



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
KAGAWARAN NG KAPALIGIRAN AT LIKAS NA YAMAN



**MEMORANDUM**

**FOR :** The Directors  
Environment Management Bureau  
Forest Management Bureau  
Land Management Bureau

**FROM :** The Director  
Policy and Planning Service

**SUBJECT :** 2ND COORDINATION MEETING OF THE INVESTMENT FACILITATION UNIT NETWORK (INFA-NET) MEMBERS TO BE HELD ON 13 SEPTEMBER 2024 AT THE BSP COMPLEX, A. MABINI ST. COR. P. OCAMPO ST. MALATE, MANILA

**DATE :** 09 SEP 2024

This has reference to the letter dated 20 August 2024 from DTI Undersecretary and BOI Managing Head, Dr. Ceferino S. Rodolfo, inviting the Department to conduct the 2nd coordination meeting of the Investment Unit Network (INFA-NET) Members to be held on **13 September 2024 at the BSP Complex, A. Mabini St. Cor. P. Ocampo St. Malate, Manila**. The discussion of the meeting will focus on the draft Joint Memorandum Circular (JMC) on Investment Facilitation which aims to foster a more competitive and business-enabling environment for investors.

In view of your Office's attendance during the 1st INFA-NET meeting held on 27 June 2024 and the technical concerns that will be discussed during the meeting, may we respectfully refer herewith the letter from DTI – BOI for the conduct of the 2<sup>nd</sup> coordination meeting of the INFA-NET. Likewise, please be informed that per the initial review of the draft JMC conducted by this Office, *without prejudice to the review to be conducted by your respective Offices*, the DENR's involvement in the said JMC involves permits and licensing issuances, particularly ECC, CNC, and Land Use Permits, in line with the Department's compliance to EODB and Green lanes among others. Enclosed is the updated draft JMC provided by the DTI - BOI with consolidated inputs from the concerned agencies, for your technical review and reference.

Relative thereto, kindly submit your confirmation or your designated representative's attendance (*at least Division Chief*) to the DTI – BOI through the following email addresses: [ecdelosreyes@boi.gov.ph](mailto:ecdelosreyes@boi.gov.ph) [lrdevera@boi.gov.ph](mailto:lrdevera@boi.gov.ph), [rcbarsabal@boi.gov.ph](mailto:rcbarsabal@boi.gov.ph) and [lkrpuente@boi.gov.ph](mailto:lkrpuente@boi.gov.ph) or you may contact the telephone numbers: 02-8-897 6682 loc. 293/275/ and/or +63 999 882 1952.

For your information and consideration, please.

  
CHERYL LOISE T. LEAL, EnP.

MEMO NO. 2024 - 813



**Fwd: OSEC-2024-005118: Invitation: INFA-Net 2nd Coordination Meeting on 13 September 2024**

DENR OSEC Referral <osec.referral@denr.gov.ph>

Wed, Aug 28, 2024 at 7:29 AM

To: "Undersecretary for Policy, Planning and International Affairs" <ouppia@denr.gov.ph>

Cc: LKRPUente@boi.gov.ph

Sir/Madam:

Respectfully referred to your good office for information and appropriate action, with EDATS No. OSEC-2024-005118.

Thank you!

**NOTE: DO NOT REPLY TO THIS EMAIL.** For updates, inquiries and other communications, please send to [osec@denr.gov.ph](mailto:osec@denr.gov.ph).



**OFFICE OF THE SECRETARY**  
4/F DENR Main Building  
Visayas Avenue, Diliman  
Quezon City

From: Lady Katherine Puente <LKRPUente@boi.gov.ph>

Date: Thu, Aug 22, 2024 at 1:21 PM

Subject: Invitation: INFA-Net 2nd Coordination Meeting on 13 September 2024

To:

Cc: Bobby Fondevilla <BGFondevilla@boi.gov.ph>, Ernesto Delos Reyes Jr. <ECDelosReyes@boi.gov.ph>, IAS-CBRD <ias-cbrd@boi.gov.ph>, Lubin De Vera Jr. <LRDeVera@boi.gov.ph>

**Dear Investment Facilitation Unit Network (INFA-Net) Members:**

Greetings from the Secretariat!

The Board of Investments (BOI) would like to extend its sincerest gratitude to all the members of the Investment Facilitation Unit Network for the fruitful discussions held during the 1st Coordination Meeting last June 27, 2024 at the DILG NAPOLCOM Office.

During the 1st Coordination Meeting, the BOI proposed the execution of a Joint Memorandum Circular on Investment Facilitation, aimed at fostering a more competitive and business-enabling environment for investors. To ensure the alignment of facilitation strategies for projects endorsed as Strategic Investment, we have requested the submission of inputs from member-agencies for the furtherance of the JMC.

In this regard, may we respectfully invite two (2) representatives from your good office, preferably occupying Undersecretary, Director or Division Chief levels, to the **2nd Coordination Meeting of INFA-Net on 13 September 2024 (Friday), 9:00AM–12:00NN at BSP Complex, A. Mabini St. cor. P. Ocampo St. Malate, Manila.** The upcoming meeting is a joint collaboration between the BOI and BSP. The agenda will primarily focus on the revised provisions of the JMC based on the consolidated inputs.

We would highly appreciate your attendance at this meeting. For confirmation and/or coordination purposes, your office may contact the following:

Contact Person	Telephone No.	Email Address:
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Dir. Ernesto C. Delos Reyes, Jr.	02-8-897 6682 loc. 293/275/ +63 999 882 1952	ecdelosreyes@boi.gov.ph
Mr. Lubin G. De Vera, Jr.		lrdevera@boi.gov.ph
Atty. Rizel C. Barsabal Ms. Lady Katherine R. Puente		rcbarsabal@boi.gov.ph lkrpuente@boi.gov.ph

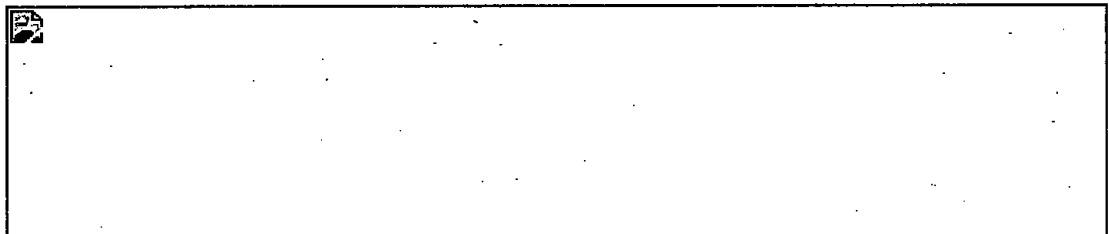
We look forward to receiving your confirmation on or before **30 August 2024**. Enclosed are the Program and the 1st Coordination Minutes of the Meeting for your reference. The revised version of the JMC will be sent on September 3, 2024.

Thank you for your unwavering support to our programs and initiatives.

Together, let's Make It Happen in the Philippines!

*Sent on behalf of Executive Director Bobby Fondevilla*

**Lady Katherine R. Puente**  
 Counselling and Business Requirements Division  
 Investment Assistance Service  
 Board of Investments  
 G/F Industry and Investments Building  
 385 Sen. Gil Puyat Avenue, Makati City  
 Tel No.: +63 02 8895 3989/ 02 8897 6682 loc. 249  
 BOI Hotline: +63 999 882 1952



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Letter\_2nd INFA-Net 13Sept2024.pdf  
6775K

*Representatives  
 from LMS, FMO, FMS*

20 August 2024

Dear Investment Facilitation Unit Network (INFA-Net) Members:

Greetings from the Secretariat!

The Board of Investments (BOI) would like to extend its sincerest gratitude to all the members of the Investment Facilitation Unit Network for the fruitful discussions held during the 1st Coordination Meeting last June 27, 2024 at the DILG NAPOLCOM Office.

During the 1<sup>st</sup> Coordination Meeting, the BOI proposed the execution of a Joint Memorandum Circular on Investment Facilitation, aimed at fostering a more competitive and business-enabling environment for investors. To ensure the alignment of facilitation strategies for projects endorsed as Strategic Investment, we have requested the submission of inputs from member-agencies for the furtherance of the JMC.

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Ms. Lady Katherine R. Puente		lkrpuente@boi.gov.ph

We look forward to receiving your confirmation on or before **30 August 2024**. Enclosed are the Program, 1<sup>st</sup> Coordination Minutes of the Meeting and revised version of the JMC for reference.

Thank you for your unwavering support to our programs and initiatives.

Together, let's Make It Happen in the Philippines!

Sincerely,

  
**DR. CEFERINO S. RODOLFO, DPA**  
DTI Undersecretary and BOI Managing Head

Bgffecdr/lrdv/rcb

**1<sup>st</sup> INVESTMENTS PROMOTION UNIT NETWORK  
COORDINATION MEETING FOR 2024**

**MINUTES OF THE MEETING**

**Objectives**

- To enhance the coordination mechanism between the IPU-Network through a reinforced whole-of-government approach.
- To institutionalize the strategic partnership between the IPU-Net members through the execution of JMC.
- To discuss the recurring issues and concerns of investor on regulatory process and provide action plans to address the same.
- To ensure alignment of policies and harmonize facilitation mechanism between concerned agencies for the realization of projects endorsed as Strategic Investment, Infrastructure flagship projects and Energy projects of national significance.

