



Republic of the Philippines
Department of Environment and Natural Resources
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10 September 2021

MEMORANDUM

FOR/TO : **The Undersecretary and Concurrent Director**
Special Concerns and Biodiversity Management Bureau

The Assistant Secretary and Concurrent Director
Policy, Planning and Foreign Assisted and Special Projects, and Forest Management Bureau

The Bureau Directors
Ecosystems Research and Development Bureau
Environmental Management Bureau
Land Management Bureau
Mines and Geo-Sciences Bureau

FROM : **The Assistant Secretary**
Field Operations – Mindanao and Legislative Affairs

SUBJECT : **REQUEST FOR COMMENT AND POSITION PAPER ON SECTION 06, PARAGRAPH S IN RELATIONS TO SECTION 19 OF SENATE BILL NUMBERED (SBN) 1549¹**

This pertains to the proposed **Section 06, paragraph s in relations to Section 19** of **SBN 1549 seeking to vest the Regional Investment and Infrastructure Coordinating Hub (RICH) of Central Luzon with the powers and functions that may be inimical with the mandate of DENR.** Senator Richard J. Gordon authored SBN 1549 and Chairs the Committee on Government Corporations and Public Enterprises, which conducted a Technical Working Group (TWG) Meeting on the matter dated on 09 September 2021. Sec. 6(s) in re Sec. 19, thereof, provides:

Section 6. Powers of the RICH. – To carry out its objectives under this Act, the RICH is hereby vested with the following powers and functions:

x x x

(s) To adopt, implement, and enforce ecological and environmental standards and measures for environmental pollution control and management in areas under its jurisdiction;

x x x

¹ For your convenience and reference, copy of the updated bill would be emailed as well

Section 19. One-Stop Shops. – Upon the effectivity of this Act, consistent with the pertinent provisions of CREATE and Republic Act No. 11032 or “Ease of Doing Business and Efficient Government Service Delivery Act of 2018”, the RICH, in consultation and/or coordination with Central Luzon LGUs and the Anti-Red Tape Authority (“ARTA”), shall establish one-stop shops for businesses that wish to be registered or are registered with the PEZA, the TIEZA, the CDC, the SBMA, the APECO, the AFAB, the RICH, and other IPAs. Such one-stop shops shall process and issue all licenses and permits required for the registration, operation, and maintenance of the said businesses. The RICH, the PEZA, the TIEZA, the CDC, the SBMA, the APECO, the AFAB, and other IPAs and concerned government agencies shall coordinate with and, if necessary, assign a representative in every one-stop shop to attend to assist in the processing. The one-stop shops, in coordination with the concerned agencies, shall maintain a unified database and a fully interactive website for online transactions. The one-stop shops shall act upon all applications within three (3) business days upon completion and submission of requirements.

In light of the above mentioned, your Legislative Liaison Office² at denrlegislative@yahoo.com would appreciate having your **written comment and position paper**, in portable document format (PDF), **not later than 17 September 2021**, for consolidation and submission to the said Senate Committee.

For information and appropriate action.


JOAN A. LAGUNDA, DM, DPA, MNSA

Encl: As stated.
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Request for comment and position paper on Section 06, Paragraph S in relations to Section 19 of Senate Bill No. 1549

From: legis lative (denrlegislative@yahoo.com)

To: director@bmb.gov.ph; adirector@bmb.gov.ph; npd@bmb.gov.ph; wrd@bmb.gov.ph; fmb@denr.gov.ph; denrfmb.ad@gmail.com; fmbpolicysection@gmail.com; odir.erdb@gmail.com; erdb.legal.office@gmail.com; od@emb.gov.ph; fatima_millan@emb.gov.ph; recordsco@emb.gov.ph; denrlmb@yahoo.com; lmblegaldivision@gmail.com; lmb.oad@yahoo.com; central@mgb.gov.ph; legal@mgb.gov.ph; mgb.lsd@gmail.com

Date: Friday, September 10, 2021, 03:13 PM GMT+8

Dear All,

Good Day!

Please find attached document for your perusal. Kindly acknowledge receipt of this email. Thank you.

Department of Environment and Natural Resources
Legislative Liaison Office

Visayas Avenue, Diliman, 1100 Quezon City, Philippines
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Memo Request for comment Section 6 Paragraph S Section 19 SBN 1549 RICH.pdf
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EIGHTEENTH (18th) CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third (3rd) Regular Session)

SENATE
S.B. No. _____

Prepared and submitted by the Committee on Government Corporations and Public Enterprises, with Senator Richard J. Gordon as author thereof.

AN ACT
CREATING THE REGIONAL INVESTMENT AND INFRASTRUCTURE
COORDINATING HUB OF CENTRAL LUZON, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 **Section 1. Short Title.** – This Act shall be known as the “Regional Investment
2 and Infrastructure Coordinating Hub of Central Luzon Act”.

