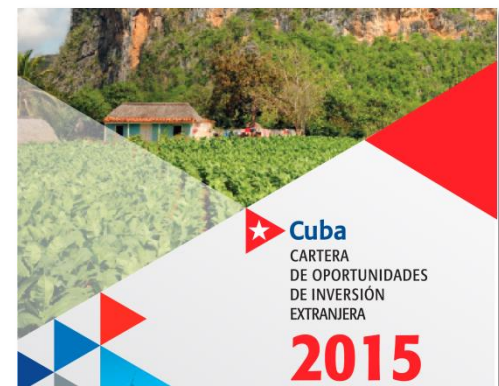
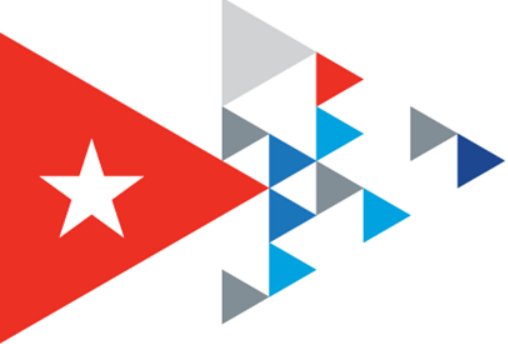




Foreign Investment in Cuba



April 5th. 2016



Cuba Place to invest and do business.

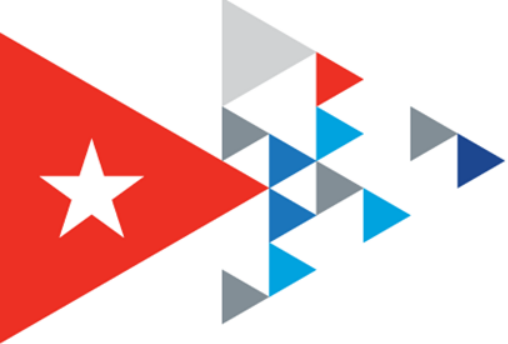
Updating the Cuban economic model.

Decision to carry out transformations for socialism that we are building to be **successful, efficient and sustainable.**



Definition of strategic issues such as:

- The **Conceptualization of the Economic and Social Cuban model of socialist development**; and
- The preparation of the **Program of Socioeconomic Development of the country long term.** Strategic vision of development until 2030 to ensure structural changes.



Cuba Place to invest and do business.

Foreign investment is one of the aspects for updating model that have had greater significance.

- | | |
|--------------------------------|--|
| ▶ Policy | To consider foreign investment as an important source of development.
Objective: To attract foreign investment flows between 2 and 2.5 billion dollars a year. |
| ▶ Regulatory Framework | A new law and a package of complementary standards was issued. Updating the legal framework. |
| ▶ ZED Mariel | Creation of a Special Development Zone with special systems that encourage the attraction of foreign capital and new technologies. |
| ▶ Foreign Investment Portfolio | The Portfolio was unveiled in November 2014 and has been widely spread. |

SPECIAL
DEVELOPMENT
ZONE **MARIEL**



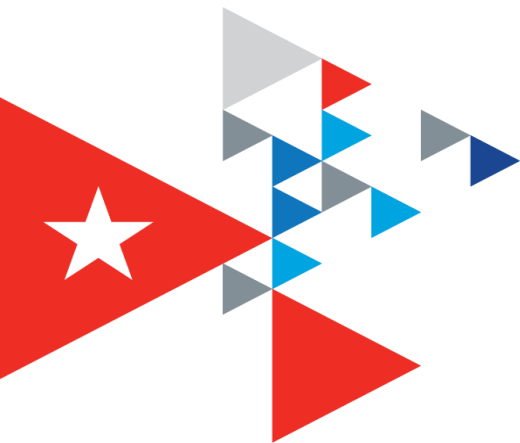
The ZEDM is placed 45 km west of Havana and has an area of 465.4 km².



- ▶ It is located in the center of trade in the Caribbean and the Americas.
- ▶ Its port is designed with an integrated approach which includes the application of best practices of port marine development and environmental protection.

