 91117, 21 December 2012. |
| On 23 April 2013, India relaxed conditions for outward investment by the Navratna Public Sector Undertakings (PSUs) and ONGC Videsh Ltd (OVL) and Oil India Ltd (OIL) in entities in the oil sector. Henceforth, these companies are allowed to invest in overseas incorporated entities in the oil sector under the automatic route, while the authorisation had previously only covered investments in unincorporated entities in this sector. | 23 April 2013 | "*Investment by Navratna Public Sector Undertakings (PSUs), OVL and OIL in unincorporated entities in oil sector abroad*", RBI/2012-13/480, A.P. (DIR Series) Circular No. 99. |
| On 23 May 2013, the Insurance Regulatory and Development Authority announced that Indian insurance companies were henceforth allowed to open offices outside India to offer life insurance, general insurance or reinsurance. Only companies that have been operating in India for at least three years and that exceed certain capital thresholds are eligible to establish foreign insurance companies or branches. | 23 May 2013 | "Guidelines for opening of foreign insurance company (including branch office) outside India by an Indian insurance company registered with the IRDA", Insurance Regulatory and Development Authority, IRDA/NL/GDL/OOO/093/05/2013, 23 May 2013. |
| On 3 June 2013 and 4 July 2013, the States of Himachal Pradesh and Karnataka, respectively, were added to the list of Indian States in which foreign ownership in multi-brand retail is allowed to up to 51%. | 3 June 2013;<br>4 July 2013 | Press Note Nr. 1 and Press Note Nr. 3, Department of Policy and Promotion, Ministry of Commerce and Industry, 4 July 2013. |
| On 3 June 2013, and on 22 August 2013, the Indian Government modified definitions in the framework for foreign direct investment in India: It introduced a definition of Group company – related to the exercise of control by two or more companies – and amended the definition of the term "control" for the purpose of calculating the total foreign investment in Indian companies. | 3 June 2013;<br>22 August 2013 | Press Note Nr. 2 and Press Note Nr. 4, Department of Policy and Promotion, Ministry of Commerce and Industry, 22 August 2013. |
| Likewise on 14 August 2013, the Reserve Bank of India reduced the limit of overseas direct investment of an Indian Party in all its Joint Ventures (JVs) and / or Wholly Owned Subsidiaries (WOSs) abroad that does not require prior authorisation from 400% to 100% of the net worth of the Indian Party. Overseas direct investment in excess of 100% of the net worth requires Reserve Bank approval.<br><br>On 4 September 2013, the Reserve Bank of India revised these guidelines. The previously applicable limit of 400% of the net worth of the Indian Party was reinstated as the cap for financial commitments funded by way of External Commercial Borrowing (ECB) raised by the Indian Party. | 14 August 2013;<br>4 September 2013 | "Overseas Direct Investments", RBI/2013-14/180 A. P. (DIR Series) Circular No.23, 14 August 2013;<br><br>"Overseas Direct Investments – Rationalization/Clarifications", RBI/2013-14/220 A.P. (DIR Series) Circular No.30<br><br>"RBI clarifies its recently revised Overseas Direct Investment Guidelines", Press Release : 2013-2014/483, 4 September 2013. |
| On 19 August 2013, the ceiling of foreign direct investment in Asset Reconstruction Companies (ARCs) was increased from 49% to 74% subject to the condition that no sponsor may hold more than 50% of the shareholding in an ARC. Simultaneously, the prohibition on investment by Foreign Institutional Investors was removed. | 19 August 2013 | "*Foreign Investments in Asset Reconstruction Companies (ARC)*", RBI/2013-14/191 A.P. (DIR Series) Circular No.28. |

| | Description of Measure | Date | Source |
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| | On 22 August 2013, amendments to India's policies on foreign investment in multi-brand retail entered into effect. The changes relax several performance requirements that foreign investors are required to meet for investments in multi-brand retail. | 22 August 2013 | Press Note Nr. 5, Department of Policy and Promotion, Ministry of Commerce and Industry, 22 August 2013. |
| | On 22 August 2013, the Ministry of Commerce and Industry amended several provisions related to caps on FDI applicable for foreign investment in India and modified some applicable approval mechanisms.<br><br>Sectors in which foreign ownership limits were increased include telecom services and Asset Reconstruction Companies – where 100% foreign ownership is now permitted, up from 74% – as well as credit information companies – where 74% foreign ownership is henceforth permitted, up from 49%. Foreign investment in the defense sector beyond 26% is also permitted upon approval by the Cabinet Committee on Security and under specific conditions.<br><br>In other sectors, including petroleum and natural gas, courier services, single brand retail, commodity exchanges, credit information companies, infrastructure companies in the securities market and power exchanges, government approval requirements have been relaxed.<br><br>The compulsory divestment of 26% within 5 years in the tea sector in favour of an Indian, in order to not exceed 74% foreign ownership, was also dropped. | 22 August 2013 | Press Note Nr. 6, Department of Policy and Promotion, Ministry of Commerce and Industry, 22 August 2013. |
| | On 6 September 2013, the Reserve Bank of India announced the liberalisation of investments of non-residents including – Non Resident Indians – in listed Indian companies on the stock exchange under the FDI scheme – that is, without prior RBI approval – where the investor has already acquired and holds the control of the company. | 6 September 2013 | "Purchase of shares on the recognised stock exchanges in accordance with SEBI (Substantial Acquisition of Shares and Takeover) Regulations", RBI/2013-14/232 A.P. (DIR Series) Circular No. 38, 6 September 2013. |
| | On 8 January 2014, India reviewed its position with regard to FDI in the pharmaceuticals sector. While the ceilings and entry routes for FDI in this sector remains unchanged, "non-compete" clauses are henceforth not allowed, except in special circumstances. | 8 January 2014 | Press note 1 (2014), Department of Policy and Promotion, Ministry of Commerce and Industry, 08 January 2014. |
| | On 4 February 2014, India modified conditions that apply to FDI in the insurance sector: the Government clarified that the existing 26 percent cap on foreign investment in the insurance sector also applies to intermediaries such as brokers, third party administrators and surveyors. | 4 February 2014 | Press note 2 (2014), Department of Policy and Promotion, Ministry of Commerce and Industry, 4 February 2014. |
| | On 16 April 2014, India allowed foreign investment in Limited Liability Partnerships (LLP) under certain conditions. | 16 April 2014 | "Foreign Direct Investment (FDI) in Limited Liability Partnership (LLP)", RBI/2013-14/566, A.P. (DIR Series) Circular No. 123 |
| | Effective 26 August 2014, India liberalised its foreign direct investment (FDI) policy in the defence sector. The FDI cap has been raised from 26% to 49%, under the Government route. Further, FDI above 49% is allowed subject to approval of the Cabinet Committee on Security, wherever it is likely to result in access to modern and 'state-of-art' technology in the country. | 26 August 2014 | Press note 7 (2014), Department of Policy and Promotion, Ministry of Commerce and Industry, 26 August 2014. |
| | Effective 27 August 2014, India liberalised foreign direct investment in railway infrastructure, a sector that was hitherto closed to FDI. Henceforth, 100% FDI under the automatic route is permitted in construction, operation and maintenance of (i) suburban corridor projects through public-private partnerships, (ii) high speed train projects, (iii) dedicated freight lines, (iv) rolling stock including train sets, and locomotives/coaches manufacturing and maintenance facilities, (v) railway | 27 August 2014 | Press note 8 (2014), Department of Policy and Promotion, Ministry of Commerce and Industry, 27 August 2014. |

| Description of Measure | Date | Source |
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| electrification, (vi) signaling systems, (vii) freight terminals, (viii) passenger terminals, (ix) infrastructure in industrial park pertaining to railway line/sidings including electrified railway lines and connectivity to main railway line and (x) mass rapid transport systems subject to meeting sectoral laws and with the condition that FDI beyond 49% in sensitive areas a from security point of view will be approved by the Cabinet Committee on Security on a case to case basis. | | |
| On 3 December, 2014, India amended the rules governing FDI in the Construction Development sector. The new rules lowered the entry thresholds for FDI in the construction sector, including housing, by reducing the minimum built-up area and capital requirement for foreign investment in such projects. The minimum land area restriction has been removed for serviced plots. In case of construction-development projects, minimum built up area of 50,000 sq. meter has now been reduced to floor area of 20,000 sq. meter. The new rules also lowered the minimum capitalisation from USD 10 million to USD 5 million. Norms relating to repatriation of funds or exit from the project have also been liberalized. | 3 December 2014 | Press note 10 (2014), Department of Policy and Promotion, Ministry of Commerce and Industry. |
| On 6 January, 2015, India reviewed the FDI policy on pharmaceutical sector. Henceforth, manufacturing of medical devices is exempted from the FDI rules applicable to the pharmaceutical sector and 100% FDI is permitted via the automatic route both in greenfield and brownfield investment. | 6 January 2015 | Press note 2 (2015), Department of Policy and Promotion, Ministry of Commerce and Industry, 26 August 2014. |
| On 2 March, 2015, India increased the ceiling for foreign investment in insurance from 26% to 49%. FDI up to 26% is permitted under automatic route | 2 March 2015 | Press note 3 (2015), Department of Policy and Promotion, Ministry of Commerce and Industry, 2 Mars 2015. |
| On 24 April, 2015, India authorised foreign investment in pension sector up to an ownership ceiling of 49%. FDI in pension funds are allowed under the automatic route up to 26%. | 24 April 2015 | Press note 4 (2015), Department of Policy and Promotion, Ministry of Commerce and Industry, 24 April 2015. |
| Effective 18 June 2015, India increased the thresholds of inward FDI projects that trigger prior approval requirements of the Cabinet Committee on Economic Affairs from INR 20 billion to INR 30 billion. Inward FDI proposals with valued at equal or less than INR 30 billion are considered by the Foreign Investment Promotion Board. | 18 June 2015 | Press note 6 (2015), Department of Industrial Policy & Promotion, Ministry of Commerce and Industry. |
| Effective from 18 June 2015, India has amended the definition of Non Resident Indians (NRIs) as contained in the FDI policy, and provided that for the purpose of FDI Policy, investment by NRIs under Schedule 4 of FEMA (Transfer or Issue of Security by Persons Resident Outside India) Regulations will be deemed to be domestic investment at par with the investment made by residents. | 18 June 2015 | Press note 7 (2015), Department of Industrial Policy & Promotion, Ministry of Commerce and Industry |
| Effective 30 July 2015, composite caps were introduced for certain sectors to achieve greater uniformity and simplicity. | 30 July 2015 | Press note 8 (2015), Department of Industrial Policy & Promotion, Ministry of Commerce and Industry. |
| Effective 15 September 2015, partly paid shares and warrants were permitted as eligible capital instruments for the purpose of India's FDI policy. | 15 September 2015 | Press note 9 (2015), Department of Industrial Policy & Promotion, Ministry of Commerce and Industry. |
| Effective 1 October 2015, India authorised FDI, up to 100%, under the automatic route, in White Label ATM (WLA) Operations. Hitherto, foreign investment in White Label ATM Operations was allowed only through the government approval route. | 1 October 2015 | Press note 11 (2015), Department of Industrial Policy & Promotion, Ministry of Commerce and Industry. |

| | Description of Measure | Date | Source |
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| | On 24 November 2015, India liberalised rules on inward FDI in several sectors. These include: manufacturing, LLPs, defense, plantations, teleports, cable networks, mobile TV, terrestrial broadcasting, uplinking and downlinking of TV channels, air transport services, ground handling services, satellites operation, credit information companies, duty free shops, construction development, wholesale trading and single brand retail trading, private sector banks, liberalized norms for investment by entities owned and controlled by NRIs. In some of these sectors, FDI had been prohibited earlier or FDI cap was lower, in others, limitations and conditions applied. Also, the investment limit that can be approved by the Hon'ble Finance Minister on the recommendations of Foreign Investment Promotion Board (FIPB) was enhanced from previously INR 30 billion to INR 50 billion. | 24 November 2015 | Press note 12 (2015), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | On 23 March 2016, India further liberalised its FDI policy for the pension sector; henceforth, foreign investment in pension funds is allowed up to 49% under the automatic route. In 2015, India had already liberalised FDI in this sector, but only investments up to 26% were under the automatic route, and investments between 26% and 49% required approval. | 23 March 2016 | Press note 2 (2016), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry; Press note 4 (2015), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | Likewise on 23 March 2016, India liberalised its FDI policy for the insurance sector; henceforth, foreign investment in the insurance sector up to 49% is now allowed under the automatic route, up from 26% previously. | 23 March 2016 | Press note 1 (2016), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | On 29 March 2016, India issued clarification on the application of its FDI policy regarding e-commerce. According to the clarification, 100% FDI under the automatic route is permitted, under certain conditions, for marketplace e-commerce (where the e-commerce platform facilitates between buyer and seller), while inventory-based e-commerce (where the e-commerce entity owns the goods for sale) remains closed to FDI. | 29 March 2016 | Press note 3 (2016), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | On 6 May 2016, the Government of India permitted 100% foreign direct investment (FDI) in the capital of Assets Reconstruction Companies under the automatic route. FDI had already been permitted in this sector, but only up to 49% was allowed under the automatic route, while government approval was required for FDI in the sector beyond 49%. | 6 May 2016 | Press note 4 (2016), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | Following a Government decision on 20 June 2016, a Press Note issued on 24 June 2016 announced a number of changes to the framework for inward FDI in India that had last been issued in a comprehensive Consolidated FDI Policy Circular on 7 June 2016. The note announced liberalisations in several sectors, including in civil aviation, defence, pharmaceuticals, food product retail trading, broadcasting, private security agencies, single brand retail trading, and animal husbandry. | 24 June 2016 | Press note 5 (2016), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. |
| | On 27 July 2016, the Cabinet approved the raising of the foreign shareholding limit from 5% to 15% in Indian Stock Exchanges, depositories, banking and insurance companies, and commodity derivative exchanges. The measure had been announced in the Union Budget 2016-17. | 27 July 2016 | "Cabinet increases the limit for foreign investment in Stock Exchanges from 5% to 15%", Government of India press release 147855, 27 July 2016. |
| | On 10 August 2016, the Cabinet approved the liberalization of rules governing foreign investment for non-banking finance companies. Foreigners are henceforth allowed to invest in NBFCs without government approval, provided that the institutions are regulated by any of the financial sector regulators. | 10 August 2016 | "Cabinet approves foreign investment in other Financial Services sector", Government of India press release 148700, 10 August 2016. |
| | Effective 25 October 2016, India liberalised foreign investment in financial services. Henceforth, foreign investment in 'other financial services' up to 100% is authorised under the automatic route, that is, without approval procedure. 'Other Financial Services' will include activities which are regulated by any | 25 October 2016 | Press note 6 (2016), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry; "*Foreign investment in Other* |

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| | financial sector regulator. | | *Financial Services*", RBI/2016-17/90, A.P. (DIR Series) Circular No.8. |
| | On 25 January 2017, the Reserve Bank of India announced the prohibition of direct investments by an Indian party in countries identified by the FATF as "non co-operative countries and territories". | 25 January 2017 | "*Prohibition on Indian Party from making direct investment in countries identified by the Financial Action Task Force (FATF) as 'Non Co-operative countries and territories* ", RBI/2016-17/216, A.P. (DIR Series) Circular No.28, 25 January 2017. |
| | On 3 March 2017, the Reserve Bank of India made amendments in the Foreign Exchange Management Regulations 2000 (Transfer or issue of Security by a Person Resident outside India). According to the new regulations, a company that has received foreign investment can be converted into a Limited Liability Partnerships under the automatic route if it is engaged in a sector where FDI is permitted up to 100% under the automatic route and there are no FDI-linked performance conditions. Previously, it was required to obtain prior government approval for such conversion. | 3 March 2017 | "*Foreign Exchange Management (Transfer or Issue of Security by a Person Resident outside India) (Second Amendment) Regulations 2017*", Reserve Bank of India (Notification), 3 March 2017. |
| | On 5 June 2017, the Indian Government announced the abolition of the Foreign Investment Promotion Board (FIPB), a government entity through which inward investment proposals were routed to obtain required government approvals from involved ministries. With the abolition of the single-window FIPB, the approval responsibilities are directed to individual ministries and government bodies for the individual concerned sectors, and a procedure for the interagency coordination has been determined. The *Office Memorandum* through which the changes are made does not have force of law.<br>The plan to abolish the FIPB had been announced in the Union Budget Session 2017 in February 2017. | 5 June 2017 | *Office Memorandum* F.No. 01/01/FC12017 -FIPB, Ministry of Finance;<br>*Budget 2017-2018*, Speech by the Minister of Finance, 1 February 2017. |
| | On 29 June 2017, the Government of India issued a Standard Operating Procedure for FDI Proposals. The document sets out the responsibilities of government agencies for approval of FDI, the documents that investors need to file, timeframes for a government response and procedural issues. | 29 June 2017 | Standard Operating Procedure for FDI Proposals, No. 1/8/2016-FC-1, Department of Industrial Policy & Promotion, Ministry of Commerce & Industry. |
| | Throughout the reporting period, several changes to the FDI regime in India came into effect. These changes, approved by the Cabinet on 10 January 2018, contained in a press note dated 23 January 2018 and several Notifications of the Reserve Bank, and effective as of the respective date of notification in the *Foreign Exchange Management Act* (FEMA), modify the rules contained in the then current Consolidated FDI Policy Circular of August 2017 applicable for inward FDI in India for several sectors. Among other measures, the changes: include permitting FDI in single brand retail trading (SBRT) up to 100% under the automatic route and defer the local sourcing requirements; further, as regards the requirement of 30% local sourcing to be done from India by SBRT entities having FDI beyond 51%, such entities have been permitted to set off their incremental sourcing of goods from India for global operations during initial 5 years, beginning 1 April of the year of the opening of first store, against the mandatory sourcing requirement of 30% of purchases from India. Further, for this purpose, incremental sourcing has been defined to mean the increase in terms of value of such global sourcing from India for that single brand (in INR terms) in a particular financial year from India over the preceding financial year, by the non-resident entities undertaking single brand retail trading, either directly or through their group companies. Other changes include allowing foreign airlines to hold up to 49% of Air India Ltd. upon government approval, subject to certain conditions whereas no foreign airline ownership was previously allowed in Air India Ltd. It has also been clarified that real estate broker services do not | 26 March 2018 | Press Note 1 (2018), Department of Industrial policy and Promotion, Ministry of Commerce and Industry, 23 January 2018.<br>"*Notification – Foreign Exchange Management (Transfer or Issue of Security by a Person Resident outside India) (Amendment) Regulations, 2018*", Reserve Bank of India Notification No.FEMA.20(R) (1)/2018-RB, 26 March 2018. |

| Description of Measure | Date | Source |
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| amount to real estate business and are therefore eligible for 100% FDI under the automatic route and foreign institutional and portfolio investors to invest in the primary market in power exchanges, rather than only in the secondary market, as previously.<br>The changes to the rules also ease certain non-FDI specific transactions such as: the conversion of non-cash transactions into equity, as such transactions are henceforth allowed under the automatic route if foreign investment in the sector is allowed under the automatic route; and relaxed authorisation requirements for foreign investment in companies whose purpose is to hold assets in other Indian companies.<br>The changes also clarify the approval authorities for FDI originating in "countries of concern", modify the definition of "medical devices for the purpose of the FDI policy; and specified criteria for the appointment of auditors that carry out audits of foreign invested Indian companies. | | |
| On 16 April 2018, the Ministry of Finance set minimum foreign capital requirements for financial services entities, which are not regulated by any financial regulator. The minimum capital requirements will be USD 20 million for 'Fund-based activities' (e.g. Merchant Banking, Under Writing, Portfolio Management Services) and USD 2 million for 'Non-fund based activities' (e.g. Investment advisory services, Financial Consultancy, Forex Broking). Since 2016, foreign investment of up to 100% in this area has been allowed under the government approval route. | 16 April 2018 | "*Minimum Capital Requirements for 'Other Financial Services' activities which are unregulated by any Financial Sector Regulator and FDI is allowed under Government Route*", Ministry of Finance press release, 16 April 2018. |
| On 20 June 2018, India issued clarifications on FDI in food product retail trading by requiring that the business of food product retailing be kept distinct and separate from other businesses of the investee company. | 20 June 2018 | "*FDI Policy Clarification on Food Product Retail Trading*", Department of Industrial policy and Promotion, Ministry of Commerce and Industry, 20 June 2018. |
| Effective 21 January 2019, the Indian government abolished the requirement to obtain government approval for the opening of a project office by a non-resident who has entered into an agreement with or was awarded a contract with the Ministry of Defence, Service Headquarters or Defence Public Sector Undertakings. | 21 January 2019 | "*Foreign Exchange Management (Establishment in India of a branch office or a liaison office or a project office or any other place of business) (Amendment) Regulations, 2019*", Gazette of India, 21 January 2019. |
| On 1 February 2019, a review of the *Consolidated FDI Policy Circular of 2017* came into effect. The review, announced in Press Note 2 (2018), clarifies the conditions under which foreign investors can carry out e-commerce in India. Specifically, the clarification prohibits FDI in inventory-based e-commerce, where the investors own inventory rather than offering a marketplace for e-commerce. | 1 February 2019 | Press Note 2 (2018), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 26 December 2018. |
| Several changes to India's foreign direct investment policy were brought by Press Note 4, dated 18 September 2019. These changes abolish foreign equity caps in coal and lignite mining activities, contract manufacturing, single brand retail trading, and allowed foreign capital of up to 26% in digital media under the government route. | 18 September 2019 | Press Note 4 (2019), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 18 September 2019. |
| On 21 February 2020, India announced an amendment of the rules governing FDI in the insurance sector. The change, announced in Press Note 1 (2020) of 21 February 2020, allows 100% foreign ownership of insurance intermediaries, up from 49% previously. Insurance intermediaries include insurance brokers, re-insurance brokers, insurance consultants, corporate agents, third party administrators, surveyors and loss assessors. | 21 February 2020 | "Review of Foreign Direct Investment (FDI) policy in insurance sector", Press Note 1 (2020), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 21 February 2020. |
| On 27 February 2020, the Ministry of Commerce and Industry clarified that the local sourcing requirements for foreign owned single brand retailers are fulfilled by producers located in special economic zones (SEZs). | 27 February 2020 | "*Clarification on FDI Policy on Single Brand Retail Trading (SBRT)*", Ministry of Commerce and Industry, 27 February 2020. |
| On 19 March 2020, the Indian government announced a change to | 19 March 2020 | "Review of Foreign Direct |

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| | the rules governing foreign investment in the civil aviation sector. The changes, set out in Press Note 2 (2020) of 19 March 2020 allow Non-Resident Indians to own 100% in Air India Ltd under the automatic route. | | Investment (FDI) policy on civil aviation", Press Note 2 (2020), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 19 March 2020. |
| | On 17 April 2020, India announced the modification of FDI policies with respect to its immediate geographic neighbour countries. The policy change, announced in Press note 3 (2020) of 17 April 2020, requires all inward investment from countries that have a land border with India or where the beneficial owner is a citizen of such countries under the government route, that is, after having obtained prior approval. Hitherto, a similar policy only applied to Bangladesh. Furthermore, any transaction that results in FDI in an entity in India being transferred to a beneficial owner from or citizen of such countries also requires government approval. | 17 April 2020 | "Review of Foreign Direct Investment (FDI) policy for curbing opportunistic takeovers/acquisitions of Indian companies due to the current COVID-19 pandemic", Press Note 3 (2020), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 17 April 2020. |
| | On 17 September 2020, the government of India announced a revision of the rules on FDI in the defence sector. While 100% foreign ownership in the sector is allowed as previously, ownership of up to 74% is now allowed under the automatic route, up from 49% previously. Also, foreign investment in the sector is subject to security clearance by the Ministry of Home Affairs as per guidelines of the Ministry of Defence, and a further scrutiny on grounds of national security is reserved for any foreign investment in the sector. | 17 September 2020 | "Review of Foreign Direct Investment (FDI) Policy in Defence Sector", Press Note 4 (2020), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 17 September 2020. |
| | On 16 October 2020, the Ministry of Commerce and Industry issued a Clarification on FDI Policy for uploading/streaming of new and current affairs through digital media that had allowed entities in the News Digital Media Sector to receive FDI up to 26% through the government approval route ("Review of Foreign Direct Investment (FDI) policy on various sectors", Press Note 4 (2019). The clarification specifies the entities covered by these rules, makes transitional arrangements, and sets out additional conditions that the receiving entity must meet. | 16 October 2020 | "Clarification on FDI Policy for uploading/streaming of new and current affairs through Digital Media", Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 16 October 2020. |
| | In a Circular dated 23 November 2020, the Reserve Bank of India clarified that foreign law firms or foreign lawyers cannot practice the profession of law in India and that foreign law firms or companies or foreign lawyers or any other person resident outside India, are not permitted to establish any branch office, project office, liaison office or other place of business in India for the purpose of practicing legal profession. | 23 November 2020 | "*Establishment of Branch Office (BO)/Liaison Office (LO)/Project Office (PO) or any other place of business in India by foreign law firms*", RBI/2020-21/69, A.P. (DIR Series) Circular No.07, 23 November 2020. |
| | A Press Note issued by the Ministry of Commerce and Industry dated 19 March 2021 amended Guidelines for the calculation of total foreign investment (direct and indirect investment) with respect to investments by non-resident Indians on a non-repatriation basis. These Guidelines are set out in the Consolidated FDI Policy Circular of 2020 that had become effective from 15 October 2020. Henceforth, such investments shall not be considered for the calculation of indirect foreign investment. | 19 March 2021 | "*Review of the FDI Policy on downstream investments made by Non-Resident Indians (NRIs)*", Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, Press Note 1 (2021 Series), 19 March 2021. |
| | On 25 March 2021, The Insurance (Amendment) Act, 2021 was published in the Gazette of India. The amendment authorises foreign investment in Indian insurance companies of up to 74%, an increase from the hitherto applicable ceiling of 49% of paid-up equity capital. | 25 March 2021 | The Insurance Amendment Act, 2021, No.6 of 2021, Gazette of India, 25 March 2021. |
| | On 19 May 2021, the Indian Insurance Companies (Foreign Investment) Amendment Rules 2021 were notified. The changes, which follow the entry into force of the Insurance (Amendment) Act, 2021 on 1 April 2021, increased the ceiling for foreign investment in Indian insurance companies. A Press Note issued on 14 June 2021 announced changes to the FDI policy with respect to the insurance sector. | 19 May 2021; 14 June 2021 | "*Review of Foreign Direct Investment (FDI) policy on Insurance Sector*", Ministry of Commerce & Industry, Department for Promotion of Industry and Internal Trade Press Note No.2 (2021 Series), 14 June 2021. |
| | On 29 July 2021, a change to the conditions under which foreign investment in the petroleum and gas sector is allowed was announced. An addition to the rules on foreign ownership ceilings | 29 July 2021 | "*Review of Foreign Direct Investment (FDI) policy on Petroleum & Natural Gas Sector*", |

| | Description of Measure | Date | Source |
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| | in the sector allows 100% foreign ownership under the automatic route in case an 'in-principle' approval for strategic disinvestment of a Public Sector Undertaking in the sector has been granted. | | Ministry of Commerce & Industry, Department for Promotion of Industry and Internal Trade Press Note No.3 (2021 Series), 29 July 2021. |
| | On 6 October 2021, a revision of the rules on FDI in the telecom sector were announced. Henceforth, 100% foreign ownership is allowed under the automatic route, up from 49% previously. This measure does not apply to foreigners or beneficial owners from countries that have a land border with India; in these cases, government approval is required. | 6 October 2021 | "*Review of Foreign Direct Investment (FDI) Policy on Telecom Sector"*, Press Note No. 4 (2021 Series), Ministry of Commerce & Industry, Department for Promotion of Industry and Internal Trade, 6 October 2021. |
| | On 14 March 2022, the Government of India amended the FDI Policy to allow up to 20% FDI in Life Insurance Corporation of India (LIC). Foreigners were not previously allowed to hold equity in LIC. | 14 March 2022 | "*Review of FDI Policy for permitting foreign investment in Life Insurance Corporation of India (LIC) and other modifications for further clarity of the existing FDI Policy"*, Press Note No. 1 (2022 Series), Ministry of Commerce & Industry, Department for Promotion of Industry and Internal Trade, 14 March 2022. |
| | On 10 March 2023, the Ministry of Information and Broadcasting (MIB) issued a clarification that restrictions on FDI entities involved in uploading or streaming of news and current affairs through digital media do not apply to Over-the-Top (OTT) platforms that host digital feed of a TV news channel, provided they do so only as a medium and make the feed available to its subscribers and users. | 10 March 2023 | "*Applicability of FDI Policy for OTT Platforms hosting TV News Channels*", Ministry of Information and Broadcasting Release No.F-14012/3/2022-DM, 10 March 2023. |
| | On 13 March 2023, the Bar Council of India notified the "Bar Council of India Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India, 2022". Foreign lawyers and firms can now practice foreign law, diverse international legal issues, and international arbitration matters in India on a reciprocity basis. While foreign lawyers and firms cannot appear in courts, they can set up offices in India and deliver transactional and corporate work. | 13 March 2023 | Bar Council of India Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India, 2022 (egazette.nic.in), 13 March 2023, the Gazette of India. |
| | On 23 August 2023, the Insurance Regulatory and Development Authority of India (Insurance) (Amendment) Regulation 2023 entered into force. The Regulation aims to harmonise the regulatory regime applicable to insurance and reinsurance companies and to encourage more foreign enterprises to set up business in the sector. The Regulation reduced the minimum capital requirement for branches of foreign reinsurance companies from INR 100 crore (approx. USD 12 million) to INR 50 crore (approx. USD 6 million). | 23 August 2023 | Insurance Regulatory and Development Authority of India (Insurance) (Amendment) Regulations 2023, Gazette of India, No.589, 23 August 2023. |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Indonesia** | | | |
| *Investment policy measures* | Following the approval by the President of the new Mining Law (4/2009) on 12 January 2009, Indonesia passed the following measures:<br><br>On 1 February 2010, Indonesia issued Government Regulation No. 23/2010 on Mining Activities in relation to the Mining Law (Law No. 4/2009), which specifies the scope of the obligation for foreign investors to divest mining concessions. Specifically, Regulation 23/2010 requires that within five years of | 1 February 2010; 7 March 2012 | Government Regulation No. 23/2010 on Mining Activities.<br><br>"*Peraturan pemerintah Republik Indonesia nomor 24 tahun 2012 tentang perubahan atas peraturan pemerintah nomor 23 tahun 2010 tentang pelaksanaan kegiatan usaha pertambangan mineral dan* |

| Description of Measure | Date | Source |
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| commencement of production, 20% of the foreign capital must be sold to local parties, including central, provincial or regional governments, regency, state-owned companies, regional-owned companies, or private national entities.<br><br>Government Regulation 24/2012, signed by the President on 21 February 2012 and released on 7 March 2012, requires that foreign-owned mining companies operating in coal, minerals and metals progressively divest their holdings to Indonesian entities or individuals – including the central government, regional government, state enterprise or other domestic investors – to reach the maximum authorised ceiling of 49% share ownership ten years after production has begun. Hitherto, the authorised foreign ownership ceiling was 80%. According to the new Regulation, the divestment should reach 20% in the sixth year of production, 30% in seventh year, 37% in the eighth year, 44% in the ninth year and 51% in the tenth year. | | *batubara*", Presidential Decree 24/2012, 21 February 2012. |
| On 12 July 2012, Indonesia's parliament adopted the *Higher Education Law*, which allows foreign universities to acquire accreditation to operate in Indonesia. According to the Law, foreign providers must be non-profit and can only set up campuses in cooperation with an Indonesian university. The Law also regulates how universities are run and courses are accredited.<br><br>Ministerial regulations will define where foreign universities will be allowed to set up, which programmes they are allowed to offer; priority would be given to disciplines uncommon at Indonesian universities because they require significant investment or skills. | 13 July 2012 | "*Higher Education Bill*", Indonesian Parliament website (in Bahasa). |
| On 23 April 2014, the government of Indonesia amended the list of business fields open or closed to foreign investors. Among others, the new decree increased the foreign investment cap in several industries, including for pharmaceuticals to 85 percent from 75 percent, venture capital operations to 85 percent from 80 percent and power plant projects carried out as a public-private partnership to 100 percent from 95 percent. However it also restricted foreign ownership ceiling in several industries. For example, onshore oil production facilities which foreign investors could own up to 95 percent are no longer open to foreign investment and the foreign capital ownership for data communications system services was reduced from 95 percent to 49 percent. The new decree substitutes the previous decree, Presidential Decree No. 36 of 2010. | 23 April 2014 | Presidential Decree No.39/2014, Indonesia Investment Coordinating Board, 23 April 2014. |
| On 28 December 2015, amendments to the rules regarding Ownership of Homes or Residences by Foreigners Residing in Indonesia came into effect. The rules, set out in Government Regulation No. 103 of 2015, liberalise some aspects of the regime. They notably extend the maximum period that foreigners resident in Indonesia can hold a right-of-use from 50 to 80 years; extends the possibilities to acquire a right-to-use to privately owned land; and allows that the right-to-use is passed by inheritance, provided that the heir is also legal resident in Indonesia. | 28 December 2015 | Government Regulation No. 103 of 2015. |
| On 12 May 2016, the President of Indonesia signed the new Negative Investment List. The negative list sets out which sectors are open and closed for foreign investment and which conditions apply. The new list permits or increases the allowed ceiling for foreign investment in a number of sectors including tourism, film and cold storage as well as golf courses, health support services and airport support. The list also adds restrictions to foreign investment in a number of sectors. The revised Negative Investment List is part of a wider effort to simplify investment licenses, facilitate investment projects and boost needed investment. | 12 May 2016 | Presidential Decree Number 44 (2016). |
| On 10 November 2016, Indonesia's central bank issued *Regulation No. 18/40/PBI/2016 concerning the Implementation of Payment Transaction Processing*. The regulation caps direct and indirect foreign ownership in principals and clearing/end-settlement processors (card and e-money), and payment gateway | 10 November 2016 | Regulation No. 18/40/PBI/2016 concerning the Implementation of Payment Transaction Processing, 10 November 2016 |

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| | service providers to 20%; previously, there was no foreign ownership ceiling in this area. The new limit applies to: new companies in the electronic payment services sector; existing companies that expand into this sector; and existing companies in this sector that change ownership. | | |
| | The Regulation of the Indonesian Investment Coordination Board 13/2017, published in December 2017, brought changes to Indonesia's regime for processing inward foreign investment projects. Part of the new rules entered into effect on 2 January 2018, while other parts of the reform will become effective at the latest on 2 July 2018. In substance, the changes replace a license requirement for the establishment of a business in Indonesia by a registration regime. | 2 January 2018 | Regulation of the Indonesian Investment Coordination Board 13/2017 on Procedure of License and Investment Facilities, BKPM, 11 December 2017. |
| | On 18 April 2018, Government regulation No.14/2018 on Foreign Ownership of Insurance Companies came into force. Among others, the regulation sets out which type of foreign entity can own an insurance company in Indonesia and which ownership caps apply. Specifically, the regulation caps foreign ownership in a privately owned insurance company at 80%, while allowing foreigners that currently exceed this level to retain their stake beyond 80%. Any capital increase in these companies must however respect a ratio of at least 80:20 between new foreign and domestic capital. | 18 April 2018 | Government regulation No.14/2018 on Foreign Ownership of Insurance Companies. |
| | On 21 June 2018, Indonesia issued Government Regulation No. 24 of 2018 on Electronic Integrated Business Licensing Services (GR No. 24/2018). The change abolishes approval from BKPM (Badan Koordinasi Penanaman Modal, Indonesian Investment Coordination Board) for many corporate actions involving a foreign investment company (e.g. change of shareholders, change of capital structure and/or conversion of a domestic company into a foreign investment company). | 21 June 2018 | Badan Koordinasi Penanaman Modal, *Pernyataan Pers Menteri Koordinator Bidang Perekonomian RI: Kini, Izin Baru Akan Diproses Melalui OSS (21 June 2018).* |
| | On 2 November 2020, Law No.11 of 2020 on Job Creation was enacted. Among other issues, the law calls for a positive list for foreign investment to replace the Presidential decree No.36/2010, the "negative list" (see below). | 2 November 2020 | Law No.11 of 2020 on Job Creation |
| | On 2 February 2021, Indonesia issued Government Regulation No.46/2021. Among others, the Regulation requires that foreign postal and courier companies form joint ventures with domestic companies as a condition to operate such services at the provincial level, while they were hitherto allowed to offer such services outside joint ventures with local partners. | 2 February 2021 | The Government Regulation No.46/2021, 2 February 2021. |
| | On 2 February 2021, Indonesia issued Government Regulation No.8/2021. The Regulation restricts the establishment of limited liability companies to Indonesian nationals. | 2 February 2021 | The Government Regulation No.8/2021, 2 February 2021. |
| | On 4 March 2021, Presidential Regulation 10 of 2021 on business fields open to investment came into effect. The Regulation replaces Presidential Decree No.36/2010 as mandated by the Law No.11 of 2020 on Job Creation (see above). It introduces the principle that any sector is fully open to foreign investment unless explicit restrictions apply, and lifts foreign ownership restrictions in a range of sectors including: telecommunications; transportation; energy; distribution; and construction services. | 4 March 2021 | Presidential Regulation 10 of 2021 on business fields open to investment, LN.2021/No.61, 4 March 2021. |
| | On 1 April 2021, Indonesia's Investment Coordinating Board (Badan Koordinasi Penanaman Modal BKPM) issued BKPM Regulation 4 of 2021. The Regulation, which will become effective on 2 June 2021, increase the amount of paid-up capital that foreigners need to invest if they seek to establish a company in Indonesia. This amount is now set at IDR 10 billion, up from IDR 2.5 billion previously. | 1 April 2021 | "Peraturan Padan Koordinasi Penanaman Modal Republik Indonesia Nomor 4 Tahun 2021 tentang pedoman dan tata cara pelayanan perizinan berusaha berbasis risiko dan fasilitas penanaman modal", BKOM, 1 April 2021. |
| | On 25 May 2021, Presidential Regulation No.49 of 2021 came to effect. The Regulation amends Presidential Regulation No.10 of | 25 May 2021 | Perubahan atas Peraturan Presiden Nomor 10 Tahun 2021 Tentang |

