		A non-Philippine national not otherwise disqualified by law may do business or invest in a domestic enterprise up to 100 percent of its capital, provided: (a) it is investing in a domestic market enterprise in areas outside the Foreign Investment Negative List under the *Foreign Investments Act of 1991*; or (b) it is investing in an export enterprise whose products and services do not fall within Lists A and B of the Foreign Investment Negative List under the *Foreign Investments Act of 1991*. Provided, further, that, as required by existing laws, the country or state of the applicant must also allow Filipino citizens and corporations to do business therein. **Note**: "Philippine national" shall mean a citizen of the Philippines or a domestic partnership or association wholly owned by citizens of the Philippines; or a corporation organized under the laws of the Philippines of which at least sixty percent (60%) of the capital stock outstanding and entitled to vote is owned and held by citizens of the Philippines; or a corporation organized abroad and registered as doing business in the Philippines under the Corporation Code of which one hundred percent (100%) of the capital stock outstanding and entitled to vote is wholly owned by Filipinos or a trustee of funds for pension or other employee retirement or separation benefits, where the trustee is a Philippine national and at least sixty percent (60%) of the fund will accrue to the benefit of the Philippine nationals: Provided, that where a corporation and its non-Filipino stockholders own stocks in a Securities and Exchange Commission (SEC) registered enterprise, at least sixty percent (60%) of the capital stocks outstanding and entitled to vote of both corporations must be owned and held by citizens of the Philippines and at least sixty percent (60%) of the members of the Board of Directors of both corporations must be citizens of the Philippines, in order that the corporations shall be considered a Philippine national. Individuals or entities that do not meet the aforementioned qualifications are considered as "non-Philippine nationals". "Export enterprise" shall mean an enterprise wherein a manufacturer, processor or service (including tourism) enterprise exports sixty percent (60%) or more of its output, or wherein a trader purchases products domestically and exports sixty percent (60%) or more of such purchases. **Designation of Resident Agent** A foreign corporation shall be required to file a written power of attorney designating some person who must be a resident of the Philippines, on whom any summons and other legal processes may be served. **Branches and Regional Operating Headquarters** Foreign Enterprises may establish Regional Operating Headquarters provided it shall register the same with the appropriate government agency and shall be subject to relevant rules and regulations.
Source of Measure	:	– The *1987 Philippine Constitution* – Batas Pambansa Blg. 68, *The Corporation Code of the Philippines* – Commonwealth Act No. 108, *An Act to Punish Acts of Evasion of Laws on the Nationalization of Certain Rights, Franchises or Privileges*, as amended by Presidential Decree No. 715, *Otherwise known as* "*The Anti-Dummy Law*", as may be amended – Republic Act (R.A.) No. 7042, the *Foreign Investments Act of 1991*, as amended and its Implementing Rules and Regulations – R.A. No. 9520, the *Philippine Cooperative Code of 2008* – R.A. No. 6977, the *Magna Carta for Micro, Small and Medium Enterprises (MSMEs),* as amended by R.A. No. 8289 and R.A. No. 9501 – R.A. No. 9178, the *Barangay Micro Business Enterprises Act of 2002* – R.A. No. 8756, *An Act Providing for the Terms, Conditions and Licensing Requirements of Regional or Area Headquarters, Regional Operating Headquarters, and Regional Warehouses of Multinational Companies, Amending for the Purposes Certain Provisions of Executive Order No. 226, the Omnibus Investments Code of 1987* – Securities and Exchange Commission Issuances and Opinions