3 **Section 2. Objectives.** - **This Act asserts an overarching strategy for post-**
4 **COVID-19 pandemic recovery of all regions of the Philippines. It begins with**
5 **Central Luzon as an eminent engine for economic empowerment**
6 **encouraging immediate domestic and foreign investments thereto;**
7 **maximizing its existing interconnected revenue-multiplying and job-**
8 **generating infrastructure such as highways, airports, and seaports; building**
9 **a prosperous tax base; upskilling a young, inventive, and energetic labor**
10 **force; and consolidating efforts to a unified vision, leadership, and blueprint**
11 **guaranteeing swift socio-economic mobility of proactive stakeholders,**
12 **sustained humanitarian and ecological development, and international**
13 **socio-economic excellence of the Philippines in a post-pandemic world.**

14 **Section 3. Declaration of Policy.** – It is hereby declared the policy of the State
15 to **promote equal opportunities to all Filipinos by enabling people,** policies, and
16 programs that encourage investments, jobs, and entrepreneurship in manufacturing,
17 tourism, agriculture, commercial, **green technologies, startups,** and other
18 enterprises that increase capital flow, release dormant capital, **spur innovation,**
19 **inspire nation-building,** and generate **wealth in a manner that is inclusive of**
20 **the the creative, caring, compassionate, competitive, and competent**
21 **Filipino.**

22 The State recognizes the indispensable role of the private sector and the
23 importance of establishing special economic and freeport zones in suitable and
24 strategic locations in Central Luzon to complement existing developments under the
25 auspices of the Bases Conversion Development Authority (“BCDA”), the Subic Bay
26 Metropolitan Authority (“SBMA”), the Clark Development Corporation (“CDC”), the
27 Aurora Economic Zone and Freeport Authority (“APECO”), the Authority of the Freeport
28 Area of Bataan (“AFAB”), the Philippine Economic Zone Authority (“PEZA”), the

1 Tourism Infrastructure and Enterprise Zone Authority ("TIEZA"), and other investment
2 promotion agencies ("IPAs") through measures that attract foreign and domestic
3 investments, **and enrich the Filipino people.**

4 Pursuant to this policy, the development, **enhancement**, and optimization of
5 interconnecting highways, railways, seaports, airports, and other infrastructure in
6 Central Luzon must be leveraged to increase capital flow, effectively address
7 **administrative and logistical** bottlenecks, decongest Metro Manila, **build cities of**
8 **exemplary sustainable socio-economic development, contribute to the**
9 **equitable distribution of wealth, serve as a model for quick post-pandemic**
10 **recovery starting with Central Luzon, which other regions may follow,**
11 **ensure systematic** long-term growth of Central Luzon, increase the productivity of
12 the people and their individual and family incomes, **and thus allow Filipinos to**
13 **climb up the economic ladder.**

14 **Section 4. Creation of the Regional Investment and Infrastructure Coordinating**
15 **Hub.** – There is hereby created a body corporate which shall be under the general
16 supervision of the Office of the President to be known as the Regional Investment and
17 Infrastructure Coordinating Hub of Central Luzon, hereinafter referred to as the RICH,
18 which shall have the attribute of perpetual succession and shall be vested with the
19 powers of a corporation.

20 The RICH shall be organized within thirty (30) days after the approval of this Act
21 and shall absorb and take over the functions of the Subic-Clark Alliance for
22 Development ("SCAD").

23 **RICH shall have jurisdiction over all entities that will be located in the**
24 **territories identified in the Central Luzon Investment Corridor Master Plan**
25 **provided under Section 11 of this Act.**

26 Except as otherwise provided for under this Act, the RICH shall be governed by
27 the provisions of Republic Act No. 10149, otherwise known as the "GOCC Governance
28 Act of 2011", and be subject to the regulatory jurisdiction of the Governance
29 Commission for GOCCs ("GCG").

30 **Section 5. Purposes.** – The RICH shall have the following purposes:

31 (a) To develop policies and programs that promote entrepreneurship and attract
32 investments, **strengthen micro, small, and medium enterprises**
33 **("MSMEs") as well as large business enterprises, facilitate socio-**
34 **economic mobility, and create opportunities, incentives, and jobs**
35 for the people in Central Luzon **particularly during and after the COVID-**
36 **19 pandemic;**

37 (b) To promote the migration of industries and a substantial portion of the urban
38 population away from Metro Manila by promoting Central Luzon as a viable
39 alternative venue for business, **investments, and opportunities;**

40 (c) To optimize the use of existing and future infrastructure in Central Luzon,
41 including highways, railways, seaports, and airports for the development of
42 economic corridors in Central Luzon and eventually, the entire country;