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| | 2021 and, among other matters, adds several industries to the list of industries now closed to foreign investors. Alcoholic Beverage Industry, Wine Industry, and Beverages Containing Malt Industry but also e-commerce activities involving goods such as food, tobacco, textile or kitchen are now closed to foreign investment. Finally, if foreign shareholding in courier activities, previously unlisted, is now limited to 49%, foreign shareholding in postal activities, previously limited to 49%, are now fully open to foreign investments. | | Bidang Usaha Penanaman Modal, 24 May 2021. |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Italy** | | | |
| *Investment policy measures* | None during reporting period. | | |
| *Investment measures relating to national security* | On 15 May 2012, the Law of 11 May 2012, No 56 entered into effect. It converted in law, with modifications, the Decree-Law of 15 March 2012 and establishes a mechanism for government review of transactions regarding assets of companies operating in the sectors of defence or national security, as well as in strategic activities in the energy, transport and communications sectors. The law also abolishes the former Italian Golden Share Law.<br>The new law accords special powers to the government in cases where an acquisition or other form or transaction triggers a threat of severe prejudice to essential interests of the State. Special powers can be exercised both towards national or foreign investors or investments, except in case of veto to majority takeovers by buyers from outside the EU in the energy, transport and telecommunications sectors (see below).<br>In the defence and national security sectors, the Government may act through the exercise of special powers as follows: the imposition of specific conditions on acquisitions of participations in companies engaged in strategic activities; the veto on decisions regarding those companies or ownership structure; the opposition to the acquisition of ownership in such companies by subjects other than the Italian State, Italian public entities or entities under their control, in cases where these acquisitions would lead to voting rights that may compromise interests of defence or national security.<br>In the sectors of energy, transport and communications the government's special powers consist in: the veto on or the authorisation of, under specific conditions, decisions, acts or operations concerning strategic assets; the imposition of specific conditions to make affective acquisitions by non EU investors of companies owning strategic assets. In exceptional cases and when the above-mentioned acquisition determines control rights, the Government has the right of opposition to the entire acquisition by buyers from outside the EU (in compliance with article 49 of the Treaty of the Functioning of the European Union).<br>The law further sets out which authorities carry out the risk assessment and the criteria to follow and define timeframes and obligations on companies to provide information to the government about the investment project. | 15 May 2012 | Law of 11 May 2012, n. 56, Gazzetta Ufficiale della Repubblica italiana n. 111 del 14 maggio 2012;<br>Notification to the OECD, DAF/INV/RD(2013)4 |
| | Decree of the President of the Republic of 19 February 2014 n. 35 containing the Regulation identifying the procedures for the exercise of the special powers according to Article 1, §8 of the Decree 15 March 2012, n. 21 (converted by Law 11 May 2012, n. 56).<br>The Regulation assigns to the Prime Minister the task of coordinating the activities for the exercise of the special powers | 21 March 2014 | "Regolamento per l'individuazione delle procedure per l'attivazione dei poteri speciali nei settori della difesa e della sicurezza nazionale, a norma dell'articolo 1, comma 8, del decreto-legge 15 marzo 2012, n. 21", Presidential Decree of 19 February 2014 n. 35, Italian |

| | Description of Measure | Date | Source |
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| | provided for by Article 1 of the Decree 15 March 2012, n. 21 in the defence and national security sector.<br>To this aim, the Prime Minister shall identify the governmental offices responsible for and involved in the coordination activities and shall establish a coordination group. He shall also fix the timing and modes of connection between the Ministries concerned and the modes and online procedures to ensure the timely exercise of the special powers and the security of the transmitted data (art. 2).<br>As to the procedures (art. 3), the investigation and the proposal for the exercise of the special powers shall be assigned to the Ministry of Economy and Finance for the companies in which it holds shares, directly or by means of other companies in which it holds shares and to the Ministry of Defence or to the Ministry of Interior for the other companies (the requirements of the proposal are listed in the Regulation, art.6).<br>The Regulation also provides for: the parties bound to notify; the procedural rules for monitoring the effective exercise of the special powers; the requirements for the validity of the notifications; the sanctions to be applied in case of non-compliance with its obligations and the rules on the confidentiality of information (arts. 4, 5, 7, 8, 9). | | Republic's Official Gazette, 20 March 2014. |
| | On 7 June 2014 and 1 August 2014 three decrees that regulate the functioning of the investment review mechanism that ensures the protection of public safety and national essential security interests in Italy came into effect:<br>The Decree of the President of the Republic (D.P.R.) of 25 March 2014, n.86, which came into effect on 7 June 2014, lays down the rules for the exercise of the special powers relating to strategic assets in the fields of energy, transport and communications, as identified in art. 2 par. 1 of Decree Law (D.L.) 21/2012, also with reference to the definition of the organisational arrangements for carrying out the preparatory activities for the exercise of the special powers, in accordance with Art 2, par. 9 of the D.L.<br>On the same day, Decree of the President of the Republic (D.P.R.) of 25 March 2014, n.85, came into effect. This Regulation identifies the assets of strategic importance in the fields of energy, transport and communications. It also defines the scope of application of the discipline of these special powers.<br>On 15 August 2014, Decree of the President of the Council of Ministries (D.P.C.M.) of 6 June 2014, n.108 became effective. The measure identifies the activities of strategic importance for the system of national defence and security, including key strategic activities for which the special direction and control powers of art.1, par. 1, of D.L. 21/2012 can be exercised. It repealed the previous D.P.C.M. 253/2012, as amended by D.P.C.M. 129/2013. | 7 June 2014;<br>15 August 2014 | Decree of the President of the Republic (D.P.R.) 25 March 2014, n. 86 – *Regulation identifying the procedures for the activation of the special powers in the fields of energy, transport and communications, in accordance with Article 2, paragraph 9 of the Decree-Law 15 March 2012, n. 21*;<br>Decree of the President of the Republic (D.P.R.) 25 March 2014, n. 85 - *Regulation identifying the assets of strategic importance in the fields of energy, transport and communications, in accordance with Article 2, paragraph 1, of Decree-Law 15 March 2012, n. 2;*<br>Decree of the President of the Council of Ministries (D.P.C.M.) 6 June 2014, n. 108 - *Regulation identifying the activities of strategic importance for the system of national defence and security, in accordance with Article 1, paragraph 1, of Decree-Law 15 March 2012, n. 21, converted into law with amendments by Law 11 May 2012, n. 56.* |
| | On 16 October 2017, changes to the rules that govern Italy's national security review mechanism came into effect; the changes were brought into effect by decree-law of 16 October 2017 and confirmed as law without modification by the law of 4 December 2017. The changes, contained in article 14 of the *decreto-legge*: close the loopholes existing in the legislation about sanctions for non-respect of notification requirements; introduces sectors of "high-technology" in the list of areas indicative of a risk for security and public order, including in particular critical infrastructure, including storage and handling of data and financial infrastructure; critical technology such as artificial intelligence, robotics, semiconductors, dual use technologies, network security and space and nuclear technology; security of supply of critical resources, and access and control of critical information. The changes took effect only with respect to procedures that have not commenced before the date of entry into force. | 16 October 2017;<br>4 December 2017 | *Decreto-Legge 16 ottobre 2017, n. 148*; *Legge, 4 dicembre 2017, n. 172.* |

| | Description of Measure | Date | Source |
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| | On 26 March 2019, an amendment to Italy's rules on special powers, laid down in Law No.56 of 11 May 2012, came into effect. The new rules, which were passed into law on 13 May 2019, add 5G-based communications services to the list of strategic assets for the purpose of the national security review process; also, an entity that enters in 5G-related goods or service contracts or acquires components for 5G networks from non-EU providers now needs to notify the contract and in order to allow the Government to screen any risk related to 5G networks on grounds of national security. The change implements the call from Heads of State or Government expressed at the European Council on 22 March 2019 for a concerted approach to the security of 5G networks and in line with the Commission Recommendation on Cybersecurity of 5G networks C(2019) 2335 final. | 26 March 2019 | Law Decree No. 22/2019 of 25 March 2019, passed into law on 13 May 13, 2019. |
| | On 12 July 2019, a change to Italy's acquisition and ownership related mechanisms to safeguard Italy's essential security interests came into effect, albeit only temporarily: The changes, brought by the now defunct Decree Law No. 64/2019 of 11 July 2019, among others, extended the review period for the exercise of the special powers, specifies what constitutes non-EU acquirers and the consequences of shareholder coordination, and broadens powers to prohibit a transaction. As this Decree Law was not converted into law, its provisions have lapsed on 10 September 2019. | 12 July 2019 | Law Decree No 64/2019 of 11 July 2019. |
| | The decree-law 21 September 2019, n.105, converted into law, with amendments, by law 18 November 2019, n.133 brought changes to Italy's rules on special ("golden") powers that are laid down in Law No.56 of 11 May 2012. Among others, the changes:<br>● expand the perimeter of the Italian golden powers to areas beyond those already covered by Legislative Decree n. 21/12 as introduced by the Regulation (EU) 2019/452 of the European Parliament and of the Council;<br>● broaden the criteria for the evaluation of investment projects under the scope of the "golden powers" regime by adding to the factors to consider: government-control of the would-be acquirer; previous actions that threatened essential security interests of Italy or another EU Member State; and the probability that the would-be acquirer engage in illegal activities;<br>● strengthen the sanctions regime associated with the review mechanisms; and<br>● modify the discipline of the special powers regarding 5G technologies – when the provider is from outside the EU – to align it with that applicable to the exercise of special powers in the defence and national security areas. | 21 September 2019;<br>18 November 2019 | Decree-law 21 September 2019, n.105, converted into law, with amendments, by law 18 November 2019, n.133. |
| | Further changes to Italy's investment screening mechanisms came into effect on 9 April 2020. These changes, brought by the Decree-law of 8 April 2020, n.23, converted into law by law of 5 June 2020, n.40, expand, among others, the application of the review mechanisms to additional sectors that are declared strategic; enables the authorities to open reviews ex-officio where companies do not fulfil the notifications obligations; expand the scope of the powers to acquisitions from within the EU – when they provide control over an Italian company – and lower the trigger threshold for acquisitions from outside the EU to 10%. | 9 April 2020 | Decree-law of 8 April 2020, n.23, converted into law by law of 5 June 2020, n.40. |
| | On 6 June 2020, the Law 5 June 2020, n.40 entered into effect. It converts the Decreto Legge 8 Aprile 2020, n.23, into law. The amendments expand, among others, the application of the review mechanisms to additional sectors that are declared strategic; enable the authorities to open reviews ex-officio where companies do not fulfil the notifications obligations; and extend the scope of the powers to acquisitions from within the EU and lower the trigger threshold for acquisitions from outside the EU to 10%. | 9 April 2020;<br>5 July 2020 | Decreto Legge 8 aprile 2020, n.23, GU Serie Generale n.94, 8 April 2020;<br>Legge 5 giugno 2020, n.40, GU Serie Generale n.143, 6 June 2020. |
| | On 25 December 2020, Law No.176 of 18 December 2020, entered into force. Among others, the law extends the temporary application of changes to the investment review mechanism that | 25 December 2020; | Legge 18 dicembre 2020, n.176, GU Serie Generale n.319 del 24-12-2020, 25 December 2020; |

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| | had initially been brought by Decreto Legge 8 Aprile 2020, n.23. until 30 June 2021. On 30 April 2021, the application of the temporary rules was further extended until 31 December 2021 pursuant to Decree-Law No. 56 of 30 April 2021. | 30 April 2021 | Decreto-Legge 30 aprile 2021, n.56, GU Serie Generale n.103 del 30-04-2021, 30 April 2021. |
| | On 14 January 2021, Decrees of the President of the Council of Ministers No.179 and No.180 entered into force. The Decrees identify which assets and interests are subject to Italy's foreign investment review mechanisms. The new measures clarify and expand the scope of application of the review of acquisitions that require prior government approval. The process covers assets and sectors of strategic importance to the national interest, and include sectors such as energy, water, health, data and sensitive information, financial services, artificial intelligence and media, as well as transport (ports, airports etc.), and broadband and ultra-broadband services. | 14 January 2021 | Decreto del Presidente del Consiglio dei Ministri 18 dicembre 2020, n.179, GU Serie Generale n.322 del 30-12-2020, 14 January 2021;<br>Decreto del Presidente del Consiglio dei Ministri 23 dicembre 2020, n. 180, GU Serie Generale n.322 del 30-12-2020, 14 January 2021. |
| | On 21 March 2022, the Italian Government issued Decree-Law n. 21, adopting urgent measures to counter the Ukrainian crisis, which confirmed the regime introduced in the COVID-19 pandemic context and amended the foreign investment review mechanism, known as "Golden Powers", established by Decree-Law n. 21 of 15 March 2012 converted, with amendments, into law by Law n. 56 of 11 May 2012. The Decree-Law: adds transactions that affect the ownership, control or availability of defence and national security assets to the sectors that are subject to the prior notification procedure; imposes prior notification obligations hitherto applicable only to would-be acquirers also to the acquisition targets; expands the industrial sectors considered strategic for the national security beyond the sectors of energy, transport and communication; and provides for the possibility that the Government establish a simplified prior notification procedure. The Decree-Law entered into force on 22 March 2022 with the exception of the extension of the industrial sectors considered strategic for the national security, which will enter into force only on 1 January 2023. The Decree-Law was converted with modifications into Law no. 51 of 20 May 2022. | 21 March 2022 | Decreto-Legge 21 marzo 2022, n. 21, GU Serie Generale n. 67, 21 March 2022 (converted with modifications into Law no. 51 of 20 May 2022, GU Serie Generale n. 117, 20 May 2022). |
| | On 1 August 2022, the President of the Council of Ministers issued Decree No. 133. It regulates the functioning of the Council's coordination activities, setting out the procedure for pre-notification of prospective transactions and simplifying existing procedures under the special ("golden") powers established by Decree-Law No. 21 of 15 March 2012, as amended by Law N. 56 of 11 May 2012. It provides 30 days within which the authority should notify the applicant of whether or not a transaction is subject to screening and whether it should be notified via the ordinary FDI procedure. The Decree entered into force on 24 September 2022. | 24 September 2022 | Decreto del Presidente del Consiglio dei Ministri 1 agosto 2022, n. 133, GU Serie Generale n.211, 9 September 2022. |
| | On 15 July 2022, the Parliament adopted Law No. 91 introducing amendments to Decree-Law No. 50 of May 17, 2022. According to it, concessions for "cultivation of geothermal resources" become relevant under the scope of the national discipline. | 15 July 2022 | Legge 15 Luglio 2022, n. 91, (G.U. Serie Generale n. 164, 15 July 2022, entered into force on 15th of July 2022). |
| | Through Law No. 51/2022, which converted the Decree-Law No. 21 of 15 March 2022, the Parliament amended para 5 bis and inserted a para 7 bis to art. 2 of the Decree-Law No. 21 of 14 March 2002. The changes include: 1) the expansion of the foreign investment review by the government, covering the acquisition of control in companies holding strategic assets and greenfield investment in companies carrying activities or holding assets that are strategic for the foreign investment review purposes, if one or more non-EU individuals or entities hold at least 10% of the capital or voting rights; and the 2) the definition of non-EU individuals or entities, which was extended and now cover: any non-EU citizen or a citizen who is not resident, or does not have the main place of business, in the EU or in the European Economic Area (EEA); any entity that does not have its registered office, place of management or main place of business within the EU or the EEA; any entity that has its registered office, place of management or main place of business within the EU or the EEA, | 20 May 2022 | Legge 20 Maggio 2022, n. 51 - Normattiva, (GU Serie Generale n.117 del 20-05-2022). |

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| | but which is directly or indirectly controlled by individuals or entities that fall within the categories above; or any individual or entity that has EU or EEA citizenship/nationality or established therein the residency, registered office, place of management or main place of business, if there are elements that suggest the intent to circumvent the rules. | | |
| | On 4 February 2023, Law No.10/2023 entered into effect. The law converts Decree Law No.187 of 5 December 2022 and introduces amendments. Art.2 of the Decree Law, as converted by Law No.10/2023, entitles the Ministry of Enterprises and Made in Italy to allow the recourse to measures to support the capitalisation and capital strengthening of companies that were subject to the exercise of *special powers.* | 4 February 2023; 5 December 2022 | Legge 1 febbraio 2023, n.10 (G.U. Serie Generale n.28, 3 February 2023); Decreto-Legge 5 dicembre n.187 (G.U. Serie Generale n.284, 5 December 2022). |
| | On 10 October 2023, Law No. 136/2023 entered into effect. The Law converts Decree-Law No. 104/2023 into law and introduces amendments. Art.7 of the Decree-Law, as converted by Law No. 136/2023, expands the scope of application of the *special powers* regime to include certain asset acquisitions in a list of critical technologies, when these assets are covered by intellectual property rights. | 10 October 2023 | Law No.136/2023, GU Serie Generale n.236, 9 October 2023; Decreto-Legge 10 agosto n.104, GU Serie Generale n.186, 10 August 2023. |
| **Japan** | | | |
| *Investment policy measures* | On 23 June 2009 amendments to the *Cabinet Order on Inward Direct Investment* and the *Ministerial Order on Inward Direct Investment relating to the Foreign Exchange and Foreign Trade Law* entered into force. The amendments introduce leaner notification and reporting procedures for inward foreign direct investment. | 23 June 2009 | Ministry of Finance Press release, 3 June 2009. |
| *Investment measures relating to national security* | On 1 October 2017, changes to Japan's rules on the review of inward foreign investment came into effect. The changes are based on a reconsideration of threats to national security, changes to the business environment and the spread of critical technologies, including dual-use technologies. The new rules: extend the review mechanism to acquisitions of non-listed companies, which were hitherto not covered by the rules, and introduce the post-investment administrative measures in case of breaches of the rules. | 1 October 2017 | Notification to the OECD [DAF/INV/RD(2017)4]; "*Promulgation of the Cabinet and Ministerial Orders and the Public Notices for the Enforcement of the Revised Foreign Exchange and Foreign Trade Act*", METI media release, 14 July 2017. |
| | On 27 May 2019, revisions of Japan's inward investment screening processes were published in the official gazette. The changes, contained in two public notices, subject additional businesses or expand the scope of already listed businesses, such as manufacturing of integrated circuits, software and telecommunications, to the coverage of the review mechanism. The changes came into effect on 1 August 2019 and apply to transactions as of 31 August 2019. | 31 August 2019 | "*Addition of Businesses Required to Submit Prior Notification Concerning Inward Direct Investment, etc.*", MOF, METI and MIC media release, 27 May 2019. Public Notice Specifying Business Types Pursuant to the Provisions of Article 3, Paragraph (4) of the Order on Foreign Direct Investment (Public Notice of the Cabinet Office, etc. No. 1 of 2014), as amended by the public notice dated May 27, 2019. Public Notice Specifying Business Types Pursuant to the Provisions of Article 3, Paragraph (1) and Article 4, Paragraph (3) of the Order on Foreign Direct Investment (Public Notice of the Cabinet Office, etc. No. 3 of 2017), as amended by the public notice dated May 27, 2019. |
| | On 8 May 2020, amendments to Japan's Foreign Exchange and Foreign Trade Act (FEFTA) came into effect. Among others, the amendment lowers the trigger threshold for acquisitions in certain companies to 1%, down from 10% previously, and introduces | 8 May 2020 | Law that partially revises the Foreign Exchange and Foreign Trade Law. |

| | Description of Measure | Date | Source |
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| | notification requirements for some acquisitions. In the meantime, the exemption scheme for prior-notification requirement for stock purchases has been introduced. Investors who comply with certain conditions are exempted from the requirement of prior-notification. The lower threshold and notification requirements apply to assets operating in certain sectors, as clarified in a media release of 24 April and 8 May 2020 and complemented by a list of 3800 listed Japanese companies with individual classifications for the purpose of the rules as of the time of release on the same day. | | "*Rules and Regulations of the Foreign Exchange and Foreign Trade Act*", Ministry of Finance, 24 April 2020.<br>"*Factors to be considered in authorities' screening of prior-notification for Inward Direct Investment and Specified Acquisition under the Foreign Exchange and Foreign Trade Act*", Ministry of Finance media release, 8 May 2020.<br>"*List of classifications of listed companies regarding the prior-notification requirements on inward direct investment under the Foreign Exchange and Foreign Trade Act*", Ministry of Finance, 8 May 2020. |
| | On 15 June 2020, the Japanese authorities publicly announced that starting on 15 July 2020, "manufacturing industries related to pharmaceuticals" and "manufacturing [industries] related to highly-controlled medical devices" will also be listed as companies subject to specific notification requirements. | 15 June 2020 | "*List of classifications of listed companies regarding the prior-notification requirements on inward direct investment under the Foreign Exchange and Foreign Trade Act*", Ministry of Finance, 8 May 2020, as updated on 10 July 2020. |
| | On 16 June 2021, the Japanese Diet passed the Act on Review and Regulation of Real Estate Usage. Once entered into effect, the law will allow the government to review the status of real estate usage near sensitive facilities and on border islands. The law obliges buyer and seller of such real estate to submit a pre- notification to the Japanese authorities only when it is located near highly sensitive facilities or on specific border islands. This Act applies to both foreigners and nationals of Japan. | 16 June 2021 | Act on Review and Regulation of Real Estate Usage (Act No.84 of June 23, 2021) |
| | On 4 November 2021, Amendments to the Regulatory Notices adding the Core Business Sectors of the Foreign Exchange and Foreign Trade Act to Secure the Stable Supply of Critical Minerals entered into force. These amendments add new industries to the list of sectors to which the FDI review mechanism applies over foreign acquisitions under the Foreign Exchange and Foreign Trade Act (FEFTA) and the related Cabinet Order and Ministerial Order, to secure stable supply of critical minerals. Business sectors related to critical minerals, including rare earths, and to maintenance and improvement of certain port facilities were added to the list. | 4 November 2021 | Amendment of Public Notice for designated business sectors, Ministry of Finance, 5 October 2021;<br>Amendment of Public Notice for core business sectors, Ministry of Finance, 5 October 2021;<br>Amendment of Public Notice for designated business sectors in case of specified acquisition, Ministry of Finance, 5 October 2021;<br>Amendment of Public Notice for core business sectors in case of specified acquisition, Ministry of Finance, 5 October 2021.<br>"*Publication of the Amendments to the Regulatory Notices adding the Core Business Sectors of the Foreign Exchange and Foreign Trade Act to Secure the Stable Supply of Critical Minerals*", Ministry of Finance, 5 October 2021. |
| | On 20 September 2022, the Act on Review and Regulation of the use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands entered into force. The Act seeks to safeguard Japan's security interests by preventing the inappropriate use of real estate that impedes the functions of important facilities and border islands. It allows Japanese authorities to review the status of real estate usage of certain areas, | 1 September 2022 | Act on Review and Regulation of the use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands, Law No. 84, 23 June 2021;<br>Real Estate Usage Council Ordinance, Cabinet Order No. 207 |

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| | designated as "monitored areas" or "special monitored areas". Among others, the Act requires buyers and sellers of real estate to submit a pre-notification to the Japanese authorities when the real estate is located in the "special monitored areas". This Act applies to both foreigners and nationals of Japan. | | of Reiwa 204, 1 June 2022;<br>Basic Policy on Preventing the use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands, Cabinet Office, 16 September 2022;<br>Order for Enforcement of the Act on Review and Regulation of Real Estate Usage in the Vicinity of Important Facilities and on Remote Border Islands;<br>Ordinance for Enforcement of the Act on Review and Regulation of Real Estate Usage in Areas Surrounding Important Facilities and on Border Outlying Islands. |
| | Revised Foreign Exchange and Foreign Trade Act (FEFTA) Public Notices was promulgated on 24 April 2023 and applied to inward direct investment and equivalent actions to be made on or after 24 May 2023 to expand the sectors that require prior notification. These measures are taken in order to secure stable supply chains and address the risk of technology leakage and diversion of commercial technologies into military use. | 24 April 2023 | Amendment of Public Notice Specifying Designated Business Sectors pertaining to Inward Direct Investment, etc., Ministry of Finance, 24 April 2023;<br>Amendment of Public Notice Specifying Core Business Sectors pertaining to Inward Direct Investment, etc., Ministry of Finance, 24 April 2023;<br>Amendment of Public Notice Specifying Designated Business Sectors pertaining to Specified Acquisition, Ministry of Finance, 24 April 2023;<br>Amendment of Public Notice Specifying Core Business Sectors pertaining to Specified Acquisition, Ministry of Finance, 24 April 2023;<br>*"Publication of the amendment to the Public Notices adding the core business sectors ofthe Foreign Exchange and Foreign Trade Act to secure stable supply chains"*, Ministry of Finance, 24 April 2023 |
| **Republic of Korea** | | | |
| *Investment policy measures* | On 2 June 2009, the Korean government amended the *Presidential Decree of the Urban Development Act* to allow foreign-invested companies in Korea to make non-bid contracts with local governments for the use of lands included in urban development projects. Korean companies are still subject to open bid contracts. This measure was effective for two years, beginning on 1 July 2009. | 2 June 2009 | "*The Government Takes a Sweeping Regulatory Reform to Overcome Economic Crisis*", Invest Korea investment news no. 4007, 2 June 2009. |
| | On 26 January 2012, an amendment to the *Act on Prevention of Divulgence and Protection of Industrial Technology* came into effect. The amendment, introduced by law passed on 25 July 2011, introduces the obligation for Korean companies to notify the government and obtain its approval for foreign investments, including mergers or acquisitions or joint investments with foreign entities. Takeover attempts by foreigners also need to be brought to the attention of the government. Moreover, if the Minister of Knowledge Economy deems that the divulgence of national core technology may seriously affect Korea's national security, it may suspend, prohibit, or unwind the operation. | 26 January 2012 | |
| | On 13 August 2013, an amendment to the Telecommunications Business Act came into effect. The change allows foreign | 13 August 2013 | "*Telecommunications Business Act Amendments*", Ministry of Science, |

| | Description of Measure | Date | Source |
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| | investors from countries with which Korea has an FTA – in particular EU member states and the United States – to indirectly own up to 100% of Korean facility-based telecommunication businesses with the exception of KT and SK Telecom. | | ITC and Future Planning, 14 August 2013. |
| | Early 2014, Korea amended the Foreign Investment Promotion Act. According to the current Act on Monopoly Regulation and Fair Trade, a sub-subsidiary of a domestic holding company cannot implement a joint investment with a foreigner. The amendment of the Foreign Investment Promotion Act is to allow the exception for this prohibition in the Act on Monopoly Regulation and Fair Trade. The amendment allows the sub-subsidiary to establish a joint venture with a foreigner under the following conditions:<br>– The sub-subsidiary holds 50 percent or more of the total stocks issued by the joint venture;<br>– The foreigner holds 30 percent or more of the total stocks issued by the joint-venture;<br>– The investment from the foreigner falls into the category of "foreign investment" under the Foreign Investment Promotion Act;<br>– The establishment of the joint-venture shall be subject to the approval of the Foreign Investment Committee.<br>The revised act was promulgated on 10 January 2014 and became effective as of 11 March 2014. | 10 January 2014 | "Amendment to Foreign Investment Promotion Act", The National Assembly of the Republic of Korea, 9 January 2014. |
| | On 27 January 2016, Korea amended the "Foreign Investment Promotion Act". The changes simplify FDI registration procedures, including through (1) abolishing foreign investors' prior reporting to the government of any designated modification of the investment, such as the amount of foreign investment or the foreign ownership ratio; (2) abolishing reporting on "Contracts for Introduction of Technology"; and (3) extending the reporting period for certain types of transactions (specifically, from 30 days to 60 days for purchasing stocks or shares which have already been issued by a company run by a national or corporation of the Republic of Korea). | 27 January 2016 | Law No. 13854, 27 January 2016 |
| *Investment measures relating to national security* | On 21 February 2020, amendments to the Law N°16476, Partial Amendment of the Act on the Prevention of Divulgence and Protection of Industrial Technology came into effect; the changes had been passed on 20 August 2019. Among other aspects, the modifications of the Act on the Prevention of Divulgence and Protection of Industrial Technology:<br>● extend a prior notification requirement for foreign acquisitions of national core technology which hitherto only applied for companies that had developed this technology with government support to companies that have developed core technology without such help; and<br>● require that companies that hold national core technology that was developed with government support obtain prior government approval for any foreign capital contribution. | 21 February 2020 | Law N°16476, Partial Amendment of the Act on the Prevention of Divulgence and Protection of Industrial Technology |
| | On 5 August 2020, amendments to the Enforcement Decree of the Foreign Investment Promotion Act entered into force. One of the changes has made it possible for the competent Minister or the heads of the relevant agencies to request a review to the Foreign Investment Committee on a foreign investment where there is a "high" possibility of leakage for core national technologies, as defined by the Act on the Prevention of Divulgence and Protection of Industrial Technology, and at the same time where a foreigner's acquisition of de facto control over the management of an existing domestic company by acquiring its stocks, etc. may threaten national security. | 5 August 2020 | Enforcement Decree of the Foreign Investment Promotion Act as Amended by the Presidential Decree No. 30918, 5 August 2020. |

| | Description of Measure | Date | Source |
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| **Mexico** | | | |
| *Investment policy measures* | On 9 August 2012 a General Resolution by the Federal Government became effective. It facilitates the establishment of foreign legal persons in Mexico by establishing new criteria for the application of Article 17 of the Foreign Investment Law. This resolution replaces the prior authorisation requirement for the establishment of a branch of a foreign legal entity in Mexico with a mere notice to be submitted to the Directorate-General of Foreign Investment of the Ministry of Economy. Legal persons created under the laws of Canada, Chile, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Japan, Nicaragua, Peru, the United States and Uruguay may benefit from this facility. | 9 August 2012 | "*Resolucion general por la que se establece el criterio para la aplicacion del articulo 17 de la ley de inversion extranjera relativo al establecimiento de personas morales extranjeras en Mexico*", Diario Oficial de la Federación, 8 August 2012. |
| | By decree that entered into effect on 12 June 2013, Mexico permitted 100% foreign ownership in companies offering telecommunications services, including via satellite. Also, Mexico allowed up to 49% foreign ownership in radio and television broadcasting under the condition of reciprocity. | 12 June 2013 | "*Decreto por el que se reforman y adicionan diversas disposiciones de los artículos 6o, 7o, 27, 28, 73, 78, 94 y 105 de la Constitución Política de los Estados Unidos Mexicanos, en materia de telecomunicaciones*" Diario Oficial, 11 June 2013. |
| | On 10 January, 2014, a decree was published in the Federal Official Gazette in order to reform the regulation of the Mexican financial sector. This decree eliminates all remaining restrictions pertaining specifically to foreign participation in the financial sector, particularly those related to insurance and bonding institutions, exchange houses, bonded warehouses, retirement funds management and credit information companies, securities rating agencies and insurance agents. The decree has been in force since the working day following its publication. | 10 January 2014 | "Decreto por el que se reforman, adicionan y derogan diversas disposiciones en materia financiera y se expide la Ley para Regular las Agrupaciones Financieras", Diario Oficial de la Federación, Tomo DCCXXIV No.8, Diario Oficial, 10 January, 2014. |
| | On 13 August 2014, the Federal Telecommunications and Broadcasting Law and the Public Broadcasting System Law entered into effect. The Federal Telecommunications and Broadcasting Law establishes the regulatory framework for the participation of direct foreign investment up to 100% in telecommunications and satellite communications, and up to 49% in the broadcasting sector, subject to reciprocity from the country of the ultimate investor. To obtain a concession for broadcasting services involving the participation of foreign investment, the prior favorable opinion from the National Commission of Foreign Investments is required. The reform is part of the Constitutional Reform in telecommunications, radio and television broadcasting established by decree that entered into effect on 12 June 2013. | 13 August 2014 | *Decreto por el que se expiden la Ley Federal de Telecomunicaciones y Radiodifusión, y la Ley del Sistema Público de Radiodifusión del Estado Mexicano; y se reforman, adicionan y derogan diversas disposiciones en materia de telecomunicaciones y radiodifusión*. Federal Official Gazette on 14 July, 2014. |
| | On 31 October 2014 and 12 February 2015, amendments to the Regulations to the Foreign Investment Law and to the National Foreign Investment Registry came into effect.<br>Among other issues, the amendments describe all the information and documents that are necessary to obtain a favorable opinion from the National Commission of Foreign Investments, required by the Federal Telecommunications Institute to obtain the concession for broadcasting services involving the participation of foreign investment, according to the Federal Telecommunications and Broadcasting Law.<br>Also, the amendments simplify the obligations of the subjects required to register in the National Foreign Investment Registry. Henceforth, foreign investment and Mexican companies with foreign equity holdings must renew their registration and update their information presented to the Registry only if their revenue and disbursements quarterly exceed the amount determined by the National Commission of Foreign Investments. Effective 23 February 2015, these amounts were set to MXN 20 million for the update of the information presented to the National Foreign Investment Registry and the amount of MXN 110 million for the | 31 October 2014; 23 February 2015 | Decreto por el que se reforman, adicionan y derogan diversas disposiciones del Reglamento de la Ley de Inversión Extranjera y del Registro Nacional de Inversiones Extranjeras, Federal Official Gazette on 31 October 2014;<br>Resolución General por la que se establecen los montos relativos a la actualización de la información y renovación de constancia de inscripción ante el Registro Nacional de Inversiones Extranjeras, a que se refieren los artículos 38, 41, 43 y 50 del Reglamento de la Ley de Inversión Extranjera y del Registro Nacional de Inversiones Extranjeras, Federal Official Gazette on 23 February 2015. |

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| | renewal of registration to the National Foreign Investment Registry. | | |
| | On 2 September 2016, three resolutions that clarify the application of Mexico's rules on foreign investment came into effect. The *Resolución General por la que se determina la actualización del supuesto jurídico para la inscripción, presentación de avisos y cancelación de inscripción ante el Registro Nacional de Inversiones Extranjeras* clarifies the earliest date when the mandatory registration and notices of cancellation of registration in the National Foreign Investment Registry can be submitted. The *Resolución General por la que se establece el periodo máximo de información que deberá presentarse para la actualización ante el Registro Nacional de Inversiones Extranjeras* specifies the length of the period over which notices to the National Foreign Investment Registry can be required. Finally, the *Resolución General por la que se establece el criterio del término control, para efectos de la inversión neutra* defines the term "control" for the purpose of determining "neutral investments", i.e. foreign investments in Mexican companies that are not taken into account when the percentage of foreign capital in the capital stock of Mexican companies is assessed. | 2 September 2016 | *Resolución General por la que se determina la actualización del supuesto jurídico para la inscripción, presentación de avisos y cancelación de inscripción ante el Registro Nacional de Inversiones Extranjeras*, Federal Official Gazette 2 September 2016;<br>*Resolución General por la que se establece el periodo máximo de información que deberá presentarse para la actualización ante el Registro Nacional de Inversiones Extranjeras* Federal Official Gazette, 2 September 2016;<br>*Resolución General por la que se establece el criterio del término control, para efectos de la inversión neutra*, Federal Official Gazette, 2 September 2016. |
| | On 27 March 2017, the System of Legal Affairs for Foreign Investment and its rules of use (SAJIE) was published in the Official Gazette. SAJIE is a website that allows investors to submit legal procedures stated in the Foreign Investment Law, such as 'authorization by the Foreign Investment National Commission' or 'authorization of the establishment of foreign legal entities in Mexico'. Under this system, foreign investors can now submit legal procedures established in the Foreign Investment Law, by only using an electronic signature, which will have the same legal effect as a hand written signature of the issuer. | 27 March 2017 | "*Competitividad y Normatividad / Inversión Extranjera Directa*", Government of Mexico,14 June 2017;<br>"*Sistema de Asuntos Jurídicos para la Inversión Extranjera*" |
| | Effective 27 June 2017, Mexico increased foreign ownership limits in scheduled and non-scheduled domestic air transport service; non- scheduled international air transport service in air taxi modality; and specialized air transport service to 49%, up from 25% previously. | 27 June 2017 | *Decreto por el que se adiciona un inciso y) a la fracción III del artículo 7o., y se deroga la fracción II del artículo 7o. de la Ley de Inversión Extranjera.*, 26 June 2017. |
| | On 21 April 2022, a Decree amending the Mining Law came into force. Among others, the decree declared lithium of public utility and reserved its exploration, exploitation and use to the State, thus prohibiting private investment and production in the lithium sector. The Decree provides for the creation of a public entity to control and administer the lithium economic value chains within ninety days of its entry into force. | 21 April 2022 | Decree amending and adding various provisions of the Mining Law, DOF: 20/04/2022, 20 April 2022. |
| *Investment measures relating to national security* | None during reporting period. | | |
| **Russian Federation** | | | |
| *Investment policy measures* | On 10 November 2011, changes to foreign ownership of radio broadcasting became effective: Henceforth, foreign and foreign-controlled entities are no longer allowed to establish or acquire over 50% ownership of radio channels which broadcasts to more than one half of the territorial subjects of Russia, or over the territory on which one half or more of Russia's population resides. The rules are contained in Federal Law No.142-FZ of 14 June 2011 "*On Amending Some Legislative Acts of the Russian Federation in Connection with the Improvement of Legal Regulation of the Mass Media*". Similar restrictions already apply | 10 November 2011 | Federal Law No.142-FZ, 14 June 2011 "*On Amending Some Legislative Acts of the Russian Federation in Connection with the Improvement of Legal Regulation of the Mass Media*" |

