



Department of Economic Development
Trade & Investment Directorate
P O Box 860, Buka, Autonomous Region of Bougainville
Telephone: (675) 973 9613 Mobile: (675) 7937 0232
Email address: Esther.Aitasi@abg.gov.pg or estheraitasi@gmail.com



APPLICATION PACK NUMBER

FORM B. INVESTMENT APPLICATION

The purpose of this form is to allow inward investors to apply for a license to operate in Bougainville. The form must be completed in full and submitted along with all the required evidence and supporting document. There are four section in this form;

1. Contact Details
2. Enterprise Details
3. Attachments
4. Inward Investment Proposal

IMPORTANT INFORMATION

1. Payment of Application Fees

Upon submission to the Department of Economic Development a unique identification number will be allocated to your application. This number must be referenced when you pay your application fee.

A copy of the deposit receipt is required by the BIIB to verify payment. Overseas payments must be scanned, and a copy emailed of the receipt. Once verified the application will be processed.

2. Bougainville Reserved Business Activity List

The Bougainville Reserved Business Activity List is the category of business activities that categories those businesses that can be fully operated or carried out by exclusive participation by Bougainvilleans as defined in the Inward Investment Amendment Act 2018. Licenses will not be issued for any business looking to operate in the reserved activities defined by the regulations.

3. Licences

All inward investors must submit an application through the Bougainville Inward Investment Bureau first before lodging to other respective agencies that concerns the nature of your business. For instance, following the issuance of a inward investment license your company can then lodge a mining exploration license etc.

4. Land and Environment

If an activity involves Land, coast or reefs (within 3 nautical miles of Bougainville) documentation will be required. It is strongly recommended that you consult with the Department of Lands & Physical Planning and Environmental Conservation as soon as possible

if the activity is Level 2 and 3 as prescribed in the Environment Act 2000, in which an Environment Permit will be required.

5.Filling Out the Form B

Applicants are free to submit Form B on their own company's templates, however the structure used in Form B, under four sections, must strictly be followed. If there is more than one director and shareholder, each director and shareholder will have to fill out Form B as an additional attachment; **Section 2,**

Part 8- Directors of Proposed Enterprise,

Part 9. Director Experience in Other Enterprise,

Part 10. Shareholding and Beneficiaries of proposed enterprise,

Part 11. Shareholding in trust.

6.Section 4 of Form B

Refer to this section as it will be the guideline for you to write up your proposal.



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FORM B

SECTION 1. INVESTOR CONTACT DETAILS	
1. Contact Details	
Full Name	
Passport Number	
Nationality	
Residential Address	
Postal Address	
Email Address	
Phone Number	
2. Resident Agent (if applicable)	
Full Name	
Passport Number	
Nationality	
Residential Address	
Postal Address	
Email Address	
Phone Number	

SECTION 2. ENTERPRISE DETAILS	
Proposed Date of Commencement	
Investment value (PGK)	
Business Activity	Refer to Reserve Activity List
Description of Business Activity	

3. IPA Information	
Proposed Enterprise Name	
IPA Registration Number	
4. Change of Name of Existing Enterprise (If applicable)	
Registered Name	
Enterprise Registration Number	
5. Registration in other Country	
Country of Registration	
Registered Name	
Enterprise Registered Number	
Enterprise Activity	
Incorporation /Registration Date	

6. Location of Proposed Operation in Bougainville	
Physical Address / Description of Location	
Postal Address	
Telephone Number	
Email Address	
7. Joint Venture /Partnership Particulars	
Joint Venture Agreement	
Resource Owners Name	
Village Name	
Constituency	
District	
Postal Address	
Phone Number	
Email Address	
Number of Shares	
Type of Shares	