- 1 (d) To improve the quality of life of the people of Central Luzon by developing
2 **safe and** sustainable communities where residents live near their workplace,
3 and where essential establishments, such as educational institutions, medical
4 facilities, and utilities, among others, are within close proximity;
- 5 (e) To **build a prosperous, technically skilled, and well-educated labor**
6 **force and tax base combined with existing investments becoming**
7 **catalysts for unleashing dormant capital, land, labor, and leadership**
8 **into productive industries within Central Luzon;**
- 9 (f) To establish a platform that will encourage partnerships between local
10 government units (LGUs) and IPAs, encourage the private and public sectors
11 to establish new special economic or freeport zones, and provide incentives
12 to attract and maximize domestic and foreign investments in infrastructure
13 to generate more livelihood and employment opportunities for the people in
14 Central Luzon;
- 15 (g) To be a pioneer of orderly change in strengthening the culture of cooperation
16 and improving coordination among the National Government, LGUs, IPAs,
17 and the private sector;
- 18 (h) To spearhead the promotion of investments in Central Luzon locally and
19 internationally **under the auspices** and assistance of the BCDA, the SBMA,
20 the CDC, the AFAB, the APECO, the PEZA, the TIEZA, and any other IPA,
21 adhering to the principle of global competitiveness which encourages
22 businesses that are focused, fast, friendly, flexible, and forward-looking **and**
23 **establishes supply chains that are diversified, decentralized, and**
24 **inoculated from global or regional disruptions** thus ensuring **RICH**
25 **registered entities** to be self-sustaining, income-generating, and revenue-
26 contributing **stakeholders in nation-building;**
- 27 (i) To create sustainable industrial cities and communities in Central Luzon that
28 balance economic growth and expansion, having regard to environmental
29 protection and preservation, thereby balancing economic progress and future
30 developments;
- 31 (j) To **lead as a model entity, within the country starting from Central**
32 **Luzon, providing the impetus for inclusive, comprehensive, and**
33 **compassionate socio-economic development across the Philippines**
34 **and in a post-pandemic milieu;**
- 35 (k) To coordinate with the LGUs of Central Luzon for the harmonization of their
36 comprehensive land use plans in line with existing plans for the Subic-Clark-
37 Tarlac area with a view towards the creation of the Central Luzon Master
38 Development Plan; and
- 39 (l) To establish Central Luzon as a research and development center for
40 advanced **and emerging information science technologies.**

41 **Section 6. Powers of the RICH.** – To carry out its objectives under this Act, the
42 RICH is hereby vested with the following powers and functions:

- 1 (a) To coordinate the planning, design, and implementation of infrastructure
2 projects, particularly those that enhance national competitiveness and create
3 employment and business opportunities within Central Luzon, between the
4 appropriate offices and agencies of the National Government and the local
5 government units concerned;
- 6 (b) To conduct or cause the conduct of feasibility studies supported by the
7 necessary technical and commercial viability assessments for infrastructure
8 projects within Central Luzon;
- 9 (c) To conduct promotional campaigns, both locally and internationally, to entice
10 the entry and participation of prospective locators and investors to existing
11 and future freeport and special economic zones in Central Luzon, as well as
12 other development programs and projects for Central Luzon;
- 13 (d) To require the submission by Central Luzon LGUs of their latest or updated
14 comprehensive land use plans, including those for the Subic-Clark-Tarlac
15 area, and, in consultation with the stakeholders concerned, to evaluate,
16 formulate, coordinate, and implement a comprehensive and integrated
17 Master Plan for Central Luzon, in accordance with Section [12] of this Act;
- 18 (e) To effectively recommend, only in the proper cases, to the **Fiscal**
19 **Incentives Review Board ("FIRB") or approve** the grant of special fiscal
20 and non-fiscal incentives in addition to those that may be provided under
21 special laws such as but not limited to the **Republic Act No. 11534 or "the**
22 **Corporate Recovery and Tax Incentives for Enterprises Act", also**
23 **known as "CREATE", Republic Act No. 11337 or the "Innovative**
24 **Startup Act"**, the Foreign Investments Act, the Omnibus Investments
25 Code, the Philippine Economic Zone Act of 1995, and the Bases Conversion
26 and Development Act of 1992 to entities registered in accordance with this
27 Act;
- 28 (f) **Determine the time-bound, target performance metrics as**
29 **conditions to avail of tax incentives and other fiscal and non-fiscal**
30 **incentives; provided that in the cases where the approving**
31 **authority is the FIRB rather than RICH, RICH shall recommend**
32 **rather than determine said metrics;**
- 33 (g) To formulate clear, consistent, and predictable regulations, for the grant of
34 registration agreements, as well as permits, licenses, or clearances for
35 infrastructure projects, investments, business enterprises, and other
36 endeavors for entities registered in accordance with this Act that are not in
37 conflict with existing laws;
- 38 (h) To identify and designate such undeveloped or under-developed areas that
39 are not under the present administration, jurisdiction, or authority of any IPA,
40 as certified by the Office of the President, for exclusive promotion,
41 development, and administration by RICH and the LGUs concerned as
42 "special RICH zones" that shall house industrial townships, commercial and
43 retail developments, agro-industrial zones, logistics or transportation hubs,
44 residential zones, tourism areas, and the like;