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| | to television broadcasting. | | |
| | On 23 May 2012, the Central Bank of the Russian Federation issued Decree No.2818-У on the rights of subsidiaries of foreign banks operating in Russia to open local branch offices. The decree removed a previously existing obligation to obtain permission from the Central Bank and replaced it by a notification requirement. The Decree entered into force 10 days after its official publication. | 23 May 2012 | Decree No.2818-У, Central Bank of the Russian Federation, 23 May 2012. |
| | On 14 March 2013, the Russian Federation passed amendments to certain federal laws in order to ban the opening of branches of foreign banks in the territory of Russia. The changes do not concern Russian subsidiaries of foreign banks and of representative offices of foreign banks. | 14 March 2013 | Federal Law of 14 March 2013 No.29-FZ |
| | On 12 April 2013, the Russian Federation amended the law "On Banks and Banking Operations". The amendment prohibits the Central Bank to impose restrictions on banking operations for foreign banks with participation of investors from OECD countries. Hitherto, the Central Bank was allowed to limit operations of those foreign banks, whose countries of domiciliation impose restrictions on local branches of Russian banks. | 12 April 2013 | |
| | On 1 January 2016 Federal Law 305 entered into effect. The law prohibits ownership or control over 20% in the share capital of media companies by: foreign States, international organisations, Russian nationals who have a nationality of another State, foreign natural and legal persons, as well as Russian legal persons that are more than 20% foreign-owned. The previous cap of foreign control was 50% and applied to TV and radio only, while the reduced limit also covers print and Web media. The law had been signed on 14 October 2014. | 1 January 2016 | Федеральный закон от 14 октября 2014 г. № 305-ФЗ "О внесении изменений в Закон Российской Федерации "О средствах массовой информации". |
| | On 31 July 2023, Federal Law No. 406-FZ "On Amendments to the Federal Law on Information, Information Technologies and Information Protection" entered into force. Among other amendments, the law prohibits any foreign investors from owning a Russian news aggregator. It also bans the use by Russian public bodies, including State-owned enterprises, of any foreign software and other informational systems. | 31 July 2023 | Federal Law No. 406-FZ "On Amendments to the Federal Law 'On Information, Information Technologies and Information Protection' and the Federal Law 'on Communications'", Official Internet Portal of Legal Information, 31 July 2023. |
| *Investment measures relating to national security* | On 18 December 2011, amendments to the Federal Law "*On Procedures of Foreign Investments in Business Entities of Strategic importance for National Defence and State Security*" (No.57-FZ) and "*On Foreign Investments in the Russian Federation*" came into effect. The changes broaden the possibility of investment by foreigners in Russian strategic companies carrying out exploration and extraction of minerals; relax the limits on foreign investments in strategic industries and simplify the related procedures for investors that were introduced in Law No.57-FZ in 2008. More specifically, the amendments lift the ceilings of foreign ownership in certain sectors, exempt international financial organisations in which Russia is a member from certain approval requirements, and strip companies in certain sectors from their status as "strategic companies" for the purpose of the application of foreign investment rules.<br><br>In September 2012, the list of International Financial Organizations that enjoy the exemption from the requirement to obtain prior Government consent for certain acquisitions was adopted. | 18 December 2011; September 2012 | "*The first package of amendments" to the Law "On Foreign Investments…" is introduced to the State Duma of the Russian Federation*", Federal Antimonopoly Service of the Russian Federation announcement, 18 February 2011. |
| | On 4 February 2014, changes to the Federal Law "On the Procedures of Foreign Investments in the Business Entities of Strategic Importance for National Defence and State Security" (No.57-FZ) entered into effect. The changes, introduced by Federal Law "On Introducing Changes to Some Legislative Acts of the Russian Federation on Providing Transport Security" (No. 15-FZ) of 3 February 2014 specify the types of activities of | 4 February 2014 | "Changes to the strategic types of activities in the law on foreign investments", Federal Antimonopoly Service media release, 10 February 2014 |

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| | strategic importance for the national defence and state security by adding three activities: (i) evaluation of the vulnerability of the transport infrastructure facilities and the means of transport by specialized organizations; (ii) the protection of transport infrastructure facilities and (iii) the means of transport by transport security units from the acts of unlawful intervention; and the support to certification of transportation security by the certifying authorities. | | |
| | On 6 December 2014, amendments to the Federal Law on Foreign Investment in Commercial Entities with Strategic Importance for National Defense and National Security came into effect. These amendments, included in Federal Law No. 343-FZ, exempt certain operations from the remit of the Law on Strategic Entities, but bring property classified as production assets of a strategic company – valued at more than 25% of the strategic entity's balance sheet assets – under the law's scope. | 6 December 2014 | "Amendments to No. 57-FZ Federal Law on foreign investments come into effect", Federal Antimonopoly Service of the Russian Federation news release, 5 December 2014 |
| | On 1 July 2017, the President of the Russian Federation signed Federal Law No. 155-FZ of 1 July 2017 On Amendments to Article 5 of the Federal Law on Privatisation of State and Municipal Property and to the Federal Law On Procedures for Foreign Investment in Business Entities of Strategic Importance for National Defence and State Security. This Federal Law prohibits legal entities that are registered in a state or territory that are on the Finance Ministry list of states and territories offering preferential tax treatment and/or not requesting the disclosure and provision of information regarding financial transactions (offshore zones), as well as legal entities that are controlled by an offshore company or groups that include an offshore company, from taking part in the privatisation of state and municipal property. This Federal Law also extends the provisions of the *Federal Law No. 57-FZ of 29 April 2008 On Procedures for Foreign Investment in Business Entities of Strategic Importance for National Defence and State Security* to include these legal entities' investment in business entities of strategic importance for national defence and state security, as well as these legal entities' transactions with regard to these business entities. | 1 July 2017 | "*Amendments to law on the privatisation of state property and on procedures for foreign investment in business entities of strategic importance for national defence and state security*", Presidential Executive Office, 1 July 2017. |
| | On 30 July 2017, Federal Law No. 165-FZ of 18 July 2017 *On Amendments to Article 6 of the Federal Law on Foreign Investment in the Russian Federation and to the Federal Law On the Procedure for Foreign Investment in Business Entities of Strategic Importance for National Defence and State Security* came into effect. Under the Federal Law, by decision of the Chairman of the Government Commission on Monitoring Foreign Investment in the Russian Federation, transactions that are made by foreign investors with regard to Russian business entities must be subject to prior approval in accordance with the *Federal Law No. 57-FZ of 29 April 2008 on the Procedure for Foreign Investment in Business Entities of Strategic Importance for National Defence and State Security*. The law also establishes the legal consequences for deals that violate this requirement. The list of types of activities that are strategically important for national defence and state security has been clarified and extended. Legal norms that establish the procedure for determining the commitments of foreign investors related to ensuring national defence and state security have been adjusted. | 30 July 2017 | "*Amendments to laws on foreign investment and procedure for investing in business entities of strategic importance for national defence*", Presidential Executive Office, 19 July 2017. |
| | On 12 June 2018, the *Federal Law of May 31, 2018 N 122-FZ "On Amendments to Certain Legislative Acts of the Russian Federation regarding the clarification of the concept 'foreign investor'* came into effect. The new rules reframe the application of rules under which foreign investment in certain sectors is subject to review, set out in the *Law on the Procedure for Foreign Investment in Business Entities of Strategic Importance for National Defence and State Security*. Nominally foreign entities controlled by Russian residents will no longer be considered as foreign investors, and review procedures and restrictions have been relaxed provided that the acquirer of an asset discloses their beneficial ownership. | 12 June 2018 | *Federal Law of May 31, 2018 N 122-FZ "On Amendments to Certain Legislative Acts of the Russian Federation regarding the clarification of the concept 'foreign investor'"*. |

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| | On 11 August 2020, the Federal Law No. 255-FZ of 31 July 2020 on "Amendments to the Federal Law on "Procedures for Foreign Investment in the Business Entities of Strategic Importance for Russian National Defence and State Security", entered into force. The amendments seek to clarify certain provisions of the Law in order to prevent circumvention of the screening mechanism. | 11 August 2020 | Federal Law No. 255-FZ of July 31, 2020, on "Amendments to the Federal Law on "Procedures for Foreign Investment in the Business Entities of Strategic Importance for Russian National Defence and State Security", 31 July 2020. |
| | On 20 March 2021, Federal Law No.40-FZ on "Amendments to the Federal Law on 'Procedures for Foreign Investment in the Business Entities of Strategic Importance for Russian National Defence and State Security' entered into force. The law introduces a simplified review procedure for the review of foreign investments in certain industries if the operations of the acquisition target in the Russian Federation are not a main business of the foreign investor abroad. | 20 March 2021 | Federal Law No.40-FZ on "Amendments to the Federal Law on 'Procedures for Foreign Investment in the Business Entities of Strategic Importance for Russian National Defence and State Security' |
| | On 2 July 2021, Federal Law No.339-FZ Amending the Federal Law 'On Fisheries and the Conservation of Aquatic Biological Resources' and the Federal Law 'On the Procedure for Making Foreign Investments in Economic Companies of Strategic Importance for Ensuring the Defense of the Country and Security of the State' entered into force.<br>Among others, the amendments classify fishing aquatic biological resources as an activity of "strategic importance", and certain transactions that lead to the establishment of control by a foreign investor over enterprises engaged in such activities are subject to prior approval by the Government Commission for the Control of Foreign Investment in the Russian Federation. The law also lowers the trigger threshold for acquisitions made by foreign investors in fishing organisations from 50% to 25% of voting rights in the target entity. | 2 July 2021 | Federal Law No.339-FZ Amending the Federal Law 'On Fisheries and the Conservation of Aquatic Biological Resources' and the Federal Law 'On the Procedure for Making Foreign Investments in Economic Companies of Strategic Importance for Ensuring the Defense of the Country and Security of the State', 2 July 2021. |
| | On 15 April 2022, the Government of the Russian Federation approved the Federal Law No. 92-FZ "On Amendments to Certain Legislative Acts for the Russian Federation", including Federal Law No. 57 of 29 April 2008. Among others, these instrument add further types of activities that are deemed of strategic importance to ensure the Russian Federation's defence and national security under Article 6 of Federal Law No. 57, namely: transport by sea and inland waterways of goods of strategic importance for national security (e.g. gas and coal), between places within the territory of the Russian Federation, as defined by the amended provision; and activities related to the development and creation of automated information systems for the clearance of air transport, databases related thereto, information and telecomm networks that ensure the operation of said system, and the exercise of operator functions by business entities. The instrument also imposes reporting requirements in relation to these amendments. These amendments will enter into force on 30 October 2022. | 15 April 2022 | Federal Law No. 92-FZ "On Amendments to Certain Legislative Acts for the Russian Federation", 15 April 2022;<br>Federal Law No. 57 "On Procedures for Foreign Investments in Business Companies of Strategic Importance for National Defence and State Security of 29 April 2008", 29 April 2008 (as updated from time to time). |
| | On 29 December 2022, the Government of the Russian Federation issued an Amendment to the Federal Law "On the Procedure for Foreign Investments in Economic Companies of Strategic Importance for Ensuring the Defense of the Country and the Security of the State" and Certain Legislative Acts of the Russian Federation. The amendment entered into force on 1 March 2023 (Article 5(1)(a) only) and 29 March 2023. The amendment applies to Federal Law No.57-FZ and expands the scope of domestic business entities for which preliminary approval is required in case a foreign investor wants to gain control over such entities. A preliminary approval is not required for foreign persons to acquire control over domestic enterprises in case an authorised government body does not see a need for obtaining one. | 29 March 2023 | Amendment to the Federal Law "On the Procedure for Foreign Investments in Economic Companies of Strategic Importance for Ensuring the Defense of the Country and the Security of the State" and Certain Legislative Acts of the Russian Federation. |
| | On 3 June 2023, the Government of the Russian Federation issued Order No.1455-r. This Order establishes the list of 47 types of "harvesting aquatic bioresources" subject to specific protection under Article 7 of the Federal Law No.57 "On Procedures for Foreign Investments in Business Companies of Strategic Importance for National Defence and State Security of 29 April | 3 June 2023 | Order of the Government of the Russian Federation No.1455-r, Official Internet Portal of Legal Information, 3 June 2023. |

| | Description of Measure | Date | Source |
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| | 2008". Under Article 7, certain transactions that lead to the establishment of control by a foreign investor over enterprises engaged in fishing aquatic biological resources are subject to prior approval by the Government Commission for the Control of Foreign Investment in the Russian Federation. | | |
| **Saudi Arabia** | | | |
| *Investment policy measures* | On 15 June 2015, Saudi Arabia opened its stock market, known as the Tadawul, for foreign investors. Restrictions apply, however: Only Qualified Foreign Investors (QFI) can participate in the market; QFI's need to be financial institutions with assets of at least USD 5 billion under management, have been in operation for at least five years. Also, individual investors may acquire equity stakes of no more than only 5% in individual companies, and foreign investors cumulatively may not hold more than 20%. Foreigners may not invest in all companies listed on the Tadawul. | 15 June 2015 | "Rules for Qualified Foreign Financial Institutions Investment in Listed Shares", Capital Markets Authority. |
| | The Saudi Arabian General Investment Authority (SAGIA) has simplified licensing procedures for foreign investors. It expedited procedures by reducing the number of documents required for new licenses to only three and states that the licenses should be obtained in not more than 5 working days. Investors will also have the option to extend their licenses for up to 15 years. | 16 February 2016 | *"Reduce Documents required for new licenses & Multiple renewal",* Announcement of Saudi Arabian General Investment Authority, 17 February 2016. |
| | On 14 June 2016, Saudi Arabia announced the decision to increase the ceiling for foreign investment in wholesale and retail trade sector from 75% to 100%, under certain conditions. For example, foreign firms will have to invest at least SAR 200 million in the first five years after obtaining a licence. | 14 June 2016 | "Council of Ministers Approves 100 Percent Ownership in the Trading Sector", Saudi Arabian General Investment Authority news release, 14 June 2016 |
| | On 7 August 2017, the Cabinet decided to allow foreign companies full ownership of engineering services companies and associated consultancy, provided that the company is at least ten years old and operates in at least four countries; the board of directors of the General Authority for Investment can dispend a company from meeting one of the two conditions. | 7 August 2017 | "*Vice Custodian of the Two Holy Mosques Presides Over Cabinet session 5 Jeddah*", The official Saudi Press Agency, 7 August 2017. |
| | On 26 February 2018, the General Investment Authority of Saudi Arabia extended the licensing period for foreign investors to five years, up from one year previously. Licenses can also be renewed upon expiry, and foreign investors still have the option of holding one-year licences. | 26 February 2018 | "*SAGIA Extends Foreign Licensing for 5 Renewable Years*", Saudi Press Agency, 26 February 2018. |
| | On 23 October 2018, Saudi Arabia allowed foreign investment in road transport, real estate brokerage, audiovisual services and recruitment offices. | 23 October 2018 | |
| | On 26 June 2019, the "Instructions for Foreign Strategic Investors' Ownership in Listed Companies" (the FSI Instructions) became effective. The FSI Instructions removed the existing limit on foreign ownership of a Saudi-listed company to foreign strategic investors.<br>Under the new regulations, foreign ownership of stocks will no longer be limited to qualified foreign investors (QFIs) (i.e. financial firms with at least US$500 million in assets under management). Also, the previous minimum or maximum ownership limits for strategic investors have been abolished. Holding periods of 24 months continue to apply. | 26 June 2019 | "*The CMA Approves the Instructions for the Foreign Strategic Investors' Ownership in Listed Companies*", Capital Market Authority, 26 June 2019. |
| | Effective 1 October 2019, foreign investment in certain services under the *Law of Printing Materials and Publication* was authorised. These services include printing; libraries; import, sale or renting of films and videos; audio recordings and CDs; radio, television, cinema or theatrical art production; as well as any further activity proposed by the Ministry and approved by the Prime Minister. | 1 October 2019 | Communication from the Saudi Arabian General Investment Authority, dated 21 October 2019. |

| | Description of Measure | Date | Source |
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| *Investment measures relating to national security* | On 7 September 2021, the Council of Ministers released a Resolution on the establishment of a "Permanent Ministerial Committee for the Examination of Foreign Investment". The Committee is tasked to identify on an ongoing basis sensitive and strategic sectors or companies in which foreign investments may affect national security or public order. Foreign investments in those sectors or companies will be subject to examination and potentially restrictions. The Committee is chaired by the Ministry of Investment and involves several other Ministries. | 7 September 2021 | Council of Ministers Resolution No.83 on the Organization of a Permanent Ministerial Committee for the Examination of Foreign Investments, 7 September 2021. |
| **South Africa** | | | |
| *Investment policy measures* | On 13 July 2018, the Protection of Investment Act came into effect with the publication of the presidential proclamation on the commencement of the Act. The Act, which had been adopted and assented to in 2015, has been passed following the termination by South Africa of a series of investment treaties that the country had concluded in the mid-1990s. | 13 July 2018 | Protection of Investment Act |
| *Investment measures relating to national security* | On 14 February 2019, the *Competition Amendment Act, 2018* was published in the official Gazette. The Act, once in force, will allow the President to constitute a national security review committee on foreign investments which will conduct mandatory reviews of inward foreign investment to safeguard South Africa's essential security interests. Sectors as well as critical infrastructure assets to which the review mechanism will apply are to be listed. | 14 February 2019 | Competition Amendment Act, 2018; |
| | On 29 March 2019, the Competition Commission South Africa published Guidelines for the determination of administrative penalties for failure to notify mergers and implementation of mergers contrary to the Competition Act No 89 of 1998, as amended, in the Official Gazette. The Guidelines set out the methodology for determining administrative penalties for the failure to notify mergers, including in the context of the mandatory national security review mechanism that the legislation of 14 February 2019 has established. | 29 March 2019 | Guidelines for the determination of administrative penalties for failure to notify mergers and implementation of mergers contrary to the Competition Act No 89 of 1998, as amended, Competition Commission, Government Gazette No.473, 29 March 2019. |
| | On 28 September 2021, the Private Security Industry Regulation Amendment Act, 2014 received assent. Among other issues, the Amendment Act introduces a requirement that private security companies be owned and controlled to at least 51% by South African citizens, subject to derogation. | 28 September 2021 | Act No.18 of 2014: Private Security Industry Regulation Amendment Act, 2014, Government Gazette, Vol.676, No.594, 8 October 2021. |
| **Türkiye** | | | |
| *Investment policy measures* | On 6 October 2010, Turkey clarified and simplified the rules applicable for acquisitions of real estate by foreign-owned Turkish companies. The new "*Regulation on Acquisition of Real Estate Ownership and Limited Rights in rem by Foreign-Owned Companies*", which abolished rules passed in 2008. | 6 October 2010 | Regulation on Acquisition of Real Estate Ownership and Limited Rights in rem by Foreign-Owned Companies, Official Gazette No. 27721 dated 6 October 2010. |
| | On 3 March 2011, a new media law came into effect. Among other provisions, the law increases the allowed foreign ownership limit to 50% in up to two media companies. Indirect holdings are not covered by these limits. The previous, now repealed law No. 3984 only allowed foreigners to own up to 25% in only one media company. | 3 March 2011 | Law No. 6112 on the Establishment of Radio and Television Enterprises and Their Broadcasts of 15 February 2011, Official Gazette of 3 March 2011, Nr. 27863. |
| | On 3 May 2012, Turkey passed Law No. 6302 amending the Land Registry Law. The amendments broaden the extent to which foreign individuals and companies can acquire real estate in Turkey. Henceforth, a foreign individual may acquire up to 30 hectares across the country. The Council of Ministers may allow acquisitions twice this amount or restrict or prohibit a specific acquisition. The new Law also regulates the acquisition of real estate by foreign-controlled companies incorporated in Turkey, | 3 May 2012 | Law No. 6302, Official Gazette of 18 May 2012, no. 28196. |

| | Description of Measure | Date | Source |
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| | while acquisitions by foreign companies remain governed by sector-specific laws. | | |
| *Investment measures relating to national security* | None during reporting period. | | |
| **United Kingdom** | | | |
| *Investment policy measures* | On 22 June 2020, the UK Government issued an Order amending the Enterprise Act 2002 to add the "need to maintain in the UK the capability to combat, and mitigate the effects of public health emergencies" as a "specified consideration" under the Act in relation to which UK authorities may intervene in certain mergers. | 22 June 2020 | The Enterprise Act 2002 (Specification of Additional Section 58 Consideration) Order 2020, SI 2020/627, 22 June 2020. |
| | As per the Finance Bill 2021 and the Provisional Collection of Taxes Act (Budget Resolutions) of 3 March 2021, from 1 April 2021 purchases of dwellings in England and Northern Ireland made by non-UK resident purchasers, including certain UK resident companies for corporation tax purposes that are close companies controlled by non-residents, will attract a Stamp Duty Land Tax (SDLT) that is 2 percentage points higher than those that apply to purchases made by UK residents. The surcharge applies to purchases of both freehold and leasehold property, as well as increasing the SDLT payable on rents on the grant of a new lease. | 3 March 2021; 1 April 2021 | "*Guidance - Rates of Stamp Duty Land Tax for non-UK residents*", 8 March 2020, HM Revenue&Customs. |
| *Investment measures relating to national security* | On 11 June 2018, the United Kingdom brought two amendments to the Enterprise Act 2002 into force. These amendments change the conditions for the application of the UK's reviews of inward investment to manage national security concerns. The changes lower the turnover test threshold for mergers and acquisitions from GBP 70 million to GBP 1 million in three sectors:<br>• the development or production of items for military or military and civilian use ('dual use');<br>• the design and maintenance of aspects of computing hardware; and<br>• the development and production of quantum technology.<br>The share of supply test – an alternative criterion that could trigger a review – was likewise amended to also cover situations where the acquisition target already supplies 25% of the UK market in its sector; previously, only situations where the acquisition created a 25% supply position or led to an increase of the market share in the sector in the UK was covered. | 11 June 2018 | Enterprise Act 2002 (Share of Supply Test) (Amendment) Order 2018, SI 2018/578;<br>Enterprise Act 2002 (Turnover Test) (Amendment) Order 2018, SI 2018/593;<br>"*Government upgrades national security investment powers*", U.K Government news release, 24 July 2018;<br>Notification to the OECD, DAF/INV/RD(2018)7, 27 September 2018. |
| | On 20 July 2020, the UK Government made two additional orders amending the circumstances when the Government may intervene in mergers under the Enterprise Act 2002. The changes lower the jurisdictional thresholds for merger controls in three specific sectors: artificial intelligence, cryptographic authentication technology, and "advanced materials". | 20 July 2020 | Enterprise Act 2002 (Share of Supply) (Amendment) Order 2020, SI 2020/748, 20 July 2020;<br>Enterprise Act 2002 (Turnover Test) (Amendment) Order 2020, SI 2020/763, 20 July 2020. |
| | On 29 April 2021, the National Security and Investment Act 2021 received Royal Assent. The Act establishes an investment screening mechanism that allows the United Kingdom's authorities to scrutinise, impose conditions on, and block transactions that pose an undue risk to the country's security interests. The legislation has not yet come into force – it is currently due to commence at the end of 2021. | 29 April 2021 | National Security and Investment Act 2021, 29 April 2021. |
| | On 4 January 2022, the National Security and Investment Act 2021 and its implementing Regulations entered into force. The Act sets investment screening in the United Kingdom on a new footing and replaces the previous mechanism under the Enterprise Act. The new rules allow the United Kingdom's authorities to | 4 January 2022 | National Security and Investment Act 2021, 29 April 2021;<br>The National Security and Investment Act 2021 (Notifiable Acquisition) (Specification of |

| | Description of Measure | Date | Source |
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| | scrutinise, impose conditions on, and block acquisitions that pose an undue risk to the country's national security interests. Among others, the new framework also requires mandatory notification for acquisitions of certain entities in seventeen areas of the United Kingdom's economy and gives the competence to the Secretary of State to exercise a call-in power regarding certain acquisitions and under certain conditions. A statement sets out how the Secretary of State expects to exercise the power to give a call-in notice. | | Qualifying Entities) Regulations 2021, 10 November 2021;<br>The National Security and Investment Act 2021 (Monetary Penalties) (Turnover of a Business) Regulations 2021, 10 November 2021;<br>The National Security and Investment Act 2021 (Prescribed Form and Content of Notices and Validation Applications) Regulations 2021, 15 November 2021;<br>The National Security and Investment Act 2021 (Procedure for Service) Regulations 2021, 15 November 2021;<br>National Security and Investment Act 2021: Statement for the purposes of section 3, Department for Business, Energy & Industrial Strategy, 2 November 2021. |
| | On 27 April 2023, the Government of the United Kingdom published the new "Market Guidance on the National Security and Investment Act 2021". The latest guidance provides more detailed information on various aspects of the National Security and Investment assessment process, such as the stages involved, when to notify, and the steps that companies in financial difficulty can take when notifying deals. Additionally, it includes practical guidance on completing the notification forms and the different stages of the process. The updated guidance aims to enhance the transparency and comprehensibility of the National Security and Investment regime. | 27 April 2023 | Guidance National Security and Investment, Government of the United Kingdom, 27 April 2023. |
| **United States** | | | |
| *Investment policy measures* | On 18 April 2013, the Federal Communications Commission adopted and released an order that provides greater investment flexibility by streamlining the policies and procedures that apply to foreign ownership of common carrier and certain aeronautical radio station licensees, that is, companies that provide fixed or mobile telecommunications service over networks that employ spectrum-based technologies. | 18 April 2013 | "*Federal Communications Commission – Second Report and Order*", Federal Communications Commission, FCC 13-50, 18 April 2013 |
| | On 30 September 2016, the Federal Communications Commission released a report and order that simplifies the foreign ownership filing and review process for broadcast licensees. While the rule under which *direct* ownership of a broadcast station is restricted to U.S. citizens or to entities in which non-U.S.-citizens own no more than 20%, did not change, rules on indirect ownership were adjusted by extending the rules developed for foreign ownership reviews for common carrier and certain aeronautical licensees to the broadcast context. The change also provides a reformed framework for a publicly traded broadcast or common carrier licensee or controlling U.S. parent to ascertain its foreign ownership. | 30 September 2016 | FCC 16-128, Federal Communications Commission |
| *Investment measures relating to national security* | On 13 August 2018 changes to the foreign investment review process under the Committee for Foreign Investment in the United States (CFIUS) came into effect. The changes, set out in sections 1701 and following of the Foreign Investment Risk Review Modernization Act (FIRRMA) expand the scope of covered transactions to address growing national security concerns and extend the timeline for CFIUS reviews. On 11 October 2018, an Interim Rule brought further clarifications on the process and procedures. Further changes – such as the expansion of CFIUS jurisdiction and filing obligations – will come into effect when | 13 August 2018 | Foreign Investment Risk Review Modernization Act (FIRRMA)<br>Notification to the OECD DAF/INV/RD(2018)8, 4 October 2018. |

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| | implementing regulations have been adopted or within 18 months from the entry into force of FIRRMA. | | |
| | On 10 November 2018, Interim Rules that require filings with the Committee for Foreign Investment in the United States (CFIUS) for certain investments in critical technologies and expand jurisdiction to certain non-controlling investments came into effect. The Rules implement some of the new powers and obligations that CFIUS and other authorities received as part of the Foreign Investment Risk Review Modernization Act (FIRRMA), which had come into effect on 13 August 2018. The Interim rules expand CFIUS reviews to include certain non-controlling, non-passive investments in companies involved with critical technologies and introduce mandatory filings of certain transactions whereas hitherto CFIUS filings were voluntary. The interim rules are a temporary pilot programme that will end no later than 5 March 2020. | 10 November 2018 | "*Determination and Temporary Provisions Pertaining to a Pilot Program To Review Certain Transactions Involving Foreign Persons and Critical Technologies*", Federal Register, Vol. 83, No.197, 11 October 2018. |
| | On 13 February 2020, regulations issued by the U.S. Department of the Treasury implementing broadened authorities of the Committee for Foreign Investment in the United States (CFIUS) and requiring mandatory declarations in some circumstances became effective. The regulations implement the Foreign Investment Risk Review Modernization Act (FIRRMA).<br>Prior to FIRRMA, CFIUS had authority to review transactions that could result in control by a foreign person over any U.S. business. Under FIRRMA, CFIUS retains this authority and can also review certain non-controlling investments by foreign persons in U.S. businesses involved with critical technology, critical infrastructure, or sensitive personal data. Additionally, CFIUS can review certain real estate transactions involving a foreign. The regulations also provide for mandatory declarations for certain transactions. | 13 February 2020 | Provisions Pertaining To Certain Investments in the United States by Foreign Persons (31 CFR Parts 800 and 801), Federal Register, Vol.85, No.12, 17 January 2020.<br>Provisions Pertaining to Certain Transactions by Foreign Persons Involving Real Estate in the United States (31 CFR Part 802), Federal Register, Vol.85, No.12, 17 January 2020. |
| | On 4 April 2020, the President of the United States issued Executive Order 13913 establishing a new Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector. The Executive Order formalises the federal authority to review license applications involving foreign ownership in telecommunications companies seeking to provide telecommunications services to or from the United States. Effective since 8 April 2020, the Executive Order requires the new Committee and the review process to be in place no later than 3 July 2020. | 8 April 2020 | Executive Order 13913 of April 4, 2020 Establishing the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, Federal Register, Vol.85, No. 68, 8 April 2020. |
| | On 1 May 2020, an interim rule issued by the U.S Department of the Treasury establishes fees for parties filing a formal written notice of a real estate transaction with CFIUS. The filing fee amount is based on the value of the transaction. FIRRMA provided CFIUS the authority to collect filing fees. | 1 May 2020 | Filing Fees for Notices of Certain Investments in the United States by Foreign Persons and Certain Transactions by Foreign Persons Involving Real Estate in the United States, Federal Register, Vol.85, No.83, 29 April 2020. |
| | On 1 May 2020 the U.S. President issued an Executive Order prohibiting certain transactions involving bulk power system electric equipment that has been developed, manufactured, or supplied by a foreign adversary if the Secretary of Energy, in consultation with the heads of other agencies, determines that the transaction raises significant national security concerns. | 1 May 2020 | Executive Order 13920 of 1 May 2020 Securing the United States Bulk Power System, Federal Register Vol.85, No.86, 4 May 2020. |
| | On 27 August 2020, a Final Rule issued by the U.S. Department of Treasury clarifying revisions to the definition of "principal place of business" in the regulations of the Committee for Foreign Investment in the United States (CFIUS) became effective. The definition of "principal place of business" was introduced earlier through Interim Rules published on 17 January 2020 and on which the public provided comments. The Final Rule introduces clarifications that were the subject of public comments addressed to the U.S. Treasury in January 2020 after the publication of two interim rules defining the term. The Final Rule also adopts definitively an Interim Rule published by the U.S. Treasury on 29 | 27 August 2020 | Final Rule, Definition of "Principal Place of Business"; Filing Fees for Notices of Certain Investment in the United States by Foreign Persons and Certain Transactions by Foreign Persons Involving Real Estate in the United States, Federal Register Vol.85, No.145, 28 July 2020. |

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| | April 2020 establishing fees for parties filing a formal written notice with CFIUS of a real estate transaction. | | |
| | On 15 October 2020, a Final Rule issued by the U.S. Department of the Treasury modifying the criteria for mandatory declarations for certain foreign investment transactions involving a U.S. business that produces, designs, tests, manufactures, fabricates, or develops one or more "critical technologies" came into effect. This Final Rule made revisions to the proposed rule published on 21 May 2020 and on which the public provided comments. This Final Rule removes the previous analysis and nexus to the North American Industry Classification System (NAICS) codes, and replaces it with an analysis of export control authorization requirements. Additionally, this Final Rule makes amendments to the definition of the term "substantial interest" and a related provision, and makes one technical revision. | 15 October 2020 | Final Rule, Provisions Pertaining to Certain Investments in the United States by Foreign Persons, Federal Register, Vol.85, No.179, 15 September 2020. |
| | On 27 November 2020, new rules and procedures adopted by the Federal Communications Commission (FCC) were released. These rules and procedures streamline and improve the timeliness and transparency of the procedures for coordination between the FCC and the Executive Branch regarding the assessment of any national security, law enforcement, foreign policy or trade policy issues regarding applications with foreign ownership that seek to participate in the United States telecommunications market. | 27 November 2020 | Final Rule, Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, Federal Register, Vol.85, No.229, 27 November 2020. |
| | On 22 March 2021, the Department of Commerce interim regulations to implement provisions of Executive Order 13873, on "Securing the Information and Communications Technology and Services Supply Chain'' issued on 15 May 2019, became effective. These interim regulations establish procedures that enable the Secretary of Commerce to identify, assess, and address certain transactions, including classes of transactions, between U.S. persons and foreign persons that involve information and communications technology or services designed, developed, manufactured, or supplied, by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary; and pose an undue or unacceptable risk. | 22 March 2021 | Interim rule, Securing the Information and Communications Technology and Services Supply Chain, Federal Register, Vol.86, No.11, 19 January 2021. |
| | On 1 October 2021, the FCC released a Second Report and Order that adopted a standardised set of national security and law enforcement questions for which applicants need to provide responses to the Executive Branch Committee for its review of the application. This second Report and Order follows from the Report and Order released by the FCC on 1 October 2020 to strengthen the transparency and timeliness of the cross-agency review process for applicants with foreign ownership that seek to participate in the U.S. telecommunications market. The process assesses such applications with a view to their impact on national security, law enforcement, foreign policy or trade policy issues. The new rules formalized the process and established timeframes for the Executive Branch Committee to complete its review of the applications. | 1 October 2021 | Second Report and Order, Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, FCC 21-104, 1 October 2021; Report and Order, Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, FCC 20-133, 1 October 2020. |
| | On 5 January 2022, the U.S. Department of the Treasury, as Chair of the Committee on Foreign Investment in the United States (CFIUS), published that CFIUS has determined that Australia and Canada, two foreign states already identified as eligible foreign states, have met the determination requirements, which are set forth in 31 C.F.R. Part 800 for excepted foreign states and 31 C.F.R. Part 802 for excepted real estate foreign states.<br>On 5 January, the U.S. Department of the Treasury also announced CFIUS's decision to identify New Zealand as an eligible foreign state under 31 C.F.R. § 800.218(a) and 31 C.F.R. § 802.214(a), and to include it in the probationary list of excepted foreign states and excepted real estate foreign states, which includes the United Kingdom.<br>On 4 February 2022, a final rule issued by the U.S. Department of the Treasury came into effect. The final rule adopts without change a proposed rule issued on November 10, 2021, that would modify the definitions of ''excepted foreign state'' and ''excepted real estate foreign state'' by extending the date of the | 5 January 2022; 4 February 2022 | 31 CFR Part 800. Determination Regarding Excepted Foreign States, Federal Register, Vol. 87, No. 4, 6 January 2022;<br>31 CFR Part 802. Determination Regarding Excepted Real Estate Foreign States, Federal Register, Vol. 87, No. 5, 7 January 2022;<br>Fact Sheet: Final Regulations Modifying the Definitions of Excepted Foreign State and Excepted Real Estate Foreign State and Related Actions, U.S. Department of the Treasury, Vol. 87, No. 5, 7 January 2022;<br>Final Rule, Certain Investments in the United States by Foreign |