**Agenda of the Meeting**

- Review and Approval of the Minutes of the Consultation Meeting held on 23 February 2023
- Action Items from the 2023 IPU-Net Consultation Meeting
- Recurring Issues and Concerns of Investors (BOI and agencies to respond)
- Government Initiatives to address Investor Issues
- DICT Updates on eGov Super App, DILG Memorandum Circular for LGU Endorsements, Designation of Focal Persons for Green Lane
- Renewal of Commitment through execution of a Joint Memorandum Circular (JMC)
- Salient Provisions of the draft JMC
- Other Matters: Renaming of IPU-Net to Investment Facilitation Unit Network (IFU-Net), new members of IPU-Net (OSAPIEA, ERC), and schedule next coordination meeting and appreciation ceremony for the IPU-Net members

<b>Date</b>	<b>Time Started</b>	<b>Time Adjourned</b>	<b>Venue</b>
27 June 2024	9:00 AM	02:00 PM	DILG NAPOLCOM, Quezon City

**Presiding Officer:**

BOI Executive Director Bobby G. Fondevilla

**Attendees:**

Attached as "Annex A"

- The Memorandum Circular issued by SEC on the mandatory Philippine contact number focused more on domestic investments, SEC will discuss first internally the request to provide foreign contact number in lieu of the Philippine contact as the email address (primary contact) would be sufficient.
  - The number of foreign directors is proportionate to the percentage of foreign equity participation. Anti-Dummy law
  - On the allowable foreign participation for activities engaged in the exploration, development and utilization of natural resources, SEC allows a corporation to engage up to 100% foreign equity in renewable energy projects, following the release of the opinion from DOJ in September 2022 and amendment of the IRR of Renewable Energy Act.
  - NEDA suggested to revisit the definition of “public utility” (PU) under the amended Public Service Act (PSA). Public service not considered as public utilities are allowed to be 100% by foreign nationals. Electric vehicles and logistics services should be considered as public service, and should not fall within the purview of public utility limiting foreign equity participation. On the other hand, BOIs appreciation on the definition of “logistics” must be integrated services, complete with warehousing, inventory management and transport of goods, not purely trucking services.
  - DOTR mentioned that DOJ opinion is not sufficient. The other agency might not consider the opinion issued by one agency. If the other party does not recognize the same, it may lead to court intervention.
  - SEC provided an update that the agency will launch “SEC Zero or Super Easy” on July 17, 2024. The program aimed to digitalized registration process and issuance of SEC Certificate of Registration.
  - BOI suggested that SEC issue a Memorandum accepting digital copy of the application and requirements.
  - BOI requested for a follow through meeting with SEC for the specific concerns of investors.
- b. Application for Value-added tax (VAT) refund with the Bureau of Internal of Revenue
- BIR implements strictly the 90-day timeline for the evaluation, approval and payment of VAT refund application provided that the applicant submit the complete documentary requirements (invoicing requirement). If the timeline is not met, the handling BIR officer will be liable for administrative sanction under the National Internal Revenue Code.
  - BIR has already streamlined its VAT-refund guidelines by issuing the Revenue Memorandum Order (RMO) 47-2020 and Revenue Memorandum Circular (RMC) 70-2023 which streamline the documentary requirements for application.
  - With the passage of the Ease of Paying Taxes law (EOPT), taxpayer is now classified as low, medium and high risk. For low risk enterprises, there is no more verification, whereas medium risk enterprise at least 50% of the sales is being verified by the BIR Revenue District Office.
  - Processing of applications is based on RR 5-2024 and RMO 23-2024
  - A designated office in the BIR is catering the VAT concerns of Japanese investors. The statistics on claim for refund has been increasing.
  - On the disallowances of refund application, BIR informs the applicant company on the deficiencies in the application, grounds of denial and the legal basis thereof.
  - DOF mentioned that a Technical Working Group (TWG) was created specifically for VAT-refund issues. It conducted 2 meetings already with stakeholders regarding the streamlining of documentary requirements. DOF is waiting for the proposal from BIR, Bureau of Customs (BOC) and other stakeholders.
  - BOI recommended to have window for further improvement in the evaluation of refund claims since most companies find it still difficult to comply with the requirement.

**f. Application for Tree Cutting Permit with DENR**

- BOI emphasize that the main concern of the investors is to produce land title. The cost of the cost/expenses of land titling and application for Tax Declaration is transferred to the investors.
- DENR mentioned that prior to the issuance of tree cutting permit, it considers the status of the land, if the land is alienable and disposable jurisdiction is under the Land Management Bureau (LMB). Forest management activities such as tenurial instrument and cutting permits falls under the purview of the Forest Management Bureau (FMB).
- On December 6, 2021, DENR issued Department Order allowing for a simultaneous processing of tree cutting permit and application for projects certified as Energy Project of National Significance.
- DENR-FMB stated that if a project is certified as a "government project" and DOE issued a Special Power of Attorney (SPA), DENR can streamline the process for tree cutting permit. SPA from DOE will suffice and CENRO and PENRO must comply with the directives from the Central Office. DENR-LMB concurred that for government projects, applicant can apply for a Certificate with CENRO or PENRO.
- Inspection and inventory on affected trees are simultaneously done by DENR officials.
- On the replacement ratio for cut or relocated trees, this depend on the area and distance from the project site.

**g. Securing of Favorable Endorsement from the Local Government Units**

- BOI informed the group that RE developers are required to secure endorsement from the Sanggunian during the pre-development stage the project. Prior to the conduct of feasibility study or wind measurement, Sanggunian endorsement must be secured which in itself takes longer time.
- BOI suggested to include in the draft DILG MC provisions when LGU endorsement is necessary, instances of withdrawal of LGU support, remedies for project proponent that initially secured endorsement but which was later on withdrawn.
- DILG assures to look into the matter and to consult with the NGAs and LGUs. DILG said that they are working with ARTA to create an Executive Order that will streamline and standardize the process for securing endorsement for RE projects. Issues mentioned will be considered in the draft MC.
- BOI suggested to include all national flagship programs and not only RE projects. It was emphasized that if we want to attract investors in the country; government policies for infrastructure should be comprehensive and firm. Since this is one factor where investors are looking into, a ready infrastructure in their place of business.
- Offshore wind projects are located 15 km beyond the baseline. RE developments pay real property tax to 2 LGUs which claimed jurisdiction over the project. DILG will consult its legal and BLGF regarding the matter.
- DOE mentioned that it revived EO 30. Projects endorsed as CPNS entitles RE developer to apply for permit simultaneously within 30 days. DOE involved ARTA to streamline the process for application for RE projects.
- For EO 59, TWG was formed chaired by NEDA, ARTA, DILG regarding concerns for IFPs. Implementing guidelines was launched in June 18.

**h. Overview of EO No. 59 (Infrastructure Flagship Projects)**

- NEDA provided an overview of EO 59. Key provisions includes allows the simultaneous processing of application, establishment of One-Stop Shop for IFPs, digitalization and information sharing of all IFPs, encourage LGUs to collaborate the with DICT to digitalize operations.
- Implementing guidelines and process of application will soon be available to the public.
- BOI noted that EO 59 has the same objective with EO 18. A suggestion to align the facilitation for infrastructure flagship projects as it is also identified as Strategic Investments.

Agency	Section Affected	Comments
BOI	<b>Section 4</b> <b>SCOPE/COVERAGE</b>  <b>Section 9</b> <b>SIMPLIFICATION AND STREAMLINED GUIDELINES ON THE APPLICATION 635 OF STRATEGIC INVESTMENTS</b>	Scope or Coverage: Indicate "All IPU-Net members" instead of "36 government agencies"  Provide clear title
BFP	<b>Section 9.1.</b> <b>Clearances Required from Other Government Agencies</b>	Include the Certificates or Clearances issued by the agency in the mandatory requirements
DILG	<b>Section 9.2.</b> <b>Clearances Not Required from Other Government Agencies</b>	DILG will consult with the Legal services instances when to issue LGU endorsement
DOE	<b>Section 9.2.</b> <i>-id-</i>	DOE issued the revised omnibus guidelines for RE Law, these 2 requirements (LGU endorsements) are still included in the documentary requirements.
BOI	<b>Section 9.3.</b> <b>Issuance of Provisional Permit or License to Construct</b>	Issuance of provisional permit/ license must be carefully crafted. It must be the NGA/LGU that will issue the provisional permit/authority under the EO No. 18.  If, however NGAs/LGUs grant authority to BO-OSACSI to issue provisional permit, the this can be considered as it is aligned with the EODB law.
DOH	<b>Section 9.3.</b> <i>-id-</i>	DOH manifested its objections on the issuance of provisional permit as it has standards on health infrastructure (exempted on this)  Additionally, DOH member agencies must be included as additional member of the IPU-Net.
BOI and DOE	<b>Section 9.3.</b> <i>-id-</i>	DOE clarified if there is a need to execute another document to allow BOI to process the application. BOI responded that it may enter into a separate MOA with other agency allowing it to issue provisional permit.
DOH	<b>Section 10.2.</b> <b>IPU-NET ATTACHED AGENCIES</b> <b>AND</b>	Suggested to include the roles of the agencies concerned.  Revise the term "IPU-NET ATTACHED AGENCIES" to "IPU-NET MEMBERS"
DA	<b>Manifestation</b>	Manifestation to extend the submission of substantial comments on the draft JMC
BSP	<b>Manifestation</b>	BSP supports this initiative, however it was noted that registration of foreign investments is optional with BSP (which is post investment activity, only need when there is repatriation of investments or remittance of earnings)