8. Directors of Proposed Enterprise	
Full Name	
Residential Address (If less than 12 months provide the previous address)	
Telephone Number	
Email Address	
Passport Number	
National Identification Number	
Nationality	
9. Director Experience in Other Enterprise	
Company Name	
Type of Business Venture	
Position Held	
Number of years in the Position	
Shareholding Percentage	
Investment Value	
Physical Address	
Are you still Actively Participating in the Enterprise? If No state reason.	
10. Shareholding and Beneficiaries of proposed enterprise	
Shareholder Name	
Residential Address	
Telephone	
Fax	
Email	
Passport Number	
National Identification Number	
Nationality	
11. Shareholding in trust	

Shareholder Name	
Beneficiary(s) name	
Percentage of shares	
Value of shares	
12. Shareholding by equity	
Company Name	
Physical Address	
Country of Incorporation	
Incorporation Number	
Percentage of Shares	
Value of shares	
13. Bank and Accountant Details	
Name of Bank	
Physical Address of Bank	
Phone Number	
Email Address	
14. Public Listing	
Is the company publicly listed?	
If Yes -Name, the stock Exchange	
If No- Do you intend to list, the company?	
If Yes – Name, the intended stock exchange	

.....

Agent /Director Signature

...../...../2020

Date (Day/Month/Year)

Section 3 Inward Investment Proposal - Guide to Drafting Proposal

Section 3 is the inward investment proposal which must be prepared by the inward investor and attached as a separate document. The Bougainville Inward Investment Bureau has the ability to determine if the submitted Inward Investment Proposal meets the principles and criteria of “Responsible Investment “outline in Section 34, Bougainville Inward Investment Act

Responsible Investment is investment which –

- ❖ Aligns with local values and cultures; and
- ❖ Is ethical, moral and fair; and
- ❖ Recognizes and protects customary land rights; and
- ❖ Is environmentally sustainable; and
- ❖ Maximizes participation of the local people; and
- ❖ Achieves social and cultural outcomes.

The Investment Proposal must include the following:

Chapter	Explanation and Examples
Description of Investment Activity	<ul style="list-style-type: none"> • Type of Activity – what the Enterprise is actually doing • List the District (s), township, constituency or village where the enterprise will conduct its activities • Evidence as how the investment will contribute to Bougainville’s prosperity, such as: <ul style="list-style-type: none"> ○ Alignment to the Autonomous Bougainville Government (ABG) Policies, Strategies and Plans ○ Enhancement of peace and security in Bougainville ○ Delivering positive contribution to society ○ Why the investment is needed?
Project Sustainability	<p>Provide a risk management plan for economic, cultural, environmental and social risks for the duration of the project</p> <p>These risks will be at a high level looking across the project for its duration. Specific risks plans containing a higher level detail may be included in subsequent parts of this form.</p>
Responsible Investment	<ul style="list-style-type: none"> ❖ A comprehensive plan or communication and engagement with land owners and stakeholders. ❖ Evidence that 1 and owners have given “free, prior and conformed consent “to the investment proposal. ❖ Creation of secure local employment opportunities. ❖ Identify opportunities for local co-investment. ❖ Demonstrate whether the investment will result in the introduction into Bougainville of new technology or business skills. ❖ If applicable, a mitigation strategy (including compensation) in the event that the populations will be displaced (or will require re-location). ❖ Demonstrate how any positive obligations imposed by applicable laws/regulation concerning housing, environment, employment conditions, or any other regulation with a human rights impact, will be satisfied.