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| | determination criterion in each definition by one year, to February 13, 2023. Under the final rule, until the new date, a CFIUS decision to identify a foreign state as an eligible foreign state is all that is needed for a foreign state to meet the definition of excepted foreign state and excepted real estate foreign state. The second determination criterion will not be an effective part of either definition until 13 February 2023. | | Persons and Certain Transactions by Foreign Persons Involving Real Estate in the United States, Federal Register, Vol. 87, No.46, 6 January 2022. |
| | On 10 February 2023, a determination of the Office of Investment Security in the Department of the Treasury became effective. The determinations concern the assessment that two foreign States, the United Kingdom and New Zealand, have established and are effectively utilizing a robust process to analyse foreign investments for national security risks and to facilitate coordination with the United States on matters relating to investment security. New Zealand and the United Kingdom thus remain "excepted foreign states" for the purpose of the application of certain rules under the United States' foreign investment review regime. | 10 February 2023 | Determination Regarding Excepted Foreign States, Federal Register, Vol.88, No.29, 13 February 2023. |
| | On 8 May 2023, the Florida Senate Bill 264 (CS/CS/SB 264) was signed into law. Among others, the law prohibits persons from "foreign countries of concern" from directly or indirectly owning, having a controlling interest in or acquiring by the aforementioned methods any interest in agricultural land, property near military installations or critical infrastructure facilities in Florida after 1 July 2023. | 8 May 2023 | Bill 264 (CS/CS/SB 264), Laws of Florida, 8 May 2023. |
| | On 9 August 2023, the President of the United States issued Executive Order 14105. The Executive Order provides for the establishment of a new national security programme, to be implemented and administered by the Department of the Treasury (U.S. Treasury), to regulate certain U.S. investments into "countries of concern" in entities engaged in activities involving sensitive technologies critical to national security in three sectors: semiconductors and microelectronics, quantum information technologies, and artificial intelligence. The program would, pursuant to future implementing regulations: (1) require U.S. persons to notify the U.S. Treasury of certain transactions, and (2) prohibit U.S. persons from undertaking certain other transactions, in either case involving certain entities engaged in activities related to the three advanced technology areas. In an Annex, the Executive Order identified one country, the People's Republic of China, along with the Special Administrative Region of Hong Kong and the Special Administrative Region of Macau, as a country of concern.<br>The same day, the U.S. Treasury released an Advanced Notice of Proposed Rulemaking (ANPR) related to the implementation of Executive Order 14105. The ANPR proposes several definitions to elaborate the scope of the national security program, which will be subject to public notice and comment before it goes into effect. | 9 August 2023 | Executive Order 14105 of August 9, 2023, "Addressing United States Investments in Certain National Security Technologies and Products in Countries of Concern", Federal Register, Vol.88, No.154, 11 August 2023;<br>Advance notice of proposed rulemaking, Provisions Pertaining to U.S. Investments in Certain National Security Technologies and Products in Countries of Concern, Federal Register, Vol.88, No.155, 14 August 2023;<br>"*FACT SHEET: President Biden Issues Executive Order Addressing United States Investments in Certain National Security Technologies and Products in Countries of Concern; Treasury Department Issues Advance Notice of Proposed Rulemaking to Enhance Transparency and Clarity and Solicit Comments on Scope of New Program*", U.S. Department of the Treasury, 9 August 2023;<br>"*Treasury Seeks Public Comment on Implementation of Executive Order Addressing U.S. Investments in Certain National Security Technologies and Products in Countries of Concern*", Press release, U.S. Department of the Treasury, 9 August 2023. |
| | On 22 September 2023, the Department of the Treasury's Final Rule on Provisions Pertaining to Certain Transactions by Foreign Persons Involving Real Estate in the United States entered into effect. This final rule adopts without change the proposed rule amending the definition of "military installation" and adds eight military installations to the appendix in the regulations of the Committee on Foreign Investment in the United States (CFIUS) that implement the provisions relating to real estate transactions. | 22 September 2023 | Final Rule, Provisions Pertaining to Certain Transactions by Foreign Persons Involving Real Estate in the United States, Federal Register, Vol. 88, No. 162, 23 August 2023. |

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| | This rule also makes technical amendments in the form of name changes to five military installations. | | |
| | On 22 September 2023, the Department of Commerce issued a Final Rule on Preventing the Improper Use of CHIPS Act Funding implementing certain provisions of the CHIPS and Science Act of 2022, an Act that establishes a semiconductor incentives program to provide funding to incentivize investments in the semiconductor industry.<br>The Final Rule seeks to protect "national security and the resilience of supply chains" for semiconductors by requiring the recipients of CHIPS funds to fulfill certain conditions before any material expansion of semiconductor manufacturing capacity in foreign countries of concern (defined elsewhere to include the Democratic People's Republic of North Korea, the People's Republic of China, the Russian Federation, and the Islamic Republic of Iran) for ten years, and restricting recipients from knowingly engaging in certain joint research or technology licensing efforts with foreign entities of concern during the applicable term of the award. Among others, the Final Rule describes the types of activities that are prohibited for the recipients of these funds and sets forth procedures for notifying the Secretary of Commerce of non-compliance and the process by which the Secretary will enforce these provisions. The final rule is scheduled to enter into effect on 24 November 2023. | 22 September 2023 | Final Rule, Preventing the Improper Use of CHIPS Act Funding, Federal Register, Vol. 88, No. 184, 25 September 2023;<br>CHIPS and Science Act of 2022, Public Law No.117-167, 8 October 2022. |
| **European Union** | | | |
| *Investment policy measures* | On 12 January 2023, Regulation (EU) 2022/2560 of the European Parliament and the Council on foreign subsidies distorting the internal market entered into force. The Regulation will enter into full application on 12 July 2023 and seeks to address some of the internal market distortions caused by foreign subsidies. The text introduces (i) a mandatory ex ante notification-based procedure to investigate concentrations and bids in public procurements fully or partially financed through foreign subsidies; (ii) a general tool enabling the Commission to investigate certain market situations, such as greenfield investments, by initiating a review ex officio or requesting an ad-hoc notification. | 12 January 2023 | Regulation (EU) 2022/2560 of the European Parliament and the Council of 14 December 2022 on foreign subsidies distorting the internal market, Official Journal of the European Union, L 330/1, 23 December 2022. |
| | On 12 July 2023, the European Commission Implementing Regulation (EU) 2023/1441 on detailed arrangements for the conduct of proceedings by the Commission pursuant to Regulation (EU) 2022/2560 of the European Parliament and of the Council on foreign subsidies distorting the internal market entered into force. The new rules detail procedural aspects of the implementation of the regulation, especially on reporting obligations of notifying parties, notification forms and information to be included therein for concentrations and public procurement procedures involving foreign financial contributions. The implementing regulation also contains information on the Commission's investigation process, including procedures to be followed by companies for submitting commitments to address possible concerns of the Commission. | 12 July 2023 | Commission Implementing Regulation (EU) 2023/1441 of 10 July 2023 on detailed arrangements for the conduct of proceedings by the Commission pursuant to Regulation (EU) 2022/2560 of the European Parliament and of the Council on foreign subsidies distorting the internal market, Official Journal of the European Union, L 177/1, 12 July 2023. |
| *Investment measures relating to national security* | On 10 April 2019, the Regulation of the European Parliament and of the Council establishing a framework for the screening of foreign direct investments into the Union entered into force. Its provisions will apply from 11 October 2020. The Regulation creates a mechanism for exchange of information related to specific investment proposals among EU Member States and the Commission and in particular allows the Commission to issue non-binding opinions if an investment threatens essential security interest of more than one Member State; or when an investment could undermine a programme of the whole EU; and sets standards for EU Member States' national policies to safeguard their essential security interests. | 10 April 2019 | Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union, Official Journal of the European Union, 21 March 2019. |

| | Description of Measure | Date | Source |
|---|---|---|---|
| | On 19 September 2020, the Commission Delegated Regulation of 13 July 2020 amending the Annex to Regulation (EU) No 2019/452 entered into force, following consultation of EU Member states and a public consultation in June 2020. The amendment adds new projects and programmes to the list of projects and programs of Union interest set out in the Annex of the EU Regulation of the European Parliament and of the Council establishing a framework for the screening of foreign direct investments into the Union. | 19 September 2020 | Commission Delegated Regulation of 13 July 2020 amending the Annex to Regulation (EU) No.2019/452 of the European Parliament and of the Council establishing a framework for the screening of foreign direct investments into the Union, C(2020) 4721 final, Official Journal of the European Union, L 304/1, 18 September 2020. |
| | On 11 October 2020, the Regulation of the European Parliament and of the Council establishing a framework for the screening of foreign direct investments into the Union entered into full application. The Regulation creates a mechanism for the exchange of information among EU Member States and the Commission related to specific FDI transactions allows the Commission to issue non-binding opinions if an investment threatens essential security interest of more than one Member State; or when an investment could undermine a programme of the EU; and sets standards for EU Member States' national policies to safeguard their essential security interests. Member States may send non-binding comments if they consider that the transaction is likely to affect their security or public order. Pursuant to a Commission Decision of 31 July 2020 on the application of Article 127(7)(b) of the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community to the cooperation mechanism under Regulation (EU) 2019/452 which grants access to security-related sensitive information, the United Kingdom does not take part in the cooperation during the transition period. | 11 October 2020; 31 July 2020 | Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union, Official Journal of the European Union, L 79 I/1, 21 March 2019. |

**Methodology for the inventory presented in Section 1 — Coverage, Definitions and Sources**

*Reporting period.* The reporting period of the present document is from 2 April 2009 to 15 May 2023. An investment measure is counted as falling within the reporting period if new policies were adopted or entered into force during the period.

*Investment*. For the purpose of the inventory presented in Annex 1, international investment is understood to include only foreign direct investment. Investment policy measures not specific to FDI are not included in this inventory but shown in Annex 2 of this report.

*Investment measure*. For the purposes of this annex, investment measures consist of any action that either: imposes or removes differential treatment of foreign or non-resident investors compared to the treatment of domestic investors in like situations. Reporting on such policy measures has no legal effect on the rights and obligations of member states of the WTO, OECD, or UNCTAD.

*National security.* International investment law, including the OECD investment instruments, recognises that governments may need to take measures to safeguard essential security interests and public order. For the purpose of this report, national security related measures are understood as including policies which relate to national security risks associated with the acquisition, ownership or control of assets. National security related measures are included irrespective of whether the measure applies to foreigners only or whether it also covers nationals of the country that takes the measure. The investment policy community at the OECD and UNCTAD monitors these measures to help governments adopt policies which are effective in safeguarding national security and to ensure that they are not disguised protectionism.

*Sources of information and verification*. The sources of the information presented in this report are:

- official notifications made by governments to various OECD processes (e.g. the Freedom of Investment Roundtable or as required under the OECD investment instruments);
- information contained in other international organisations' reports or otherwise made available to the OECD and UNCTAD Secretariats;
- other publicly available sources: specialised web sites, press clippings etc.

Investment measures included in this report have been verified by the respective G20 members.

# Section 2: Investment policy measures not specific to FDI[2]

| Description of Measure | Date | Source |
|---|---|---|
| **Argentina** | | |
| In May, June and July 2009, Argentina issued norms that exempt certain operations from the temporary requirement to place 30% of fund-inflow purchases of Argentine pesos in a noninterest bearing account in a commercial bank for a 365-day period. | 21 May 2009;<br>26 June 2009;<br>6 July 2009 | Resolución MECON 263/2009 21-5-09; Resolución MECON 332/2009 26-6-09; Resolución MECON 354/2009 6-7-09. |
| According to Decree 1722/2011, which entered into force on 26 October 2011, companies producing crude petroleum or its derivatives, natural and liquefied gas must repatriate their foreign exchange export earnings to Argentina. The decree is based on Argentina's Law No. 25561 on Public Emergency of January 2002. | 26 October 2011;<br>31 October 2014 | *Decreto 1722/2011* of 25 October 2011, Official Gazette No. 32.263 of 26 October 2011, p.1. |
| Resolution 36.162/2011 of 26 October 2011, which entered into effect on 27 October 2011, requires reinsurance companies operating in Argentina to report by sworn statement their foreign assets within ten days since the entry into force and require them, within 50 days since the entry into force – i.e. 15 December 2011 –, to repatriate such assets to Argentina. However, the Argentine *Superintendence of Insurance Companies* may grant exceptions to this rule and authorise reinsurers to provisionally hold their investments abroad under exceptional circumstances to the extent that sufficient justifications have been furnished, in cases where the local market does not provide any instrument that reasonably corresponds to the commitments to be met, or when there is evidence of the inconvenience to abide by this resolution. | 27 October 2011 | *Reglamento General de la Actividad Aseguradora, Resolución 36.162/2011*, Official Gazette No. 32.264 of 27 October 2011, p.8. |
| On 28 October 2011, Central Bank Circular CAMEX 1-675 entered into effect. The circular establishes new restrictions on foreign exchange holdings by residents. | 28 October 2011 | *Comunicación "A" 5236,* Central Bank of Argentina, 27 October 2011. |
| On 31 October 2011, Resolution 3210 – "*Consultation Programme for Foreign Currency Operations*" – of the Public Income Administration bureau (AFIP) came into effect. The Resolution requires that entities, which have been authorised to carry out sale and purchase of foreign currency, shall have to register electronically all foreign currency purchasing operations of corporations or individuals. | 31 October 2011 | *Resolución General 3210 Programa de Consulta de Operaciones Cambiarias. Creación,* Administración Federal de Ingresos Públicos, Official Gazette Nº 32.266, p. 38. |
| Effective on 27 January 2014, Argentina relaxed some of its foreign exchange controls. Henceforth, individuals may purchase USD within fixed limits. | 27 January 2014 | "El gobierno autoriza desde el lunes compra de dólares para tenencia a personas fisicas y disminuye anticipo impuesto a las ganancias", Presidency of Argentina release, 24 January 2014. |
| On 31 October 2014, amendments to Argentina's Hydrocarbons Law came into effect. Among other issues, the changes allow exporters of petroleum to retain export proceeds abroad. | 31 October 2014 | Boletin Oficial de la Republica Argentina, Ley 27.007. |
| Effective 17 December 2015, Argentina relaxed the restrictions on foreign currency transactions. | 17 December 2015 | Comunicación "A" 5850, Banco Central de la República Argentina, 17 December 2015. |
| On 16 May 2016, the Central Bank announced the launch of peso-denominated government bonds offered to residents and non-residents. In an auction following the announcements, foreign investors were offered only bonds with relatively longer maturities, while domestic investors could also acquire bonds with shorter maturities. | 16 May 2016 | Comunicación "A" 5974, Banco Central de la República Argentina, 1 July 2016. |
| Effective from 1 July 2016, the conversion requirement for foreign exchange earnings of exporters was relaxed; henceforth, the conversion needs to be carried out within 365 days rather than in 120 days as previously.<br>Effective 30 August 2016, the conversion requirement for foreign currency earnings of exporters was further relaxed; the conversion now has to take place within 1,825 days. | 1 July 2016;<br>30 August 2016 | Resolución 91/2016, Secretaría de Comercio, Ministerio de Producción;<br>Communicación "A" 6003, Banco Central de la República Argentina, 1 July 2016;<br>Resolución 242/2016, Secretaría de Comercio, Ministerio de Producción. |
| Effective 9 August 2016, the cap on foreign currency acquisitions by Argentinean residents – which stood at USD 5 million per month – was | 8 August 2016 | Communicación "A" 6037, Banco Central de la República |

[2] This inventory has been established by the OECD Secretariat under the responsibility of the Secretary-General of the OECD.

| Description of Measure | Date | Source |
|---|---|---|
| abolished. Requirements to justify the foreign exchange operations were also relaxed. | | Argentina, 8 August 2016. |
| Effective 5 January 2017, Argentina shortened the holding period for foreign capital to zero days by modifying Decree No. 616/2005. Previously, and since 17 December 2015, investors had to hold capital for at least 120 days. | 5 January 2017 | Resolución 1 - E/2017, Ministerio de Hacienda, Mercado Cambiario, 4 January 2017;<br>Modificación. Decreto N° 616/2005, Official Gazette, 5 January 2017 |
| On 30 August 2019, the Central Bank of Argentina issued Communication "A" 6768, which requires Argentinean banks and financial institutions to obtain authorisation for a transfer of their earnings generated by their domestic operations abroad. | 30 August 2019 | Communication "A" 6768, Central Bank of Argentina, 1 September 2019. |
| On 1 September 2019, the Central Bank of Argentina modified several rules related to the purchase and sale of foreign exchange. The changes, set out in Communication A6770 require:<br>– exporters of goods and services to repatriate and liquidate their foreign exchange earnings in the local market no later than 5 business days after collection or 180 days after the shipment permit;<br>– resident legal entities to obtain authorisation from the Central Bank to purchase foreign exchange for the formation of external assets, for the pre-payment of debts and to make transfers abroad;<br>– resident natural persons to obtain a Central Bank authorization to buy foreign exchange for amounts greater than USD 10 000 per month. Also, the transfer of funds abroad from local accounts of more than USD 10 000 per person per month is not allowed, unless both accounts have the same owner;<br>– non-resident natural and legal persons to obtain authorisation for an acquisition of USD beyond USD 1000 per month. | 1 September 2019 | Communication "A" 6770, Central Bank of Argentina, 1 September 2019.<br>"*Medidas para proteger la estabilidad cambiaria y al ahorrista*", Central Bank of Argentina release, 1 September 2019. |
| On 27 October 2019, Argentina's Central Bank amended the rules on foreign exchange cash purchases. The changes to the Communication "A"6770 allow natural persons to buy up to USD 200 per month with peso debit accounts, and USD 100 with cash. Non-resident natural and legal persons may buy up to USD 100 per month.<br>Through Communication "A"6770, issued on 1 September 2019, the Central Bank of Argentina had modified several rules related to the purchase and sale of foreign exchange. | 27 October 2019 | "*Adecuaciones para proteger la estabilidad cambiaria*", Central Bank of Argentina release, 27 October 2019. |
| On 28 March 2020, Argentina's Central Bank made further changes to the rules on foreign exchange purchases, this time concerning foreign currency withdrawals abroad. Henceforth, foreign currency withdrawals using local bank accounts in pesos and a debit card within the USD 200 limit. Also, foreign currency in cash may be withdrawn through local credit or purchase cards of up to USD 200 per transaction, with the exception of countries bordering Argentina. Also, foreign currency remittances of up to USD 500 per calendar month to accounts abroad were allowed. | 28 March 2020 | "*Argentinos en el exterior: uso de tarjetas y cuentas bancarias*", Central Bank of Argentina release, 28 March 2020. |
| On 3 June 2021, the Central Bank of Argentina (BCRA) allowed exporters to have greater access to the foreign exchange market. Specifically, exporters of industrialized and extractive goods may access the foreign exchange market up to a portion of foreign sale increases against 2020, which varies depending on the settlement period involved. | 3 June 2021 | "*El BCRA incentiva el incremento de exportaciones de bienes*", Banco Central de la República Argentina, notice dated 3 June 2021. |
| Effective 13 August 2021, the Central Bank of Argentina (BCRA) prohibited purchase and sale transactions of securities to be settled in foreign currency in cash or in the form of deposit to custody accounts or third parties' accounts. | 13 August 2021 | "*El BCRA tomó medidas para prevenir el lavado de activos y la evasión fiscal, acorde a prácticas internacionales*", Banco Central de la República Argentina, notice dated 12 August 2021. |
| On 26 August 2021, the Central Bank of Argentina issued Communication A 7348, allowing importers to use new financing to repay commercial debts under certain conditions and up to USD 5 million from overseas lenders without the need for BCRA authorization. | 26 August 2021 | "*Empresas podrán aplicar nuevos financiamientos al pago de deudas*", Banco Central de la República Argentina, notice dated 26 August 2021. |
| Central Bank Communication A 7374 of 30 September 2021 establishes a new possibility for local financial entities to access, under certain conditions, the foreign exchange market to meet their obligations with non-residents for financial guarantees. | 30 September 2021 | Comunicación A 7374, Banco Central de la República Argentina, Circular Camex 1-897, 30 September 2021. |
| On 28 October 2021, the Central Bank of Argentina (BCRA) announced that foreign tourists would now be authorised to open a dual currency savings account and access financial services and electronic means of | 28 October 2021 | "*Facilitan a turistas el ingreso de divisas y el manejo de sistemas electrónicos de pago*", Banco |

| Description of Measure | Date | Source |
|---|---|---|
| payment, provided that they have a bank account in their country of origin that will be the sole account authorised to transfer foreign currency to such account. | | Central de la República Argentina, notice, 28 October 2021. |
| On 25 November 2021, the Central Bank of Argentina (BCRA) relaxed the regulations on the composition of the global net foreign currency position of financial entities, to take effect on 1 December 2021. Under this relaxation, the cash position of the rules on the global net position of foreign currency may not exceed 0% of the regulatory capital of the previous month. | 1 December 2021 | Comunicación "A" 7405, Banco Central de la República Argentina, 25 November 2021; "*El BCRA flexibiliza la Posición global neta de moneda extranjera de las entidades financieras*", Banco Central de la República de Argentina, notice, 25 November 2021. |
| On 25 November 2021, the Central Bank of Argentina (BCRA) relaxed the conditions of automatic access to the foreign exchange market for imports of capital goods with advance payments of up to 270 days, for all goods with values of up to USD 1,000,000. | 25 November 2021 | "*El BCRA facilita el acceso al mercado de cambios para importaciones de bienes de capital*", Banco Central de la República Argentina, notice, 25 November 2021. |
| On 16 December 2021, the Central Bank of Argentina (BCRA) regulated Decree 836/2021, which established enhanced access to the foreign exchange market for companies that make investments to expand the country's export capacity above certain thresholds provided in the Decree. | 16 December 2021 | "*El BCRA reglamentó el decreto que beneficia a las empresas que amplíen la capacidad exportadora del país*", Banco Central de la República de Argentina, notice, 16 December 2021. |
| As of 2 June 2022, resident individuals who export services from non-residents will be able to have up to USD 12,000 per year in accounts in local financial entities without the requirement of settlement in ARP. The condition for using this mechanism is that they do not acquire foreign currency through the financial system and that income above that amount must be settled. | 2 June 2022 | *"El BCRA creó un régimen de disponibilidad de divisas para exportadores de servicios"*, Banco Central de la República Argentina, 2 June 2022. |
| On 16 June 2022, the Central Bank of Argentina (BCRA) announced that Argentinean nationals residing abroad will be able to receive pensions, annuities or life annuities in a bank account from their country of residence. | 16 June 2022 | *"Las personas jubiladas que viven en el exterior podrán cobrar en divisas"*, Banco Central de la República Argentina, notice, 16 June 2022. |
| As of 27 June 2022, Argentinian energy companies will be granted limited access to the official foreign exchange window to repay debt, make dividend payments and to repatriate direct investments of non-residents based on crude oil and natural gas produced above 2021 volumes. Access to the foreign exchange market will not require the prior approval of the BCRA. | 27 June 2022 | Energy companies will be granted limited access to the official FX window, 27 June 2022. |
| On 21 July 2022, the BCRA announced that non-resident tourists would now be able to sell foreign exchange at the reference value of the USD to authorized entities for a maximum amount of USD 5,000 per month. | 21 July 2022 | *"Los turistas no residentes podrán vender divisas al valor del dólar financiero"*, Banco Central de la República Argentina, notice, 21 July 2022. |
| On 4 August 2022, the BCRA introduced a new mechanism for incentivising external pre-financing of exports as well as allowed access to USD-linked sight accounts for exporters who anticipate settlements in more than 30 days. | 4 August 2022 | *"Incentivo para la prefinanciación externa de exportaciones"*, Banco Central de la República Argentina, notce, 4 August 2022. |
| On 23 May 2023, the Comisión Nacional de Valores (CNV) established that agents may only issue orders to arrange operations with settlement in foreign currency or to transfer negotiable securities from or to foreign depository agents, only if during the previous fifteen calendar days, the client did not carry out any sales operations of negotiable fixed income securities denominated and payable in U.S. dollars issued by the Argentine Republic under local and/or foreign law, with settlement in foreign exchange and, likewise, that there is a reliable statement of not carrying such operations either within the subsequent fifteen calendar days. | 23 May 2023 | Press Release, Comisión Nacional de Valores, 23 May 2023. |
| As of 2 August 2023, the same goes for operations in sovereign bonds denominated and payable in dollars with settlement in foreign currency. | 2 August 2023 | Press Release, Comisión Nacional de Valores, 2 August 2023. |
| On 7 September 2023, the BCRA clarified that if a company has access to the foreign exchange market, such company, its subsidiary or parent company, their directors and shareholders may not carry out transactions with securities settled in foreign currency for a period of 90 days or 180 | 7 September 2023 | Press Release, Central Bank of Argentina, 7 September 2023. |

| Description of Measure | Date | Source |
|---|---|---|
| days – depending on the instrument – before and after having access to the foreign exchange market, directly, indirectly, or on behalf of third parties. | | |
| **Australia** | | |
| None during reporting period. | | |
| **Brazil** | | |
| Throughout the reporting period, Brazil made a series of adjustments to its Tax on Financial Transactions (*Imposto sobre Operaçoes Financieras,* IOF). They included the following measures: | | |
| – On 19 October 2009, Brazil imposed a 2% levy on short-term portfolio investments by non-residents in local fixed income instruments and stocks. The levy seeks, according to the Ministry of Finance, to prevent strong capital inflows that could lead to asset price bubbles and to ease upward pressure on the Real.<br><br>On 18 October 2010, Brazil further increased the rate of the IOF levied on non-residents' investment in fixed-income securities to 6%, up from 4%. The increase was applied in two steps: to 4% on 5 October 2010, and to 6% on 18 October 2010. The initial levy at a rate of 2% had been introduced on 19 October 2009 (see above). The 2% levy on investments in the capital markets remained unchanged. | 19 October 2009;<br>5 October 2010;<br>18 October 2010 | Decree No. 6.983 of 19 October 2009 amended by Decree No. 6.984 of 20 October 2009;<br><br>Decree No. 7.412, of 30 December 2010, Decree No. 7.330, of 18 October 2010; Decree No. 7.323 of 4 October 2010. |
| – On 19 November 2009, a 1.5% levy was imposed on the creation of depositary receipts by companies or investors converting local shares. According to the Ministry of Finance, the levy seeks to alleviate distortions caused by the abovementioned 2% levy on short-term portfolio investments. | 19 November 2009 | |
| – On 28 April 2011, Government Decree No. 7,456 subjects short-term overseas loans and bond issues to the 6% IOF, with effect for transactions carried out from 28 April 2011 onwards. The tax concerns foreign exchange transactions on the inflow of funds for external loans with a maturity of less than 360 days. | 28 April 2011 | *Decree No. 7.456* of 28 March 2011. |
| – On 5 April 2011, the Brazilian central bank Resolution 3967/2011 of 4 April 2011 extended the application of the IOF tax at a rate of 6% to renewed, renegotiated, or transferred loans of companies. Hitherto, the tax only applied to new loans. Brazilian government Decree No. 7,457, which entered into effect on 7 April 2011, extends the scope of what are deemed short-term overseas loans and bond issues under the aforementioned Resolution. They now include loans and bonds for up to two years (720 days), up from one year (360 days) previously. | 5 April 2011;<br>7 April 2011 | Resolucao 3.967/2011, 4 April 2011.<br><br>"*CMN determina obrigatoriedade de câmbio simultâneo nas renovações, repactuações e assunções de empréstimos externos*", Banco Central do Brasil release, 4 April 2011.<br><br>*Decree No. 7.457* of 6 April 2011. |
| – On 27 July 2011 and 16 September 2011, Brazil extended its 1% financial operations tax on transactions that raise short-dollar positions and on transactions that reduce long-dollar positions, respectively. | 27 July 2011,<br>16 September 2011 | *Decree 7,536/2011* of 26 July 2011; *Decree 7,563/2011* of 15 September 2011. |
| – On 1 December 2011, Brazil abolished the IOF on certain transactions. | 1 December 2011 | *Presidential Decree 7.632*, of 1 December 2011 |
| – On 1 March 2012, Brazil extended a 6% financial transactions tax on overseas loans maturing within up to three years, up from two years since April 2011. On 12 March 2012, the application of the tax was further extended to loans with maturities of up to five years.<br><br>On 14 June 2012, Brazil reduced the application of the IOF tax again to overseas loans with a maturity of up to two years, and with effect from 5 December 2012, the tax was only levied on loans with a maturity of 1 year. | 1 March 2012;<br>12 March 2012;<br>14 June 2012;<br>5 December 2012 | *Presidential Decree 7.683* of 29 February 2012;<br><br>*Presidential Decree 7.698*, of 9 March 2012;<br><br>*Presidential Decree 7.751*, of 13 June 2012;<br><br>*Presidential Decree 7.853* of 4 December 2012 |
| – On 1 April 2013, Brazil exempted from the financial transaction tax (IOF) tax certain operations by financial institutions contracted as of 2 April 2013 that concern the acquisition, production or lease of capital goods as well as working capital related to: the production of consumer | 1 April 2013 | *Presidential Decree 7.975* of 1 April 2013. |

| Description of Measure | Date | Source |
|---|---|---|
| goods for export, electric energy, export structures for bulk liquids, engineering, technological innovation, and to investment projects to increase technological and productive capacity in areas of high knowledge intensity as well as engineering and logistics infrastructure projects. | | |
| – By decree dated 4 June 2013, Brazil reduced to zero the financial transaction tax (IOF) on the settlement of foreign exchange transactions by foreign investors. | 4 June 2013 | Presidential Decree 8.023 of 4 June 2013. |
| – By decree dated 12 June 2013, Brazil also reduced to zero the 1% tax on operations involving foreign exchange derivatives made from 13 June 2013 onwards. | 12 June 2013 | Presidential Decree 8.027 of 4 June 2013. |
| – As of 24 December 2013, Brazil reduced to zero the rate of the financial transaction tax on the transfer of shares which are admitted to trading on a stock exchange in Brazil with the specific purpose of backing the issuance of depositary receipts traded abroad. | 24 December 2013 | Presidential Decree 8.165 of 23 December 2013 |
| – Effective 28 December 2013, Brazil raised the financial transaction tax on payments made abroad and on the withdrawal of foreign currency by debit cards, on the purchase of traveller checks and on the recharge of international pre-paid cards by 6 percentage points to 6.38%, up from 0.38%. Previously, only payments made abroad by credit cards were subject to the 6.38% tax. | 28 December 2013 | Presidential Decree 8.175 of 27 December 2013 |
| – Effective 4 June 2014, Brazil reduced the scope of application of the 6% financial transaction tax (*Imposto sobre Operaçoes Financieras*, IOF) levied on the settlement of certain foreign exchange transactions. Hitherto, the 6% tax was levied on the settlement of certain foreign exchange transactions for the inflow of funds into Brazil with maturities of up to 360 days. The 6% tax henceforth only applies to inflow of funds into the country, including through simultaneous operations related to foreign loans contracted directly or by issuing bonds on the international market with minimum average maturities of up to 180 days. | 4 June 2014 | Presidential Decree Nº 8.263 of 3 June 2014 |
| On 25 June 2013, Brazil's Central Bank cut reserve requirements for short positions in foreign exchange held by financial institutions. The measure took effect on 1 July 2013. | 25 June 2013; 1 July 2013 | Banco Central do Brasil, Circular Nº 3.659, 25 June 2013. |
| Effective 2 May 2016, Brazil changed the financial transaction tax (IOF) that applies to certain operations. As part of these changes, the tax rate for foreign inward direct investment in publicly traded shares has been set to 0; and the tax rate for settlement of foreign exchange transactions for the purchase of foreign currency in cash has been set to 1.1%. | 2 May 2016 | Decreto Nº 8.731 of 30 April 2016 |
| Effective for transactions carried out as of 3 March 2018, Brazil increased the rate of the financial transaction tax (IOF) on the foreign exchange transaction made by a resident that transfers funds abroad from 0.38% to 1.1%. | 3 March 2018 | Decreto Nº 9.297, 1 March 2018. |
| Effective 20 April 2020, the Central Bank of Brazil Circular No.4,002 of 16 April 2020 changed foreign exchange regulations related to the settlement of export exchange contracts. | 20 April 2020 | Central Bank Circular 4,002 of 16 April 2020. |
| With the publication of the Central Bank Resolution Nº4.811 of 30 April 2020 on 5 May 2020, the limit for foreign exchange operations that securities and stock brokers are allowed to perform with clients was raised to USD 300,000, up from USD 100,000 previously. | 30 April 2020 | Central Bank Resolution Nº4.811 of 30 April 2020. |
| On 13 August 2020, the Brazilian Securities and Exchange Commission Resolution No.3 of 11 August 2020 came into effect. The Resolution brings greater flexibility for the issuing of Brazilian Depositary Receipts (BDRs). | 13 August 2020 | Brazilian Securities and Exchange Commission Resolution No.3 of 11 August 2020. |
| On 1 October 2020, the Central Bank Resolution Nº4.852 of 27 August 2020 became effective. The Resolution introduces amendments to Regulation Annex I to Resolution No. 4.373 of 29 September 2014 and designates the Securities and Exchange Commission as regulator of the procedures for the registration of non-resident investors. | 1 October 2020 | Central Bank Resolution Nº4.852 of 27 August 2020. |
| On 1 October 2021, amendments to regulations on foreign exchange market participants came into effect. Henceforth, any non-banking institution authorised to operate in the foreign exchange market is permitted to settle inflow and outflow operations by using their own correspondent banking account or other similar relationship; previously, only banks were allowed to perform such operations directly through correspondent banking relationships.<br>From 22 September 2022, payment institutions will be also eligible to be authorised by the BCB to operate in the foreign exchange market. | 1 October 2021 | Resolução CMN n° 4.942 de 9/9/2021, Banco Central do Brasil, 9 September 2021;<br>Resolução BCB n° 137 de 9/9/2021, Banco Central do Brasil, 9 September 2021. |

| Description of Measure | Date | Source |
|---|---|---|
| Furthermore, payment account balances (pre-paid and credit cards) may henceforth be used to buy foreign currency without value limitation and for any lawful purpose. Also, non-residents may hold pre-paid payment accounts in institutions authorised to operate in the foreign exchange market. In this scenario, payments and transfers are limited to BRL 10,000. | | |
| On 29 December 2021, Brazil passed a new Foreign Exchange Law. The Law provides a comprehensive harmonisation and modernisation of Brazil's foreign exchange regulatory framework. It repeals a number of foreign exchange restrictions and allows the Central Bank the possibility to further improve foreign exchange regulations. The Law will come into force on 31 December 2022. | 29 December 2021 | Law Nº 14.286, Presidência da República, 29 Decemeber 2021. |
| On 15 March 2022, the Brazilian Government issued Decree No.10.997, which gradually reduces the tax rate of the "Imposto sobre Operaçoes Financeiras" (IOF), on specific cross-border operations and foreign exchange operations. The Decree entered into force on 18 March 2022. | 18 March 2022 | Decreto Nº 10.997, Diario Oficial da União, 15 March 2022. |
| On 31 December 2022, Law 14286 of 29 December 2021 entered into force, The law regulates the Brazilian foreign exchange market, Brazilian capital abroad, foreign capital in Brazil, and information disclosure to the Central Bank of Brazil. The Law harmonizes and amends Brazilian foreign exchange regulations resulting in a number of liberalisation steps including among others the reinforcement of non-discriminatory treatment, the end of restriction for remittance of royalties between headquarters and branches, as well as the revocation of previous provisions imposing reciprocity in banking services. | 31 December 2022; 29 December 2021 | Law 14.286 of 29 December 2021. |
| Resolution 278 of 31 December 2022 details some of the provisions of Law 14286. Among others, it states that information must be provided to the Central Bank for FDI transactions equal to or greater than USD 100,000. | 31 December 2022 | Resolution BCB 278 of 31 December 2022. |
| **Canada** | | |
| On 23 June 2022, the Canadian Parliament adopted the Prohibition on the Purchase of Residential Property by Non-Canadians Act, which will enter into force on 1 January 2023. It will prohibit non-Canadians to purchase, directly or indirectly, certain types of residential property, with some targeted exceptions. | 1 January 2023 | Prohibition on the Purchase of Residential Property by Non-Canadians Act, 23 June 2022. |
| Effective 25 October 2022, the Province of Ontario increased the Non-Resident Speculation Tax (NRST) from 20% to 25%. The NRST applies to the purchase or acquisition of interest by foreign nationals (including non-Canadian residents), foreign corporations or taxable trustees in residential property (between one and six single family residences) located in Ontario. | 25 October 2022 | "Non-Resident Speculation Tax", Government of Ontario website (updated 19 May 2023). |
| **P.R. China** | | |
| On 29 April 2009 the State Council announced that foreign companies will be allowed to list on the Shanghai Stock Exchange at an unspecified date as part of the opening up and internationalisation of the exchange. | 29 April 2009 | State Council announcement related on government website. |
| In May 2009, two foreign banks were authorised by official notice from the Chinese government to issue bonds in China in Chinese yuan. Apart from "panda bonds" issued in 2005 by the International Finance Corporation (an offshoot of the World Bank), foreign institutions have hitherto in practice been excluded from issuing bonds in China, though the government is not opposed to such issues in principle. | May 2009 | "China loosens yuan-bond market—Beijing approves international issues by two foreign banks", Asia Wall Street Journal, 20 May 2009. |
| The *Circular of the State Administration of Foreign Exchange on Issues Concerning Foreign Exchange Administration of Overseas Lending Granted by Domestic Enterprises* became effective on 1 August 2009. Issued by the State Administration of Foreign Exchange (SAFE), the new rules broaden the sources for financing of overseas subsidiaries of Chinese companies and thus to invest abroad. They allow Chinese companies to lend up to 30% of their equity to their overseas subsidiaries for use as debt capital. | 1 August 2009 | *Circular of the State Administration of Foreign Exchange on Issues Concerning Foreign Exchange Administration of Overseas Lending Granted by Domestic Enterprises*. |
| In July 2009, China launched a pilot programme of cross-border trade settlement in RMB in Shanghai and four cities in Guangdong province. The PBOC and the State Administration of Foreign Exchange (SAFE) administer the measure. In June 2010, the programme was extended to cover twenty provinces, and on 23 August 2011, the People's Bank of China announced the recent release of a *Notice on Extending Geographical Coverage of Use of RMB in Cross-border Trade Settlement*, which extends | July 2009; June 2010; 3 June 2011; 23 August 2011 | "*China Extends Geographical Coverage of Cross-border Trade Settlement in RMB to Entire Nation*", Peoples Bank of China press release, 23 August 2011;<br>"*Circular to Clarify Issues* |