8. Suggestion for DILG to include in the draft Memorandum Circular (for LGU Green Lane) provisions when LGU endorsement is necessary, instances of withdrawal of LGU support, and remedies for project proponent that initially secured endorsement but which was later on withdrawn.
9. The draft EO, crafted by DOE-DILG-ARTA to streamline the permitting applications for RE projects must also include a provided expediting the permitting application for infrastructure flagship projects. Hence, the coverage must cover 2 activities.
10. ARTA to provide an update on the automatic approval provision for multi-stage level processing of application.
11. Alignment of policy between BOI, NEDA and DOE regarding the facilitation of issues and concerns of projects endorsed as Strategic Investment, RE projects of National Significance, and Infrastructure Flagship Projects.
12. Request for inclusion of the following agencies as members:
  - DOH member agencies
  - National Security Council
13. BOI to schedule separate meetings with SEC, FDA, DOF, DILG and ARTA for the specific concerns of the investors.
14. Deadline of submission of comments on the draft JMC: **July 15, 2024**

**Prepared by:**

  
**Lady Katherine R. Puente**  
Investment Specialist, IAS

  
**Rosa Arlene R. Agonoy**  
Investment Specialist, IAS

  
**Rizel C. Barsabal**  
Senior Investment Specialist, IAS

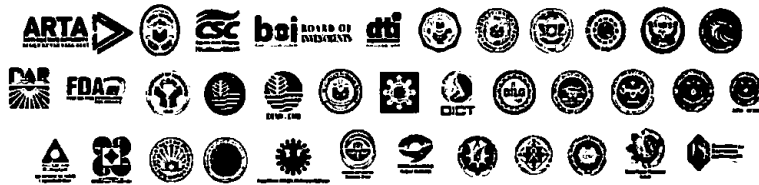
**Approved By:**

  
**Ernesto C. Delos Reyes, Jr.**  
Director, IAS

**Reviewed by:**

  
**Lubin R. De Vera, Jr**  
Division Chief, IAS

  
**Atty. Bobby G. Fondevilla**  
Executive Director, IAC



Joint Memorandum Circular No. \_\_\_\_\_  
Series of 2024

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- REPUBLIC OF THE PHILIPPINES**
- DEPARTMENT OF TRADE AND INDUSTRY (DTI)**
- BOARD OF INVESTMENTS (BOI)**
- ANTI-RED TAPE AUTHORITY (ARTA)**
- OFFICE OF THE OMBUDSMAN**
- BANGKO SENTRAL NG PILIPINAS (BSP)**
- DEPARTMENT OF AGRARIAN REFORM (DAR)**
- DEPARTMENT OF AGRICULTURE (DA)**
- DEPARTMENT OF ENERGY (DOE)**
- DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)**
- DEPARTMENT OF FINANCE (DOF)**
- DEPARTMENT OF FOREIGN AFFAIRS (DFA)**
- DEPARTMENT OF HEALTH (DOH)**
- DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT),**
- DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG)**
- DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE)**
- DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH)**
- DEPARTMENT OF SCIENCE AND TECHNOLOGY (DOST)**
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- DENR-ENVIRONMENTAL MANAGEMENT BUREAU (DENR-EMB)**
- DILG-BUREAU OF FIRE PROTECTION (DILG-BFP)**
- DILG-BUREAU OF LOCAL GOVERNMENT DEVELOPMENT (DILG-BLGD)**
- DOF-BUREAU OF CUSTOMS (DOF-BOC)**
- DOF-BUREAU OF INTERNAL REVENUE (DOF-BIR)**
- DOF-BUREAU OF LOCAL GOVERNMENT FINANCE (DOF-BLGF)**
- DOF-SECURITIES AND EXCHANGE COMMISSION (DOF-SEC)**
- DOH-FOOD AND DRUG ADMINISTRATION (DOH-FDA)**
- DOH-HEALTH FACILITIES AND SERVICES REGULATORY BUREAU**
- (DOH- HFSRB)**
- DOJ-BUREAU OF IMMIGRATION (DOJ-BI84)**
- DOTr-MANILA INTERNATIONAL AIRPORT AUTHORITY (DOTr-MIAA)**
- OP-HOUSING AND LAND USE REGULATORY BOARD (OP-HLURB)**
- OP-NATIONAL COMMISSION ON INDIGENOUS PEOPLES (OP-NCIP)**
- OP-NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (OP-NEDA)**
- OP-NATIONAL INTELLIGENCE COORDINATING AGENCY (OP-NICA)**
- NEDA-PUBLIC-PRIVATE PARTNERSHIP CENTER (NEDA-PPP Center)**

50 SUBJECT: STRENGTHENING THE COORDINATION MECHANISM AMONG THE  
51 INVESTMENTS FACILITATION PROMOTION UNIT NETWORK (INFAPU-  
52 NET) AND INTEGRATION OF THE PROVISIONS OF EXECUTIVE ORDER  
53 (EO) NO. 18  
54

55 DATE: 08 MAY 2024 19 AUGUST 2024  
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57

58 SECTION 1. BACKGROUND

59

60 1.1. With a vision to Make-It-Happen in the Philippines, the Office of the President of  
61 the Philippines aims to advance development goals and uplift the quality of life of  
62 all Filipinos by increasing competitiveness and improving the ease of doing  
63 business to attract both local and foreign investments;

64

65 1.2. Consistent with the Eight-Point Socioeconomic Agenda of the Administration, and  
66 as part of continuing efforts of implementing ease of doing business reforms, it is  
67 imperative to adopt measures that will expedite transactions with the government;

68

69 1.3. To encourage local and foreign investments in the country, it is the policy of the  
70 government to sustain efforts to improve competitiveness and the business  
71 environment through streamlining of procedures and establishment of close  
72 coordination among the concerned government agencies involving investments  
73 and investors' issues and concerns;

74

75 1.4. The Board of Investments (BOI), the lead agency in investments promotion and  
76 facilitation, is on an intensive effort to promote the country as attractive investment  
77 destination;

78

79 1.5. Republic Act (R.A.) No. 11032, otherwise known as the "Ease of Doing Business  
80 and Efficient Government Service Act of 2018" amended R.A. 9485 or the "Anti-  
81 Red Tape Act of 2007" to implement programs on the simplification of requirements  
82 and procedures that will reduce red-tape and expedite business and nonbusiness  
83 related transactions in government;

84

85 1.6. The Anti-Red Tape Authority (ARTA) was created to develop, implement, and  
86 oversee the national policy against red tape and favor ease of doing business,  
87 among others.;

88

89 1.7. The Department of Information and Communications Technology (DICT) is  
90 mandated to be the primary policy planning, coordinating, implementing, and  
91 administrative entity of the Executive Branch of the government that will plan,  
92 develop, and promote the national ICT development agenda;

93

94 1.8. In March 2021, R.A. No. 115943, otherwise known as the Corporate Recovery and  
95 Tax Incentives for Enterprises (CREATE) Act was passed. Section 310 of the said  
96 law provides for the mandatory establishment of One-Stop Shop or One-Stop  
97 Action Center (OSAC) across all Investment Promotions Agencies;

98

99 1.9. The Office of the President issued Executive Order (EO) 18 series of 2023, entitled  
100 "Constituting Green Lanes for Strategic Investments" (EO 18), as part of continuing  
101 efforts to implementing ease of doing business and to improve the country's  
102 regulatory environment conducive to business operations;

103

104 1.10. On 13 July 2023, the Investments Promotion Unit Network (IPU-Net) pledged their  
105 commitment to support the provisions of EO 18 to foster a more competitive and  
106 business enabling environment for investors through seamless coordination  
107 among government agencies;

108  
109 4.10.1.11. On 27 June 2024, the member-agencies of the IPU-Net unanimously voted  
110 on the renaming of the network to Investment Facilitation Network (INFA-Net) to  
111 be consistent with its purpose of facilitation of investments; and

112  
113 4.14.1.12. In view of the foregoing and in line with the directives of the President against  
114 red-tape and corruption, as well as to streamline issuance of permits, licenses, it is  
115 imperative to adopt measures that will expedite the realization of strategic  
116 investments by adopting a Joint Memorandum Circular (JMC) between and among  
117 the INFAPU-Net members.