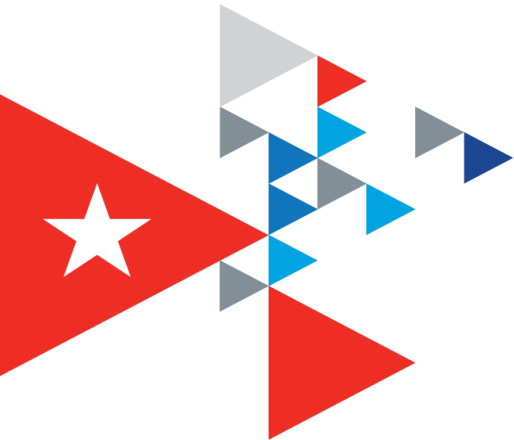


Foreign Investment Policy



SOME GENERAL PRINCIPLES

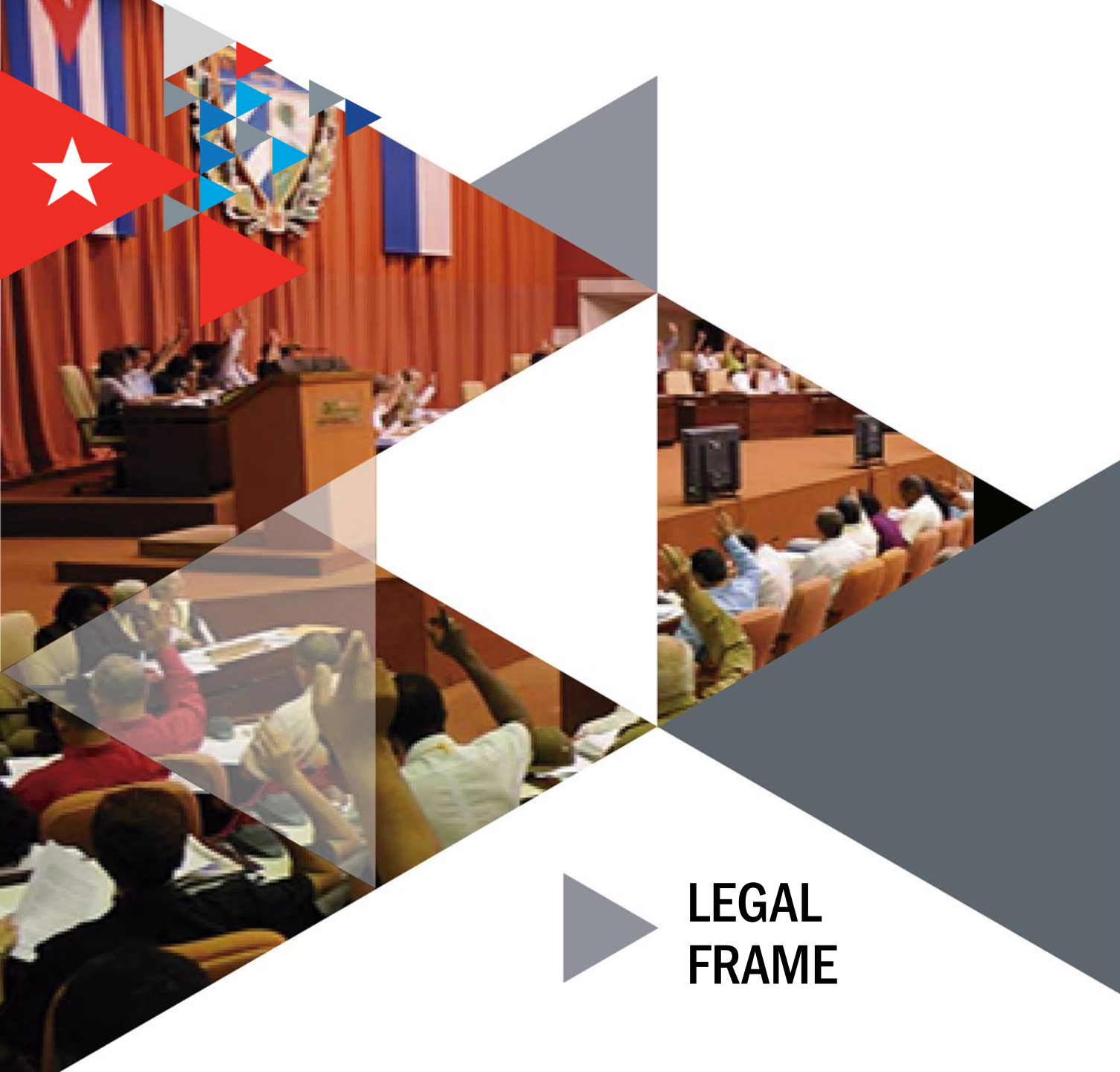
- **Foreign investment is an active and fundamental component** for the growth of certain sectors and economic activities.
- Foreign Investment is focused on **export and import substitution industries**, and **to eliminate bottlenecks** in production lines, favoring **modernization, infrastructure development and technological change pattern.**