- 1 (i) To construct, acquire, own, lease, operate, and maintain on its own or
2 through contract, franchise, license, permit, public-private partnership, build-
3 operate-transfer scheme, joint venture, or other modes, the required utilities
4 and infrastructure, including roads, bridges, airports, seaport, railroads, and
5 subways, in areas in Central Luzon not otherwise under the exclusive
6 jurisdiction and present administration of any IPA and to fix just and
7 reasonable rates, fares, charges, and other prices therefor;
- 8 (j) To coordinate with and assist existing special economic or freeport zones in
9 the implementation of cross-border projects along and within the Central
10 Luzon economic corridor, pursuant to the objectives this Act;
- 11 (k) To ensure its fiscal independence through the collection of, among others,
12 reasonable registration, licensing, inspection, security, as well as other
13 administrative and regulatory fees, and to use its collected funds and other
14 assets, as it may deem proper, for the attainment of the purposes of this Act;
- 15 (l) To raise and borrow the necessary funds from local and international financial
16 institutions, issue bonds, promissory notes, and other debt securities, and to
17 secure the same by guarantee, pledge, mortgage, deed of trust,
18 encumbrance of its present or future income and assets, or other means,
19 *Provided*, that no indebtedness or obligation shall operate to bind the
20 National Government or any LGU concerned without prior NEDA concurrence;
- 21 (m) To enter into, make, perform, and carry out contracts of every class, kind,
22 and description, which are necessary or incidental to the realization of this
23 Act with any person, firm, or corporation, private or public, or with foreign
24 entities, government or otherwise, with prior approval by the President of the
25 Philippines;
- 26 (n) To coordinate; formulate plans, programs, and policies; and provide
27 assistance, in coordination with the concerned department or agency, if
28 necessary, on any matter of policy and ensure compliance therewith:
29 *Provided*, That the said plans, programs, and policies are not in conflict with
30 those of IPAs of special economic or freeport zones nor any line agencies of
31 the National Government and/or the Regional Development Council;
- 32 (o) To promote its programs and projects, as well as the Central Luzon
33 Investment Corridor to local and international investors consistent through
34 effective marketing strategies that are aligned with and consistent with the
35 Philippine Investment Promotion Plan ("PIPP") and other marketing plans
36 created by the Department of Trade and Industry ("DTI");
- 37 (p) To create a coordinating council in each province and chartered city in Central
38 Luzon composed of the provincial governor of a covered province or the
39 mayor of a chartered city and two (2) members appointed from the private
40 sector by the President from a list of five (5) individuals nominated through
41 the affirmative vote of at least a majority of the members of the Board. Each
42 coordinating council shall monitor the operations of the entities registered in
43 accordance with this Act that fall within their respective jurisdictions and
44 perform such other functions as may be delegated by the Board in
45 accordance with this Act. The council shall submit a monthly written report

1 to the Board detailing the progress of registered entities for each province or
2 chartered city as well as such other information as may be required by the
3 Board;

4 (q) To establish extension offices in its areas of jurisdiction as may be required
5 by its operations;

6 (r) To request the due exercise of the power of eminent domain from the
7 appropriate governmental body;

8 (s) To adopt, implement, and enforce ecological and environmental standards
9 and measures for environmental pollution control and management in areas
10 under its jurisdiction;

11 (t) To coordinate with other IPAs for the provision of security and firefighting
12 structures in Central Luzon and assist in the formulation and implementation
13 of public safety measures to ensure the health, safety, and welfare of the
14 inhabitants of the RICH areas as well as the preservation of law and order
15 within the areas under RICH jurisdiction;

16 (u) To coordinate with LGUs and other relevant agencies for the establishment
17 of physical and virtual one-stop business license and permit processing shops
18 in every province and chartered city of Central Luzon in order to expedite and
19 streamline the registration and operation of registered business enterprises;

20 (v) To establish and regulate utilities within special RICH zones, in accordance
21 with existing laws and in coordination with relevant government agencies, as
22 necessary;

23 (w) To promulgate rules and regulations and perform such other powers and
24 functions as may be necessary, appropriate, or incidental to the achievement
25 of the objectives of this Act; and

26 (x) To exercise all the powers of a corporation under Republic Act No. 11232,
27 otherwise known as the "Revised Corporation Code of the Philippines",
28 insofar as these powers are not inconsistent with the provisions of this Act:

29 *Provided, That, nothing in this Act shall be interpreted or construed to amount*
30 *to any diminution or reduction of the powers, discretion, or authority granted to IPAs*
31 *and LGUs over their respective jurisdictions under applicable laws.*

32 **Section 7. Capitalization.** – The RICH shall have an authorized capital stock of
33 Six hundred million pesos **in Philippine Currency** (P600,000,000.00) divided into six
34 hundred (600) no-par shares fully subscribed and paid up by the Republic of the
35 Philippines with:

36 (a) All lands embraced, covered and defined in Section 12 hereof, as well
37 as permanent improvements and fixtures upon proper inventory not
38 otherwise alienated, conveyed, or transferred to another government
39 agency;

40 (b) All other assets which the President may transfer to RICH as part of the
41 equity contribution of the Government; and

1 (c) Cash contribution by the Government in the amount of Two hundred
2 million pesos (P200,000,000) a year for the next three (3) years, which
3 is henceforth deemed automatically appropriated from the General
4 Fund of the National Treasury.