118  
119  
120

## SECTION 2. PURPOSE

121 The overall objectives of this Joint Memorandum Circular (JMC) are the following:

- 122  
123 2.1. To promote the Philippines as a top investment destination and to encourage  
124 investors to engage in strategic investments;
- 125  
126 2.2. To enhance the system of linkages and networking between and among  
127 government agencies and other relevant bodies or organizations;
- 128  
129 2.3. To facilitate the registration of Strategic Investments and mandate all appropriate  
130 government agencies that are involved in registering, licensing or issuing permits  
131 and other appropriate authorizations to investors to assign their representatives  
132 to OSAC to attend to investor's requirements;
- 133  
134 2.4. To provide an integrated system to assist investors obtain necessary information  
135 from across all government agencies and instrumentalities departments and  
136 bureaus, including LGUs, and provide guidance and help investors obtain permits  
137 and/or licenses, and other appropriate ~~authorizations~~ to operate in the country.  
138 The OSAC service aims to reduce unnecessary documents, simplify and  
139 streamline steps, reduce costs and time to obtain permits and licenses. The  
140 application process can be monitored to increase transparency and to facilitate  
141 investment operation
- 142  
143 2.5. To mandate all partner government agencies, involved in the issuance of permits,  
144 licenses, certifications or authorizations covering Strategic Investments specified  
145 under E.O. 18 s of 2023, to streamline processes and requirements as to  
146 application for permits, licenses and clearances for the investors,
- 147  
148 2.6. To allow the One-Stop Action Center for Strategic Investments (OSAC-SI), the  
149 designated single entry for strategic investments to coordinate with concerned  
150 government agencies to address investor concerns starting pre-project  
151 establishment until the post-investment assistance (aftercare services).
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## SECTION 3. LEGAL COMPLIANCE

155 This JMC is hereby promulgated based on the following legal provisions:

- 156 3.1. Article 7 of Executive Order No. 226, otherwise known as the Omnibus Investment  
157 Code of 1987, as amended, provides that the BOI shall be responsible for the  
158 regulation and promotion of investments in the Philippines. It has the authority to  
159 enter into agreements with other agencies of the government for the simplification  
160 and facilitation of systems and procedures involved in the promotion of  
161 investments, and other activities necessary for the effective implementation of the  
162 Code.  
163
- 164 3.2. Memorandum of Agreement (MOA) dated April 25, 2007 with twenty-seven (27)  
165 other government agencies for the creation of the Investments Promotion Units  
166 Network (IPU-Net) for the purpose of facilitating and expediting the resolution of  
167 investors' issues and concerns.  
168
- 169
- 170 3.2.3.3. Enhanced IPU-Net MOA dated May 2019 with thirty-six (36) government  
171 agencies to include additional members of the IPU-Net and define the specific  
172 functions and services of the network to include pre and post investment  
173 assistance and services to investors to support the retention and expansion of the  
174 investor's projects.  
175
- 176 3.3.3.4. R.A. No. 11032, otherwise known as the "Ease of Doing Business and  
177 Efficient Government Service Act of 2018" amended R.A. 9485 or the "Anti-Red  
178 Tape Act of 2007" to implement programs on the simplification of requirements  
179 and procedures that will reduce red tape and expedite business and nonbusiness  
180 related transactions in government.  
181
- 182 3.4.3.5. Section 10 of R.A. No. 11032, provides that:  
183
- 184 "Section 10. Automatic Approval or Automatic Extension of License. Clearance  
185 Permit, Certification or Authorization. If a government office fails to approve or  
186 disapprove an original application or request for issuance of license, clearance,  
187 permit, certification or authorization within the prescribed processing time, said  
188 application or request shall be deemed approved: Provided, that all required  
189 documents have been submitted and all required fees and charges have been  
190 paid. The acknowledgment receipt together with the official receipt shall be  
191 enough proof or has the same force and effect of a license, clearance, permit,  
192 certification or authorization under this automatic approval mechanism: ~~If~~ ~~Of~~ a  
193 government office or agency fails to act on an application or request for renewal  
194 of license, clearance, permit, certification or authorization subject for renewal  
195 within the processing time, said license, clearance, permit, certification or  
196 authorization shall automatically be extended."  
197
- 198 3.5. Section 6 of R.A. No. 10844, E-Government objectives in particular, and national  
199 objectives in  
200
- 201 3.6. general, is currently in the process of developing applications and systems in order  
202 to harmonize and coordinate all national ICT plans and initiatives to ensure: 1)  
203 knowledge, information and resource-sharing; 2) database-building; and 3)  
204 agency networking linkages among government agencies.  
205
- 206 3.7. Section 310 of R.A. No. 11593, otherwise known as the Corporate Recovery and  
207 Tax Incentives for Enterprises (CREATE) Act mandated all Investment Promotion  
208 Agencies (IPAs) to establishment a one-stop shop or one-stop action center that  
209 will facilitate and expedite, to the extent possible, the setting up and conduct of  
210 registered projects or activities, including assistance in coordinating with local  
211 government units and other agencies to comply with the Ease of Doing Business

Commented [RCB3]: FDA revision to include the objectives of the 2007 and 2019 IPU Net MOA

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3.8. Administrative Order No. 23 s. ~~2020~~ entitled "Eliminating Overregulation to Promote Efficiency of Government Processes", states that:

"Section 1. Elimination of Overregulation, "All national government agencies covered by Section 3 of R.A. No. 11032~~9485, as amended~~, are directed go hasten the reform of their processes in order to eliminate overregulation. They shall retain only such steps, procedures and requirements as may be necessary to fulfill their legal mandates and policy objectives. All processes in excess thereof, including those which are redundant or burdensome to the public, shall be deemed manifestations of overregulation and shall be removed accordingly."

3.9. Section 15 of R.A. No. ~~9485, as amended~~ ~~11032~~, mandates national government agencies

(NGAs) and local government units (LGUs) to expedite the processing and approval or disapproval of licenses, clearances, permits, certifications or authorizations for the installation and operation of telecommunication systems, broadcast towers, facilities, equipment and service.

SECTION 4. SCOPE/COVERAGE

This JMC covers the ~~386~~ government agencies members of the ~~INFAIPU~~ Net, including their regional, provincial offices, attached agencies, ~~government owned and controlled corporations and quasi-judicial agencies, government owned and controlled corporations and quasi-judicial agencies,~~ mandated to issue regulatory permits, licenses, authorizations, certifications and other documents necessary to do business in the country.

~~The provisions of the JMC shall not be integrated and shall not be duplicative of the existing One-Stop Shop established under the existing laws such as R.A. No. 11234 or EVOSS Act.~~

~~The provisions of this JMC shall also apply to all government offices and agencies in the Executive Department, and other government instrumentalities, located here or abroad that provide services covering business related and nonbusiness transactions as defined in this JMC.~~

SECTION 5. DEFINITION OF TERMS

- 5.1. Action – refers to the written approval or disapproval made by a government office or agency on the application or request submitted by an applicant or requesting party for processing;
- 5.2. Affidavit of Undertaking – refers to a sworn written document executed by the affiant/applicant or authorized representative of the company stating that the applicant submitted an application for the issuance of permits, licenses, or certifications with national government agencies, and their regional and provincial offices, GOCCs, government instrumentalities, as well as LGUs, and the applicant undertakes to comply with the submission of requirements and the payment of necessary fees, if any, for the issuance of said permits and/or licenses;

Commented [RCB4]: FDA revision to include the Title of the AO 23 s 2020

Commented [RCB5]: DOE comment to include a provision on exclusionary clause to avoid duplication on the existing One-Stop Shops.

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Commented [RCB6]: DOT comment to delete the 2<sup>nd</sup> paragraph. The scope should only be limited to the parties and signatories of the JMC.