SECTORIAL PRINCIPLES

The main objectives for attracting foreign capital in selected sectors, are expressed in sectorial policies. Prioritized activities are mentioned and, in some cases, those in which we have not planned foreign investments. In addition, these policies contain other details of interest.

- Agricultural and Forest
- Food Industry
- Sugar Industry
- Pharmaceutical and Biotechnological
- Tourism
- Construction
- Energy and Mines
- Wholesale
- Health
- Industries: Metallurgical, Light manufacturing, Chemical and Electronics,
- Transport



**LEGAL
FRAME**

The new legal framework for foreign investment consists of:

- ▶ Law No. 118/2014 “Law of Foreign Investment”.
- ▶ Decree No. 325/2014 “Regulations of the Law on Foreign Investment”.
- ▶ Resolutions No. 46/2014 and No. 47/2014. Central Bank of Cuba.
- ▶ Resolutions No. 128/2014 and No. 129/2014. Ministry of Foreign Trade and Foreign Investment.
- ▶ Resolution No. 16/2014 and 42/14 Ministry of Labour and Social Security.
- ▶ Resolution No. 920/14 Ministry of Economy
- ▶ Resolution no. 535/14 Ministry of Finance
- ▶ Agreement No. 7567 of the Council of Ministers in May 2014.



ASAMBLEA NACIONAL DEL PODER POPULAR

JUAN ESTEBAN LAZO HERNÁNDEZ, Presidente de la Asamblea Nacional del Poder Popular de la República de Cuba.

HAGO SABER: Que la Asamblea Nacional del Poder Popular de la República de Cuba, en su Primera Sesión Extraordinaria de la VIII Legislatura, del día 29 de marzo de 2014 ha aprobado lo siguiente:

POR CUANTO: Nuestro país ante los desafíos que enfrenta para alcanzar un desarrollo sostenible puede, por medio de la inversión extranjera, acceder a financiamiento externo, tecnologías y nuevos mercados, así como insertar productos y servicios cubanos en cadenas internacionales de valor y generar otros efectos positivos hacia su industria doméstica, contribuyendo de esta manera al crecimiento de la nación.

POR CUANTO: Los cambios que tienen lugar en la economía nacional como consecuencia de la actualización del modelo económico cubano regido por los Lineamientos de la Política Económica y Social del Partido y la Revolución, aconsejan revisar y adecuar el marco legal de la inversión extranjera que establece la Ley No. 77 “Ley de la Inversión Extranjera”, de 5 de septiembre de 1995, para ofrecer mayores incentivos a esta y asegurar que la atracción del capital extranjero contribuya eficazmente a los objetivos del desarrollo económico sostenible del país y a la recuperación de la economía nacional, sobre la base de la protección y el uso racional de los recursos humanos y naturales y del respeto a la soberanía e independencia nacionales.

POR CUANTO: La Constitución de la República establece entre otras formas de propiedad, la de las empresas mixtas, sociedades y asociaciones económicas y prevé, con respecto a la propiedad estatal, la transmisión total o parcial de objetivos económicos destinados a su desarrollo, con carácter excepcional, si ello resultare útil y necesario al país.

POR TANTO: La Asamblea Nacional del Poder Popular, en uso de las atribuciones que le están conferidas en el artículo 75, inciso b) de la Constitución de la República, acuerda dictar la siguiente:

LEY No. 118 LEY DE LA INVERSIÓN EXTRANJERA

CAPÍTULO I DEL OBJETO Y CONTENIDO
ARTÍCULO 1.1.- Esta Ley tiene por objeto establecer el marco legal de la inversión extranjera en el territorio nacional sobre la base del respeto a la ley, la soberanía e independencia de la nación y el beneficio mutuo, para contribuir a nuestro desarrollo económico en función de una sociedad socialista próspera y sostenible.