5 **Section 8. Board of Directors.** – The powers and functions of the RICH, as
6 enumerated in Section 5 of this Act, shall be vested in and exercised by its Board of
7 Directors, hereinafter referred to as the Board, which shall be composed of **fifteen**
8 **(15) members:**

9 (a) **Eight (8) members, representing the local government units**
10 **(“LGUs”) and local non-government organizations or entities**
11 **within the territory of Central Luzon, provided that there shall**
12 **be at least one (1) representative of each Central Luzon local**
13 **sector which pertains to the following:**

- 14 (i) **Provinces, in the person of a Governor;**
- 15 (ii) **Chartered Cities, in the person of a Mayor;**
- 16 (iii) **Towns, Municipalities, and/or Barangay; and**
- 17 (iv) **Investment Promotion Agencies (“IPAs”).**

18
19 (b) **Seven (7) members, who are appointed by the Office of the**
20 **President, with each member possessing superb supervisory,**
21 **managerial, consultative, and/or advisory work experience and**
22 **track record for at least five (5) years, and each of whom shall**
23 **contribute to the Board their expertise from the following**
24 **professional fields: law, economics, urban planning, agriculture,**
25 **information technology, natural and/or physical sciences,**
26 **public health, finance, and advertising, marketing, and mass**
27 **media communications; provided that a majority thereof, or**
28 **four (4) of the seven (7) members of this sub-paragraph, are**
29 **persons with permanent residences within Central Luzon for at**
30 **least (3) continuous years.**

31
32 **All members of the Board shall serve for a period of six (6) years, except**
33 **for the first eight (8) members of sub-paragraph (a) of this Section who**
34 **shall serve for a period of three (3) years in accordance with their terms**
35 **under Republic Act No. 7160 or “the Local Government Code”.**

36 The appointive Member(s) shall be subject to the requirements under Republic
37 Act No. 10149, otherwise known as the “GOCC Governance Act of 2011”.

38 The Chairperson of the RICH shall be appointed by the President of the
39 Philippines from among the Members of the Board and whose appointment is **subject**
40 **to the prohibition against relatives as defined under the applicable law,**
41 **rules, and regulations on appointments including but not limited to Republic**
42 **Act No. 6713 or the “Code of Conduct and Ethical Standards for Public**
43 **Officials and Employees”.**

44 **Section 9. Meetings, Quorum, Official Acts and Decisions, and Per Diems.** – The
45 annual / organizational meeting of the Board shall be held on the **second (2nd)** week

1 of January of each year, if a legal holiday, then on the next business day following.
2 Notice of the annual meeting of the Board shall be served at least Fifteen (15) calendar
3 days before the said meeting. The regular meetings of the Board shall be held at least
4 once a month. Notice of a regular meeting shall be served upon each Member at least
5 three (3) days before each scheduled meeting. Notices may be served via regular or
6 electronic mail, personal service, commercial courier, and the like and shall be deemed
7 completed upon receipt thereof at the Member's official or designated address.

8 The presence of at least a majority of the number of Members at a meeting of
9 the Board shall constitute a quorum for the valid conduct of business. Attendance at
10 meetings may be in person or via any remote mode of communications such as
11 telephone, videoconferencing, and the like. A Member of the Board may appoint a
12 duly authorized representative to attend and participate in the discussions of a meeting
13 on his or her behalf: *Provided*, That such appointment shall be in writing, duly signed
14 by the member, and filed with the Board Secretariat before the pertinent scheduled
15 meeting: *Provided further*, That such duly authorized representative shall not be
16 allowed to vote on any matters raised in the said meeting.

17 All official acts, resolutions, and decisions of the Board shall require the
18 affirmative vote of at least a majority of the Members present at a meeting wherein a
19 quorum exists.

20 The Members shall be entitled to receive commensurate and reasonable *per*
21 *diems*, as may be determined by the GCG: *Provided*, That the total *per diems* collected
22 per month shall not exceed the equivalent for four (4) meetings, except in
23 extraordinary and justifiable circumstances.

24 **Section 10. Chief Executive Officer ("CEO").** – At each annual / organizational
25 meeting, the Board shall appoint the CEO from a list of three (3) nominees prepared
26 by the executive search committee formed beforehand by the Board for this purpose.
27 All nominees to the position of CEO shall have at least **seven (7)** years of
28 **outstanding managerial work experience and track record in law, economics,**
29 **urban planning, agriculture, information technology, natural and/or**
30 **physical sciences, public health, finance, and advertising, marketing, and**
31 **mass media communications,** infrastructure development, promotions, finance,
32 **public** administration, and/or management and shall not be concurrently a CEO of
33 another GOCC under the jurisdiction of GCG. Unless subsequently appointed to a new
34 term or terminated beforehand for cause, the CEO shall serve for a term of **three (3)**
35 years. Until his or her successor is duly appointed and qualified at the next scheduled
36 annual / organizational meeting of the Board, the incumbent Executive Director of
37 SCAD shall be and serve as the first CEO of RICH.