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- 265 5.3. Aftercare Services – refers to the continued support of the Government to  
266 investors or post-facilitation services to encourage investors to retain, expand and  
267 diversify their investments in the country;  
268
- 269 5.4. Agency – refers to the 386 government agencies, including its regional offices or  
270 bureau, commission, or authority issuing business licenses, permits, certifications,  
271 resolution or consent or non-consent, or any business-related transactions;  
272
- 273 5.5. Applicant – refers to any qualified person, firm, partnership, corporation,  
274 government or private institution/organization applying for the issuance of permits,  
275 licenses, and certificates, and authorizations;  
276
- 277 5.6. Applications or requests – are formal requests to an authority for access to  
278 government service;  
279
- 280 5.7. Authorization – refers to a permission embodied in a document granted by an  
281 agency to a natural or juridical person who has submitted an application for  
282 government service in order to implement or sanction specific acts or to engage  
283 in a particular line of business. The authorization can take in the form of a permit,  
284 a clearance, a license, a certificate of registration, accreditation, compliance or  
285 exemption, or any similar document;  
286
- 287 5.8. Building Permit – refers to a document issued by the Building Official to an  
288 owner/applicant to proceed with the construction, installation, addition, alteration,  
289 renovation, conversion, repair, moving, demolition or other work activity of a  
290 specific project/building/structure or portions thereof after the accompanying  
291 principal plans, specifications, and other pertinent documents with the duly  
292 notarized application are found satisfactory and substantially conforming with the  
293 National Building Code of the Philippines (NBCP) and its Implementing Rules and  
294 Regulations (IRR);  
295
- 296 5.9. Business Permit or Mayor's Permit – refers to a document issued by the City or  
297 Municipal Head, usually through its Business Permits and Licensing Office  
298 (BPLO), for business to legally operate in the locality;  
299
- 300 5.10. Business Registration – refers to set of regulatory requirements that an  
301 entrepreneur must comply with, to start operating a business entity in a  
302 city/municipality, including but not limited, to the collection or preparation of a  
303 number of documentation, submission to government authorities, approval of  
304 application submitted, and receipt of a formal certificate/s, licenses, permits, and  
305 similar documents which confirm the eligibility to operate as a legitimate business  
306 entity in the city or municipality;  
307
- 308 5.11. Business-related transactions – refer to a set of regulatory requirements that a  
309 business entity must comply with to engage, operate or continue to operate a  
310 business such as, but not limited to, collection, preparation of a number of  
311 documentations, submission to government authorities, approval of application,  
312 licenses, permits and similar documents which confirm the eligibility to operate as  
313 a legitimate business entity in the city or municipality;  
314
- 315 5.12. Certificate – refers to a document in which a fact is formally attested;  
316
- 317 5.13. Citizen's Charter – refers to the most current and updated service standards of a  
318 government entity which may be in the form of information billboards posted at  
319 the most conspicuous place, in their respective websites and in the form of

320 published materials such as handbook written either in English or Filipino, or in  
321 local dialect. It describes in detail the comprehensive and uniform checklist of  
322 requirements for each type of application or request; procedure to obtain a  
323 particular service; person/s responsible for each step; maximum time to conclude  
324 the process; document/s to be presented by the applicant or requesting party, if  
325 necessary; amount of fees, if necessary; and procedure for filing complaints  
326 pursuant to the relevant ARTA Rules of Procedure to Section 4 (g) of RA No.  
327 44092;

Commented [RCB8]: ARTA revision.

329 5.14. Complex transactions – refers to applications or requests submitted by applicants  
330 or requesting parties of a government office which necessitate evaluation in the  
331 resolution of complicated issues by an officer or employee of said government  
332 office, such transactions to be determine by the office concerned;

333 5.15. Fire Safety Evaluation Clearance (FSEC) – refers to a document issued by the  
334 Bureau of Fire Protection (BFP) as a pre-requisite for the grant of a Building Permit  
335 by the Office of Building Official upon determination that the evaluated plans are  
336 compliant with R.A. No. 9514 and its IRR;

337 6-14-5.16. Fire Safety Inspection Certificate (FSIC) – refers to a document issued by the  
338 BFP upon determining that the required fire safety construction is in place, and  
339 fire protective and/ or warning system are properly installed in accordance with  
340 the approved plans and specifications and in compliance with R.A. No. 9514 and  
341 its IRR;

Commented [RCB9]: BFP proposed to include the clearances issued by the latter – FSEC, FSIC and NOD, as mandatory requirements for Strategic Investments.

342 6-15-5.17. Highly technical application or transaction – a transaction which requires the  
343 use of technical knowledge, specialized skills and/or training in the processing  
344 and/or evaluation thereof;

345 6-16-5.18. Investment Facilitation Promotion Unit Network (INFA-Net)– refers to the  
346 special units established in concerned government agencies that relate to the  
347 promotion of investments and operations of business including implementation of  
348 applicable rules. They shall include the Bangko Sentral ng Pilipinas (BSP), Bureau  
349 of Customs (BOC), Bureau of Food and Drug Administration (BEAD), Bureau of  
350 Immigration (BI), Bureau of Internal Revenue (BIR), Civil Service Commission  
351 (CSC), Commission on Information and Communications Technology (CICT),  
352 Department of Agrarian Reform (DAR), Department of Agriculture (DA),  
353 Department of Energy (DOE), Department of Environment and Natural Resources  
354 (DENR), Department of Finance (DOF), Department of Foreign Affairs (DFA),  
355 Department of Interior and Local Government (DILG), Department of Labor and  
356 Employment (DOLE), Department of Public Works and Highways (DPWH),  
357 Department of Science and Technology (DOST), Department of Tourism (DOT),  
358 Department of Transportation and Communications (DOTC), Energy Regulations  
359 Commission (ERC), Food and Drug Administration (FDA), Housing and Land Use  
360 Regulatory Board (HLURB), Manila International Airport Authority (MIAA),  
361 National Commission on Indigenous Peoples (NCIP), National Economic and  
362 Development Authority (NEDA), National Intelligence Coordinating Agency  
363 (NICA), Office of the Ombudsman (OMBUDSMAN), Office of the Special  
364 Assistant to the President on Investments and Economic Affairs (OSAPIEA)  
365 Philippine Overseas Employment Administration (POEA), and Securities and  
366 Exchange Commission (SEC)-which are all signatories to this JMC;

Commented [RCB10]: DOTr revisions

367 5-17-5.19. Investment Promotion - refers to the encouragement of investments in a  
368 particular area through the development of its key factors for investments, the  
369 creation of awareness as a business site and the provision of services. This may  
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375 take the form of Image Building, Investment Generation and Investment Servicing;  
376  
377 **5.20. Investment Facilitation** - refers to the removal/reduction of barriers/impediments  
378 to investments such as but not limited to trade and industry liberalization,  
379 institutional/structural reforms, simplification of business transactions/procedures,  
380 all geared towards improving/enhancing the business climate for both foreign and  
381 domestic investors;  
382  
383 **5.18-5.21. Notice of Disapproval (NOD)**- refers to a document issued by an office or  
384 agency if the applicant fails to comply with the requirements prescribed by law as  
385 reflected in the Citizen's Charter of the concerned office or agency, which should  
386 fully explain in writing, the grounds which such denial is based and stating the  
387 name of the person making the denial, in compliance with Section 9 (c) of R.A.  
388 No. 11032;  
389  
390 **5.19-5.22. One-Stop Action Center for Strategic Investments (OSAC-SI)** --refers to the  
391 body, established by DTI-BOI, tasked to serve as the single point of entry for all  
392 projects designated as Strategic Investment under EO 18;  
393  
394 **5.20-5.23. Permit / License** – refers to a permission or authority evidenced by a certificate  
395 issued by the concerned government agency or instrumentality.  
396  
397 **5.21-5.24. Permitting Agencies** – refers to agencies of the Government or relevant  
398 entities issuing permits, licenses, certifications, authorization or other documents  
399 relating to doing business in the country;  
400  
401 **5.22-5.25. Processing Time** – refers to the time spent by an applicant or project  
402 proponent from the submission of application of regulatory permits, licenses,  
403 certifications or authorizations, with complete supporting documents, up to the  
404 release of the aforementioned documents.  
405  
406 **5.23-5.26.** For processes that involved several stages, each stage shall have its own  
407 processing time. The processing time commences on the date/time that the  
408 applicant has satisfactorily completed the previous stages and all the  
409 requirements for the stage being applied for, and has paid the applicable fees, if  
410 any.  
411  
412 **5.24-5.27. Post-registration** – refers to the stage or phase of the business permitting  
413 process where an applicant is requested to secure permits, clearances, and  
414 authorizations after the Business Permit application has been issued;  
415  
416 **5.25-5.28. Provisional Permit/ License** – refers to temporary permit/license to construct  
417 issued by the concerned government agencies to projects designated as Strategic  
418 Investment pending the submission of complete documentary requirements;  
419  
420 **5.26-5.29. Simple Transactions** – applications or request submitted by applicants or  
421 requesting parties of a government office or agency which only require ministerial  
422 actions on the part of the public or employee or that which present only  
423 inconsequential issues for the resolution by an officer of employee of said  
424 government office.  
425  
426 **5.27-5.30. Strategic Investments** – are those which are aligned with the Philippine  
427 Development Plan or any similar national development plan; and can be  
428 characterized as significant capital or investment to the country; consequential  
429 economic impact; positive impact on the environment; significant contribution to

Commented [RCB11]: BFP comment to include the Notice of Disapproval as mandatory requirement for Strategic Investments.

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the country's balance of payments; with complex technical processes and engineering designs; and will bring about improvement in the country's infrastructure capabilities. For this purposes Strategic Investments shall include, but shall not be limited to the following:

5.27.1.5.30.1. Highly Desirable Projects. Investment Projects recommended by the Fiscal Incentives Review Board to the President for modification of incentives or the crafting of the appropriate financial support package based on defined development strategies for creating high-value jobs, building new industries to diversify economic activities, and attracting significant foreign and domestic capital or investment, and the fiscal requirements of the activity or project, as provided under Section 301 of RA No. 11534 or the "Corporate Recovery and Tax Incentives for Enterprises (CREATE) Act."