	Plans/evidence/statements of intent addressing these factors should be addressed in the context of delivering measurable benefits to Bougainville . It is important to understand the overall requirements for Responsible Investment that will be evaluated, and for which evidence will be sought.
Business Plan	Attach relevant Strategic and/or Business Plan for the proposed Enterprise, and refer to the relevant parts when completing this Section.
Financial Information	<p>Investment Value & Structure:</p> <p>What is the value (in Kina) of the investment?</p> <ul style="list-style-type: none"> • Provide details of: Expected timeframe and duration of investment, business purchase price, business construction price, equipment/stock, land lease price etc. • Distribution of Dividend Policy, and how these contribute to benefits for stakeholders/Bougainville <p>Participation/Ownership model – What is the ownership structure, how do owners participate in the enterprise?</p>
	<p>Access and Commitment to Capital:</p> <ul style="list-style-type: none"> • Funding Balance – Debt vs. equity, cash contribution, foreign Bank lending, local bank lending, other lending, local partner cash contributions, local partner bank lending, and value of local resource agreements • List the investors, their level of investment and whether it is the provision of cash or debt. • What is the timeframe for take up of capital? (if the inward investor has the access to capital in reserves then it must be shown how the necessary amount of capital has been set aside for the applicant company’s inward investment.)
	<p>Financial Statements</p> <ul style="list-style-type: none"> • A copy of the proposed Enterprise’ audited financial accounts and balance sheet from the last three (3) years <p>A copy of the inward investor other business interest financial accounts (audited) from the last five (5) years, (if applicable)</p>
	<p>Financial Forecast</p> <ul style="list-style-type: none"> • Budget and Cash flow Forecast • Benefits: What are the projections for expected return on investment; and the productivity and profitability of the business over time? <p>Attach documentation to support financial information and evidence of financing arrangement</p>
Capacity Implement	<p>to Provide evidence to support the ability to implement the proposal.</p> <ul style="list-style-type: none"> • What evidence is there to support the ability to implement the project? • Work Program for 1 – 3 years (depending on nature of work) including nationalities and positions of staff to be employed over next 3 years, number/timing and nature of new jobs created; staff development plan and training

	<p>programs for potential staff, impact on working conditions (visas, health and safety for example); any indirect job opportunities</p> <ul style="list-style-type: none"> • New skills and Technology Plan detailing: nature of new skills and technology to be introduced by when; background of Applicant in providing them, how they impact on the investment; capital required to introduce them; and the benefit to Bougainville arising from their introduction • Management Plan
<p>Third Party Interests</p>	<p>Does the enterprise have agreements with any third parties for the provision to the enterprise of any of the following activities? Identify where and how local businesses will be subcontracted:</p> <ul style="list-style-type: none"> • Management and Consultancy Services • Finance • Technology • Raw Materials • Imported Goods • Other – E.G. contracts, agreements or understandings with other entities. <p>Attach documentary evidence of supply or purchase agreements.</p>
<p>Access and Use of Land</p>	<p>If the proposal involves land or coast/reef within 3 nautical miles of land, it is strongly recommended that the Applicant consult with the ABG Division of Lands and Physical Planning. Please refer to the Landowner Engagement Guidelines.</p> <p>If your investment or special business activity is a level 2 or 3 activity prescribed in the Environment Act 2000 as environment permit may be required. In this case, please provide a copy of the permit.</p> <p>Information required:</p> <p><u>For Alienated Land:</u></p> <ul style="list-style-type: none"> • A copy of the title/lease, name of holder, lot number, section/portion number • If in a Physical Planning area: <ul style="list-style-type: none"> ○ Plan to meet zone requirements ○ Evidence that the proposal satisfies Section 5 of the Physical Planning Act 2013 <p><u>For Customary Land:</u></p> <p>Incorporated Land Group (ILG) in place</p> <ul style="list-style-type: none"> • ILG name and registration number. • Evidence of support – names and signatures of the ILG Management Committee and directly affected families. • Plan indicating portion of land for proposal. <p>No ILG in place</p>