38 **Section 11. Powers of the CEO.** – The CEO of the RICH shall have the following
39 powers and functions:

- 40 (a) To administer and manage the business affairs of the RICH;
- 41 (b) To lead in the achievement and realization of the programs and projects of
42 the RICH and the Central Luzon Investment Corridor Master Plan, as
43 approved by the Board;

- 1 (c) To promote manufacturing, tourism, agriculture, commercial, and other
2 enterprises within Central Luzon, including existing special economic or
3 freeport zones, to encourage more investments and production, for domestic
4 and international markets;
- 5 (d) To ensure that regulations established by the RICH are enforced and
6 implemented, coordinating with the relevant government agencies, if
7 needed;
- 8 (e) To facilitate alternative modes of dispute resolution for controversies
9 involving entities in Central Luzon registered with the RICH or other IPAs,
10 including labor issues, for the avoidance of strikes, lockouts, and similar
11 matters, in accordance with Republic Act No. 9285, Presidential Decree No.
12 442, and other pertinent laws, rules, and regulation;
- 13 (f) **To invite representatives of local development councils on**
14 **deliberations on the** provision of incentives to businesses which relocate
15 to Central Luzon from Metro Manila or other locations under this Act;
- 16 (g) To initiate measures for the creation and implementation of measures for the
17 promotion and preservation of public safety and security within Central
18 Luzon, coordinating with the relevant government agencies, if necessary; and
- 19 (h) To exercise and perform such other powers, or functions, as delegated or
20 assigned by a majority vote of the Board.

21 **Section 12. Central Luzon Investment Corridor Master Plan.** – Within one
22 hundred eighty (180) **calendar** days from the effectivity of this Act, the Board shall
23 exert its best efforts to develop and approve the Central Luzon Investment Corridor
24 Master Plan (“Master Plan”) that shall be prepared with the active participation of all
25 concerned stakeholders to ensure unitary production, logistics base, and **appropriate**
26 **alignment thereof** with the existing or updated development plans of IPAs and LGUs
27 within Central Luzon.

28 **The Master Plan shall include provisions for adequate and affordable**
29 **housing facilities providing comfortable and livable homes, preferably**
30 **accessible by non-motorized means of transportation, for workers in Central**
31 **Luzon, including those employed in special economic and freeport zones.**
32 **The Master Plan shall contain RICH’s long-term strategy and the Board’s**
33 **concomitant commitment to implement the same.**

34 **The Master Plan shall be approved by at least a majority vote of the**
35 **Board. The Board shall take the appropriate measures to avoid key policy**
36 **changes to the Master Plan, unless such changes are essential in further**
37 **enhancing the probability of its success.**

38 **Section 13. Responsibilities of the LGUs within Central Luzon.** – RICH, through
39 its Board, shall be and serve as the primary and over-all coordinating body for the
40 implementation of all aspects of the Master Plan, most especially for matters affecting
41 or encompassing multiple LGUs and/or special economic or freeport zones. In this
42 connection, RICH shall work together with the LGUs and IPAs concerned in
43 formulating, promoting, and implementing the Master Plan. For their part, all affected

1 LGUs and IPAs shall extend all reasonable assistance, support, and cooperation
2 necessary and proper to ensure the successful implementation and the full attainment
3 of its goals and policies. Hence, all LGUs and IPAs in Central Luzon shall assist the
4 RICH by:

- 5 (a) Actively cooperating with the RICH in the formulation, implementation, and
6 promotion of the Master Plan;
- 7 (b) Coordinating with the Department of Agrarian Reform, the Department of
8 Agriculture, the Department of Environment and Natural Resources (DENR),
9 and other relevant agencies of the Government for the implementation of
10 their respective comprehensive land use plans;
- 11 (c) Assisting the RICH in identifying lands which may be used for its programs
12 and projects and converting the same for the appropriate use;
- 13 (d) Cooperating with the RICH in providing **realistic appraisals of time-**
14 **bound performance standards in the grant of local tax incentives as**
15 **well as fiscal and non-fiscal incentives** for businesses registered under
16 the RICH or other IPAs;
- 17 (e) Providing dedicated and streamlined processing services for licenses and
18 permits needed by businesses registered under the RICH or other IPAs;
- 19 (f) Ensuring that all infrastructure within their respective jurisdictions, including
20 highways, railways, airports, and seaports, are properly maintained and are
21 in good condition, coordinating with the Department of Public Works and
22 Highways (DPWH), Department of Transportation, or other agencies of the
23 Government, as necessary and appropriate; and
- 24 (g) Ensuring the availability of **safe, livable, and reasonably-located** housing
25 facilities with a minimum floor area of twenty-two (22) square meters for
26 workers and their families within their respective jurisdictions; **with**
27 **appropriate** access to **stable** power or electricity, clean water, **internet**
28 **connectivity**, and **sanitation and** sewerage systems; and a conducive
29 environment for work-life balance, in coordination with the Home
30 Development Mutual Fund ("**Pag-IBIG Fund**"), business enterprises
31 registered with the RICH or other IPAs, and other stakeholders **including**
32 **but not limited to employee associations**, as necessary: *Provided*, That
33 the salaries of employees of RICH registered business enterprises may, in
34 accordance with existing laws, rules and regulations, be withheld as
35 amortization fees for payment of the said adequate and affordable housing
36 facilities.