5.27.2.5.30.2. Foreign Direct Investments. Foreign Direct Investments are those resulting from the implementation of the Foreign Investment Promotion and Marketing Plan, as endorsed by the Inter-Agency Investment Promotion Coordination Committee.

5.27.3.5.30.3. Projects or activities under the Strategic Investment Priority Plan (SIPP). Local or foreign investments on activities considered projects of national significance or highly desirable, and which falls under the priority sectors or industries included in the SIPP formulated by the Department of Trade and Industry-Board of Investments (DTI-BOI) and approved by the President in accordance with Section 300 of RA No. 11534. These projects cover registrations under the DTI-BOI or other Investment Promotion Agencies.

5.28.5.31. Substantial Compliance – refers to the compliance with major documentary requirements, as determined by the concerned government agency, for applications to be processed simultaneously across all government agencies

5.29.5.32. Whole-of-Government Approach – refers to the ability of government agencies to integrate systems and processes to provide ease of access and use by investors (local and foreign) resulting in an integrated approach to public service delivery, policy making, interoperability of government processes, linkages and coordination among agencies in accordance with the lifecycle of citizens and businesses.

5.30.5.33. JMC – refers to this Joint Memorandum Circular.

Commented [RCB12]: DOT comment-request for deletion  
  
BOI: Inserted provision on whole-of-government approach statement on Section 11. Coordination Mechanism.

**SECTION 6. INTEGRATION OF THE PROVISIONS OF EO 18 s 2023 AND ITS IRR**

The provisions of EO 18 s 2023 shall be integrated in this JMC.

-The said Green Lane shall not be integrated and shall not be duplicative of the existing One-Stop Shop pursuant to Section 6.3.

as follows:

6.1. **Single Point of Entry** - Within six (6) months from the effectivity of this Act, the

486 DTI-BOI shall establish One-Stop Action Center for Strategic Investments (OSAC-  
487 SI), which shall serve as the single point entry for all projects qualified as Strategic  
488 Investments.

489  
490 The OSAC-SI shall address investor concerns starting with identifying and  
491 designating an investment as Strategic Investment under this JMCA and  
492 endorse the same to concerned NGAs, LGUs, and/or quasi-judicial bodies for  
493 processing of permits and licenses, and monitoring and reporting of actions taken  
494 thereon. The OSAC-SI shall include aftercare or post-investment assistance as  
495 part of its services.

496  
497 Within three (3) months from the issuance of this JMCA, the DTI-BOI shall  
498 produce and regularly update, an investor manual of guidebook or its equivalent,  
499 containing the list of government requirements for the establishment for Strategic  
500 Investments, as well as the concerned NGAs, LGUs, or quasi-judicial bodies  
501 issuing the relevant permits and licenses.

502  
503 The DTI-BOI will be supported by additional manpower, including the designation  
504 of account officers for Strategic Investments, as well as the equipment necessary  
505 to operationalize the OSAC-SI, in coordination with the Department of Budget and  
506 Management.

507  
508 **6.2. Projects Endorsed as Strategic Investment.** All 38 government agencies  
509 members of the INFA-Net, including their regional, provincial offices, attached  
510 agencies mandated to issue regulatory permits, licenses, authorizations,  
511 certifications and other documents necessary to do business in the country shall  
512 adopt and implement the provisions of the IRR of EO 18.

513  
514 The guidelines on the application for Green Lane under EO 18, including the  
515 qualifications of project/s, evaluation of application, endorsement to other  
516 government agencies and action on the projects endorsed as Strategic Investment  
517 by the concerned agency shall be governed by the provisions in the IRR.

Commented [RCB13]: Transposed provision from Section 7. Deleted the provision on Section 7- Entitled integration of the IRR of EO 18

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520 **6.2.6.3. Establishment of Green Lanes for Strategic Investments – NGAs**  
521 including their regional and provincial offices when applicable, LGUs and quasi-  
522 judicial bodies shall establish or designate, whichever is applicable, a Green Lane  
523 within their offices in charge of expediting and streamlining processes and  
524 requirements for the issuance of permits and licenses for Strategic Investments  
525 endorsed by the OSAC-SI. The said Green Lane shall not be integrated and shall  
526 not be duplicative of the existing One-Stop Shops or One-Stop Action Centers  
527 established under existing laws, such as RA No. 11534, RA No. 11234 or the  
528 Energy Virtual One-Stop Shop Act,” and RA No. 11032.

529  
530 For this purpose, the above agencies or offices shall designate an account officer  
531 for the Green Lane, who is responsible for coordinating with the OSAC-SI, relevant  
532 government offices or agencies in streamlining and simplifying business permitting  
533 and licensing processes, and recommending modifications or amendments to the  
534 existing procedures that are outdated, redundant, and adds undue regulatory  
535 burden and cost to the transacting public, in coordination with the Anti-Red-Tape  
536 Authority (ARTA).

537  
538 **6.4. Actions on the Application - NGAs and LGUs shall act on the applications for the**  
539 issuance of a permit or license within the prescribed processing time provided in  
540 the concerned agency or LGU's Citizen's Charter (original period), which shall not



596 extension, and/or renewal of the license, clearance, permit, certification, or  
597 authorization which is deemed approved pursuant to Section 10 of RA No. 9485,  
598 as amended.  
599

600 The above mechanism shall likewise apply to issuance of a permit of license by  
601 quasi-judicial bodies consistent with Rule VIII Section 1 (b) of the Implementing  
602 Rules and Regulations of RA No. 9485, as amended.  
603

604 **6.5-6.7. Simultaneous Processing of Applications.** NGAs and LGUs that receive  
605 applications for permits and licenses shall process the same with the presumption  
606 that the relevant documents from other agencies have already been issued  
607 consistent with Rule VII Section 3(c) of the ~~Implementing Rules and Regulations~~  
608 ~~of RA No. 9485, as amended, the IRR of R.A. No. 11032.~~  
609

610 ~~6.5.1. Affidavit of Undertaking. The applicant shall execute an affidavit of~~  
611 ~~undertaking, using the template prescribed by the DTI-BOI, that it has~~  
612 ~~secured the relevant documents from specific NGAs or LGUs and/or that it~~  
613 ~~shall submit the complete documentary requirements within thirty (30)~~  
614 ~~working days. For this purpose, the concerned NGAs and/or LGUs may~~  
615 ~~coordinate with other relevant offices or agencies to check or verify the status~~  
616 ~~of applications for related permits or licenses to avoid delay in their own~~  
617 ~~evaluation of applications pending with them. The NGA or LGU concerned~~  
618 ~~shall then issue the corresponding permits or licenses, with an annotation~~  
619 ~~that it shall be subject to the completion of requirements covered by the~~  
620 ~~undertaking.~~

621 6.7.1. Government agencies and offices that receive an application or transaction  
622 requiring permits from other government agencies or offices, shall process  
623 the application without awaiting the action of the latter agency provided there  
624 is substantial compliance on the application. The agency or office shall act  
625 on the presumption that the relevant permit from other government agencies  
626 had already been issued. The applicant shall submit the EO 18 endorsement  
627 letter, together with the application for permits and/ or licenses to the  
628 concerned government agency, and shall execute a notarized Affidavit of  
629 Undertaking, using the template prescribed by the DTI-BOI (attached as  
630 Annex "B" is the Affidavit of Undertaking template), that it has filed the  
631 relevant documents from specific NGAs or LGUs and the applicant shall  
632 submit the complete documentary requirements within thirty (30) working  
633 days from the time of execution of such Affidavit; Provided, that said Affidavit  
634 of Undertaking shall be considered valid and binding between and among  
635 the applicant/proponent and government agencies unless otherwise revoked  
636 by the latter upon finding of non-compliance with laws, rules and regulations.

637  
638 The NGA or LGU concerned shall then issue the corresponding provisional  
639 permits or licenses, with an annotation that it shall be subject to the  
640 completion of requirements covered by the undertaking.

641  
642 Any violation or circumvention of the provisions of the Affidavit of Undertaking  
643 shall constitute sufficient grounds for the suspension, cancellation or  
644 revocation of the Certificate of Registration, Permit, License, Certificate or  
645 Authorization issued by the concerned government agency, as well as the  
646 imposition of fees as may be authorized by applicable laws, rules and  
647 regulations, and issuances.

Commented [RCB17]: Inserted provision. Copied from EO 18 IRR

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6.7.2. Penalty for non-compliance for failure to submit the requirements/documents needed for the application. Concerned NGAs shall monitor the compliance of the application with the requirements provided by law. Failure to timely submit the required documents with the given period, unless justified, shall subject the applicant to a penalty and/or constitute a ground for the imposition of the penalty of suspension, revocation or cancellation of the permit, license, clearance or authorization warrant the suspension or revocation of Business permit of licenses after due notice.