2.- La presente Ley y su legislación complementaria establecen un régimen de facilidades, garantías y seguridad jurídica al inversionista que propicia la atracción y el aprovechamiento del capital extranjero.

3.- La inversión extranjera en el país se orienta a la diversificación y ampliación de los mercados de exportación, el acceso a tecnologías de avanzada, la sustitución de importaciones, priorizando la de alimentos. Del mismo modo a la obtención de financiamiento externo, la creación de nuevas fuentes de empleo, la captación de métodos

It is published in the Official Gazette of the Republic of Cuba (Special Issues No. 20 and No. 53) from April and December 16th, 2014.

Some peculiarities of Law

★ Foreign investment may be authorized in all sectors except health care and education to the population and the armed forces. The exceptions do not include their enterprise systems.

Foreign investors can make their contributions in cash or in tangible and intangible assets.

Foreign investments shall adopt one of the following modalities:

► **Joint Ventures**



► **Totally foreign capital companies** (subsidiary, branch, natural person)



► **International economic association agreement**



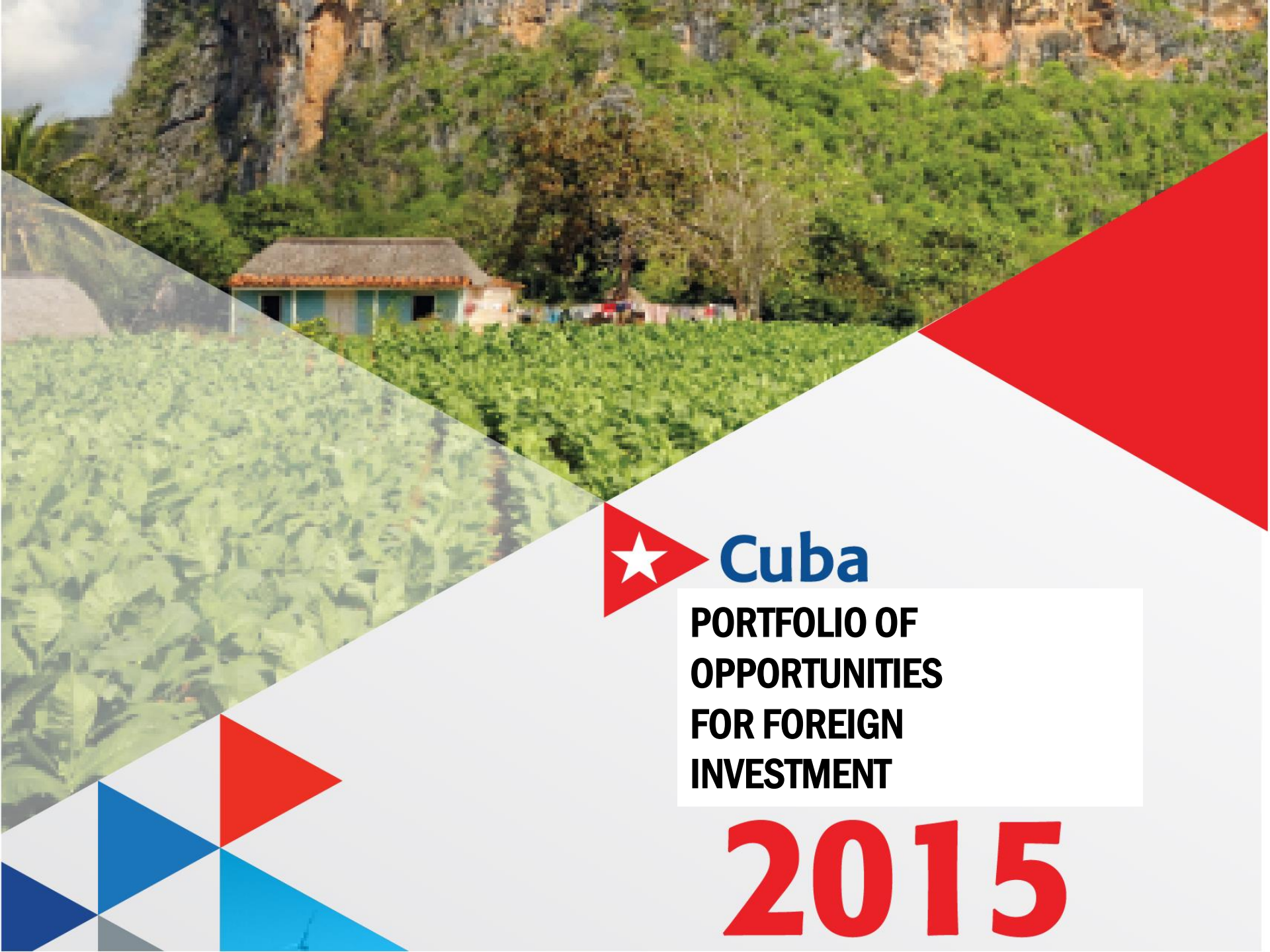
Special tax system *

	SPECIAL REGIME LAW 118/2014	TAX SYSTEM ACT LAW 113/2012
Profit tax	0% for 8 years, and exceptionally for a longer period. Then 15%. 0% for reinvested profits. If natural resources are exploited, it can rise up to 50% (maximum 22.5%)	35%
Taxes on the use of labor force	0%	Progressive reduction from 20% (2013) to 5% (2017)
Customs taxes for the imports of equipment, machinery and other means	Exempt for the investment process.	It is fixed in the Customs Tariff
Sales and Service tax	0% for the first year, then 50% bonus on wholesale (1%) and services (5%).	2% wholesale and 10% services. Gradual implementation until 2016.
Environmental taxes	Reduction of 50% over the period of payback.	5 taxes
Land tax to contribute to local development	0% during the payback	It is gradually setting in the Budget Act.

to investors

The Cuban State shall see to it that the benefits granted to foreign investors and their investments are maintained throughout the entire period for which they were granted.

- ▶ They enjoy all-out protection and legal security and could not be expropriated, unless such action is executed for reasons of public or social interest as previously stated by the Council of Ministers.