37 **Section 14. Registration and Availment of Incentives.** – Upon the effectivity of
38 this Act, any business, regardless of form, nationality, control, and ownership of the
39 working capital, may apply for registration with the RICH in accordance with this Act
40 and such other rules and regulations as may be determined by the RICH, subject to
41 limitations imposed by the Constitution and by law.

42 All export businesses under the PIPP and registered with the RICH, whether
43 located inside or outside special economic or freeport zones, including tourism-related

1 activities, may be granted additional special incentives pursuant to this Act **and other**
2 **special law as may be applicable.**

3
4 **Section 15. *Income Tax Holiday.*** – Subject to the favorable recommendations
5 and/or the approval of the **RICH and/or FIRB, as the case may be and as may**
6 **be applicable, in accordance with the provisions of Republic Act No. 11534**
7 **or the “Corporate Recovery and Tax Incentives for Enterprises Act” also**
8 **known as “CREATE”,** a registered entity may be granted an income tax holiday
9 (“ITH”) of as much as one hundred percent (100%) of the regular corporate income
10 tax for the first **seven (7) years of its** operations: *Provided,* among others, That the
11 said business constructs housing facilities, as provided for under Section 12(g) of this
12 Act and, as well as educational institutions and medical facilities for the benefit of
13 workers and the immediate community; **Provided further, for the extension of**
14 **the ITH of an additional three (3) years for entities relocating from the**
15 **National Capital Region or for the extension of the ITH of an additional two**
16 **(2) years entities relocating from areas recovering from disaster or conflict**
17 **as set forth in CREATE; Provided furthermore, for the applicability and**
18 **maintenance of performance standards; Provided furthermore that such**
19 **ITH and its extension is without prejudice to the any and all additional**
20 **privileges of registered entities to opt for special corporate income tax,**
21 **enhanced deductions, or any other incentive scheme, tax relief measure,**
22 **fiscal, and non-fiscal incentives set forth under CREATE and/or other**
23 **pertinent special law.**

24 The BIR shall require all business enterprises availing of the ITH under this Act
25 to secure a Certificate of Eligibility from the RICH and any other requirement, as
26 mandated by the BIR and RICH, before submitting its Income Tax Return (“ITR”) for
27 validation.

28 Failure to secure the certification mentioned in the immediately preceding
29 paragraph or to file the ITH availment for validation within thirty (30) days from the
30 last day of each statutory filing date for the ITR shall cause the forfeiture of the ITH
31 availment for the taxable period.

32 **Section 16. *Incentives for Training and Research and Development Programs.***
33 – Subject to the requirements established by the RICH, due coordination with the BIR,
34 and **the approval thereof and/or the FIRB, as may be applicable,** any
35 registered entity, whether for profit or non-profit, that incurs expenses associated with
36 training programs and viable research and development programs certified by an
37 appropriate authority that develops capabilities assessed to be industry critical and are
38 approved by the Board, is entitled to **incentives such as enhanced deductions** in
39 accordance with CREATE.

40 **Section 17. *Existing Registered Entities.*** – Entities registered with the PEZA, the
41 TIEZA, the CDC, the SBMA, the APECO, the AFAB, or other IPAs under existing laws,
42 rules, and regulations shall continue to be entitled to the incentives they are enjoying
43 as of the effectivity of this Act: *Provided,* That in cases where the registered entity
44 constructs adequate and affordable housing facilities, in accordance with Section 12(g)
45 of this Act, the entity may register with the RICH and shall be qualified to avail itself

1 of the incentives provided herein, in accordance with existing laws, rules, and
2 regulations, as may be approved by the RICH.

3 **Section 18. *Revocation of Registration Agreement.*** – The RICH may *motu*
4 *proprio* revoke, **and the FIRB may recommend thereto the revocation of**, the
5 registration of any entity which violates any law, rule, or regulation based on
6 substantial evidence but only after due notice and hearing.

7 **Section 19. *One-Stop Shops.*** – Upon the effectivity of this Act, **consistent with**
8 **the pertinent provisions of CREATE and Republic Act No. 11032 or “Ease of**
9 **Doing Business and Efficient Government Service Delivery Act of 2018”**, the
10 RICH, in **consultation and/or** coordination with Central Luzon LGUs **and the Anti-**
11 **Red Tape Authority (“ARTA”)**, shall establish one-stop shops for businesses that
12 wish to be registered or are registered with the PEZA, the TIEZA, the CDC, the SBMA,
13 the APECO, the AFAB, the RICH, and other IPAs. Such one-stop shops shall process
14 and issue all licenses and permits required for the registration, operation, and
15 maintenance of the said businesses. The RICH, the PEZA, the TIEZA, the CDC, the
16 SBMA, the APECO, the AFAB, and other IPAs and concerned government agencies shall
17 coordinate with and, if necessary, assign a representative in every one-stop shop to
18 attend to assist in the processing. The one-stop shops, in coordination with the
19 concerned agencies, shall maintain a unified database and a fully interactive website
20 for online transactions. The one-stop shops shall act upon all applications within three
21 (3) business days upon completion and submission of requirements.