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6.7.3. Penalty for non-compliance or failure to submit the requirements/documents needed for the application. Concerned NGAs shall monitor the compliance of the application with the requirements provided by law. Failure to timely submit the required documents with the given period, unless justified, shall subject the applicant to a penalty and/or constitute a ground for the imposition of the penalty of suspension, revocation or cancellation of the permit, license, clearance or authorization after due notice.

Commented [RCB18]: Revised the provision.

ARTA revision to include due notice since the penalty for non-compliance entails suspension, revocation or cancellation of permit/license.

6.5.2.

Commented [RCB19]: Revised the provision.

ARTA revision to include due notice since the penalty for non-compliance entails suspension, revocation or cancellation of permit/license.

6.8. Monitoring. OSAC-SI shall develop and establish a monitoring system for the implementation of the Green Lanes, incorporating formal feedback mechanisms for investor to report issues and suggest improvements that will ensure the system evolves based on user experiences and will serve as a basis for determining penalties.

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The concerned NGA, LGU and/or quasi-judicial body shall submit to the DTI-BOI monthly updates regarding the status of applications received and acted upon involving Strategic Investments covered under this JMC.

Commented [RCB20]: DA-AMAS proposed insertion to including a monitoring feedback mechanism for investor issues.

6.6.6.9. Fees and Charges. Payment of business fees and charges shall depend on the amount provided under the Citizen's Charter of each NGAs or LGUs, and noting that any cost not in the Citizen's Charter shall not be required from the applicant/requesting party.

## SECTION 7. ADOPTION AND IMPLEMENTATION OF THE IRR OF EO 18

6.7. Projects Endorsed as Strategic Investment. All 36 government agencies members of the IPU Net, including their regional, provincial offices, attached agencies, government owned and controlled corporations, quasi-judicial agencies, and local government units mandated to issue regulatory permits, licenses, authorizations, certifications and other documents necessary to do business in the country shall adopt and implement the provisions of the provisions of the Implementing Rules and Regulations (IRR) of EO 18.

The guidelines on the application for Green Lane under EO 18, including the qualifications of projects, evaluation of application, endorsement to other government agencies and action on the projects endorsed as Strategic Investment by the concerned agency shall be governed by the provisions in the IRR.

6.8. Applications not Covered under Green Lane/ Projects not considered as Strategic Investment. BOI-registered projects and projects not covered under Green Lane or not endorsed as Strategic Investments shall be regularly facilitated

702 ~~by the BOI Investments Assistance Service.~~

Commented [RCB21]: Deleted section, already integrated in Section 6

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705 **SECTION 78. ONE-STOP ACTION CENTER FOR STRATEGIC INVESTMENTS**

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707 **7.1. One-Stop Action Center for Strategic Investments (OSAC-SI).** BOI-OSAC-SI, as  
708 the single point of entry of projects qualified as Strategic Investment, shall facilitate  
709 the application and registration of project proponents for Green Lane in coordination  
710 with the appropriate government agency. It shall have the following functions:

711  
712 **7.1.1.** Receive applications and documents for application for Green Lane under EO  
713 18.

714  
715 ~~7.1.1.7.1.2. Endorsed project as Strategic Investment (attached as Annex "C" is the~~  
716 ~~Endorsement Letter to government agencies designating the project as~~  
717 ~~Strategic Investment)~~

718  
719 **7.1.3.** ~~Accept and preliminary assess the completeness of the application or request~~  
720 ~~and its supporting documents vis-à-vis checklist of requirements, in~~  
721 ~~coordination with the agency concerned, to ensure a more expeditious action~~  
722 ~~on the application for permits/license including but not limited to: Business~~  
723 ~~Permit, Import Permit, Import Commodity Clearance, Environment Compliance~~  
724 ~~Certificate, Certification Precondition, Land Use Permit, and Certificate of Non-~~  
725 ~~Coverage. OSAC-SI shall not accept deficient or incomplete applications or~~  
726 ~~requests. Failure of the applicant for issuance of permits, licenses, authority, or~~  
727 ~~certifications to submit complete documents or comply with lacking documents~~  
728 ~~shall render the application terminated without prejudice to the re-filing thereof.~~

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Commented [RCB22]: FOR DISCUSSION: Whether NGAs will allow the OSAC-SI to accept and preliminary assess application for Business Permit, Import Permit, Import Commodity Clearance, Environment Compliance Certificate, Certification Precondition, Land Use Permit, and Certificate of Non-Coverage.

Commented [RCB23]: NCIP revision that applications shall be subject to re-filing if incomplete submission.

Commented [RCB24]: FDA requested for the exclusion of LTO and CPR since it already utilizes an online portal for applications

729  
730 ~~The above list shall not cover applications for FDA License to Operate (LTO)~~  
731 ~~and Certificate of Product Registration (CPR).~~

732  
733 **7.1.4.** An acknowledgement receipt shall be issued signifying acceptance of the  
734 complete application of request, without prejudice to the final determination of  
735 the completeness of the application from the agency concerned.

736  
737 ~~7.1.5. Address investor concerns, through coordination with INFA-Net member~~  
738 ~~agencies and endorse the same to concerned NGAs, LGUs, and/or quasi-~~  
739 ~~judicial bodies for the processing of permits and licenses, and monitoring and~~  
740 ~~reporting of actions taken thereon.~~

741  
742 **7.1.6.** Provide and regularly update an investor manual of guidebook or its equivalent  
743 the list of government requirements for the establishment for Strategic  
744 Investments, as well as the concerned NGAs, LGUs, or quasi-judicial bodies  
745 issuing the relevant permits and licenses annually;

746  
747 **7.1.7.** Monitor and inquire on the status of ongoing applications for permits or licenses  
748 necessary for, or related to, applications of Strategic Investments, and in  
749 relation thereto, ascertain the Government agency and individuals tasked with  
750 the submission of electronic document, and such individual's action or inaction  
751 thereon.

Commented [RCB25]: Transposed provisions from other section

752  
753 ~~7.1.2.7.1.8. Facilitate information campaigns and other promotional activities about~~  
754 ~~the existence and benefits of the Green Lanes to strengthen investor relations~~  
755 ~~and connections by offering comprehensive support services, including~~  
756 ~~advisory and assistance throughout the investment process.~~

Commented [RCB26]: DA-AMAS proposed additional function of OSAC-SI

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7.2. **Evaluation/ Technical Review on the Application of Permit/ License.** Upon receipt of the application or request for permit/ license, OSACSI shall submit the documentary requirements and other supporting documents to the agency concerned for evaluation and technical review.

The receiving officer shall immediately inform the applicant of the requesting party of any deficient in the accompanying documents, which shall be limited to those enumerated in the Citizen's Charter.

Payment of documentary/ application fees shall be directed to the agency concerned.

7.3. ~~Coordination with Concerned Agencies. All appropriate government agencies that are involved in registering, licensing or issuing permits to investors shall:~~

~~7.3.1. Designate and assign their respective representatives to to the OSAC to attend to Investor's requirements, i.e.~~

~~7.3.2. Allow BOI-OSAC-SI to accept, checklist and evaluate the submitted documents or requirements from project projects in relation to their application for permit or licenses with other agencies, including application for Business Permit, Import Permit, Import Commodity Clearance, Environment Compliance Certificate, Certification Precondition, Certificate of No Overlap, Land Use Permit and Certification of Non-Coverage.~~

~~7.3.2-7.3.3. OSAC-SI, in coordination with the concerned agencies, shall house representatives from other government agencies including but not limited to SEC, FDA, DENR, DOE, BI and BOC to provide advice, guidance and information on the requirement and procedures for application for business registration, CPR, LTO, ECC, CP, CNO, import permit and visa-related matters.~~

7.4. **Training.** In coordination with INFAPU-Net, concerned agencies shall provide facilities that will assist BOI-OSACSI to learn skills, to retrain and enhance acquired skills as the case may be and to provide training modules and materials and other technical assistance and facilitation services. BOI-OSACSI may likewise solicit coordination with other government agencies or non-government organization for training purposes.