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| the geographical coverage of the cross-border trade settlement in RMB to the entire nation. On 3 June 2011, the People's Bank of China had released a circular to clarify operational issues for cross-border RMB settlement operations. | | *Related to Cross-border RMB Settlement Business*" (*yinfa [2011] No.145*). |
| In July 2010, China authorised RMB trading in Hong Kong, China, and *Bank of China* obtained the authorisation to trade in RMB in the United States beginning on 12 January 2011. | July 2010;<br>12 January 2011 | |
| On 18 January 2011, the State Administration of Foreign Exchange (SAFE) and the People's Bank of China announced a series of further measures towards capital account convertibility. China endeavours to establish full capital account convertibility during the 12th Five-Year Plan for China's Economic and Social Development (2011-2015). Planned steps include:<br>– the development of the foreign exchange market to include exchange rate hedging instruments;<br>– the establishment of currency swaps and settlement arrangements with foreign monetary authorities;<br>– the issuance by domestic financial institutions of RMB bonds in Hong Kong, China;<br>– expanding the settlement of outward direct investment by individuals;<br>– and by broadening the range of institutions that qualify as domestic institutional investors. | 18 January 2011 | "*Promote Financial Reform and Innovation, and Support Balanced and Sustainable Development of National Economy*", POB Assistant Governor speech, 14 January 2011. |
| Among the policy changes in this context figure the following measures:<br>– On 6 January 2011, the People's Bank of China (PBOC) issued the "*Administrative Measures for the Pilot RMB Settlement of Outward Direct Investment*" that entered into effect on the same day. The measure seeks to facilitate settling outward direct investment and to expand the use of RMB in cross-border investment and financing. | 6 January 2011;<br>23 August 2011 | "*Administrative Rules on pilot program of RMB settlement of Outward Direct Investment*", People's Bank of China Announcement 1/2011, 6 January 2011;<br>"*Promote Financial Reform and Innovation, and Support Balanced and Sustainable Development of National Economy*", POB Assistant Governor speech, 14 January 2011. |
| – On 23 June 2011, the People's Bank of China announced the conclusion of a bilateral trade settlement agreement with the Russian Federation; the agreement allows Chinese and Russian economic entities to settle payments for the trade of goods and services in a currency of their choice, including RMB. | 23 June 2011 | "*China and Russia Signed New Bilateral Local Currency Settlement Agreement*", Peoples Bank of China press release, 23 June 2011. |
| On 28 March 2012, the State Council executive meeting approved the *General Scheme for the Financial Reform Pilot Zone in Wenzhou Zhejiang*. The experimental scheme would allow the city's residents to make direct outbound investment and to explore the establishment of a regular outbound investment channel. | 28 March 2012 | "*Private lending reform*", Wenzhou government website carrying China Daily Article of 30 March 2012;<br>"*PBC governor visits pilot financial reform zone*", News reported on Chinese Government's official web site, 10 April 2012. |
| China developed and expanded its programme for inward investment by Qualified Foreign Institutional Investors (QFII) in several steps:<br>– On 29 September 2009, the State Administration of Foreign Exchange (SAFE) promulgated the Regulations on Foreign Exchange Administration of Domestic Securities Investments by Qualified Foreign Institutional Investors (QFII). The Regulations, which replace earlier provisional procedures, increase the quotas for individual QFII investments to USD 1 billion, up from USD 800 million; shorten frozen periods; and clarify the administrative matters related to the investments.<br>– On 4 April 2012, China Securities Regulatory Commission (CSRC) announced the increase of the quota that *Qualified Foreign Institutional Investor*s (QFII) are allowed to invest in China's offshore capital market | 29 September 2009;<br>4 April 2012;<br>27 July 2012; | "*QFII investment quota to be increased by $50 Billion*", China Securities Regulatory Commission News Release, 4 April 2012.<br>"*The CSRC Promulgates Provisions on Relevant Matters Concerning the Implementation of Measures for the Administration of Securities Investment within the Borders of China by Qualified Foreign Institutional Investors (QFIIs)*", |

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| to an aggregate of USD 80 billion, up from USD 30 billion.<br>– On 27 July 2012, the CSRC promulgated *Provisions on Relevant Matters Concerning the Implementation of Measures for the Administration of Securities Investment within the Borders of China by Qualified Foreign Institutional Investors (QFIIs)*. The Provisions aim to reduce eligibility requirements for QFIIs; allow QFIIs to select multiple brokers and to invest in inter-bank bond market and private placement bonds issued by small and medium enterprises (SMEs). Moreover, the shareholding ratio limit of all overseas investors was increased from 20% to 30%.<br>– On 14 December 2012, the USD 1 billion-ceiling on investments by overseas sovereign wealth funds and central banks under the QFII programme was abolished by a revision of the relevant regulation. Other changes introduced by the same regulation relax the conditions for repatriation of assets by these funds.<br>– On 26 March 2015, the USD 1 billion ceiling on investments by other foreign investors under the QFII scheme was also dropped. | | China Securities Regulatory Commission News Release, 27 July 2012;<br>SAFE list of QFII quotas, 26 March 2015. |
| China also launched the new "*RMB qualified foreign institutional investor (RQFII) program*", which was initially announced in August 2011. The RQFII programme, similar to the Qualified Foreign Institutional Investors (QFII) programme, allows foreign investors to invest in mainland securities through Hong Kong, China-based financial firms. In preparation of the launch, the Ministry of Commerce released on 22 August 2011 the "*Circular on Issues Related to Cross-border RMB FDI (Draft for Opinions)*" for public comment until 20 September 2011.<br>On 9 February 2012, the People's Bank of China released an *Announcement on the Implementation of the RQFII Pilot Program*, as a further step in the preparation of the launch of the RQFII programme, followed on 15 February 2012 by a circular by the State Administration of Foreign Exchange (SAFE).<br>In the first phase of the programme, qualified brokerages were allowed to invest an aggregate of RMB 20 billion in mainland securities, and on 4 April 2012, the expansion of the *Renminbi Qualified Foreign Institutional Investor* (RQFII) scheme to RMB 70 billion was announced. On 16 December 2012 China further raised the ceiling of its *RMB qualified foreign institutional investor (RQFII) program* by RMB 50 billion to now RMB 270 billion. | 22 August 2011;<br>9 February 2012;<br>15 February 2012;<br>4 April 2012;<br>14 November 2012;<br>16 December 2012. | "*PBC Announcement on Implementation of RQFII Pilot Program*", People's Bank of China release, 9 February 2012;<br>"*Measures for the Pilot Program on Domestic Securities Investments by Fund Management Companies and Securities Companies as RMB Qualified Foreign Institutional Investors*", Decree No. 76 of the China Securities Regulatory Commission, the People's Bank of China, and the State Administration of Foreign Exchange;<br>"*Circular of the SAFE on Relevant Issues Concerning the Pilot Program on Domestic Securities Investments by Fund Management Companies and Securities Companies as RMB QFII*", 15 February 2012;<br>"*RQFII Investment Quota to be Increased by 50 Billion RMB Yuan*", China Securities Regulatory Commission News Release, 4 April 2012. |
| On 15 November 2012, the *Renminbi Qualified Foreign Limited Partner Program* (RQFLP) was incepted in Shanghai. This programme allows QFIIs to set up private equity funds in China to make equity investments in unlisted enterprises. | 15 November 2012 | |
| Effective 17 December 2012, parts of the review process related to capital flows and currency exchange quotas of foreign enterprises were waived or simplified by China's State Administration of Foreign Exchange (SAFE). This concerns for instance approvals to open bank accounts, remit profits, and transfer money between different domestic accounts. | 17 December 2012 | "*Notice on Further Improvement and Adjustment of Policies on Foreign Exchange Administration of Foreign Direct Investments*", State Administration of Foreign Exchange, 21 November 2012. |
| On 1 January 2013, the *Regulatory Guidelines in relation to the Document Submission and Review Procedure for Stocks Issuance and Overseas Listing by Joint Stock Companies* came into effect. The Guidelines, which were issued by the China Securities Regulatory Commission (CSRC) on 20 December 2012, loosen restrictions for Chinese companies that seek listing overseas. | 1 January 2013 | |
| On 10 January 2014, the State Administration of Foreign Exchange dispatched the Circular of the State Administration of Foreign Exchange on Further Improving and Adjusting Foreign Exchange Administration Policies under the Capital Account. The Circular simplifies and relaxes | 10 January 2014 | "Circular of the State Administration of Foreign Exchange on Further Improving and Adjusting Foreign Exchange |

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| certain aspects of the foreign exchange administration for the capital account. These measures include: the simplification of transfers of domestic non-performing assets to overseas investors; the relaxation of management of upfront expenses for overseas direct investments by domestic institutions; relaxing management of overseas lending by domestic enterprises; simplifying management of profit remittances by domestic institutions; Simplifying management of foreign exchange sales and payments of personal property transfers; and did away with the requirement to periodically renew *the License for Foreign Exchange Operations* in the Securities Business for securities companies. | | Administration Policies under the Capital Account", State Administration of Foreign Exchange, Huifa No. 2 [2014], 10 January 2014. |
| On 4 July 2014, the Circular Concerning Foreign Exchange Administration for Domestic Residents Conducting Overseas Financing and Round-trip Investments via Special Purpose Companies (Huifa No. 37 [2014]) by the State Administration of Foreign Exchange (SAFE) came into effect, replacing Circular 75 [2005]. According to information provided by SAFE on the Circular, it facilitates the convertibility of cross-border capital transactions. The Circular reportedly: expands the channels for capital by allowing purchases and payments in foreign exchange by domestic residents to be used to establish overseas special purpose companies and overseas working capital and eliminating the restrictions on domestic companies' overseas lending to special purpose companies; relaxing restrictions on the utilization of funds from overseas financing, abolishing the mandatory rules on the repatriation of funds, and allowing funds from overseas financing and other related funds to be retained for overseas use. | 4 July 2014 | "Transforming Foreign Exchange Administration of Round-trip Investments to Further Facilitate Cross-border Investments and Financing", State Administration of Foreign Exchange release, 4 July 2014. |
| Effective 1 January 2015, China relaxed restrictions on foreign exchange trading by banks. New rules issued by the State Administration of Foreign Exchange (SAFE) on 30 December 2014 introduce weekly limits for foreign exchange positions, rather than daily caps as hitherto. The new rules also introduce standards for foreign exchange positions that will replace individual applications for quota. | 1 January 2015 | "Facilitating Foreign Exchange Settlement and Sales by Banks and Boosting Development of the Foreign Exchange Market", SAFE release dated 20 January 2015 |
| On 26 March 2015, China dropped the ceiling of USD 1 billion on investments by other foreign investors under the Qualified foreign institutional investors (QFII) scheme. Hitherto, only overseas sovereign wealth funds and central banks were dispensed from the ceiling. | 26 March 2015 | SAFE list of QFII quotas, 26 March 2015 |
| On 8 September 2015, the People's Bank of China (PBoC) announced that it would require banks to deposit a 20%, non-interest bearing reserve requirement on forward sales of foreign exchange with their non-bank clients in non-interest bearing accounts with the PBoC. | 8 September 2015 | "Q&A on Recent Macro-prudential Measures relating to FX Derivatives Transactions", The People's Bank of China, 16 September 2015 |
| Also as of 1 June 2015, the SAFE *Circular on Further Simplifying and Improving Policies for Foreign Exchange Administration for Direct Investment* (Hui Fa No. 13 [2015]) seeks to facilitate the operations of cross-border investment funds by enterprises by abolishing a number of registration and verification obligations related to foreign exchange operations. | 1 June 2015 | **"**SAFE Further Simplifies and Improves Foreign Exchange Administration for Direct Investment**"**, State Administration of Foreign Exchange, 29 April 2015. |
| A further SAFE *Circular of the State Administration of Foreign Exchange Regarding the Reform of the Administration of Foreign Exchange Registered Capital Settlement[1] for Foreign-Invested Enterprises* (Hui Fa No. 19 [2015]) came into force on 1 June 2015. The Circular allows foreign-invested enterprises to convert their foreign exchange capital into RMB at any time, to use RMB converted from their foreign exchange capital for making equity investments within China, and simplify the use of such funds. | 1 June 2015 | "SAFE Reforms Administrative Approaches to Settlement of Foreign Exchange Capital to Further Facilitate Capital Operations by Enterprises", State Administration of Foreign Exchange, 11 June 2015. |
| On 25 November 2015, a first group of foreign central banks and similar institutions was given access to the Chinese inter-bank foreign exchange market. A further group of foreign central banks and similar institutions followed suit on 12 January 2016. | 25 November 2015 | "First Group of Foreign Central Banks and Similar Institutions Entering the Chinese Inter-bank Foreign Exchange (FX) Market", People's Bank of China press release, 25 November 2015;<br>"PBC Official Answered Press Questions on Access of Foreign Central Banks and Similar Institutions to the Inter-bank Foreign Exchange Market", People's Bank of China, 6 November 2015. |

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| In November and December 2015, the People's Bank of China announced the expansion of the Renminbi Qualified Domestic Institutional Investor (RQDII) investment scheme with Singapore (on 17 November 2015), Malaysia (on 23 November 2015) and Thailand (on 17 December 2015). Under the scheme, domestic investors are allowed to acquire assets offshore until certain quotas are reached. The quota for Singapore was increased to RMB 100 billion, and the initial quotas for Thailand and Malaysia were set to RMB 50 billion each. | 17 December 2015 | "RMB qualified foreign institutional investors (RQFII) pilot areas to expand to Thailand", People's Bank of China press release, 17 December 2015. |
| On 25 January 2016, pilot rules on macro-prudential management of cross-border financing came into effect. The rules, issued by the People's Bank of China and applicable to enterprises established in one of the pilot free-trade zones and to a set of eligible banks established in China, determine under which conditions an entity established in China may seek financing in RMB or foreign currency by a non-resident. The pilot scheme replaces, to the extent of its application, the quota system by a risk-weighted system. | 25 January 2016 | "Pilot Scheme for Macro Prudential Management of Cross Border Financing within Expanded Parameters", People's Bank of China press release, 22 January 2016. |
| On 25 January 2016, the People's Bank of China applied a deposit reserve requirement on offshore financial institutions' onshore deposits. The measure had initially been introduced in December 2014, but the reserve requirement rate had since then been 0. Foreign central banks and similar institutions are exempted from the application of the reserve requirement. | 25 January 2016 | "PBC Normalizes Deposit Reserve Requirement on Offshore Financial Institutions' Onshore Deposits", People's Bank of China press release, 18 January 2016. |
| On 3 February 2016, regulatory relaxations on China's Qualified Foreign Institutional Investors (QFII) scheme came into effect. The QFII scheme allows foreign institutional investors to invest in China's securities markets. The new Qualified Foreign Institutional Investors In Securities Exchange Regulations: introduce a basic quota proportionate to assets – USD 5 billion at most – that removes uncertainties stemming from the quota allocation process and shorten the lock-in period for repatriation of the investment. | 3 February 2016 | "Reform of QFII foreign exchange management system to further expand the domestic capital market liberalization", SAFE release, 4 February 2016;<br>Announcement No. 1 of 2016, State Administration of Foreign Exchange, 4 February 2016. |
| On 5 September 2016, China's State Administration of Foreign Exchange and the People's Bank of China issued rules that relax requirements applicable under the *Renminbi Qualified Foreign Institutional Investors* (RQFII) scheme. This scheme, established in 2011, allows foreign institutional investors to acquire domestic securities using offshore yuan. The new rules, set out in the *Circular on Matters related to Domestic Securities Investment by RMB Qualified Foreign Institutional Investors*, ease the process to obtain quota, and shortened the holding-period for the principal. | 5 September 2016 | Circular on Matters related to Domestic Securities Investment by RMB Qualified Foreign Institutional Investors, SAFE website |
| On 29 November 2016, the People's Bank of China promulgated the *Notification on Further Clarifications on Overseas RMB Loans by Domestic Enterprises.* The notice requires pre-registration of RMB-denominated loans and requires a shareholding relationship between a China-based lender and a foreign borrower. | 29 November 2016 | *Notification on Further Clarifications on Overseas RMB Loans by Domestic Enterprises,* People's Bank of China, 29 November 2016. |
| As of 1 January 2017, individuals are required to apply the acquisition of foreign exchange of any amount. | 1 January 2017 | *Notice re Improving Individual Foreign Exchange Business Information System*, SAFE Hui Fa [2016] No. 34, 30 December 2016. |
| On 26 January 2017, the State Administration of Foreign Exchange (SAFE) widened the scope of domestic foreign exchange loan settlement and facilitated foreign exchange management of multinational companies operating in China. | 26 January 2017 | "Further Promoting the Reform of Foreign Exchange Management and Improving the Realistic Compliance Audit", State Administration of Foreign Exchange, Circular [2017] No. 3, 26 January 2017. |
| On 3 July 2017, China opened access to the mainland bond marked through Hong Kong, China under the Bond-Connect scheme. The scheme allows qualified investors to access China's government, agency, and corporate bond markets without having to set up accounts in mainland China. Qualified investors include central banks, sovereign wealth funds, and other major financial institutions. | 3 July 2017 | "*Joint Announcement of the People's Bank of China and the Hong Kong Monetary Authority*", 16 May 2017;<br>"*Joint Announcement of the People's Bank of China and Hong Kong Monetary Authority*", 2 July 2017. |
| Effective 1 January 2018, China's State Administration of Foreign Exchange lowered the cap on annual overseas withdrawals to CNY 100 000 (approximately USD 15000) per person per calendar year, rather than per bank card, as previously. Individuals who overshoot the cap are banned | 1 January 2018 | Notice of the State Administration of Foreign Exchange on Regulating Large-scale Foreign Exchange |

| Description of Measure | Date | Source |
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| from any withdrawals abroad in the remainder of the calendar year as well as the following year. | | Withdrawals using Bank Cards, No.29 (2017), SAFE, 30 December 2017. |
| In a note issued on 6 January 2018 and effective the same day, the People's Bank of China provided instructions regarding the implementation of the "Circular of the State Council Concerning Measures to Promote the Growth of Foreign Trade" (Guofa [2017] No. 39) of 8 August 2017 with respect to yuan-denominated cross-border transactions. Among others, the note allows the use of yuan for the payment of overseas salaries and the Chinese carbon trading market. | 6 January 2018 | "Further improving RMB cross-border business policies to facilitate trade and investment", People's Bank of China release 6 January 2018;<br>Notice of the People's Bank of China on Further Improving the Cross-Border Renminbi Business Policy and Promoting Trade and Investment Facilitation. |
| On 12 February 2018, changes related to overseas financing by Chinese insurers came into effect. The rules, dated 1 February 2018 and issued by the State Administration of Foreign Exchange and the China Insurance Regulatory Commission, set out caps on exposure and reporting requirements for overseas financing operations. | 12 February 2018 | Notice of the State Administration of Foreign Exchange and the China Insurance Regulatory Commission on Regulating the Relevant Matters of Insurance Institutions in Conducting Internal Guaranteed Foreign Loans, Bao Jianfa [2018] 5, 1 February 2018. |
| On 13 February 2018, new rules issued by the China Banking Regulatory Commission (CBRC) eliminated approval requirements for foreign banks in overseas wealth management products and portfolio investment funds. Henceforth, companies only need to report their services to the regulator. The changes follow an announcement in November 2018 that foreign ownership limits in some joint-venture firms in the futures, securities and fund markets would be raised form 49% to 51%; the announcement indicated that full foreign ownership in these sectors would be allowed in several years' time. | 13 February 2018 | China Banking Regulatory Commission Order No. 3 of 2018, China Banking Regulatory Commission, 13 February 2018. |
| On 3 August 2018, the People's Bank of China (PBOC) imposed a 20% reserve requirement for onshore foreign exchange forward contracts. Such a requirement, had already been in place since October 2015 until its temporary abolition on 11 September 2017. | 3 August 2018 | *"The PBC Decided to Adjust the Risk Reserve Requirement on Financial Institutions' FX Forward Sales to 20 Percent"*, PBOC news release, 3 August 2018. |
| On 14 January 2019, the State Administration of Foreign Exchange (SAFE) increased the total amount that foreign institutional investors can place in China's financial markets under the *Qualified Foreign Institutional Investor* programme to USD 300 billion, up from USD 150 billion, the cap in effect since July 2013.hitherto. | 14 January 2019 | "*Total Qualified Foreign Institutional Investor (QFII) increased to US$300 billion*", SAFE media release, 14 January 2019. |
| On 10 September 2019, the State Administration of Foreign Exchange (SAFE) removed the ceiling of then USD 300 billion on the *Qualified Foreign Institutional Investor* (QFII) and the *Renminbi Qualified Foreign Institutional Investor* (RQFII) programmes. The RQFII programme was also made available to investors from all countries, while hitherto it had been limited to certain pilot countries only. Under the programmes, certain foreign investors are allowed to invest in Chinese stock and bond markets. The programmes had been launched in 2002 and 2011, respectively. | 10 September 2019 | "*Abolish Restrictions on the Investment Quota of Qualified Foreign Investors (QFII/ RQFII) and Further Expand the Opening up of Financial Markets*", SAFE news release, 10 September 2019.<br>"*Press Conference on Abolishing Restrictions on the Investment Quota of Qualified Foreign Investors (QFII/ RQFII) Wang Chunying Spokeswoman and Chief Economist State Administration of Foreign Exchange*", SAFE news release, 10 September 2019. |
| On 23 October 2019, the State Administration of Foreign Exchange of China issued the *Circular on Further Promoting the Facilitation of Cross-border Trade and Investment* (Hui Fa [2019] No.28). This Circular simplifies the foreign exchange control requirements under current and capital accounts and relax domestic equity investment restriction imposed on foreign-invested enterprises. | 23 October 2019 | Circular on Further Promoting the Facilitation of Cross-border Trade and Investment (SAFE Circular No.28, 23 October 2019). |
| With a joint circular dated 30 September 2019, the People's Bank of China and the State Administration of Foreign Exchange allowed foreign institutional investors to carry out transactions between their *Qualified Foreign Institutional Investor* (QFII) *program* or the *RMB Qualified Foreign Institutional Investor* (RQFII) *program* and their bonds account in | 15 November 2019 | "*Circular on Further Facilitating Investments by Foreign Institutional Investors in Interbank Bond Markets*", People's Bank of China and the |

| Description of Measure | Date | Source |
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| the inter-bank bonds market. This possibility came into effect on 15 November 2019. | | State Administration of Foreign Exchange, 30 September 2019. |
| On 14 February 2020, China's main financial regulatory authorities and the Shanghai government released Guidelines (Yin Fa [2020] No.46 that contain new financial policies in the Lingang New Area of Shanghai's Pilot Free Trade Zone. | 14 February 2020 | People's Bank of China, China Banking and Insurance Regulatory Commission, China Securities Regulatory Commission, State Administration of Foreign Exchange, Shanghai Municipal People's Government on further Accelerating the Construction of Shanghai International Financial Center and Financial Support for the Integration Development of the Yangtze River Delta (People's Bank of China, China Banking and Insurance Regulatory Commission, China Securities Regulatory Commission, State Administration of Foreign Exchange, Shanghai Municipal People's Government, Guideline No.64, 14 February 2020). |
| On 7 May 2020, People's Bank of China and the State Administration of Foreign Exchange announced changes to the rules on certain operations by foreign institutional investors that are set to come into force on 6 June 2020. | 7 May 2020;<br>6 June 2020 | "*Regulations on the Management of Domestic Securities and Futures Investment Funds of Overseas Institutional Investors*", People's Bank of China and the State Administration of Foreign Exchange, 7 May 2020. |
| On 6 June 2020, Regulations on Fund Administration for Domestic Securities and Futures Investment by Foreign Institutional Investors entered into force. Changes seek to reform the qualified foreign investor (QFII) and renminbi qualified foreign institutional investor (RQFII) regimes. For those investors, the new regulations seek, among others, to remove some investment quota restrictions; facilitate the repatriation of funds; and extend their range of financial derivatives transactions. | 7 May 2020;<br>6 June 2020 | Regulations on Funds Administration for Domestic securities and Futures Investment by Foreign Institutional Investors, People's Bank of China and the State Administration of Foreign Exchange, 7 May 2020. |
| On 1 November 2020, the Measures for the Administration of Domestic Securities and Futures Investment by Qualified Foreign Institutional Investors and RMB Qualified Foreign Institutional Investors and its implementing provisions entered into force. Among others, these new rules allow certain categories of foreign investors to invest in additional asset types in the Chinese domestic markets, including securities admitted on the National Equities Exchange and Quotations market, private investment funds, financial futures, and commodity futures. Furthermore, these new rules lower qualification requirements, streamline application documents, and simplify review procedures for foreign investments. | 1 November 2020 | Measures for the Administration of Domestic Securities and Futures Investment by Qualified Foreign Institutional Investors and RMB Qualified Foreign Institutional Investors, CSRC Decree No.176, China Securities Regulatory Commission, People's Bank of China, and State Administration of Foreign Exchange, 1 November 2020;<br>Provisions on Issues Concerning the Implementation of the Measures for the Administration of Domestic Securities and Futures Investment by Qualified Foreign Institutional Investors and RMB Qualified Foreign Institutional Investors, China Securities Regulatory Commission, People's Bank of China, and State Administration of Foreign Exchange. 1 November 2020. |
| Effective 15 June 2021, the People's Bank of China (PBC) raised the foreign exchange reserve requirement ratio from 5% to 7%. On 15 July 2021, the PBC lowered the reserve requirement ratio of financial institutions on local currency liabilities by 0.5 percentage points. | 15 June 2021 | "*PBC Decides to Raise Foreign Exchange Required Reserve Ratio*", People's Bank of China press release, 31 May 2021.<br>"*The PBC is Scheduled to Lower Required Reserve Ratio on July 15*", People's Bank of China press release, 9 July 2021. |

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| Announced on 15 September 2021, a new channel has been opened for domestic institutional investors to trade foreign bonds, by allowing Chinese firms qualified as primary dealers to trade foreign bonds via Hong Kong, so called "Southbound" leg of the "Bond Connect". | 15 September 2021 | Notice of the People's Bank of China on the Development of Southbound Cooperation on the Interconnection of Bond Markets between the Mainland and Hong Kong, 15 September 2021 |
| On 18 September 2021, the People's Bank of China and SAFE issued draft regulations for public consultation proposing to relax restrictions on domestic banks' ability to provide yuan denominated loans to non-resident companies. Previously, such loans were allowed only under limited circumstances. | 18 September 2021 | Regulations of the People's Bank of China and the State Administration of Foreign Exchange on Issues Related to the Overseas Loan Business of Banking Financial Institutions (Draft for Solicitation of Comments), 18 September 2021 |
| On 29 January 2022, the State Administration of Foreign Exchange and the People's Bank of China issued a Notice on Matters concerning the Overseas Loan Business of Banking Financial Institutions. The notice establishes limits on the balance of overseas loans of domestic banks and bars domestic banks from using overseas loans for securities investment or repayment of overseas debts under domestic guarantees for overseas loans The notice came into force on 1 March 2022. | 1 March 2022 | Notice of the People's Bank of China and the State Administration of Foreign Exchange on Matters concerning the Overseas Loan Business of Banking Financial Institutions, State Administration of Foreign Exchange, notice, 29 January 2022;<br>"*PBC and SAFE Release Notice on Overseas Lending by Banking Institutions*", The People's Bank of China, press release, 30 January 2022. |
| Effective 15 May 2022, the People's Bank of China reduced the foreign exchange deposit reserve ratio of financial institutions by one percentage point, thus lowering the foreign exchange deposit reserve ratio from 9% to 8%. | 15 May 2022 | "*The People's Bank of China decides to cut the foreign exchange deposit reserve ratio of financial institutions*", The People's Bank of China, communication, 25 April 2022;<br>"*PBC Decides to Cut Reserve Requirement Ratio for Foreign Currency Deposits*", The People's Bank of China, press release, 25 April 2022. |
| As of 24 June 2022, the Chinese Securities Regulatory Commission announced the inclusion of exchange trade open ended funds (ETF) in the interconnection mechanism between China and Hong Kong (China). | 24 June 2022 | [Announcement No. 39], Announcement on the Inclusion of Exchange-traded Open-end Funds into Connectivity-Related Arrangements, China Securities Regulatory Commission, 24 June 2022. |
| On 27 May 2022, People's Bank of China and the Securities Regulatory Commission announced that effective 30 June 2022, foreign financial institutions may trade bonds and invest in derivatives on its exchange market. | 30 June 2022 | People's Bank of China, China Securities Regulatory Commission Announcement [2022] No. 4 of the State Administration of Foreign Exchange, State Administration of Foreign Exchange, 27 May 2022. |
| On 4 July 2022, the People's Bank of China, the Hong Kong Securities and Futures Commission and the Hong Kong Monetary Authority announced the launch of the "Swap Connect", a mechanism for mutual access between the Hong Kong and Mainland interest rate swap markets. This will allow investors mutual access between Hong Kong and overseas investors to participate in China's interbank derivatives market with respect to trading, clearing and settlement. This measure will come into effect six months following the announcement. | 4 January 2023 | Mutual access between the Hong Kong and Mainland interest rate swap markets, the People's Bank of China, Press Release, 4 July 2022. |
| On 28 July 2022, the China Securities Regulatory Commission officially launched the China-Switzerland Stock Connect, allowing companies from each market to access investor pools in the other market and raise capital by issuing and listing Global Depositary Receipts on the Chinese exchanges. | 28 July 2022 | China-Switzerland Stock Connect Officially Launched, China Securities Regulatory Commission, China Securities Regulatory Commission, Press |

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| | | Release, 22 July 2022. |
| To improve foreign exchange management at financial institutions, the People's Bank of China decided to reduce the reserve requirement ratio for foreign currency deposits by 2 percentage points from 8% to 6%, which will be effective on 15 September 2022. | 15 September 2022 | PBC Decides to Reduce Reserve Requirement Ratio for Foreign Currency Deposits, People's Bank of China, Press Release, 5 September 2022. |
| In order to stabilize foreign exchange market expectations and strengthen macro-prudential management, the People's Bank of China decided to raise the foreign exchange risk reserve ratio for forward foreign exchange sales from zero to 20 percent, effective from 29 September 2022. | 28 September 2022 | The PBC raises risk reserve ratio for forward FX sales to 20 percent, People's Bank of China, Press Release, 26 September 2022. |
| On 25 October 2022, People's Bank of China (PBoC) and the State Administration of Foreign Exchange (SAFE) raised the macro-prudential adjustment parameter for cross-border financing of enterprises and financial institutions from 1 to 1.25. The measure was taken "to further improve the unified macro-prudential management of cross-border financing, expand the source of cross-border funds for enterprises and financial institutions, and guide them to optimize their liability structure". | 25 October 2022 | "The PBC and SAFE Raise Macro-prudential Adjustment Parameter for Cross-border Financing", PBoC news release, 25 October 2022. |
| On 19 December 2022, the China Securities Regulatory Commission (CSRC) and the Hong Kong Securities and Futures Commission (SFC) agreed in principle that the Mainland and Hong Kong stock exchanges will further expand the scope of eligible stocks under Stock Connect for both the Northbound and Southbound Trading Links to include eligible foreign companies primary-listed in Hong Kong and additional A shares listed on the Shanghai Stock Exchange (SSE) and Shenzhen Stock Exchange (SZSE). | 19 December 2022 | "Joint announcement of the China Securities Regulatory Commission and the Hong Kong Securities and Futures Commission", China Securities Regulatory Commission news release, 19 December 2022. |
| On 1 January 2023, new Rules on Funds Invested by Overseas Institutional Investors (OII) in China's Bond Market entered into force. The Rules notably allow OIIs to complete spot purchase and sale of foreign currencies transactions through a third-party financial institution other than settlement agents; provide additional avenues through which OIIs can hedge against foreign exchange (FX) exposures and remove the existing limit on the number of counterparties in over-the-counter (OTC) transactions; streamline the outward remittance process, encouraging long-term investment in China's bond market; and clarify the FX management requirements for sovereign investors. | 1 January 2023 | "Improving the Management of Funds Invested by Overseas Institutional Investors in China's Bond Market to Further Open Up the Market", PBoC news release, 18 November 2022. |
| Also on 1 January 2023, a Notice of the People's Bank of China and the State Administration of Foreign Exchange on Matters Concerning the Proceeds Management for Yuan-Denominated Bonds Issued by Overseas Issuers in China came into force. The new Regulations unify the rules of the interbank market and exchange-traded bond market regarding proceeds registration, account opening, transfer and use of proceeds, and statistics and monitoring of yuan-denominated bonds and standardise the registration and account opening procedures, requiring pre-issuance registration with banks. They also refine the management of FX risks for yuan-denominated bonds, allowing foreign issuers to manage exchange rate risks by trading in FX derivatives with domestic financial institutions. Proceeds from yuan-denominated bond issuance may be remitted overseas. | 1 January 2023 | "Improving Proceeds Management for Panda Bonds to Further Open the Financial Market", PBoC news release, 2 December 2022. |
| On 31 March 2023, Trial Administrative Measures of Overseas Securities Offering and Listing by Domestic Companies came into effect. Announced by the China Securities Regulatory Commission (CSRC) on 17 February 2023, the trial measures regulate the filing-based administration of overseas securities offering and listing by domestic companies. Among others, the rules relax investor eligibility restrictions when domestic companies directly list or offer securities in overseas markets under certain circumstances in order to facilitate "full circulation" arrangements and ease currency restriction for overseas fund raising and dividend payment, with a view to meeting demands to raise renminbi (RMB) funds overseas. | 17 February 2023 | "CSRC Releases New Regulations for Filing-based Administration of Overseas Offering and Listing", China Securities Regulatory Commission news release, 17 February 2023. |
| On 20 July 2023, the People's Bank of China, together with SAFE, raised the macroprudential adjustment parameter from 1.25 to 1.50 for cross-border financing. The macroprudential adjustment parameter forms part of the calculation that determines the maximum amount of cross-border financing that enterprises and financial institutions can have outstanding. | 20 July 2023 | State Administration of Foreign Exchange news release, 20 July 2023. |
| Since 1 September 2023, expatriates working for foreign-invested enterprises operating in the Shanghai Pilot Free Trade Zone and Lingang New Area are able to transfer their income abroad without restrictions, as per the Shanghai Government Regulations 2023 No.19. The funds are required to be "real and legally compliant" and associated with their investments in China. | 1 September 2023 | Shanghai Government Regulations 2023 No.19, Shanghai Municipal People's Government, 30 August 2023;<br>Guo Fa 2023 No.9, State Council, 29 June 2023. |

| Description of Measure | Date | Source |
|---|---|---|
| **France** | | |
| None during reporting period. | | |
| **Germany** | | |
| None during reporting period. | | |
| **India** | | |
| On 28 April 2009, the RBI relaxed restrictions on the possibility to provide loans against security of funds held in Non Resident (External) Rupee Accounts or Foreign Currency Non Resident (Bank) Accounts deposits to the depositors or third parties. The cap for these loans was increased from IDR 2 million to IDR 10 million. On 12 October 2012, the cap was abolished altogether. | 28 April 2009; 12 October 2012 | "*Foreign Exchange Management (Deposit) Regulations, 2000 –- Loans to Non Residents / third parties against security of Non Resident (External) Rupee Accounts [NR (E) RA] / Foreign Currency Non Resident (Bank) Accounts [FCNR (B)] Deposits*", RBI/2012-13/247, A. P. (DIR Series) Circular No. 44. |
| On 19 June 2009, the Securities and Exchange Board of India (SEBI) notified an amendment regarding the facilitation of issuance of Indian depository receipts. It allows foreign institutional investors and mutual funds to invest in Indian Depository Receipts. | 19 June 2009 | Gazette of India Extraordinary Part–III–section 4 of 19 June 2009 |
| On 4 May 2010, the Reserve Bank of India modified the pricing guidelines for the transactions of shares, preference shares and convertible debentures between residents and non-residents. For the sale of listed shares by a non-resident to a resident, the change sets minimum prices that take into consideration medium term past performance rather than the current market price; the minimum price of unlisted shares is to be determined according to fair value. Where a non-resident sells shares in an Indian company to a resident buyer, the price may not exceed the so determined price. | 4 May 2010 | Reserve Bank of India, RBI/2009-10/445 A. P. (DIR Series) Circular No.49, dated 4 May 2010. |
| On 30 June 2011, the Reserve Bank of India liberalised the issue of shares of an Indian company to non-residents under the FDI scheme. Initially, shares could notably be offered under the Government route by conversion of import of capital goods including machineries and equipment, including second-hand machineries. On 9 December 2011, the RBI modified conditions of an FDI scheme that allows the issuance of equity shares of Indian companies to non-residents for the import of capital goods, machineries or equipment. On 10 January 2013, an amendment to these rules excluded the possibility to issue shares for the import of second-hand machineries under this mechanism. | 30 June 2011; 9 December 2011; 10 January 2013 | "*Foreign Direct Investment (FDI) in India – Issue of equity shares under the FDI Scheme allowed under the Government route*", Reserve Bank of India Circular RBI/2010-11/586 A.P. (DIR Series) Circular No. 74;<br>"*FDI in India - Issue of equity shares under the FDI scheme allowed under the Government*", Reserve Bank of India, A.P. (DIR Series) Circular No. 55;<br>"*FDI in India - Issue of equity shares under the FDI scheme allowed under the Government route*", RBI/2012-13/375 A. P. (DIR Series) Circular No. 74. |
| On 21 July 2011, RBI Circular No. 3 allows non-resident importers and exporters to hedge their currency risk in respect of exports from and imports to India with certain banks in India. | 21 July 2011 | "*Facilitating Rupee Trade – hedging facilities for non-resident entities*", Reserve Bank of India Circular RBI/2011-12/115 A.P. (DIR Series) Circular No. 3. |
| On 9 August 2011, the Reserve Bank of India extended the possibilities for Foreign Institutional Investors (FII) registered with the Securities and Exchange Board of India (SEBI) and Non Resident Indian (NRI) to purchase, on repatriation basis, units of domestic Mutual Funds (MFs). Henceforth, Qualified Foreign Investors may purchase up to USD 10 billion in rupee-denominated units of equity schemes of domestic MFs issued by SEBI registered domestic MFs. | 9 August 2011 | "*Investment in the units of Domestic Mutual funds*", Reserve Bank of India Circular, 9 August 2011. |
| On 1 November 2011, the RBI extended the period of realization and repatriation to India of the amount representing the full export value of | 1 November 2011; 20 November 2012 | "*Export of Goods and Software – Realisation and Repatriation of* |