- ▶ The State shall guarantee foreign investors the free transfer abroad, in freely convertible currency, free from taxes or any other fees associated to said transfer, of dividends or profits.
- ▶ They shall be protected against legal claims by third parties or the extraterritorial implementation of other States' laws.
- ▶ The term of the authorization granted for the development of operations could be extended by the very authority that granted it.



Cuba


**PORTFOLIO OF
OPPORTUNITIES
FOR FOREIGN
INVESTMENT**


2015

New Opportunities Portfolio ...larger and more diverse

It considers projects in all sectors which are defined as priority for attracting foreign investment.

It contains **326** projects. **80** more than in 2014.

20 opportunities in  ZEDM

306 opportunities in the rest of the country 

40 projects listed in the 2014 portfolio have been removed.

The estimated investment amount of the projects contained in the portfolio exceeds **8.173 billion dollars**.



Portfolio organization

- ▶ **Especial Development Zone of Mariel:** 20 projects.
- ▶ **Opportunities grouped by sector:** It is divided into 12 sectors. It Includes information of interest to each of them, the approved sectorial policies and the specification sheets of projects.
- ▶ Each project has a **specification sheet showing its main features:** *description, modality of foreign investment, Cuban counterpart, the estimated investment amount, location, potential market, expected results and contact details.*
- ▶ The Portfolio of Opportunities **will be updated at the next International Fair of Havana.**



New Opportunities Portfolio ... larger and more diverse





FOREIGN INVESTMENT OPPORTUNITIES
BY SECTOR



Conclusions

We are in a new phase of the insertion of Cuba in the international economic scenario, which introduces increased opportunities for direct foreign investment.

Cuba will continue to strengthen economic and trade relations with all countries and maintains a policy of market diversification. We invite investors of all markets to do business in Cuba.

We believe that there are real opportunities to achieve concrete results in the coming months.



**MINISTERIO DEL COMERCIO
EXTERIOR Y LA INVERSIÓN
EXTRANJERA (MINCEX).**
inversionextranjera@mincex.cu

Cuba

New investments opportunities



Cuba



CONTACTS OF INTEREST



CENTRO PARA LA PROMOCIÓN DEL COMERCIO EXTERIOR Y LA INVERSIÓN EXTRANJERA (CEPEC)

yohanelly.savigne@mincex.cu
www.cepec.cu



**CÁMARA DE COMERCIO
DE LA REPÚBLICA DE CUBA**

CÁMARA DE COMERCIO DE LA REPÚBLICA DE CUBA

proinversion@camara.com.cu
www.camaracuba.cu



PRESENTATION



April 5th., 2016