22 **Section 20. *Eminent Domain.*** – The areas comprising existing and future special
23 RICH zones may be expanded or reduced when necessary. For this purpose, the LGU
24 concerned, upon written request by the RICH, shall have the power to acquire, either
25 by purchase, negotiation, or condemnation proceedings, any private lands within or
26 adjacent to the said zones in accordance with Republic Act No. 10752, otherwise
27 known as the Right-of-Way Act for:

- 28 (a) Consolidation of lands for zone development purposes and infrastructure
29 projects;
- 30 (b) Acquisition of right-of-way to special RICH zones; and
- 31 (c) Protection of watershed areas and other natural assets valuable for the
32 prosperity of special economic and freeport zones.

33 **Section 21. *Presidential Land Grant.*** – The provisions of any existing law to the
34 contrary notwithstanding, the President may, upon the recommendation of the DENR
35 Secretary, grant to the RICH by way of donation, sale, lease, or otherwise, portions of
36 land of the public domain, as may be necessary for use by or expansion of special
37 economic or freeport zones in Central Luzon, for their increased efficiency and
38 performance, and their collective transformation into the "Engine of Growth for Central
39 Luzon and the Philippines".

40 **Section 22. *Coordination.*** – The BCDA, the SBMA, the CDC, the APECO, the
41 AFAB, the PEZA, the TIEZA, and other IPAs which may thereafter establish presence

1 in Central Luzon, shall be in close coordination with the RICH, for purposes of domestic
2 and foreign promotion, policy direction, and ease of doing business.

3 **Section 23. *Utilities and Other Services.*** – The RICH may undertake and regulate
4 the establishment, operation, and maintenance of utilities, such as electric power
5 supply and such other services within special economic and freeport zones established
6 pursuant to this Act and fix just and reasonable fees, rates, and charges, and other
7 forms of pricing in connection therewith, in accordance with existing laws, rules, and
8 regulations.

9 **Section 24. *Personnel.*** – The Board shall provide for an appropriate
10 organizational structure and staffing standards, as necessary, in coordination with the
11 Department of Budget and Management (“**DBM**”), the Civil Service Commission
12 (“**CSC**”), and other relevant government agencies. The Board shall likewise fix a
13 compensation plan for the salaries and benefits of RICH officers and employees:
14 *Provided*, That the compensation plan shall be comparable with the prevailing
15 compensation plans in the CDC, the SBMA, the APECO, the AFAB, the TIEZA, the PEZA,
16 and other IPAs: *Provided further*, That the compensation plan shall be subject to
17 review by the Board no more than once every two (2) years.

18 The RICH shall be exempt from existing laws, rules, and regulations on
19 compensation, position classification, and qualification standards.

20 **Section 25. *Legal Counsel.*** – Without prejudice to the hiring of an outside
21 counsel, the Office of the Government Corporate Counsel (OGCC) shall be the *ex officio*
22 legal counsel of the RICH. In the event that highly specialized legal services cannot be
23 provided for by the OGCC, as may be required, the services of an outside counsel,
24 whose compensation shall be approved by the Board, may be engaged and no further
25 consent or approval of OGCC shall be required.

26 **Section 26. *Injunctions or Restraining Orders.*** – The implementation of the
27 provisions of this Act is of national interest. Thus, no project, bidding, and undertaking
28 in the implementation of the provisions of this Act shall be restrained or enjoined by
29 an injunction or restraining order except by the Supreme Court of the Philippines.

30 **Section 27. *Implementing Rules and Regulations.*** – The Secretaries of the
31 Department of Finance (DOF) and the DTI, in coordination with the Secretaries of the
32 DPWH and of the DENR, the Director-General of the National Economic and
33 Development Authority, the Commissioners of the BIR and of the Bureau of Customs,
34 and the heads of the SBMA, the CDC, the BCDA, the PEZA, the APECO, the AFAB, the
35 TIEZA, **a representative from ARTA**, and other concerned IPAs shall, within one
36 hundred twenty (120) days from the effectivity of this Act, promulgate rules and
37 regulations to faithfully implement the intent and provisions of this Act: *Provided*, That
38 the failure of the Secretaries of the DOF and of the DTI to promulgate the rules and
39 regulations shall not prevent the implementation of this Act upon its effectivity.

40 **Section 28. *Repealing Clause.*** – All laws, decrees, executive orders, rules and
41 regulations, or other issuances or parts thereof inconsistent with the provisions of this
42 Act are hereby repealed or modified accordingly.

1 **Section 29. Separability Clause.** – If, for any reason, any part or provision of
2 this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof
3 which are not affected thereby shall continue to be in full force and effect.

4 **Section 30. Effectivity.** – This Act shall take effect fifteen (15) days after the
5 completion of its publication either in the Official Gazette or in a newspaper of general
6 circulation in the Philippines.

7 *Approved,*

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