| Description of Measure | Date | Source |
|---|---|---|
| exported goods or software from six to 12 months from the date of export. This relaxation was initially available up to 30 September 2012, and was extended until 31 March 2013 by a circular dated 20 November 2012. | | *export proceeds – Liberalisation*", RBI/2011-12/241, A.P. (DIR Series) Circular No.40<br><br>"*Export of Goods and Software – Realisation and Repatriation of export proceeds – Liberalisation*", RBI/2012-13/298, A.P. (DIR Series) Circular No. 52 |
| On 3 November 2011, the RBI introduced several relaxations of the conditions and restrictions under which foreign institutional investors (FIIs) may invest in debt issued by Indian companies. | 3 November 2011 | "*Foreign investment in India by SEBI registered FIIs in other securities*", Reserve Bank of India, A.P. (DIR Series) Circular No. 42. |
| On 4 November 2011, the RBI relaxed the conditions under which shares could be transferred from residents to non-residents outside the parameters set by the pricing guidelines applicable for such transfers. | 4 November 2011 | "*Foreign Direct Investment – Transfer of Shares*", Reserve Bank of India, A.P. (DIR Series) Circular No. 43. |
| On 22 November 2011, the RBI allowed certain investments by non-resident investors in bonds issued by infrastructure debt funds. | 22 November 2011 | "*Foreign Investments in Infrastructure Debt Funds*", Reserve Bank of India, A.P. (DIR Series) Circular No. 49. |
| On 23 November 2011, Guidelines on OTC Foreign Exchange Derivatives were modified to the effect that the USD 100 million cap on swap transactions for net supply of foreign exchange in the market has been removed. | 23 November 2011 | "*Comprehensive Guidelines on Over the Counter (OTC) Foreign Exchange Derivatives – Foreign Currency – INR swaps*", Reserve Bank of India, A.P. (DIR Series) Circular No.50. |
| On 15 December 2011, the RBI issued a circular that limits, with immediate effect, residents' and Foreign Institutional Investors' abilities to rebook certain cancelled forward contracts involving the Indian Rupee as one of the currencies. The RBI also limited residents' possibility to hedge expected currency risk. | 15 December 2011 | "*Risk Management and Inter Bank Dealings*", Reserve Bank of India, A.P. (DIR Series) Circular No. 58. |
| On 15 January 2012, India's SEBI and RBI released circulars that allowed qualified foreign investors (QFIs) to invest directly in the Indian equity market, a liberalisation that the federal Government had announced on 1 January 2012. QFIs include individuals, groups or associations, resident in a foreign country which is compliant with FATF. The individual and aggregate investment limits for QFIs are set to 5% and 10%, respectively, of the paid up capital of an Indian company. | 15 January 2012 | "*Qualified Foreign Investors (QFIs) Allowed to Directly Invest in Indian Equity Market; Scheme to Help Increase the Depth of the Indian Market and in Combating Volatility Beside Increasing Foreign Inflows into the Country*", Ministry of Finance press release, 1 January 2012. |
| On 19 March 2012, the Reserve Bank of India extended the scope of instruments in which Foreign Venture Capital Investors can invest. | 19 March 2012 | "*Investment in Indian Venture Capital Undertakings and /or domestic Venture – Capital Funds by SEBI registered Foreign Venture Capital Investors*", Reserve Bank of India circular RBI/2011-12/452 A.P. (DIR Series) Circular No. 93. |
| On 28 March 2012, the Reserve Bank of India made a series of amendments to the rules that govern outward foreign investments by Indian parties to grant more flexibility for such operations. | 28 March 2012 | "*Overseas Direct Investments by Indian Party – Rationalisation*", Reserve Bank of India, RBI/2011-12/473 A.P. (DIR Series) Circular No. 96. |
| On 5 May 2012, a liberalisation of the interest rate for export credit in foreign currency came into effect. Henceforth, banks are allowed to determine their interest rates for export credit in foreign currency. | 5 May 2012 | *"Deregulation of Interest Rates on Export Credit in Foreign Currency"*, Reserve Bank of India, RBI/2011-12/534 DBOD.DIR.No.100/04.02.001/2011-12. |
| On 8 May 2012, the Reserve Bank of India restricted the application of the | 8 May 2012 | *"FDI in India - Issue of equity* |

| Description of Measure | Date | Source |
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| permission to issue equity shares for imports of capital goods. Second-hand machinery is henceforth excluded from the scope of the authorisation. | | *shares under the FDI scheme allowed under the Government route",* Reserve Bank of India, RBI/2011-12/541 A. P. (DIR Series) Circular No.120. |
| On 8 May 2012, the Reserve Bank of India modified the rules governing foreign investment in commodity exchanges and non-banking financial companies. An aggregate limit of foreign ownership of 49% used to apply for FDI and portfolio investment by Foreign Institutional Investors (FII); the modification abolishes the requirement of government approval for portfolio investments.<br>Modifications were also introduced for foreign investment in non-banking financial companies. These changes, which were further clarified on 15 May 2012, restrict the possibility for foreigners to invest up to 100% in certain leasing operations. | 8 May 2012;<br>15 May 2012 | *"Foreign investment in Commodity Exchanges and NBFC Sector – Amendment to the FDI Scheme",* Reserve Bank of India, RBI/2011-12/542 A. P. (DIR Series) Circular No.121;<br>"*Foreign investment in NBFC Sector under the FDI Scheme – Clarification*", Reserve Bank of India, RBI/2011-12/562 A.P. (DIR Series) Circular No. 127. |
| On 10 May 2012, the Reserve Bank of India introduced an obligation for foreign exchange earners to convert 50% of their foreign currency earnings into rupees; previously, foreign exchange earners were allowed to keep foreign currencies. These rules were also applicable to Diamond Dollar Account and Resident Foreign Currency (RFC) Accounts. Moreover, foreign exchange earners are not allowed to use foreign currencies in their accounts to maintain assets in foreign currency; hence before exchanging rupees into foreign currencies, they need to use their foreign currencies for their transactions. A Circular dated 16 May 2012 clarified the method to calculate the amounts that need to be converted. A further circular dated 18 July 2012 exempted resident foreign currency accounts from the conversion requirement. On 31 July 2012, the conversion requirement were relaxed; henceforth, only the sum total of the accruals in the account during a calendar month had to be converted into Rupees on or before the last day of the succeeding calendar month after adjusting for utilization of the balances for approved purposes or forward commitments. On 22 January 2013, the RBI abolished the conversion requirement introduced on 10 May 2012 entirely. | 10 May 2012;<br>16 May 2012;<br>18 July 2012;<br>31 July 2012;<br>22 January 2013 | *"Exchange Earner's Foreign Currency (EEFC) Account",* Reserve Bank of India, RBI/2011-12/547 A. P. (DIR Series) Circular No. 124.<br>"*Exchange Earner's Foreign Currency (EEFC) Account*", Reserve Bank of India, RBI/2011-12/564 A.P. (DIR Series) Circular No. 128.<br>*"Exchange Earner's Foreign Currency Account",* Reserve Bank of India, RBI/2012-13/135 A. P. (DIR Series) Circular No. 8.<br>"*EEFC Account, Diamond Dollar Account and Resident Foreign Currency Account - Review of Guidelines*", RBI/2012-13/151, A. P. (DIR Series) Circular No. 12.<br>*"Exchange Earner's Foreign Currency Account, Diamond Dollar Account & Resident Foreign Currency Domestic Account",* RBI/2012-13/390, A.P.(DIR Series) Circular No. 79. |
| On 16 July 2012, the Reserve Bank of India authorised Qualified Foreign Investors to invest under certain conditions in Indian corporate debt securities. | 16 July 2012 | *"Scheme for Investment by QFIs in Indian corporate debt securities",* RBI/2012-13/134 A. P. (DIR Series) Circular No. 7. |
| On 24 January 2013, the Reserve Bank of India relaxed restrictions on Foreign Institutional Investors' (FII) investment in Indian Government securities and non-convertible debentures and bonds issued by Indian companies. The changes increase the ceilings for such investments and shorten lock-in periods. | 24 January 2013 | "*Foreign investment in India by SEBI registered FIIs in Government securities and corporate debt*", RBI/2012-13/391, A. P. (DIR Series) Circular No.80. |
| Throughout the reporting period, India also made a large number of adjustments to the policies on external commercial borrowing (ECB). The policy changes are contained in a series of circulars and include the following: | | |
| – Effective 1 January 2010, the Reserve Bank of India (RBI) withdrew some of the temporary relaxations of the Bank's External Commercial Borrowings policy. An additional one-time relaxation from the Bank's External Commercial Borrowings policy was made on 25 January 2010 in light of an auction of 3G frequency spectrum. The temporary relaxation seeks to enable successful bidders for the spectrum to pay for the spectrum allocation. A similar one-time relaxation was introduced on 26 November 2012 for the financing of the payment for 2G spectrum | 1 January 2010;<br>26 November 2012 | Reserve Bank of India, RBI/2009-10/252 A.P. (DIR Series) Circular No.19, 9 December 2009.<br>"*External Commercial Borrowings (ECB) Policy for 2G spectrum allocation*", RBI/2012-13/310, A.P. (DIR Series) |

| Description of Measure | Date | Source |
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| allocation. | | Circular No. 54. |
| – On 11 May 2010, the RBI relaxed conditions for ECBs taken out by Infrastructure Finance Companies (IFCs); henceforth, IFCs are permitted to avail of ECBs for on-lending to the infrastructure sector under the automatic route, rather than the approval route, for up to 50% of their owned funds. On 7 January 2013, the share of ECBs permitted under the automatic route was increased to 75%. | 11 May 2010; 7 January 2013 | "*External Commercial Borrowings (ECB) Policy*", RBI/2009-10/456, A. P. (DIR Series) Circular No. 51;<br><br>"*External Commercial Borrowings Policy – Non-Banking Financial Company – Infrastructure Finance Companies*", RBI/2012-13/367, A.P. (DIR Series) Circular No. 69. |
| – A liberalisation of the end-use of ECB for companies operating in the infrastructure sector, which are henceforth allowed to utilise 25% of newly raised funds to refinance existing loans (RBI circular No. 25, 23 September 2011)<br><br>– A liberalisation of the end-use of ECB so that 25% of freshly raised funds may be used for refinancing IDR loans interest by companies in the infrastructure sector (RBI circular No. 26, 23 September 2011).<br><br>– The enhancement of the ECB limit under the automatic route to USD 750 million per year, up from USD 500 million in the real, industrial and infrastructure sectors, and up to USD 200 million, up from USD 100 million, in specified service sectors. The same RBI circular Nr. 27 of 23 September 2011 expands the permissible end-use of ECB for interest during construction by companies in the infrastructure sector.<br><br>– The liberalisation of the policy relating to structured obligations to permit direct foreign equity holders and indirect foreign equity holders, holding at least 51% of the paid-up capital, to provide credit enhancement to Indian companies engaged exclusively in the development of infrastructure (26 September 2011, RBI circular Nr. 28).<br><br>– a clarification of the application of existing rules on ECB from foreign equity holders (RBI Circular No. 29, 26 September 2011).<br><br>– allowing companies in the infrastructure sector to borrow up to USD 1 billion per year in Renminbi under the approval route (RBI Circular No. 30, 27 September 2011). | 23 September 2011; 26 September 2011; 27 September 2011 | "*External Commercial Borrowing (ECB) Policy – Rationalisation and Liberalization*", Reserve Bank of India press release, 25 September 2011.<br><br>"*External Commercial Borrowings (ECB) for the Infrastructure Sector– Liberalisation*", Reserve Bank of India Circular RBI/2011-12/199 A.P. (DIR Series) Circular No. 25.<br><br>"*External Commercial Borrowings (ECB) – Bridge Finance for Infrastructure Sector*", Reserve Bank of India Circular RBI/2011-12/200 A.P. (DIR Series) Circular No. 26.<br><br>"*External Commercial Borrowings (ECB) – Rationalisation and Liberalisation*", Reserve Bank of India Circular RBI/2011-12/201 A.P. (DIR Series) Circular No. 27.<br><br>"*External Commercial Borrowings (ECB) Policy – Structured Obligations for infrastructure sector*", Reserve Bank of India Circular RBI/2011-12/203 A.P. (DIR Series) Circular No. 28.<br><br>"*External Commercial Borrowings (ECB) from the foreign equity holders*", Reserve Bank of India Circular RBI/2011-12/204 A.P. (DIR Series) Circular No. 29.<br><br>"*External Commercial Borrowings (ECB) in Renminbi (RMB)*", Reserve Bank of India Circular RBI/2011-12/205 A.P. (DIR Series) Circular No. 30. |
| – On 23 November 2011, the RBI slightly increased the all-in-cost ceiling for external commercial borrowings for shorter maturities. | 23 November 2011 | "*External Commercial Borrowings (ECB) Policy*", Reserve Bank of India, A.P. (DIR Series) Circular No. 51 |
| – On 15 December 2011, the RBI permitted microfinance institutions to borrow up to USD 10 million or equivalent during a financial year abroad under the automatic route under certain conditions. | 15 December 2011 | "*External Commercial Borrowings (ECB) for Micro Finance Institutions (MFIs) and Non-Government Organisations (NGOs)-engaged in micro finance activities under Automatic* |

| Description of Measure | Date | Source |
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| | | *Route*", Reserve Bank of India, A.P. (DIR Series) Circular No. 59, 15 December 2011. |
| – On 29 December 2011, the RBI allowed non-resident entities to hedge Rupee-denominated external commercial borrowings under certain conditions. | 29 December 2011 | "*External Commercial Borrowings (ECB) denominated in Indian Rupees (INR) - hedging facilities for non-resident entities*", Reserve Bank of India, A.P. (DIR Series) Circular No. 63, 29 December 2011. |
| – On 23 November 2011, the RBI limited the possibilities of intermediary use of external commercial borrowing proceeds abroad and required the proceeds of ECB raised abroad for rupee expenditure in India to be immediately brought for credit to rupee accounts with Indian banks; prior to the change, rupee funds could be used for investment in capital markets, real estate or for inter-corporate lending. | 23 November 2011 | *"External Commercial Borrowings (ECB) Policy – Parking of ECB proceeds"*, Reserve Bank of India, A.P. (DIR Series) Circular No. 52. |
| – On 20 April 2012, the RBI increased the ceiling for External Commercial Borrowings (ECB) for companies that develop energy and road infrastructure. Power companies may now use up to 40% of the ECBs for refinancing of their rupee debt (up from 25%); the remainder must be used for investment in a new project. ECBs are also allowed for capital expenditure under the automatic route for the purpose of maintenance and operations of toll systems for roads and highways. | 20 April 2012 | *"External Commercial Borrowings (ECB) Policy – Liberalisation and Rationalisation*", Reserve Bank of India, RBI/2011-12/519 A. P. (DIR Series) Circular No. 111. |
| – On 20 April 2012, the RBI allowed companies that had taken out ECBs to refinance them through new ECBs under the approval route even when the new ECB had higher costs; previously, refinancing was only possible if the refinancing would have reduced the cost. | 20 April 2012 | "*External Commercial Borrowings (ECB) Policy – Refinancing/Rescheduling of ECB*", Reserve Bank of India, RBI/2011-12/520 A. P. (DIR Series) Circular No. 112. |
| – On 24 April 2012, the RBI raised the limit for ECB for the Civil Aviation Sector. The overall ECB ceiling for the entire civil aviation sector was set to USD 1 billion and an individual airline company may borrow up to USD 300 million. Those amounts can be used as working capital or for the refinancing of outstanding working capital Rupee loans extended by domestic lenders. | 24 April 2012 | "*External Commercial Borrowings for Civil Aviation Sector*", Reserve Bank of India, RBI/2011-12/523, A.P. (DIR Series) Circular No. 113. |
| – On 25 June 2012, the Reserve Bank broadened possibilities for foreign institutional investors to invest in debt of Indian infrastructure companies: it raised the overall limits for bond emissions from USD 15 billion to USD 20 billion, allowed additional types on investors to invest in these bonds, and shortened the maturity of half of the bonds – i.e. to an overall limit of up to USD 10 billion – from 5 to 3 years. Finally, conditions for investment in infrastructure debt by qualified foreign investors were relaxed.<br>– Also on 25 June 2012, the RBI further relaxed the rules on ECB for companies in the manufacturing and infrastructure sectors. Companies operating in these sectors may borrow up to an aggregate of USD 10 billion to repay outstanding Rupee loans or for fresh Rupee capital expenditure. The cap for individual companies is set at 50% of their average annual export earnings realised during the past three financial years. On 11 September 2012, the RBI slightly modified the formula that determines the borrowing limit. | 25 June 2012<br>11 September 2012 | "*External Commercial Borrowings (ECB) – Repayment of Rupee loans*", Reserve Bank of India, RBI/2011-12/617 A. P. (DIR Series) Circular No. 134.<br>"*ECB Policy – Repayment of Rupee loans and/or fresh Rupee capital expenditure – USD 10 billion scheme*", Reserve Bank of India, RBI/2012-13/200 A.P. (DIR Series) Circular No. 26.<br>*"Foreign investment in India by SEBI registered FIIs in Government securities and SEBI registered FIIs and QFIs in infrastructure debt"*, Reserve Bank of India, RBI/2011-12/618 A. P. (DIR Series) Circular No. 135. |
| – On 11 September 2012, the Reserve Bank of India modified the conditions for short-term credit taken out by companies in the infrastructure sector to import capital goods. | 11 September 2012 | "*ECB Policy – Bridge Finance for Infrastructure Sector*", RBI/2012-13/201 A.P. (DIR Series) Circular No. 27. |
| – On 17 December 2012, the RBI allowed ECB for low cost affordable housing projects as a permissible end-use under the approval route. | 17 December 2012 | "*External Commercial Borrowings (ECB) for the low cost affordable housing projects*", RBI/2012-13/339, A.P. (DIR Series) Circular No. 61. |

| Description of Measure | Date | Source |
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| – On 21 January 2013, Indian companies in the hotel sector were added to the list of companies that were eligible to participate in the ECB scheme. | 21 January 2013 | "*External Commercial Borrowings (ECB) Policy – Repayment of Rupee loans and/or fresh Rupee capital expenditure – USD 10 billion scheme*", RBI/2012-13/387, A.P. (DIR Series) Circular No. 78. |
| – On 26 June 2013, the Reserve Bank of India allowed the borrowing of foreign currency for additional acquisitions. In addition to the raising of such funds for investment such as import of capital goods, new projects, or modernization, imports of services, technical know-how and license fees henceforth also constitute eligible investments for which enterprises may resort to ECB. | 26 June 2013 | "External Commercial Borrowings (ECB) Policy – Import of Services, Technical know-how and License Fees", RBI/2012-13/552 A.P. (DIR Series) Circular No.119. |
| – On 15 July 2013, the Reserve Bank of India expanded the application of its ECB policy scheme. Henceforth companies other than consistent foreign exchange earners in the manufacturing, infrastructure and the hotel sectors may benefit under certain conditions from a scheme that allows them to borrow abroad in foreign currency. | 15 July 2013 | "External Commercial Borrowings (ECB) Policy Repayment of Rupee loans and/or fresh Rupee capital expenditure – USD 10 billion Scheme", RBI/2013-14/137 A.P. (DIR Series) Circular No.12. |
| – On 4 September 2013, the Reserve Bank of India relaxed use limitations for funds in foreign currency borrowed under ECB rules. | 4 September 2013 | "External Commercial Borrowings (ECB) from the foreign equity holder", RBI/2013-14/221 A.P. (DIR Series) Circular No.31. |
| – On 18 September 2013, the Reserve Bank of India expanded the notion of "infrastructure sector" for the purpose of the application of the ECB policy. On 6 January 2014, the definition of infrastructure sector for the purpose of raising ECB was further expanded to include Maintenance, Repairs and Overhaul as a part of airport infrastructure. Furthermore, on 3 December 2013, the Reserve Bank of India authorised ECB by Holding Companies for use in Special Purpose Vehicles that are established exclusively for the purpose of implementing a project tin the infrastructure sector. | 18 September 2013; 3 December 2013; 6 January 2014 | "External Commercial Borrowings (ECB) Policy – Liberalisation of definition of Infrastructure Sector", RBI/2013-14/270 A.P. (DIR Series) Circular No. 48; "External Commercial Borrowings (ECB) by Holding Companies / Core Investment Companies for the project use in Special Purpose Vehicles (SPVs)", RBI/2013-14/397 A.P. (DIR Series) Circular No. 78; "External Commercial Borrowings (ECB) Policy – Liberalisation of definition of Infrastructure Sector", RBI/2013-2014/429 A.P. (DIR Series) Circular No. 85. |
| – On 30 September 2013, the Reserve Bank of India clarified that the ECB facility was available for acquisition of shares in the disinvestment process under the Government's disinvestment programme of the public sector undertakings. | 30 September 2013 | "*ECB Policy – ECB proceeds for acquisition of shares under the Government's Disinvestment Programme of PSUs – Clarification*", RBI/2013-14/302, A.P. (DIR Series) Circular No. 57. |
| – Also on 30 September 2013, the Reserve Bank of India discontinued the possibility for borrowers of ECBs to refinance such ECBs with new ECBs at a higher all-in-cost with effect from 1 October 2013. Such refinancing is still possible, but only at lower all-in-cost. | 30 September 2013 | "*External Commercial Borrowings (ECB) Policy– Refinancing / Rescheduling of ECB*", RBI/2013-14/304, A.P. (DIR Series) Circular No. 59. |
| On 25 September 2013, the Reserve Bank of India liberalised overseas foreign currency borrowings by banks for an interim period until 30 November 2013 by reducing the minimum maturity for such borrowings, from three to one year. On 22 November 2013, a further Reserve Bank of India circular provided for the possibility that loans with these conditions be concluded by 31 December 2013. The measure follows a liberalisation made two weeks earlier, on 10 September 2013, when the Reserve Bank of India allowed these banks to borrow funds from their Head Office, overseas branches and correspondents and overdrafts in nostro accounts up to a limit of 100% of their unimpaired Tier I capital, up from 50% previously. Further conditions for the use of such overseas foreign currency borrowings by | 10 September 2013; 25 September 2013; 10 October 2013; 22 November 2013 | "Overseas Foreign Currency Borrowings by Authorised Dealer Banks – Enhancement of limit", RBI/2013-14/240 A.P. (DIR Series) Circular No. 40; "Overseas Foreign Currency Borrowings by Authorised Dealer Banks – Enhancement of limit", RBI/2013-14/293 A.P. (DIR Series) Circular No. 54; "Overseas Foreign Currency |

| Description of Measure | Date | Source |
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| banks were communicated on 10 October 2013. | | Borrowings by Authorised Dealer Banks", RBI/2013-14/323 A.P. (DIR Series) Circular No. 61; "Overseas Foreign Currency Borrowings by Authorised Dealer Banks", RBI/2013-14/377 A.P. (DIR Series) Circular No. 77. |
| On 14 February 2014, the Reserve Bank of India restricted policies on foreign investment by registered Foreign Institutional Investors (FIIs) in Government Securities and Corporate Debt by reducing an existing sub-limit available for investment in Commercial Paper from USD 3.5 billion to USD 2 billion. The measure follows a simplification, introduced on 1 April 2013. On 24 January 2013, Circular No.80 had already increased the limit for investments by FIIs and long term investors in government securities to USD 25 billion and for corporate debt to USD 51 billion. | 24 January 2013;<br>1 April 2013;<br>14 February 2014 | "Foreign investment in India by SEBI registered FIIs in Government Securities and Corporate Debt", RBI/2012-13/465, A.P. (DIR Series) Circular No.94; "Foreign investment in India by SEBI registered FII, QFI and long term investors in Corporate Debt", RBI/2013-14/494 A.P. (DIR Series) Circular No.104, 14 February 2014. |
| On 12 June 2013, the Reserve Bank of India increased the ceiling for investments by FIIs in Indian Government securities to USD 30 billion, up from USD 25 billion. A sub-limit of USD 5 billion, available to long term investors – Sovereign Wealth Funds (SWFs), Multilateral Agencies, Pension/ Insurance/ Endowment Funds and Foreign Central Banks – was increased to USD 10 billion on 29 January 2014. | 12 June 2013;<br>29 January 2014 | "Foreign investment in India by SEBI registered Long term investors in Government dated Securities", RBI/2012-13/530 A.P. (DIR Series) Circular No.111 and "Foreign investment in India by SEBI registered Long term investors in Government dated Securities", RBI/2013-14/473 A.P. (DIR Series) Circular No.99. |
| On 8 July 2013, the Reserve Bank of India prohibited Indian banks to carry out proprietary trading in currency futures. | 8 July 2013 | "Risk Management and Inter Bank Dealings", RBI/2013-14/127 A.P. (DIR Series) Circular No. 7 |
| On 11 July 2013, the Reserve Bank of India authorised Indian banks to acquire shares in the Society for Worldwide Interbank Financial Telecommunication (SWIFT), a Belgium company, without prior approval. | 11 July 2013 | "Overseas Investments – Shares of SWIFT", RBI/2013-14/131 A.P. (DIR Series) Circular No.8. |
| On 5 August 2013, the Reserve Bank of India authorised resident Indians to make overseas direct investment in a Joint Venture (JV) or Wholly Owned Subsidiary (WOS) outside India. Investment in entities that carry out real estate, banking or financial services are not permitted, however. Furthermore, such investments are only allowed to the amount of UED 75,000 per year. | 5 August 2013 | "Foreign Exchange Management (Transfer or Issue of any Foreign Security) (Amendment) Regulations, 2013", Reserve Bank of India, Notification No. FEMA.263/RB-2013 |
| On 14 August 2013, the Reserve Bank of India reduced the ceiling for overseas direct investments by resident Indians to USD 75,000 per year, down from USD 200,000. Also, the use of such remittances for the acquisition of real estate outside India was prohibited. | 14 August 2013 | "Liberalised Remittance Scheme for Resident Individuals-Reduction of limit from USD 200,000 to USD 75,000", RBI/2013-14/181 A. P. (DIR Series) Circular No.24. |
| On 25 September 2013, the Reserve Bank of India liberalised overseas foreign currency borrowings by banks for an interim period until 30 November 2013 by reducing the minimum maturity for such borrowings, from three to one year. On 22 November 2013, a further Reserve Bank of India circular provided for the possibility that loans with these conditions be concluded by 31 December 2013. The measure follows a liberalisation made two weeks earlier, on 10 September 2013, when the Reserve Bank of India allowed these banks to borrow funds from their Head Office, overseas branches and correspondents and overdrafts in nostro accounts up to a limit of 100% of their unimpaired Tier I capital, up from 50% previously. Further conditions for the use of such overseas foreign currency borrowings by banks were communicated on 10 October 2013. | 10 September 2013;<br>25 September 2013;<br>10 October 2013;<br>22 November 2013 | "Overseas Foreign Currency Borrowings by Authorised Dealer Banks – Enhancement of limit", RBI/2013-14/240 A.P. (DIR Series) Circular No. 40; "Overseas Foreign Currency Borrowings by Authorised Dealer Banks – Enhancement of limit", RBI/2013-14/293 A.P. (DIR Series) Circular No. 54; "Overseas Foreign Currency Borrowings by Authorised Dealer Banks", RBI/2013-14/323 A.P. (DIR Series) Circular No. 61; "Overseas Foreign Currency Borrowings by Authorised Dealer |

| Description of Measure | Date | Source |
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| | | Banks", RBI/2013-14/377 A.P. (DIR Series) Circular No. 77. |
| On 18 September 2013, the Reserve Bank of India expanded the notion of "infrastructure sector" for the purpose of the application of the External Commercial Borrowing (ECB) policy. On 6 January 2014, the definition of infrastructure sector for the purpose of raising ECB was further expanded to include Maintenance, Repairs and Overhaul as a part of airport infrastructure. Furthermore, on 3 December 2013, the Reserve Bank of India authorised ECB by Holding Companies for use in Special Purpose Vehicles that are established exclusively for the purpose of implementing a project in the infrastructure sector. | 18 September 2013; 3 December 2013; 6 January 2014 | "External Commercial Borrowings (ECB) Policy – Liberalisation of definition of Infrastructure Sector", RBI/2013-14/270 A.P. (DIR Series) Circular No. 48; "External Commercial Borrowings (ECB) by Holding Companies / Core Investment Companies for the project use in Special Purpose Vehicles (SPVs)", RBI/2013-14/397 A.P. (DIR Series) Circular No. 78; "External Commercial Borrowings (ECB) Policy – Liberalisation of definition of Infrastructure Sector", RBI/2013-2014/429 A.P. (DIR Series) Circular No.85. |
| On 8 November 2013, the Reserve Bank of India announced that unlisted companies incorporated in India were henceforth allowed to raise capital abroad, without the requirement of prior or subsequent listing in India. This permission is initially for a period of two years and is subject to certain conditions. | 8 November 2013 | "*Amendment to the "Issue of Foreign Currency Convertible Bonds and Ordinary shares (Through Depository Receipt Mechanism) Scheme, 1993*", RBI/2013-14/363, A.P. (DIR Series) Circular No. 69 |
| On 3 December 2013, India relaxed conditions for the raising of capital abroad by unlisted companies. | 3 December 2013 | Press Note No. 7 (2013), Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, 3 December 2013. |
| On 24 December 2013, the Reserve Bank of India allowed residents in India who have borrowed in Rupees from a person resident outside India to issue tax-free, secured, redeemable, non-convertible bonds in Rupees to persons resident outside India to use such borrowed funds for on lending or re-lending to the infrastructure sector; and for keeping in fixed deposits with banks in India pending utilization. | 24 December 2013 | "Borrowing and Lending in Rupees - Investments by persons resident outside India in the tax free, secured, redeemable, non-convertible bonds", RBI/2013-14/416 A.P. (DIR Series) Circular No.81. |
| On 17 January 2014, the Reserve Bank of India gave its permission to foreign investors to buy shares in the South Indian Bank. Equity shares of the South Indian Bank can be purchased through the primary market and stock exchanges. | 17 January 2014 | *Press Release 2013-2014/1442*, The Reserve Bank of India, 17 January 2014. |
| On 3 February 2014, the Reserve Bank of India notified that FIIs, through primary market and stock exchanges, can now purchase up to 30% of the paid up capital of M/s. Power Grid Corporation of India Limited under the Portfolio Investment Scheme (PIS). | 3 February 2014 | *Press Release 2013-2014/1553*, The Reserve Bank of India, 3 February 2014. |
| On 14 February 2014, the Reserve Bank of India reduced the caps applicable to FIIs, QFIs and long term investors in corporate debt: the existing sub-limit applicable to such investments in commercial paper of USD 3.5 billion was reduced by USD 1.5 billion to USD 2 billion. | 14 February 2014 | "*Foreign investment in India by SEBI registered FII, QFI and long term investors in Corporate Debt*", RBI/2013-14/494 A.P. (DIR Series) Circular No.104. |
| On 25 March 2014, the Reserve Bank of India established a framework for investments under a new scheme called "Foreign Portfolio Investment" scheme. Under the scheme, a FII and a QFI may purchase and sell shares and convertible debentures of Indian companies through registered broker on recognised stock exchanges in India as well as purchase shares and convertible debentures which are offered to the public. The individual and aggregate investment limits for the RFPIs shall be below 10 per cent or 24 per cent respectively of the total paid-up equity capital or 10 per cent or 24 per cent respectively of the paid-up value of each series of convertible debentures issued by an Indian company. Further, where there is composite sectoral cap under FDI policy, these limits for RFPI investment shall also be within such overall FDI sectoral caps. | 25 March 2014 | "*Foreign Portfolio Investor - investment under Portfolio Investment Scheme, Government and Corporate debt*", RBI/2013-14/533 A.P. (DIR Series) Circular No.112. |
| On 7 April 2014, the Reserve Bank of India restricted the scope of Government dated securities that foreign institutional investors can invest | 7 April 2014 | "*Foreign investment in India in Government Securities*", |

| Description of Measure | Date | Source |
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| in. Henceforth, these investors may only invest in Government dated securities having residual maturity of one year and above. | | RBI/2013-14/556 A.P. (DIR Series) Circular No.118. |
| On 23 July 2014, the Reserve Bank of India restricted the scope of Government dated securities that foreign institutional investors can invest in. Henceforth, a new tranche of USD 5 billion under the overall limit of USD 30 billion is allocated to securities with residual maturities of at least three years, and requires that any future investment in government bonds be also made in bonds with a minimum residual maturity of 3 years. | 23 July 2014 | "Foreign investment in India by SEBI registered Long term investors in Government dated Securities", RBI/2014-15/145, A. P. (DIR Series) Circular No. 13 |
| On 28 August 2014, the Reserve Bank of India relaxed limitations on the manner in which a non-resident can purchase and sell government securities. While hitherto, government securities could only be purchased directly from the issuer or through registered stock brokers on a recognised Stock Exchange in India, such limitations do no longer apply. | 28 August 2014 | "*Purchase and sale of securities other than shares or convertible debentures of an Indian company by a person resident outside India*", RBI/2014-15/197, A.P. (DIR Series) Circular No.22 |
| On 17 September 2014, the Reserve Bank of India announced a modification of the terms under which an Indian company may issue shares to non-residents. The modification enables Indian companies to issue equity shares against any legitimate dues payable by the investee company, while hitherto, equity shares could be issued only against specific dues. | 17 September 2014 | "*Foreign Direct Investment (FDI) in India - Issue of equity shares under the FDI Scheme against legitimate dues*", RBI/2014-15/234 A.P. (DIR Series) Circular No.31. |
| On 3 February 2015, the Governor of the Reserve Bank of India announced an increase of the ceiling for foreign exchange remittances under the Liberalised Remittance Scheme to USD 250,000 per person per year. Since July 2014, the ceiling was set at USD 125,000, up from USD 75,000, when the measure was introduced in 2013. | 3 February 2015 | "Sixth Bi-Monthly Monetary Policy Statement, 2014-15 by Dr. Raghuram G. Rajan, Governor", Reserve Bank of India, 3 February 2015, para 19. |
| On 5 February 2015, the Reserve Bank of India introduced a modification on the rules that govern investments by foreign institutional investors in Government dated securities. The rules that the Reserve Bank of India had introduced on 23 July 2014 had restricted the scope of Government dated securities that foreign institutional investors can invest in. Under the overall limit of USD 30 billion, a new tranche of USD 5 billion was allocated to securities with residual maturities of at least three years. Given that this limit was fully utilised by early 2015, the Reserve Bank of India decided to enable reinvestment of coupons in Government securities even when the existing limits are fully utilised to incentivise long term investors. | 5 February 2015; 23 July 2014 | "Foreign investment in India by Foreign Portfolio Investors", RBI/2014-15/453 A.P. (DIR Series) Circular No.72;<br>"Foreign investment in India by SEBI registered Long term investors in Government dated Securities", RBI/2014-15/145, A. P. (DIR Series) Circular No. 13;<br>"Sixth Bi-Monthly Monetary Policy Statement, 2014-15 by Dr. Raghuram G. Rajan, Governor", Reserve Bank of India, 3 February 2015, para 21. |
| On 31 March 2015, India increased the ceilings of participation by residents and foreign portfolio investors (FPI) in the Exchange Traded Currency Derivatives (ETCD) market, which had last been set by RBI/2013-14/649, A.P. (DIR Series) Circular No.147, and RBI/2013-14/650, A.P. (DIR Series) Circular No.148, dated 20 June 2014. Henceforth, residents and FPIs can take long and short positions up to USD 15 million per exchange for USD-INR pairs plus and additional aggregate of USD 5 million per exchange for EUR-INR, GBP-INR and JPY-INR pairs. The positions can be taken without establishing exposure underlying these positions. Also, resident importers are now allowed to take hedging positions in ETCD markets of up to 100% of the average of their last three years' imports turnover or the previous year's turnover, whichever is higher, instead of 50% hitherto. | 31 March 2015 | RBI/2014-15/526, A.P.(DIR Series) Circular No. 90;<br>RBI/2014-15/527, A.P.(DIR Series) Circular No. 91. |
| On 30 November 2015, a revised framework for India's external commercial borrowing (ECB) policy entered into effect, following a public consultation that had begun on 23 September 2015. The new ECB policy: imposes fewer restrictions on end uses and allows higher all-in-cost ceiling. for long term foreign currency borrowings; imposes fewer restrictions on INR denominated ECBs; expands the list of overseas lenders to include long-term lenders (insurance companies, pension funds, sovereign wealth funds); and establishes a negative list of end-use restrictions applicable in case of long-term ECB and INR denominated ECB. On 29 September 2015, the RBI had already announced relaxations on the issuance of INR-denominated bonds overseas.<br>On 30 March 2016, the rules were amended to take account of the critical needs of the infrastructure sector in the country. | 30 November 2015; 30 March 2016 | External Commercial Borrowings (ECB) Policy – Revised framework, Reserve Bank of India Circular RBI/2015-16/255, A.P. (DIR Series) Circular No.32, 30 November 2015<br>External Commercial Borrowings (ECB) – Revised framework, Reserve Bank of India Circular RBI/2015-16/349, A.P. (DIR Series) Circular No.56 |
| On 1 January 2016 and 4 April 2016, increased ceilings for foreign portfolio investors' investment in Indian Government Securities came into | 1 January 2016; | "Investment by Foreign Portfolio Investors (FPI) in Government |