	<ul style="list-style-type: none"> • Evidence that the correct landowners have been identified and support the project. • Customary Land Investigation Report (conducted by the Division of Lands and Physical Planning, optional but highly recommended. Cost to be met by applicant). <p>For BOTH ILG and No ILG</p> <ul style="list-style-type: none"> • Land Dispute Resolution Plan. • Evidence that the scale of activity is appropriate for the portion of land identified; customary landowners are satisfied that they can live and provide for future generations. <p>For BOTH Alienated and Customary Land</p> <ul style="list-style-type: none"> • Detailed description of the land (topography, general size (ha), boundary location in the village/district), including maps and photos where possible. • Copy of the access agreement. • Identification of special characteristics of the environment (natural/physical, social and cultural), identification of adverse effects on the environment, and a plan to avoid, remedy or mitigate has been prepared.
Mining	<p>If the proposal has stated or potential intent to undertake mining activities, the following must be attached:</p> <ul style="list-style-type: none"> • The latest copy of the Annual Report of the Inward Investor Enterprise that will be providing the mining expertise. <p>If this proposal is accepted, it will be passed to the ABG department of Mining for their due diligence and assessment required to grant the mining licenses and permit. THIS FORM IS NOT A LICENSE TO MINE.</p>
Joint Venture/Partnership Agreement	<p>What Partnership/Joint Venture arrangement is proposed to share the benefits of the Inward Investment Proposal, to directly contribute to the social, economic and cultural growth of Bougainville?</p> <p>Plans/evidence and data from previous sections will provide the basis for what these benefits are and the timeframe for delivery them. These may include skill development, jobs, technology, environmental rehabilitation, cash/capital or other options for establishing a partnership arrangement.</p> <p>What is the timeframe for realising these benefits, and how will they be quantified?</p> <p>A summary table of benefit contribution by year for the first 5 years.</p>

Attached Documentation

Where the documents are not in English, a certified translation must be submitted. The BIIB reserves the right to request more information as necessary.

<i>No.</i>	<i>Required Attachments</i>	<i>Question #</i>	<i>Attached?</i>
1	Certified copy of passport in colour	1, 11	
2	Form of Identification (birth certificate, driver's license or witness declaration by a statutory authority).	2	
3	Address verification (evidence of address could be an invoice from a government department or utility provider.)	1,2,11	
4	Police Clearance – statement on criminal record from home country of residence if different	1,2,11	
5	IPA Enterprise Registration Certificate (if any)	9	
6	International Company Registration Certificate (if any)	10	
7	Map of location where the business activity is to take place (if available)	7	
8	Signed Statutory Declaration for all directors	11	
9	Shareholder registry	12	
10	Return on allotment of shares and share transfer forms (or a list of top 20 shareholders if a listed company.)	12	
11	Address verification of the bank which holds the account	13	
12	Address verification of the accountant	13	
13	Evidence of the business interest of the directors	14	
14	Evidence of public listing on a stock exchange (if any)	15	
15	The instrument constituting or defining the constitution (if any) of the enterprise	Section 3	
16	Investment Proposal.	Section 3	
17	Joint Venture Agreement (If any)	7	

All information provided to the Bougainville Inward Investment Bureau, will be kept strictly confidential, and will not be disclosed or distributed to external parties, or otherwise used except for the purpose of assessing the Inward Investment Application.



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FORM C

More than one Director and Shareholder, Each Director and Shareholder will fill out this additional form

SECTION 2 - ENTERPRISE DETAIL

8. Directors of Proposed Enterprise	
Full Name	
Date of Birth	
Residential Address (If less than 12 months provide the previous address)	
Telephone Number	
Email Address	
Passport Number	
National Identification Number	
Nationality	
Signature	
9. Director Experience in Other Enterprise	
Company Name	
Type of Business Venture	
Position Held	
Number of years in the Position	
Shareholding Percentage	
Investment Value	
Physical Address	
Are you still Actively Participating in the Enterprise? If No state reason.	
Give details of three most recent business ventures that you have been part of.	
10. Shareholding and Beneficiaries of proposed enterprise	
Shareholder Name	
Date of Birth	

Residential Address	
Telephone	
Fax	
Email	
Passport Number	
National Identification Number	
Nationality	
Signature s	
11. Shareholding in trust	
Shareholder Name	
Passport Number	
Beneficiary(s) name	
Percentage of shares	
Value of shares	
12. Shareholding by equity	
Company Name	
Physical Address	
Country of Incorporation	
Incorporation Number	
Percentage of Shares	
Value of shares	