| Description of Measure | Date | Source |
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| effect. An overall cap of such investment for any central government security is set at 20% of the outstanding stock of this security. The changes follow an earlier increase amendment of 12 October 2015, and a further increase has been scheduled for 5 July 2016. | 4 April 2016 | Securities" Reserve Bank of India Circular RBI/2015-16/198, A.P. (DIR Series) Circular No 19, 6 October 2015.<br>"Investment by Foreign Portfolio Investors (FPI) in Government Securities" Reserve Bank of India Circular RBI/2015-16/348, A.P. (DIR Series) Circular No. 55, 29 March 2016. |
| On 21 April 2016, India authorised foreign investment in units issued by Real Estate Investment Trusts, Infrastructure Investment Trusts and Alternative Investment Funds to facilitating foreign investment in collective investment vehicles for real estate and infrastructure sectors. | 21 April 2016 | "Foreign Investment in units issued by Real Estate Investment Trusts, Infrastructure Investment Trusts and Alternative Investment Funds governed by SEBI regulations", RBI/2015-16/377, A.P. (DIR Series) Circular No. 63. |
| On 27 July 2016, the Cabinet decided that foreign portfolio investors are henceforth allowed to acquire shares through initial allotment. Hitherto, foreign investors were limited to acquire shares in the secondary market only. | 27 July 2016 | "Cabinet increases the limit for foreign investment in Stock Exchanges from 5% to 15%", Government of India press release 147855, 27 July 2016. |
| On 20 October 2016, the Reserve Bank of India announced that Foreign Venture Capital Investors would henceforth be allowed to invest in equity, equity linked instruments or debt instruments issued by an unlisted Indian company provided that the company is a start-up or that it is engaged in one of ten sectors (biotechnology, hardware and software development, nanotechnology, seed research and development, research and development of new chemical entities in pharmaceutical sector, dairy industry, poultry industry, production of bio-fuels, larger hotel-cum-convention centres and infrastructure sector). | 20 October 2016 | "Investment by a Foreign Venture Capital Investor (FVCI) registered under SEBI (FVCI) Regulations, 2000", RBI/2016-17/89, A.P. (DIR Series) Circular No.7. |
| On 27 October 2016, the Reserve Bank of India set out the conditions under which start-ups may take out External Commercial Borrowings (ECB). The possibility had been opened in the Fourth Bi-monthly Monetary Policy Statement for the year 2016-17 released on 4 October 2016. | 27 October 2016 | "*External Commercial Borrowings (ECB) by Startups*", RBI/2016-17/103, A.P. (DIR Series) Circular No.13. |
| On 3 November 2016, the Reserve Bank of India announced that Indian banks may henceforth issue Rupee denominated bonds overseas within the limit set for foreign investment in corporate bonds. | 3 November 2016 | "*Issuance of Rupee denominated bonds overseas by Indian banks*", RBI/2016-17/107, A.P. (DIR Series) Circular No.14. |
| On 17 November 2016, the Reserve Bank of India announced the liberalisation of foreign portfolio investment in unlisted corporate debt securities under certain conditions. Previously, such foreign portfolio investment was only allowed for companies in the infrastructure sector. | 17 November 2016 | "*Investment by Foreign Portfolio Investors (FPI) in corporate debt securities*", RBI/2016-17/138, A.P. (DIR Series) Circular No.19. |
| On 31 March 2017, the Reserve Bank of India announced an increase in the limits applicable to investments by foreign portfolio investors in Indian government securities to a total of IDR 2.58 trillion, up from IDR 2,41 trillion set in September 2016. | 31 March 2017 | "*Investment by Foreign Portfolio Investors in Government Securities*", RBI/2016-17/265 A.P.(DIR Series) Circular No. 43 |
| On 6 and on 27 April 2018 a series of changes to foreign investment in Indian government or company debt by foreign portfolio investors came into effect, and further clarifications were issues on 1 May 2018. Under the new rules,<br>• the issuance of Rupee-denominated bonds is no longer considered for the application of caps that apply to foreign portfolio investors.<br>• caps for investment by foreign portfolio investors in Government securities, valid until the end of 2017, were increased. | 6 April 2018;<br>27 April 2018;<br>1 May 2018 | "Investment by Foreign Portfolio Investors (FPI) in Government Securities - Medium Term Framework – Review", RBI/2017-18/150, A.P.(DIR Series) Circular No.22, 6 April 2018.<br>"Investment by Foreign Portfolio Investors (FPI) in Debt – Review", RBI/2017-18/168 A.P. (DIR Series) Circular No.24, 27 April 2018.<br>"Investment by Foreign Portfolio Investors (FPI) in Debt – Review", RBI/2017-18/170 A.P. (DIR Series) Circular No. 26, 1 May 2018. |
| On 4 January 2018, the Reserve Bank of India relaxed rules on the refinancing of External Commercial Borrowings (ECB) by overseas branches and subsidiaries of Indian banks and aligned these to the rules | 4 January 2018;<br>27 April 2018 | "Refinancing of External Commercial Borrowings", RBI/2017-18/116 A.P. (DIR |

| Description of Measure | Date | Source |
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| applicable to Indian corporates.<br>Further relaxations of the ECB policies were announced in a Reserve Bank circular dated 27 April 2018. They include harmonisation of rules for different debt instruments, relaxations on the liability to equity ratio, expansion of the list of eligible purposes of ECBs, among others. | | Series) Circular No.15, 4 January 2018;<br>"External Commercial Borrowings (ECB) Policy – Rationalisation and Liberalisation", RBI/2017-18/169 A.P. (DIR Series) Circular No.25, 27 April 2018. |
| On 1 April 2018, revised Directions on Hedging of Commodity Price Risk and Freight Risk in Overseas Markets came into effect. The Directions determine which financial instruments companies can use and which conditions apply to hedge foreign exchange and commodity price risks. | 1 April 2018 | "Hedging of Commodity Price Risk and Freight Risk in Overseas Markets (Reserve Bank) Directions", RBI/2017-18/138 A.P. (DIR Series) Circular No.19, 12 March 2018. |
| On 15 June 2018, The Reserve Bank of India allowed greater flexibility in the application of rules on foreign portfolio investors' investment in debt. | 15 June 2018 | "*Investment by Foreign Portfolio Investors (FPI) in Debt – Review*", RBI/2017-18/199 A.P. (DIR Series) Circular No.31, 15 June 2018. |
| On 19 September 2018 and 3 October 2018, India relaxed several aspects of its External Commercial Borrowing (ECB) policies. In particular, the maturity periods for ECB for companies in the manufacturing sector were shortened from 3 years to 1 year; Indian Banks were given greater leeway to underwrite Rupee denominated bonds issued overseas; minimum maturities for ECB for Oil Marketing Companies were likewise shortened and individual ceilings lifted. | 19 September 2018; 3 October 2018 | "*External Commercial Borrowings (ECB) Policy – Liberalisation*", RBI/2018-2019/54 A.P. (DIR Series) Circular No.10, 19 September 2018;<br>"*External Commercial Borrowings (ECB) Policy – Liberalisation*", RBI/2018-2019/54, A.P. (DIR Series) Circular No.10, 3 October 2018. |
| Between mid-October 2018 and mid-May 2019, several measures to ease foreign portfolio investors' possibilities to invest in debt came into effect: | | |
| • Effective 15 February 2019, the Reserve Bank of India abolished the restriction hitherto imposed on foreign portfolio investors that no investor may hold more than 20% of its corporate debt portfolio in a single enterprise. | 15 February 2019 | "*Investment by Foreign Portfolio Investors (FPI) in Debt*", RBI/2018-19/123, A.P. (DIR Series) Circular No. 19, 15 February 2019. |
| • On 1 March 2019, a new scheme for foreign portfolio investors' access to Indian debt – the 'Voluntary Retention Route' – became effective. Under this route, macro-prudential and other requirements are relaxed for investments of which a certain percentage is voluntarily committed for a certain period of time. | 1 March 2019 | "'*Voluntary Retention Route' (VRR) for Foreign Portfolio Investors (FPIs) investment in debt*", RBI/2018-19/135, A.P. (DIR Series) Circular No.21, 1 March 2019. |
| • On 25 April 2019, the Reserve Bank of India allowed foreign portfolio investors to invest in municipal bonds. | 25 April 2019 | "*Investment by Foreign Portfolio Investors (FPI) in Debt – Review*", RBI/2018-19/176, A.P. (DIR Series) Circular No. 33, 25 April 2019. |
| Between mid-October 2018 and mid-May 2019, the rules governing External Commercial Borrowing underwent a series of changes; the overall framework was set out in a Master Direction issued on 26 March 2019. The changes that were made in the reporting period:<br>• reduced the minimum average maturity requirement of ECBs in the infrastructure space from 5 to 3 years for hedged and from 10 to 5 years for unhedged loans;<br>• reduced the mandatory hedge coverage ratio from 100% to 70% of ECBs for ECBs with maturities between 3 and 5 years; and<br>• broadened the scope of eligible borrowers, allowed ECBs of up to USD 750 million per financial year under the automatic route, i.e. without prior approval, and set the minimum average maturity period to 3 years for most cases, and to 5 years in some cases. | 6 November 2018; 26 November 2018; 16 January 2019. | "*External Commercial Borrowings (ECB) Policy – Review of Minimum Average Maturity and Hedging Provisions*", RBI/2018-19/71, A.P. (DIR Series) Circular No.11, 6 November 2018;<br>"*External Commercial Borrowings (ECB) Policy – Review of Hedging Provision*", RBI/2018-19/79, A.P. (DIR Series) Circular No.15, 26 November 2018;<br>"*External Commercial Borrowings (ECB) Policy – New ECB Framework*", RBI/2018-19/109, A.P. (DIR Series) Circular No. 17, 16 January 2019. |
| In the reporting period, the rules governing External Commercial Borrowing, set out in Master Direction issued on 26 March 2019 were | 30 July 2019 | "*External Commercial Borrowings (ECB) Policy –* |

| Description of Measure | Date | Source |
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| modified. On 30 July 2019, the end-use restrictions on ECBs were relaxed, provided they have minimum maturities of 10 years (for working capital and general corporate purposes) or 7 years (for repayment of certain Rupee loans). | | *Rationalisation of End-use Provisions*", RBI/2019-20/20 A.P. (DIR Series) Circular No.04, 30 July 2019. |
| On 13 November 2019, India allowed persons resident outside India to hold non-interest bearing Special Non-resident Rupee (SNRR) Accounts with the purpose to facilitate rupee denominated ECB, trade credit and trade invoicing. The restriction on the tenure of SNRR accounts to a maximum of 7 years was lifted insofar as the accounts are used for certain purposes. | 13 November 2019, 4 October 2019 | "Foreign Exchange Management (Deposit) (Third Amendment) Regulations, 2019", Notification No. FEMA 5 (R)/(3)/2019-RB, 13 November 2019.<br>"Statement on Developmental and Regulatory Policies", Reserve Bank of India Press release, 4 October 2019. |
| On 23 January 2020, the limits on short term investments by foreign portfolio investors as share of total investment in central government securities, state development loans, and corporate bonds have been increased from 20% to 30%.<br>Also, foreign portfolio investors' investment in debt instruments issued by asset reconstruction companies were added to the list of exceptions from the short-term investment limit. | 23 January 2020 | "Investment by Foreign Portfolio Investors (FPI) in Debt", RBI/2019-20/150, A.P. (DIR Series) Circular No.18, 23 January 2020. |
| On 23 January 2020, India increased the cap applicable to foreign portfolio investment under the Voluntary Retention Route (VRR) to IDR 1,50,000 crores, up from IDR 75,000 crores. Foreign portfolio investors are also allowed to invest in Exchange Traded Funds that invest only in debt instruments. | 23 January 2020 | "'Voluntary Retention Route' (VRR) for Foreign Portfolio Investors (FPIs) investment in debt – relaxations", RBI/2019-20/151, A.P. (DIR Series) Circular No.19, 23 January 2020. |
| On 30 March 2020, India increased the ceilings for investments by foreign portfolio investors in in corporate debt in India to 15% of outstanding stock for financial year 2020-21. | 30 March 2020 | "Investment by Foreign Portfolio Investors (FPI): Investment limits", RBI/2019-20/199, A.P. (DIR Series) Circular No.24, 30 March 2020. |
| On 31 March 2020, the Reserve Bank of India modified the Foreign Exchange Management (Export of Goods & Services) Regulations, 2015 to insert the possibility to extend the timeframes in which export proceeds from exports of goods, software or services need to be realised and repatriated (section 9 of the Regulations). This period had henceforth set to nine months, but the amendment opens the possibility to extend the period.<br>On 1 April 2020, the Reserve Bank set the period for the realisation and repatriation of export proceeds under this rule to 15 months, effective for exports made up to or on 31 July 2020. | 31 March 2020; 1 April 2020 | "Foreign Exchange Management (Export of Goods and Services) (Amendment) Regulations, 2020", Notification No. FEMA 23(R)/(3)/2020-RB, 31 March 2020.<br>"Export of Goods and Services- Realisation and Repatriation of Export Proceeds – Relaxation", RBI/2019-20/206 A.P. (DIR Series) Circular No. 2, 1 April 2020. |
| On 30 March 2020, the Reserve Bank of India announced a first set of Central Government securities that would be eligible for investment by non-resident investors without restrictions, as of 1 April 2020. The possibility for such investment by non-residents under a new route, the Fully Accessible Route (FAR), had been announced in the Union Budget 2020-21. Details of the scheme were likewise announced on 30 March 2020 in a separate circular. | 1 April 2020 | "'Fully Accessible Route' for Investment by Non-residents in Government Securities - (specified securities)", RBI/2019-20/201, FMRD.FMSD.No.25/14.01.006/2019-20, 30 March 2020.<br>"'Fully Accessible Route' for Investment by Non-residents in Government Securities", RBI/2019-20/200, A.P. (DIR Series) Circular No.25, 30 March 2020. |
| On 15 April 2020, the Reserve Bank of India announced new ceilings and rules for the investment of foreign portfolio investors in government securities and state development loans for the financial year 2020-21. | 15 April 2020 | "Investment by Foreign Portfolio Investors (FPI) in Government Securities: Medium Term Framework (MTF)", RBI/2019-20/214, A.P. (DIR Series) Circular No. 30, 15 April 2020. |
| On 22 May 2020, the Reserve Bank of India announced an extension of the time-frame in which foreign portfolio investors need to implement 75% of the investments under their committed portfolio size under the Voluntary Retention Route (VRR). | 22 May 2020 | "'Voluntary Retention Route' (VRR) for Foreign Portfolio Investors (FPIs) investment in debt – relaxations", RBI/2019-20/239, A.P. (DIR Series) Circular No.32, 22 May 2020. |

| Description of Measure | Date | Source |
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| On 22 May 2020, the Reserve Bank of India announced a temporary extension of the timeframe in which remittances for "normal" imports (thus excluding import of gold, diamonds and precious stones and jewellery) have to be completed. This timeframe has been set to 12months from the date of shipment rather than six months, for imports made on or before 31 July 2020. | 22 May 2020 | "Import of goods and services-Extension of time limits for Settlement of import payment", RBI/2019-20/242, A.P. (DIR Series) Circular No.33, 22 May 2020. |
| On 7 April 2020, the Reserve Bank of India announced amendments to the rules on the hedging of foreign exchange risk; these rules are set to come into effect on 1 June 2020. | 7 April 2020; 1 June 2020 | "Risk Management and Inter-bank Dealings – Hedging of foreign exchange risk", RBI/2019-20/210, A.P. (DIR Series) Circular No. 29, 7 April 2020. |
| On 22 May 2020, the Reserve Bank of India announced an extension of the time-frame in which foreign portfolio investors need to implement 75% of the investments under their committed portfolio size under the *Voluntary Retention Route* (VRR). | 22 May 2020 | "'Voluntary Retention Route' (VRR) for Foreign Portfolio Investors (FPIs) investment in debt – relaxations", RBI/2019-20/239, A.P. (DIR Series) Circular No.32, 22 May 2020. |
| On 22 May 2020, the Reserve Bank of India announced a temporary extension of the timeframe in which remittances for "normal" imports (thus excluding import of gold, diamonds and precious stones and jewellery) have to be completed. This timeframe has been set to 12months from the date of shipment rather than six months, for imports made on or before 31 July 2020. | 22 May 2020 | "Import of goods and services-Extension of time limits for Settlement of import payment", RBI/2019-20/242, A.P. (DIR Series) Circular No.33, 22 May 2020. |
| On 7 April 2020, the Reserve Bank of India announced amendments to the rules on the hedging of foreign exchange risk; these rules are set to come into effect on 1 June 2020. | 7 April 2020; 1 June 2020 | "Risk Management and Inter-bank Dealings – Hedging of foreign exchange risk", RBI/2019-20/210, A.P. (DIR Series) Circular No. 29, 7 April 2020. |
| Effective 4 December 2020, the Reserve Bank of India obtained the power to restrict the import or export of Indian currency notes or foreign currency that a person may take into or bring outside of India. | 4 December 2020 | "*Foreign Exchange Management (Export and Import of Currency) (Second Amendment) Regulations, 2020*", The Gazette of India, Part III Section 4, 4 December 2020. |
| On 4 December 2020, the Reserve Bank of India delegated further authority to certain authorised banks with regards to the direct dispatch of shipping documents, the write-off of unrealised export bills, the set-off of export receivabled against import payables, and the refund of export proceeds. | 4 December 2020 | "*External Trade – Facilitation - Export of Goods and Services*", RBI/2020-21/77 A.P. (DIR Series) Circular No.08, 4 December 2020. |
| On 8 January 2021, the Reserve Bank of India simplified the documentation regarding the export of leased aircraft/helicopter and/or engines/auxiliary power units. | 8 January 2021 | "*Foreign Exchange Management (Export of Goods and Services) (Amendment) Regulations, 2021*", Notification No. FEMA 23(R)/(4)/2021-RB, 8 January 2021. |
| On 16 February 2021, the Reserve Bank of India liberalised remittances by residents to International Financial Services Centres to allow residents to diversify their portfolio. The remittance may be used to invest in certain securities that are not issued by entities residents in India. Residents are also allowed to hold non interest bearing Foreign Currency Account to make the permissible investments. | 16 February 2021 | "*Remittances to International Financial Services Centres (IFSCs) in India under the Liberalised Remittance Scheme (LRS)*", RBI/2020-21/99, A.P. (DIR Series) Circular No.11, 16 February 2021. |
| On 26 February 2021, the Reserve Bank of India lifted conditions for investment by foreign portfolio investors in defaulted bonds. Henceforth, the minimum residual maturity requirement, short-term investment limit and the investor limit that generally apply to foreign portfolio investors investments in corporate bonds do not apply to bonds under default. | 26 February 2021 | "*Investment by Foreign Portfolio Investors (FPI) in Defaulted Bonds – Relaxations*", RBI/2020-21/105A.P. (DIR Series) Circular No.12, 26 February 2021. |
| On 7 April 2021, the Reserve Bank of India relaxed rules regarding the period for which ECB proceeds may be parked in term deposits. | 7 April 2021 | "*External Commercial Borrowings (ECB) Policy – Relaxation in the period of parking of unutilised ECB proceeds in term deposits*", RBI/2021-22/16, A.P. (DIR Series) Circular No.01, 7 April 2021. |
| On 7 April 2021, the Reserve Bank of India relaxed rules regarding the | 7 April 2021 | "*External Commercial* |

| Description of Measure | Date | Source |
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| period for which ECB proceeds may be parked in term deposits. | | *Borrowings (ECB) Policy – Relaxation in the period of parking of unutilised ECB proceeds in term deposits*", RBI/2021-22/16, A.P. (DIR Series) Circular No.01, 7 April 2021. |
| On 8 November 2021, the Reserve Bank of India authorised Foreign Portfolio Investors (FPIs) to invest in debt securities issued by Infrastructure Investment Trusts (InvITs) and Real Estate Investment Trusts (REITs). | 8 November 2021 | "*Investment by Foreign Portfolio Investors (FPIs) in Debt – Review*", RBI/2021-22/120 A.P. (DIR Series) Circular No.16, 8 November 2021. |
| On 29 December 2021, the Reserve Bank of India clarified that Overseas Citizens of India (OCI) and Non-Resident Indians (NRI) do not require its prior approval for acquisition and transfer of immovable property in India, other than agricultural land, farm house and plantation property. | 29 December 2021 | "*Clarification on Acquisition/Transfer of Immovable Property in India by Overseas Citizen of India (OCIs)*", Reserve Bank of India, press release, 29 December 2021. |
| On 10 February 2022, the Reserve Bank of India increased the 'Voluntary Retention Route' (VRR) for Foreign Portfolio Investors (FPIs) investment in debt from INR 1.5 million to INR 2.5 million. | 10 February 2022 | "*'Voluntary Retention Route' (VRR) for Foreign Portfolio Investors (FPIs) investment in debt*", RBI/2021-22/156, A.P. (DIR Series) Circular No.22, 10 February 2022. |
| On 19 April 2022, the Reserve Bank of India established the limits for investment in debt and sale of Credit Default Swaps by Foreign Portfolio Investors (FPIs) for the financial year 2022-2023. | 19 April 2022 | "*Limits for investment in debt and sale of Credit Default Swaps by Foreign Portfolio Investors (FPIs)*", RBI/2022-23/28, A.P. (DIR Series) Circular No. 01, 19 April 2022. |
| Effective 9 May 2022, transactions in Credit Default Swap (CDS) by Foreign Portfolio Investors (FPIs) are subject to the Directions issued by the Reserve Bank of India on 10 February 2022. Among others, the Directions restrict the selling of CDS protection by all FPIs to an 'aggregate limit' to be specified by the Reserve Bank. | 9 May 2022 | "*Transactions in Credit Default Swap (CDS) by Foreign Portfolio Investors – Operational Instructions*", RBI/2021-22/155 A.P. (DIR Series) Circular No.23, 9 May 2022. |
| On 6 July 2022, the Reserve Bank of India announced that from 7 July 2022 until 31 October 2022, the interest rate ceiling applicable to Foreign Currency (Non-resident) Accounts (Banks) – FCNR (B) deposits will be withdrawn and that existing restrictions on the interest rates on Non-Resident (External) Rupee (NRE) Deposits will be lifted. | 6 July 2022 | Master Direction on Interest Rate on Deposits - Foreign Currency (Non-resident) Accounts (Banks) Scheme [FCNR(B)] and Non-Resident (External) Rupee (NRE) Deposit, Reserve Bank of India, Notification, RBI/2022-23/82 DOR.SOG (SPE). REC.No 53/13.03.000/2022-23, 6 July 2022. |
| On 7 July 2022, the Reserve Bank of India announced the addition of two additional government securities (respectively of 7-year and 14 year tenors) to the "fully accessible route" for investments by non-residents in government securities. | 7 July 2022 | 'Fully Accessible Route' for Investment by Non-residents in Government Securities – Additional specified securities, Reserve Bank of India, Notification, RBI/2022-23/86 FMRD.FMID.No.04/14.01.006/2022-23, 7 July 2022. |
| On 7 July 2022, the Reserve Bank of India exempted Foreign Portfolio Investors (FPI) from the existing 30% limit on short-term investments in government securities and corporate bonds. In addition, the Reserve Bank of India exempted investments by Foreign Portfolio Investors in corporate bonds from the existing requirement of a minimum residual maturity of one year. Investments are exempted if they are made between 8 July 2022 and 31 October 2022 and until they reach maturity or until their sale. | 8 July 2022 | Investment by Foreign Portfolio Investors (FPI) in Debt – Relaxations, Reserve Bank of India, Notification, RBI/2022-23/87 A.P. (DIR Series) Circular No.07, 7 July 2022. |
| On 7 July 2022, the Reserve Bank of India announced that from 8 July 2022 to 31 October 2022, Authorised Dealer Category-I banks would be allowed to utilise overseas foreign currency borrowing (OFCBs) for lending in foreign currency to entities for different set of end-use purposes. | 8 July 2022 | Overseas foreign currency borrowings of Authorised Dealer Category-I banks, Reserve Bank of India, Notification RBI/2022-23/88, A. P. (DIR Series) Circular No. 08, 7 July 2022. |
| On 28 July 2022, the Reserve Bank of India increased the limit of External Commercial Borrowings (ECB) that eligible borrowers are allowed to raise | 28 July 2022 | Foreign Exchange Management (Borrowing and Lending) |

| Description of Measure | Date | Source |
|---|---|---|
| per financial year from USD 750 million to USD 1,500 million. The increase is available for External Commercial Borrowings (ECB) raised until 31 December 2022. | | (Amendment) Regulations, 2022, Reserve Bank of India, Notification, No. FEMA .3(R)(3)/2022-RB, 28 July 2022. |
| On 1 August 2022, India increased, until 31 December 2022, the automatic route limit for external commercial borrowings (ECBs) from USD 750 million or equivalent to USD 1.5 billion, as well as the all-in-cost ceiling for ECBs, by 100 bps. | 1 August 2022 | External Commercial Borrowings (ECB) Policy – Liberalisation Measures, Reserve Bank of India, Notification, RBI/2022-23/98, A.P. (DIR Series) Circular No. 11. |
| On 5 August 2022, the Reserve Bank of India announced that it would enable Standalone Primary Dealers (SPDs) to offer all foreign exchange market-making facilities, currently restricted for limited purposes, as well as to undertake Foreign Currency Settled Overnight Indexed Swap (FCS-OIS) transactions directly with non-residents and other market-makers. | 5 August 2022 | *"Statement on Developmental and Regulatory Policies"* , Reserve Bank of India, Press Release, 5 Augsut 2022. |
| On 22 August 2022, the Reserve Bank of India adopted a new Overseas Investment regime that simplifies the existing framework for overseas investment by Indian residents, including an enhanced clarity of definitions, the introduction of new concepts and the dispensation of approval requirements for different operations. | 22 August 2022 | Foreign Exchange Management (Overseas Investment) Rules, 2022, Ministry of Finance, Department of Economic Affairs, 22 August 2022;<br>Foreign Exchange Management (Overseas Investment) Regulations, 2022, Reserve Bank of India, No. FEMA 400/2022-RB, 22 August 2022;<br>Foreign Exchange Management (Overseas Investment) Directions, 2022, RBI/2022-2023/110 A.P. (DIR Series) Circular No.12, 22 August 2022. |
| On 23 January 2023, the Reserve Bank of India (RBI) decided to designate all Sovereign Green Bonds issued by the government as fully opened for non-resident investors without any restrictions (the "fully accessible route"). | 23 January 2023 | "'Fully Accessible Route' for Investment by Non-residents in Government Securities – Inclusion of Sovereign Green Bonds", Reserve Bank of India notification RBI/2022-23/169 FMRD.FMID.No.07/14.01.006/2022-23, 23 January 2023. |
| On 24 August 2023, India's Insurance Regulatory and Development Authority (IRDAI) approved a package of amendments to the Reinsurance Regulations, including the amendment of the Order of Preference regulations for reinsurers operating in India, to attract more reinsurers to establish operations in India. The reform has cut the minimum capital requirement for foreign reinsurance branches (FRBs) from INR 100 crore to INR 50 crore, with the provision to repatriate any excess assigned capital. | 24 August 2023 | Insurance Regulatory and Development Authority Press Release of 24 August 2023. |
| **Indonesia** | | |
| On 16 June 2010, the Central Bank of Indonesia introduced measures to slow down short-term capital flows. These include:<br>– a one-month minimum holding period on Sertifikat Bank Indonesia (SBIs), a debt instrument, with effect from 7 July 2010; and<br>– regulations on banks' net foreign exchange positions. | 16 June 2010 | |
| On 2 January 2012, Bank Indonesia Regulation (PBI) No.13/20/PBI/2011 dated 30 September 2011 concerning Export Proceeds and Foreign Debt Withdrawal Policy entered into effect. The regulation requires exporters to receive export proceeds through domestic banks, and that debtors withdraw their foreign borrowing through domestic banks. The policy does not impose any holding periods or the conversion into rupiah. | 2 January 2012 | "*Bank Indonesia Regulation Number: 13/20/PBI/2011 concerning Receipt of Export Proceeds and Withdrawal of Foreign Exchange from External Debt*", 30 September 2011;<br>"*Bank Indonesia Published a New Policy on Export Proceeds and Foreign Debt Withdrawal*", Bank Indonesia press release No. 13/32/PSHM/Humas, 3 October 2011. |
| Effective 1 January 2015, Bank Indonesia, Indonesia's Central Bank, | 1 January 2015 | Bank Indonesia Regulation |

| Description of Measure | Date | Source |
|---|---|---|
| introduced hedging requirements and foreign exchange liquidity ratios for foreign currency debt on non-bank corporations. The regulations are contained in Bank Indonesia Regulation 16/21/PBI/2014, which replaces an earlier Regulation (No. 16/20/PBI/2014) of 28 October 2014. According to the new rules, non-bank corporations must respect a minimum hedging ratio of 20% calculated on the balance of the corporation's foreign currency liabilities and foreign currency assets. On 1 January 2016, the ratio will increase to 25%. The ratio is applicable to the negative balance between foreign currency assets and foreign currency liabilities with a maturity period of up to three months and those that shall mature between three and six months. Indonesian non-bank corporations that hold external debt are also required to hold foreign currency assets of at least 50% of the value of their foreign currency liabilities with a maturity period of up to three months from 1 January 2015. On 1 January 2016, the liquidity ratio will increase to 70%. | | 16/21/PBI/2014<br>*"*Bank Indonesia Improves the Regulation on Application of Prudence Principle in Non-bank Corporate External debt Management*"*, Bank Indonesia Press release, 2 January 2015 |
| On 2 March 2020, Indonesia's Central Bank announced adjustments of some policies to maintain monetary and financial market stability as well as mitigate the COVID-19 risks. These measures include:<br>● A reduction of the foreign exchange reserve requirements for commercial banks from 8% to 4%, effective 16 March 2020;<br>● A reduction in rupiah reserve requirements by 50bps for banks that finance import-export activities as of 1 April 2020 for an initial period of 9 months; and<br>● An expansion of the range of underlying transactions available to foreign investors in order to provide alternative hedging instruments against rupiah holdings.<br>The Central Bank also reaffirmed that global investors can utilise global and domestic custodian banks to conduct investment activity in Indonesia. | 2 March 2020;<br>16 March 2020;<br>1 April 2020 | "Bank Indonesia Strengthening Measures to Maintain Monetary and Financial Stability", Bank Sentral Republik Indonesia media release No. 22/15/DKom, 2 March 2020. |
| On 19 March 2020, Indonesia's Central Bank announced further measures to maintain financial stability, including:<br>● An expedited enforcement of domestic vostro rupiah accounts for foreign investors as underlying transactions for Domestic Non-Deliverable Forwards (DNDF) to increasing hedging alternatives against rupiah holdings in Indonesia; this measure was initially scheduled to enter into effect on 1 April 2020 but came into effect 23 March 2020.<br>● The expansion of the reduction of rupiah reserve requirements by 50bps beyond banks that are engaged in export-import financing to include the financing of MSMEs and other priority sectors, effective from 1 April 2020. | 19 March 2020;<br>23 March 2020;<br>1 April 2020 | "*BI 7-Day Reverse Repo Rate Lowered 25 bps to 4,50% : Maintaining Stability, Mitigating The Risk of COVID-19*" Bank Sentral Republik Indonesia media release No. 22/22/DKom, 19 March 2020. |
| On 2 March 2020, Indonesia's Central Bank announced adjustments of some policies to maintain monetary and financial market stability as well as mitigate the COVID-19 risks. These measures include:<br>● A reduction of the foreign exchange reserve requirements for commercial banks from 8% to 4%, effective 16 March 2020;<br>● A reduction in rupiah reserve requirements by 50bps for banks that finance import-export activities as of 1 April 2020 for an initial period of 9 months; and<br>● An expansion of the range of underlying transactions available to foreign investors in order to provide alternative hedging instruments against rupiah holdings.<br>The Central Bank also reaffirmed that global investors can utilise global and domestic custodian banks to conduct investment activity in Indonesia. | 2 March 2020;<br>16 March 2020;<br>1 April 2020 | "Bank Indonesia Strengthening Measures to Maintain Monetary and Financial Stability", Bank Sentral Republik Indonesia media release No.22/15/DKom, 2 March 2020. |
| On 19 March 2020, Indonesia's Central Bank announced further measures to maintain financial stability, including:<br>● An expedited enforcement of domestic vostro rupiah accounts for foreign investors as underlying transactions for Domestic Non-Deliverable Forwards (DNDF) to increasing hedging alternatives against rupiah holdings in Indonesia; this measure was initially scheduled to enter into effect on 1 April 2020 but came into effect 23 March 2020.<br>● The expansion of the reduction of rupiah reserve requirements by 50bps beyond banks that are engaged in export-import financing to include the financing of MSMEs and other priority sectors, effective from 1 April 2020. | 19 March 2020;<br>23 March 2020;<br>1 April 2020 | "*BI 7-Day Reverse Repo Rate Lowered 25 bps to 4,50% : Maintaining Stability, Mitigating The Risk of COVID-19*" Bank Sentral Republik Indonesia media release No. 22/22/DKom, 19 March 2020. |
| **Italy** | | |
| None during reporting period. | | |

| Description of Measure | Date | Source |
|---|---|---|
| **Japan** | | |
| None during reporting period. | | |
| **Republic of Korea** | | |
| On 13 June 2010, Korea announced macro-prudential measures to mitigate volatility of capital flows, including:<br>– Limits on banks' foreign exchange derivatives positions of banks (including FX forward, FX swap, cross currency interest rate swap, non-deliverable forward, etc.): 50% of domestic banks' capital; 250% of foreign bank branches' capital;<br>– Foreign currency loans granted by financial institutions to residents can only be used for overseas purposes;<br>– Tighter regulations on banks' FX liquidity ratio and mid- to long-term financing ratio in foreign loan portfolios.<br>In a statement released on19 May 2011, the Ministry of Strategy and Finance, the Financial Supervisory Commission, the Bank of Korea and the Financial Supervisory Service further lowered the ceiling on banks' foreign exchange derivatives positions by 20%, effective on 1 June 2011. The ceiling on the foreign exchange derivatives positions by local branches of foreign banks was be cut to 200% of their capital, down from 250% ; the ceiling for domestic banks was lowered from 50% to 40%.<br>Effective 1 December 2012, the ceilings on currency derivatives holdings were further reduced to 30% of equity for local banks and to 150% for foreign bank branches. | 13 June 2010;<br>19 May 2011;<br>1 June 2011;<br>1 December 2012 | "*Government to Tighten Caps on FX Forward Position*", Ministry of Strategy and Finance press release, 19 May 2011. |
| On 31 July 2011, the Korean Ministry of Strategy and Finance announced the introduction of a macro-prudential stability levy on banks' non-deposit foreign-currency liabilities starting on 1 August 2011. The rate of the levy depends on the maturity: 0.2% for maturities of up to one year, 0.1% for those between one and three years, 0.05% for three to five year debts, and 0.02% for debt with maturities of over 5 years. Liabilities taken out by domestic regional banks from the financial institutions subject to the levy have to pay half these rates. | 1 August 2011 | "*Macro-Prudential Stability Levy to Be Imposed from August*", Ministry of Strategy and Finance press release, 31 July 2011. |
| On 16 June 2016, the Korean Ministry of Finance announced changes to caps on foreign exchange derivatives positions effective July 2016; domestic banks will be allowed to hold positions up to 40% of their capital, up from 30% previously, and foreign bank subsidiaries in Korea are allowed to hold positions of 200% of their capital, up from 150%. The Ministry also announced measures on foreign exchange derivative positions as of 2017. | July 2016 | Ministry of Finance press release, 16 June 2016. |
| On 1 January 2017, the Republic of Korea introduced a foreign currency liquidity coverage ratio (LCR), which requires commercial banks to hold 60% of their foreign exchange debt in high-quality liquid assets (HQLA) to withstand a 30 day net cash outflow in systemic risks. The ratio will be increased gradually to 70% in 2018 and 80% in 2019. | 1 January 2017 | Banking Supervision Regulation 2016-44, 5 December 2016, Article 63-2. |
| On 26 March 2020, the Republic of Korea adopted several measures that ease foreign exchange market stability rules:<br>● The cap on foreign currency forward positions for local banks was set at 50% of the banks' equity capital, up from 40% previously. Foreign bank branches in the Republic of Korea may hold such positions up to 250%, up from 200% of their capital.<br>● The levy on financial institutions' non-deposit FX liabilities was temporarily lifted for three months (April to June) and instalment payment plans were expanded for payments due in 2020.<br>● The foreign exchange liquidity coverage ratio was lowered from 80% to 70% until May 2020. | 26 March 2020 | "*Government to Ease FX Market Stability Rules*", Ministry of Economy and Finance media release, 26 March 2020. |
| On 9 March 2021, Korea's Financial Services Commission announced that it extended the availability of some of the interim deregulatory measures introduced on 17 April 2020. | 9 March 2021 | "*FSC Decides to Extend the Availability of Eased LCR and LTD Rules for Banks*", Financial Services Commission Press release, 9 March 2021. |
| On 9 June 2021, the Financial Services Commission Notification No.2021- | 9 June 2021 | Financial Services Commission, |

| Description of Measure | Date | Source |
|---|---|---|
| 18 increased the limit on foreign exchange positions of insurance companies from 20% of the total adjusted capital to 30% of the total adjusted capital. | | Notification No.2021-18. |
| On 25 January 2023, the Korean Financial Services Commission (FSC) announced measures to improve foreign investors' access to Korean capital markets. The measures include (a) abolishing the foreign investor registration requirement (foreign corporate entities and individual investors will be allowed to invest in Korean capital markets using their legal entity identifiers (LEIs) or passport numbers), (b) facilitating the use of omnibus account for foreign investors (Authorities will abolish the investment reporting requirement under which the end-investor of omnibus account needs to instantly report completed investment transactions at the moment of settlement), (c) enabling more convenient OTC transactions by foreign investors and (d) expanding the scope of obligations to provide disclosures in English language. | 25 January 2023 | "*FSC announces measures to improve foreign investors' access to Korean capital markets*", Financial Services Commission Press release, 25 January 2023. |
| On 5 June 2023, the Government of the Republic of Korea approved a revision of the Enforcement Decree of the Financial Investment Services and Capital Markets Act (FSCMA) abolishing the foreign investors' registration requirement. The foreign investor registration system has been in place for about three decades since 1992 and will be abolished starting from 14 December 2023. Under the foreign investor registration system, foreign investors had to register with the Financial Supervisory Service (FSS) prior to investing in locally listed securities (stocks, bonds, etc.). | 5 June 2023 | Enforcement Decree of the Financial Investment Services and Capital Markets Act, 13 June 2023;<br>"*Foreign Investor Registration Requirement to be Abolished in Korea*", Financial Services Commission Press release, 5 June 2023. |
| **Mexico** | | |
| An amendment of the regulations on foreign investment of 4 May 2009 eases the conditions for foreign investors to apply for trusts on real estate in restricted areas. | 4 May 2009 | Diario Oficial de la Federación el 8 de septiembre de 1998 as amended 4 May 2009 |
| **Russian Federation** | | |
| On 16 May 2009, Federal Law No. 74-FZ came into force. It provides for simplified rules on access of foreign securities to the Russian securities markets. Previously, securities issued by foreign entities could be placed for circulation on the Russian market on the basis of either an international treaty or a cooperation agreement between the Federal Service for the Securities Market (FSFM) and the respective authority of the country of the foreign issuer. | 16 May 2009 | Federal Law No.74-FZ of 28.04.2009 "On amending the Federal Law "On the securities market" and Article 5 of the Federal Law "On protection of the rights and legitimate interests of investors in the securities market". |
| Effective 1 March 2013, the Central Bank of Russia abolished the gap between reserve requirements on credit institutions' liabilities to non-resident legal entities and to individuals. This step abolishes the differentiation of reserve requirements that the Central Bank of Russia had introduced on and gradually increased with effect of 1 February 2011, 1 March 2011 and 1 April 2011. | 1 February 2011;<br>1 March 2011;<br>1 April 2011;<br>1 March 2013 | "*Required Reserve Ratios Set for Credit Institutions*", Central Bank of the Russian Federation website. |
| On 1 August 2018, the Central Bank of the Russian Federation changed the reserve requirements. The changes widen the differential between requirements for Rouble and foreign currency denominated liabilities. | 1 August 2018 | Required reserve ratios, Central Bank of the Russian Federation, undated. |
| Effective 1 April 2019, the Central Bank of the Russian Federation widened the differential of reserve requirements between liabilities held in Rouble and foreign currency denominated liabilities for non-resident legal entities, individuals, and credit institutions. | 1 April 2019 | Required reserve ratios, Central Bank of the Russian Federation, undated. |
| On 1 July 2019, the Central Bank of the Russian Federation widened the differential of reserve requirements between liabilities held in Rouble and foreign currency denominated liabilities for non-resident legal entities, individuals, and credit institutions. | 1 July 2019 | Required reserve ratios, Central Bank of the Russian Federation, undated. |
| On 10 March 2020, the Central Bank of Russia announced measures in response to the economic circumstances resulting from the COVID-19 pandemic. Among other measures, the measures include a reduction of the risk ratio on banks' rouble-denominated exposures to pharmaceutical companies and medical equipment manufacturers to 70%, and a reduction of the risk factor premiums on foreign currency loans provided to such companies; both adjustments are temporary and are scheduled to expire after 30 September 2020. | 10 March 2020 | "*Bank of Russia comment on temporary regulatory exemptions for banks due to the spread of coronavirus*", Bank Rossii media release, 10 March 2020. |
| Starting from 1 October 2021, the Bank of Russia modified mandatory | 1 October 2021 | Bank of Russia Regulation No. |

| Description of Measure | Date | Source |
|---|---|---|
| reserve requirements for rouble- and foreign-currency-denominated liabilities. On the same day, the Bank of Russia Regulation No. 753-P, dated 11 January 2021, 'On Credit Institutions' Required Reserves' entered into effect. | | 753-P, dated 11 January 2021, 'On Credit Institutions' Required Reserves', 11 January 2021.<br>"*Bank of Russia changes mandatory reserve requirements and sets coefficients for calculating reservable liabilities*", Bank of Russia news release, 26 July 2021. |
| As of 1 October 2021, the Central Bank of Russia lowered mandatory reserve requirements by 0.25pp to 4.5% for all RUB-denominated liabilities for banks with a universal licence and non-bank credit institutions; and by 3.75pp to 1.0% for RUB-denominated liabilities to non-resident legal entities for banks with a basic licence. | 1 October 2021 | Central Bank of Russia Regulation No. 753-P, dated 11 January 2021, 'On Credit Institutions' Required Reserves', Central Bank of Russia, 11 January 2021;<br>"*Bank of Russia changes mandatory reserve requirements and sets coefficients for calculating reservable liabilities*", Central Bank of Russia, Press Release, 26 July 2021. |
| As of 1 August 2022, the Central Bank of Russia increased mandatory reserve requirements by 1pp to 3% for all RUB denominated liabilities for banks with a universal licence and non-bank credit institutions; and by 3pp to 5% for all categories of reservable liabilities in foreign currency depending on the type of institution. | 1 August 2022 | *"Bank of Russia to increase required reserve ratios from August"*, Central of Russia, Press Release, 25 July 2022. |
| On 29 September 2022, the Central Bank of the Russian Federation (CBR) allowed legal entities to buy securities of issuers from "unfriendly states" without restrictions, regardless of whether they have the status of a qualified investor or not. Non-qualified individual investors, in turn, were banned from purchasing additional foreign securities from "unfriendly states" from January 2023, following a period of gradually declining upper limits of such securities in individual investors' portfolios between 1 October 2022 and end-December 2022. | 29 September 2022 | "*Bank of Russia clarifies rules for selling foreign securities to non-qualified investors*", Bank of Russia media release, 29 September 2022. |
| Likewise on 29 September 2022, the CBR extended for another six months until March 2023 restrictions on money withdrawals abroad. | 29 September 2022 | "*Bank of Russia extends restrictions on money withdrawals abroad for another six months*", Bank of Russia media release, 29 September 2022. |
| Still on 29 September 2022, the CBR extended for six months the restrictions for non-residents (legal and natural persons) from "unfriendly states" to transfer money abroad from brokerage and trust management accounts. | 29 September 2022 | "*Bank of Russia extends restrictions for non-residents from unfriendly states to transfer money abroad from brokerage and trust management accounts*", Bank of Russia media release, 29 September 2022. |
| On 30 November 2022, the CBR extended, until 1 April 2023, the restriction on the circulation of certain foreign securities blocked by international depositories that were earlier transferred into non-trading accounts. | 30 November 2022 | "*Bank of Russia extends restrictions on exchange trade in blocked securities*", Bank of Russia media release, 30 November 2023. |
| On 22 December 2022, the CBR announced that it would extend until October 2023 the temporary moratorium on the delisting of foreign issuers' securities admitted to public trading in the Russian Federation upon the exchange's decision pursuant to Clause 4 of Article 51.1 of the Federal Law 'On the Securities Market' in the case of their delisting on a foreign exchange conforming to the criteria established by the CBR, as well as the temporary permit not to comply with the requirement for maintaining foreign issuers' securities on the quotation list stipulated by Appendix 2 or Appendix 5 to Bank of Russia Regulation No. 534-P.<br>The CBR also extended until September 2023 the temporary permit not to comply with the requirement for avoiding delayed fulfilment of a foreign issuer's obligations on its bonds, in order to keep such bonds on the Russian exchange's quotation list, as well as the permit not to disclose, in the list of securities admitted to on-exchange trading and in the registration card of a security, information on facts of a default and/or a technical default of a foreign bond issuer. | 22 December 2022 | "*Regulatory easing for securities issuers and exchanges in 2023*", Bank of Russia media release, 22 December 2022. |
| Effective 1 March 2023, the CBR raised reserve requirements on local | 13 February 2023 | "*Bank of Russia to increase* |

| Description of Measure | Date | Source |
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| currency liabilities by 1 percentage point to 4% and reserve requirements on foreign exchange liabilities by 2 percentage points to 7%. | | *required reserve ratios from March*", Bank of Russia media release, 13 February 2023. |
| On 6 March 2023, the CBR extended until September 2023 foreign cash withdrawal restrictions that had been in place since March 2022, when resident individuals were prohibited from withdrawing more than USD 10,000 in cash. Also, foreign cash transferred without opening an account or via electronic wallets must be withdrawn in rubles. Resident legal entities can withdraw foreign cash to cover their business travel expenses, but no more than USD 5000. Non-resident legal entities may not withdraw cash in USD, EUR, GBP, or JPY. | 6 March 2023 | "*Bank of Russia extends restrictions on foreign cash withdrawals for another six months until 9 September 2023*", Bank of Russia media release, 6 March 2023. |
| On 20 March 2023, the CBR announced that, beginning on 1 October 2023, banks will be obliged to use only Russian platforms and financial infrastructure for financial messaging associated with money transfers in the territory of the Russian Federation. | 20 March 2023 | "*New financial messaging rules for Russia approved*", Bank of Russia media release, 20 March 2023. |
| On 5 July 2023, the Central Bank of the Russian Federation (CBR) raised the limit on open currency positions from 20% to 50%, setting it at a less conservative level. | 5 July 2023 | "*Bank of Russia improves regulation of foreign exchange and market risks"*, Bank of Russia media release, 5 July 2023. |
| On 26 September 2023, the CBR extended restrictions for non-residents from unfriendly countries to transfer money abroad from brokerage and trust management accounts for another six months from 1 October 2023 through 31 March 2024. These restrictions apply to money transfers from both individuals' and legal entities' accounts opened with Russian brokers and trust managers. They were originally introduced on 1 April 2022. | 26 September 2023 | "*Bank of Russia extends restrictions for non-residents from unfriendly countries to transfer money abroad from brokerage and trust management accounts*", Bank of Russia media release, 29 September 2023. |
| On 29 September 2023, the CBR extended restrictions on money transfers abroad for another six months from 1 October 2023 until 31 March 2024. Russian citizens and non-resident individuals from "friendly" countries will still be allowed to transfer no more than USD 1 million (or an equivalent amount in other foreign currencies) to any accounts in foreign banks within a month. The limits on transfers via money transfer systems also remain in place: total transfers may not exceed USD 10,000 (or an equivalent amount in other foreign currencies) per month. | 29 September 2023 | "*Bank of Russia extends restrictions on money transfers abroad for another six months*", Bank of Russia media release, 29 September 2023. |
| **Saudi Arabia** | | |
| On 16 March 2010, Saudi Arabia's Capital Market Authority (CMA) announced its approval for Falcom Financial Services to offer an exchange-traded fund (ETF) of Saudi shares, which is accessible to non-resident foreign investors who have a bank account in Saudi Arabia. This ETF began trading on the Tawadul, the Saudi Arabian Stock Exchange, on 28 March 2010. The CMA approved a second ETF, also offered by Falcolm Financial Services on 21 June 2010. This second ETF offers exposure to the Saudi Arabian petrochemical sector, investing almost all assets in Shariah-compliant petrochemical companies listed on the Tadawul. The two ETFs constitute the first opportunity for direct foreign investment in the Tawadul, following liberalisation in August 2008 which allowed foreign investors to buy Saudi shares indirectly by means of "total return swaps" via licensed brokers in Saudi Arabia. The swaps do not give voting rights, but the decision allowed international investors to gain direct access to individual shares. | 16 March 2010 | "CMA announces offering of Exchange Trade Fund", CMA release, 16 March 2010;<br>"CMA announces offering of Exchange Traded Fund", CMA release, 21 June 2010. |
| On 22 January 2012, Saudi Arabia's Capital Market Authority announced an amendment of its listing regulations. The new rules allow a foreign issuer whose securities are listed in another regulated exchange to apply for its securities to be registered and admitted to listing on the Saudi Arabian exchange. | 22 January 2012 | "*Listing Rules*", Saudi Arabian Capital Market Authority, 22 January 2012. |
| As of 1 January 2018, non-resident foreigners are authorised, under certain conditions, to invest in Saudi Arabia's "Parallel Market" (Nomu), which was established on 21 December 2016. The new rules were issued by the Capital Market Authority (CMA) on 26 October 2017 and relax requirements to qualify as foreign institutional investors. | 26 October 2017 | "An announcement of the issuance of the CMA Board Resolution Allowing Non-Resident Foreign Investors to Invest in the Parallel Market", Capital Market Authority, 26 October 2017.<br>"Guidance note for the investment of Non-Resident Foreigners in the Parallel |

| Description of Measure | Date | Source |
|---|---|---|
| | | Market", CMA, undated. |
| On 9 November 2021, the Capital Market Authority (CMA) announced that it would allow capital market institutions to accept the subscriptions of non-Saudi nationals in real estate funds that invest in assets within the boundaries of Makkah and Madinah. It recalled that capital market institutions are to comply with the Law of Real Estate Ownership and Investment by Non-Saudis of 2011, which allows non-Saudi natural persons to own real estate for their private residence only further to obtaining prior permission from the Ministry of Interior, and that foreign representations may acquire their official headquarters on the condition that permission is granted by the Minister of Foreign Affairs. | 9 November 2021 | "*Capital Market Authority Allows Non-Saudis to Invest in Real Estate Funds within Makkah and Madinah*", Saudi National Portal for Government Services, 9 November 2021. |
| **South Africa** | | |
| On 27 October 2009, the Minister of Finance announced a series of measures to liberalise inward and outward capital flows. The new policy: increased the rand thresholds applicable to outward direct investments by South African companies; removes some restrictions on rand conversion of export proceeds and advance payments for imports; and increases in foreign capital allowances for resident individuals. Further relaxations of the approvals required for investing in Southern African Development Community (SADC) countries were announced. | 27 October 2009 | "*Medium Term Budget Policy Statement 2009*" and "*Exchange Control Circular No. 13/2009: Statement on Exchange Control*", dated 27 October 2009.<br>"*Guidelines to Authorised Dealers in respect of genuine new foreign direct investments of up to R 500 million per company per calendar year*", Exchange control department, South African Reserve Bank, 27 October 2009. |
| On 1 March 2010, the Exchange Control Circular No. 5/2010, issued by the South African Reserve Bank on 17 February 2010, entered into effect. The circular allows South African banks to acquire direct and indirect foreign exposure up to 25% of their total liabilities. | 1 March 2010 | Exchange Control Circular No. 5/2010, South African Reserve Bank, 17 February 2010. |
| On 13 December 2010, the South African National Treasury announced an increase of the share of assets that South African institutional investors can hold abroad. The increase is 5 percentage points up from the percentage set in 2008. This change was already alluded to in Exchange Control Circular No. 37/2010, issued by the South African Reserve Bank on 27 October 2010. | 13 December 2010 | Exchange Control Circular No. 44/2010, South African Reserve Bank, 14 December 2010, containing the National Treasury press release "*New Prudential limits and discussion document*", dated 13 December 2010. |
| As of 1 January 2011, international headquarter companies are allowed to raise and deploy capital offshore without undergoing exchange control approval. | 1 January 2011 | Exchange Control Circular No. 37/2010, South African Reserve Bank, 17 February 2010. |
| On 28 October 2011, the South African Reserve Bank published three circulars in relation to a liberalisation of the country's foreign exchange policy. The circulars implement an earlier announcement by the Minister of Finance in the 2011 Medium Term Budget Policy Statement. | 25 October 2011 | *Exchange Control Circular No. 12/2011*, South African Reserve Bank, 25 October 2011 |
| – The *Exchange Control Circular No. 15/2011*, dated 25 October 2011 announces the abolition of foreign ownership restrictions in authorised dealers in foreign exchange at an unspecified date. | 25 October 2011 | *Exchange Control Circular No. 15/2011*, South African Reserve Bank, 25 October 2011 |
| – The *Exchange Control Circular No. 18/2011*, also dated 25 October 2011, announces the reclassification of inward listed shares on the Johannesburg stock exchange (JSE ltd) as domestic for the purposes of trading on the exchange. This reclassification enhances the possibilities of domestic investors to invest in these assets, as South Africa's exchange control rules limit the amount of foreign assets local investors may own. The date of the entry into force of the measure was made dependent on the release of reporting requirements. | 25 October 2011 | *Exchange Control Circular No. 18/2011*, South African Reserve Bank, 25 October 2011 |
| On 12 December 2012, the South African Reserve Bank issued updates to certain sections of the Exchange Control Manual. | 12 December 2012 | Exchange Control Manual. |
| On 27 February 2013, the South African Reserve Bank published changes to its foreign exchange control policies, which had initially been announced as part of the 2013 Budget. Henceforth, as part of the "Gateway to Africa" policy, each company listed at the Johannesburg Stock Exchange (JSE) may establish one subsidiary holding company for holding African and offshore operations without it being subject to foreign exchange restrictions. The purpose is to incentivise companies to manage their African and offshore operations from South Africa, maximising the benefits to South Africa's economy. To benefit from the exemption, the Holding companies will be | 27 February 2013 | Exchange Control Circular 5 of 2013 |

| Description of Measure | Date | Source |
|---|---|---|
| subject to the following conditions: They must be South African tax residents and be incorporated and effectively managed and controlled in South Africa; transfer from the parent company to the subsidiary will be allowed up to ZAR 750 million per year; subsidiaries may freely raise and deploy capital offshore, provided these funds are without South African guarantees; subsidiaries will be allowed to operate as cash management centres for South African multinationals; local income generated from cash management will be freely transferrable; subsidiaries may choose their functional currency or currencies, and operate foreign currency accounts and a rand-denominated account for operational expenses; appropriate governance and transparency arrangements will be required. | | |
| **Türkiye** | | |
| On 23 October 2010, Turkey issued rules on the registration of public offerings and sales of foreign capital market instruments and depository receipts in Turkey. Among other issues, the *Communiqué Regarding the Sale and Registration with the Capital Markets Board of Foreign Capital Market Instruments and Depository Receipts* abolishes the requirement to conduct public offerings of foreign stocks in Turkey through depository receipts. | 23 October 2010 | Communiqué Regarding the Sale and Registration with the Capital Markets Board of Foreign Capital Market Instruments and Depository Receipts Serial: III, No: 44, Official Gazette No. 27738 dated 23 October 2010. |
| Effective 13 February 2015, Turkey's central bank raised reserve requirement ratios of short-term foreign exchange denominated liabilities of banks and financing companies. Reserve requirement rations for liabilities with maturities up to 1 year are set to 18%, up from 13%, for liabilities of up to 2 years, are increased from 11% to 13%, for liabilities of up to 5 years, are increased from 6% to 7%. Reserve requirement ratios for liabilities with maturities of up to 3 years have been reduced from 11% to 8%. | 13 February 2015 | "Press release on Reserve Requirements", No 2015-01, Turkish Central Bank, 3 January 2015. |
| On 15 August 2018, the Turkish banking regulator (BDDK) announced a reduction of the limit on the amount of currency swap and similar products to 25% of banks' capital, down from 50% previously, in order to reduce shorting of the lira.<br>On 17 August 2018, the BDDK announced that it would also include lira forward, option and other derivatives in its limits on banks' foreign exchange transactions. | 15 August 2018;<br>17 August 2018 | |
| On 20 May 2019, Turkey capped foreign currency purchases at USD 100,000 – or the equivalent in other foreign currencies – per day for natural persons unless a need for greater amounts is shown and imposed a one day settlement delay for foreign exchange purchases by individuals of more than USD 100,000. | 20 May 2019 | Banking Regulatory and Supervision Agency media release, 21 May 2019. |
| On 8 February 2020, the Turkish banking regulator (BDDK) lowered the cap on volume of banks' currency swap, forward, option and other similar derivative transactions with non-residents where banks receive Turkish lira at the maturity date, to 10% of their respective regulatory capital, down from 25% previously. On 12 April 2020, the volume of such transactions was further lowered to 1% of bank's regulatory capital. | 8 February 2020;<br>12 April 2020 | Resolution 8860 of 08/02/2020; BRSA announcement, 9 February 2020.<br>Resolution 8989 of 12/04/2020; BDDK announcement, 12 April 2020. |
| On 28 December 2019, the Central Bank of the Republic Turkey (CBRT) introduced the rule that the reserve requirement ratios on foreign exchange deposits/participation funds are directly linked to the real annual growth rates of banks' Turkish lira-denominated performing cash loans. The CBRT increased these ratios by 200 basis points for all maturity brackets, and applied them 200 basis points lower for banks that comply with the Turkish lira real loan growth conditions to ensure that these banks are not affected by this increase. | 28 December 2019 | "*Reserve Requirement Ratios*", Central Bank of Turkey website, undated. |
| On 17 March 2020, the Central Bank of the Republic of Turkey announced that the foreign exchange reserve requirement ratios are to be reduced by 500 basis points in all liability types and all maturity brackets for banks that meet real credit growth conditions within the context of the reserve requirement practice. The measure took effect from the calculation period of 6 March 2020 with the maintenance period starting on 20 March 2020. | 17 March 2020 | "*Press Release on the Measures Taken against the Likely Economic and Financial Impacts of the Coronavirus*", Central Bank of the Republic of Turkey media release no.2020-16, 17 March 2020. |
| On 5 May 2020, the Turkish banking regulator (BDDK) announced that Turkish banks' lira-denominated transactions with foreign banks – financial institutions including repo transactions, deposit facilities and loans – was henceforth limited to 0.5% of the respective banks' regulatory capital. | 5 May 2020 | Resolution 9010 of 05/05/2020; BDDK announcement, 5 May 2020. |
| Between 24 May 2020 and 30 September 2020, the President of Turkey | 24 May 2020; | Official Journal, 24 May 2020; |

| Description of Measure | Date | Source |
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| made a series of changes to the Bank and Insurance Transaction Tax (BSMV), which is levied on foreign exchange sales. On 24 May 2020, the tax was increased to 1%, but on 17 June 2020 brought down to 0% for certain enterprises, and on 30 September 2020 set to 0.2%. | 17 June 2020; 30 September 2020 | Official Journal, 30 September 2020. |
| On 24 February 2021, the Central Bank of Turkey revised applicable rules on reserve requirements. Turkish lira reserve requirement ratios were increased by 200 basis points for all liability types and maturity brackets; the upper limit of the facility for holding foreign exchange was decreased from 30% to 20% of Turkish lira reserve requirements, and the upper limit of the facility for holding standard gold was decreased from 20% to 15% of Turkish lira reserve requirements. | 24 February 2021 | Central Bank of Turkey Press Release on Reserve Requirements No. 2021-10, 24 February 2021. |
| On 1 July 2021, the Central Bank of Turkey modified mandatory reserve requirements and lowered the upper limit of a facility, known as Reserve Option Mechanism, that allows banks to keep a certain ratio of their Turkish lira reserve requirements in foreign exchange or gold. Reserve requirement ratios for foreign exchange deposits and participation funds were increased by 2 percentage points for all maturity brackets, and the Reserve Option Mechanism was decreased from 20% to 10% of Turkish lira reserve requirements. | 1 July 2021 | "*Press Release on Reserve Requirements*", Central Bank of the Republic of Turkey, No.2021-27, 1 July 2021. |
| Effective 1 October 2021, the Reserve Option Mechanism for holding foreign exchange for TRY reserve requirements was terminated by decreasing its limit from 10% to 0%. The reserve requirement ratios for foreign exchange deposits and participation funds were increased by a further 2 percentage points for all maturity brackets. | 1 October 2021 | "*Press Release on Reserve Requirements*", Central Bank of the Republic of Türkiye, No.2021-39, 1 July 2021. |
| Effective 28 October 2021, the reserve requirement ratios for foreign exchange deposits and participation funds were increased by a further 2 percentage points for all maturity brackets. | 28 October 2021 | "*Press Release on Reserve Requirements*", Central Bank of the Republic of the Republic of Türkiye, No.2021-48, 9 November 2021. |
| On 21 December 2021, the Central Bank of Türkiye introduced further incentives for resident individuals who convert their existing foreign exchange deposit accounts or foreign exchange participation funds into TRY deposit accounts or participation funds. The incentive aims at supporting financial stability by increasing the share of TRY in total deposits and participation funds in the banking system. | 21 December 2021 | "*Press Release on Encouraging Conversion of FX Deposits to TL Time Deposits*", Central Bank of the Republic of Türkiye, No.2021-62, 21 December 2021. |
| On 11 January 2022, the Central Bank of Türkiye introduced an incentive for domestic legal persons who convert their foreign exchange and gold deposit accounts and participation funds into TRY time deposit accounts and participation funds. This incentive was introduced in addition to the previous incentive for resident individuals. | 11 January 2022 | "*Press Release on Encouraging Conversion to Turkish Lira Time Deposits*", Central Bank of the Republic of Türkiye, No.2022-03, 11 January 2022. |
| On 15 April 2022, Türkiye increased from 25% to 40% the requirement for resident exporters to surrender their foreign exchange proceeds to the Central Bank of Türkiye. | 15 April 2022 | |
| On 23 April 2022, the Central Bank of Türkiye introduced additional reserve requirements based on the individuals foreign exchange accounts to TRY accounts, Accordingly, the foreign exchange reserve requirements ratio increases by 5% for banks with a conversion rate of 5% and by 3% for banks with a conversion rate between 5% and 10%. This decision will be effective from 27 May 2022. | 23 April 2022 | "*Press Release on Reserve Requirements*", Central Bank of the Republic of Türkiye, No.2022-24, 23 April 2022. |
| On 10 June 2022, the Central Bank of Türkiye increased from 10 to 20% the reserve requirement ratio for TRY-denominated commercial cash loans (asset side). | 10 June 2022 | *"Press Release on Reserve Requirements and Maintenance of Turkish Lira-Denominated Securities for Foreign Currency Liabilities"*, Central Bank of the Republic of Türkiye, Press Release No. 2022-28, 10 June 2022. |
| On 23 June 2022, the Turkish Banking Regulation and Supervision Agency (BDDK) introduced a 500% risk weight on loans extended to legal entities performing derivative transactions with non-residents. | 23 June 2022 | Decision Number: 10248, BDDK., 23 June 2022. |
| On 24 June 2022, the Turkish Banking Regulation and Supervision Agency (BDDK) announced a new directive on June 24 banning TRY-based commercial loans to some firms. According to the directive, a company with foreign currency cash assets of more than TRY 15 million (USD 895,000; EUR 856,600) and exceeding 10% of total assets or annual sales, will not be able to obtain a new local-currency loan and may have to sell foreign exchange holdings. | 24 June 2022 | Board Decision 10250, BDDK, 24 June 2022. |
| On 18 August 2022, the Central Bank of Türkiye decided to replace the | 18 August 2022 | *"Press Release on* |

| Description of Measure | Date | Source |
|---|---|---|
| asset-based reserve requirements on credit growth by a maintenance of securities. In addition, it increased the maintenance ratio to 30% for banks with a loan growth rate above 10% (except for the priority sectors). | | *Macroprudential Measures"*, Central Bank of the Republic of Türkiye, Press Release, 20 August 2022. |
| Effective 1 November 2022, the Turkish Banking regulator (BRSA) announced that non-financial Turkish legal entities, which are subject to independent audit and have FX assets exceeding TRY 10 million, are prohibited from utilizing commercial cash loans denominated in TRY in case their foreign exchange assets exceed 5% of their total assets according to the most up-to-date financial statements submitted to the tax authority, prepared in accordance with the Tax Procedure Law and related regulations, whichever is greater. Previously, the prohibition only applied to entities that had FX assets above TRY 15 million and the FX asset ratio exceeded 10%. | 1 November 2022 | Decision of the Banking Regulation and Supervision Board 10389, BRSA, 21 October 2022. |
| On 31 December 2022, the Central Bank of the Republic of Türkiye (CBRT) announced the extension of the security maintenance requirement to other financial institutions and expansion of the scope of assets and liabilities subject to it. In addition to banks, other financial institutions have been included in the scope of the securities maintenance regulation, and during the first phase, factoring companies have been required to maintain securities according to the interest rate they apply to Turkish lira (TRY)-denominated factoring receivables. The period of the implementation that stipulate banks to maintain securities according to loan interest rate and loan growth rate has been extended until 29 December 2023. From 23 June 2023, the facilities of maintaining gold for TRY reserve requirements will be terminated. The scope of assets and liabilities of banks subject to the securities maintenance practice has been expanded to cover, with regards to liabilities, funds obtained from FX-denominated repo transactions with domestic real persons and the real sector; and transactions to de-recognise FX liabilities subject to the securities maintenance via engaging in financial derivative transactions with FX funders; and with regard to securities on the assets side, issued by the real sector and the features of which are determined by the CBRT. | 31 December 2022 | "Press Release on Macroprudential Measures (2022-56)", Central Bank of the Republic of Türkiye, 31 December 2022. |
| Effective 20 January 2023, reserve requirement ratios for TRY deposit accounts with maturities longer than three months have been set at zero percent. Also, reserve requirement ratios are set at zero percent for the increase in FX liabilities with maturities longer than six months provided directly from abroad until the end of 2023. | 20 January 2023 | "Press Release on Macroprudential Measures (2023-02)", Central Bank of the Republic of Türkiye, 15 January 2023. |
| On 26 January 2023, when selling their FX obtained from abroad to the CBRT, firms will be provided with a FX conversion support corresponding to 2% of the amount converted into TRY, in return for their pledge. Once firms have sold at least 40% of the FX they have brought into the country from abroad to the CBRT, they will be able to deposit the remaining part of the FX they brought from abroad into FX-protected conversion accounts, and in return for their pledge, firms will be provided with a FX conversion support of 2% of the amount converted into TRY. | 26 January 2023 | "Press Release on Supporting Conversion of Firms' Foreign Exchange Obtained From Abroad Into Turkish Liras (2023-05)", Central Bank of the Republic of Türkiye, 26 January 2023. |
| As of 24 February 2023, the CBRT set the 'liraisation' target in deposits for the first half of 2023 at 60%. Accordingly, the securities maintenance ratio has been raised to 10% from 5%, whereas banks that exceed the 60% TRY share target in real and legal person deposits are subject to a discounted securities maintenance ratio (where the share is between 60 and 70 percent, the discount is 5-percentage points, and where the share is above 70%, a 7-percentage point discount is applied). For banks with TRY shares below the 60% target, the previously determined additional ratios will continue to be applied by adding them to the securities maintenance ratio. | 24 February 2023 | "Press Release on Macroprudential Measures (2023-01)", Central Bank of the Republic of Türkiye, 7 January 2023. |
| On 7 July 2023, it was made clear that only foreign exchange deposits at banks on any date between 31 December 2021 and 30 June 2023 could be converted to TRY at the central bank conversion rate. On 20 August 2023, it was further amended that such conversion can be requested for deposits existing in banks as of 30 June 2023. It was further clarified in September 2023 that domestic resident legal entities could make the conversion as of 30 June 2023 while for domestic resident natural persons would be as of 31 August 2023. Similarly, only gold accounts existing as of 31 September 2023 for resident natural persons and as of 30 June 2023 for resident legal persons could be requested to be converted in TRY. | 7 July 2023,<br>20 August 2023,<br>18 September 2023 | Official Gazette, Notification, 7 July 2023;<br>Official Gazette, Notification, 20 August 2023;<br>Official Gazette, Notification, 18 September 2023. |
| On 21 July 2023, a 15% reserve requirement for TRY liabilities was introduced on accounts for which exchange/price protection support is provided by the Central Bank for all maturities. On 14 September 2023, this reserve ratio was differentiated by maturity, with liabilities up to 6 months having a required reserve ratio of 25% while for liabilities above this maturity would be 5%. | 21 July 2023;<br>14 September 2023 | Official Gazette, Notification, 21 July 2023;<br>Official Gazette, Notification, 14 September 2023. |

| Description of Measure | Date | Source |
|---|---|---|
| On 25 July 2023, the Turkish Central Bank (CBRT) supported exporters' access to financing notably by easing the conditions to access rediscount credits through the abolishment of the requirement to sell an additional 30% of export proceeds to use rediscount credits, as well as to the extent that foreign currency purchases for import payments have been exempted from the scope of the commitment not to buy foreign currency during the rediscount credit term. | 25 July 2023 | "*Press Release on Selective Credit and Quantitative Tightening Decision)*", Central Bank of the Republic of Türkiye, 25 July 2023. |
| Effective 20 August 2023, the target for conversion from foreign exchange deposits to foreign exchange protected deposits has been cancelled. | 20 August 2023 | "*Press Release on FX-Protected Accounts (2023-31)*", Central Bank of the Republic of Türkiye, 20 August 2023. |
| Effective 20 August 2023, the previously introduced securities maintenance and reserve requirement practice based on the Turkish lira share has been ended. The reserve requirement system goes back to a simpler system without differentiation of required reserves, except for the differentiation by leverage ratio (Art 10). On the same day, reserve requirements on foreign exchange demand deposits up to 1 month have been increased from 25% to 29%. | 20 August 2023 | Official Gazette, Notification, 20 August 2023 |
| **United Kingdom** | | |
| None during reporting period. | | |
| **United States** | | |
| On 1 June 2014, a final rule approved by the Federal Reserve Board on 18 February 2014 entered into effect. The rule affects supervision and regulation of foreign banking organisations operating in the United States. The requirements in the final rule seek to bolster the capital and liquidity positions of the U.S. operations of foreign banking organisations. The rule requires foreign banking organisations with U.S. non-branch assets of USD 50 billion or more to establish a U.S. intermediate holding company over its U.S. subsidiaries. The foreign-owned U.S. intermediate holding company will generally be subject to the same standards applicable to domestically owned U.S. bank holding companies. Foreign banking organisations with total consolidated worldwide assets of USD 50 billion or more, but combined U.S. assets of less than USD 50 billion, will be subject to enhanced prudential standards including liquidity, capital, risk-management, and stress-testing requirements. | 1 June 2014 | Board of Governors of the Federal Reserve System, Final Rule; press release, 18 February 2014. |
| **European Union** | | |
| None during reporting period. | | |

**Methodology for the inventory presented in Section 2 — Coverage, Definitions and Sources**

*Reporting period.* The reporting period of the present document is from 2 April 2009 to 15 May 2023. An investment measure is counted as falling within the reporting period if new policies were adopted or entered into force during the period.

*Investment*. For the purpose of the inventory presented in Section 2, international investment is understood to include all international capital movements, except measures specifically concerning foreign direct investment; those measures are reported in Annex 1 of the present document.

*Investment measure*. For the purposes of this Section 2, investment measures consist of any action that either: imposes or removes differential treatment of foreign or non-resident investors compared to the treatment of domestic investors in like situations; or: that imposes or removes restrictions on international capital movements. Reporting on international capital movements has no legal effect on the rights and obligations of member states of the WTO, OECD, or UNCTAD.

*Sources of information and verification*. The sources of the information presented in this report are:

- official notifications made by governments to various OECD processes (e.g. the Freedom of Investment Roundtable or as required under the OECD investment instruments);
- information contained in other international organisations' reports or otherwise made available to the OECD Secretariat;
- other publicly available sources: specialised web sites, press clippings etc.

Investment measures included in this report have been verified by the respective G20 members.

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