## SECTION 88. SIMPLIFICATION AND STREAMLINED GUIDELINES ON THE APPLICATION OF STRATEGIC INVESTMENTS

8.1. **Clearances from Other Government Agencies**

The following clearances from other government agencies shall be required, whenever applicable

- a. Environment Compliance Certificate (ECC), if the project site is within an environmentally critical area;
- b. Special Use Agreement in Protected Areas, if the project site is a protected area;
- b.c. Certification Precondition (CP), if the proposed project site affects or falls within ancestral domains, or Certificate of No Overlap (CNO) if the project site does not overlap with, or affect, any ancestral domain.
- e.d. Free and Prior Informed Consent (FPIC), if the proposed project site is within ancestral domain;

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Commented [RCB27]: FOR DISCUSSION: To expedite the application for permits/license:  
1.OSAC-SI, upon approval of the concerned agency, may accept and preliminary assess the application for permit/ license; OR  
2.House the representatives from other agencies including but not limited to SEC, FDA, DOE, DENR, BI and BOC

Commented [RCB28]: DOE suggested to attached as Annex the list of permits/license from NGAs concerned

Commented [RCB29]: NCIP revision to insert the requirement on FPIC and CNO for projects located within ancestral domains



- 812 e. Land Use Conversion from the Department of Agrarian Reform (DAR) Central
- 813 Office, if the proposed project site requires conversion of agricultural land of more
- 814 than five (5) hectares, or from the DAR Regional Office, if the said land is 5 hectares
- 815 and below;
- 816 d.f. Service Contract from DOE, for renewable energy projects:
- 817 e.g. Clearance from Laguna Lake Development Authority, if the proposed project
- 818 site is within the Laguna de Bay region;
- 819 f.h. Clearance from the Philippine Economic Zone Authority, if the proposed project
- 820 site is within an economic zone or any other area owned, administered or operated
- 821 by PEZA;
- 822 g.i. Strategic Environmental Plan Clearance from Palawan Council for Sustainable
- 823 Development, if the proposed project site is within the province of Palawan;
- 824 j. Building Permit/ Occupational Permit/ Certificate of Occupancy issued by the
- 825 City/Municipal Building Official;
- 826 ~~h.k. Fire Safety Evaluation Clearance (FSEC) and Fire Safety Inspection Certificate~~
- 827 ~~(FSIC) issued by the Bureau of Fire Protection; and and~~
- 828 i.l. Other requirements as mandated by the Constitution and existing laws.

Commented [RCB30]: BFP Comment

The streamlined requirements shall apply to all pending and new applications submitted by NGAs/ LGUs.

8.2. Other Clearances Not Required from Other Government Agencies

~~For energy-related projects endorsed as Strategic Investment, the following clearances shall not be required during the pre-development stage of the energy project: issuance of the Certificate of Endorsement or Sangguniang Resolution shall be issued per phases of the project.~~

- a. ~~Sangguniang Panglungsod/ Bayan Resolution~~
- b. ~~Sangguniang Barangay Resolution~~

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Commented [RCB31]: DOE Comment - The RE Act and the Revised Omnibus for the Processing of RE Service and Operating Contracts under the Pre-development stage requires the aforementioned documents

BOI recommends that the endorsement be issued per phase of the project

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8.3. Issuance of Provisional Permit/ License to Construct

~~Consistent with the provisions of RA 11032 and to facilitate the permitting applications of projects endorsed as Strategic Investment, BOI-OSAC-SI in coordination with agencies concerned, The NGAs and LGUs shall have the authority to issue a provisional approval, permit, and/or license relating to applications for permits and/or licenses necessary for, or related to the construction or development of infrastructure facilities of projects designated as Strategic Investments upon the execution of a notarized Affidavit of Undertaking. Provided, That the final action on such applications shall be released within a period of thirty (30) working days from the submission of complete documentary requirements and payment of all the corresponding fees, if there be any, shall issue a Provisional permit/ license for purposes of construction or development of infrastructure facilities e.g. building, roads, bridges, canals, communication lines, towers, industrial complex and other similar projects.~~

The issuance of provisional permit and/or license shall not be applicable to the construction of government or private health-related facilities.

Commented [RCB32]: DOH requested to exclude in the provision the issuance of provisional permit of health-related activities

~~The issuance of provisional permit/ license shall be subject to the approval of the concerned agency.~~

SECTION 940. ROLES AND RESPONSIBILITIES

~~10.9.1.4. DTI-BOI~~

Commented [RCB33]: OSAC-SI functions transposed to Section 7.1.

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~~10.1.1. BOI-OSACSI~~

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- ~~871a. Serve as the single point of entry for all projects qualified as Strategic Investments;~~  
~~872b. Receive directly applications for Green Lane and applications as endorsed by the Office of the President, FIRB, IPCC, and DTI-BOI;~~  
~~873. Identify and designate projects as strategic investments;~~  
~~874c. Process, evaluate and endorse for approval of the DTI Secretary the application/s for Strategic Investments;~~  
~~876. Address investor concerns, through coordination with the Investments Promotion Unit Network (IPU-Net) member agencies and endorse the same to concerned NGAs, LGUs, and/or quasi-judicial bodies for the processing of permits and licenses, and monitoring and reporting of actions taken thereon;~~  
~~881f. Provide and regularly update an investor manual of guidebook or its equivalent the list of government requirements for the establishment for Strategic Investments, as well as the concerned NGAs, LGUs, or quasi-judicial bodies issuing the relevant permits and licenses annually;~~  
~~885g. Monitor and inquire on the status of ongoing applications for permits or licenses necessary for, or related to, applications of Strategic Investments, and in relation thereto, ascertain the Government agency and individuals tasked with the submission of electronic document, and such individual's action or inaction thereon;~~  
~~887. Submit monthly reports on the implementation of EO 18 to the BOI Board and Office of the President; and~~  
~~889h. Provide aftercare services or post-establishment facilitation services to Strategic Investments.~~

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~~10.1.2. DTI-BOI~~

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~~9.1.1. Enhance system of linkages and networking between and among government agencies and other relevant bodies or organizations;~~

~~9.1.2. Make referrals with other INFA-Net member agencies Investment Promotion Units (IPUs), and other relevant organizations on investment-related issues and concerns affecting foreign and local investors in the Philippines;~~

~~9.1.3. Monitor/document investment-related issues and concerns referred to the INFA-IPU-Net to ensure prompt and accurate response to follow ups and to build a database of Frequently Asked Questions (FAQs);~~

~~9.1.4. Update the clients on status of referrals made to other INFA-Net PUs and relevant organizations on investment-related issues and concerns;~~

~~9.1.5. Facilitate the processing of all investment-related requirements by concerned agencies including local government units (e.g., licenses and permits, importation, taxation, etc., by ensuring that all frontline agencies perform their tasks within prescribed standards and parameter.~~

~~9.1.1. Accept and checklist applications for permit and licenses consistent with the requirement in the concerned agency's Citizen's Charter;~~

~~9.1.6. Encourage investors to use the online portal of the DICT in the facilitation of investment-related issues, concerns and queries, including other online facilitation systems available in other government agencies,~~

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as the case may be;

9.1.7. Provide training on the use of the online portal and promote related online services of other INFA-IPU-Net members.

9.1.8. Refer applications for Green Lane services to the OSAC-SI; and

9.1.2.9.1.9. Perform other acts necessary and incidental to accomplish the policy objectives of this JMCAet.

**9.2. INFAIPU-NET AND MEMBER ATTACHED AGENCIES**

9.2.1. Establish a Green Lane within officers in charge of expediting processes, requirements for issuance of permits and licenses for Strategic Investment endorsed by OSAC-SI;

Commented [RCB34]: DA-AMAS comment to include as additional function.

9.2.1.9.2.2. Act on investment issues and concerns within seventy-two (72) hours from receipt thereof, whenever possible but not later than the fifteen (15) working days deadline prescribed under R.A. No. 6713, otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees, and its Implementing Rules and Regulations to act on letters and request;

9.2.2.9.2.3. Expedite and streamline the processing of applications for permits, licenses and other requests (pre and post operating requirements, including importation transactions) relative to investments as required by the respective offices/agencies (including those of regional offices) within the timeframe prescribed in their respective Citizen's Charters as aligned with the objectives or RA No. 11032 and its IRR;

9.2.3.9.2.4. Monitor/document investment-related issues and concerns referred to the INFAIPU-Net to ensure prompt and accurate response to follow ups and to build database of FAQs;

9.2.5. Adopt and implement a system of coordination with the OSAC-SI regarding actions taken on investors' issues and concerns referred by the BOI. Develop and implement an application and system to facilitate monitoring of investment-related issues and concerns and coordination with government offices;

Commented [RCB35]: DA-AMAS comment to include as additional function.

9.2.4.9.2.6. Create an integrated system to assist investors obtain necessary information from across all government offices;

Commented [RCB36]: DA-AMAS comment to include as additional function.

Promote the use of the Electronic/ Digital System of Coordination and other online-facilitation systems available in other government agencies, in the facilitation of investment-related issues, concerns and queries;

9.2.7. Upon request, provide the DTI-BOI with investment/business related documents, including the database of Frequently Asked Questions (FAQs), as soon as practicable but not exceeding three (3) working day from date of receipt of request, subject to the rules on confidentiality as provided for by existing laws. Updates on said investment/business-related documents shall likewise be provided to

Commented [RCB37]: DA-AMAS comment to include as additional function.

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BOI within 15 working days from effectivity of the changes;

**9.2.5.9.2.8.** Submit to the DTI-BOI monthly updates regarding the status of applications received;

**9.2.6.9.2.9.** Designation of focal person/ unit, in accordance with Section 7, who will coordinate and address issues, concerns and queries (ICQs), referred by the OSAC-SI. (The name and designation of the focal person shall be submitted to the OSAC-SI. Should there be any changes in the designation unit/focal person (s), the concerned agency shall accordingly advise OSAC-SI in writing within 3 working days from the effectivity of such change;:-

Commented [RCB38]: DA-AMAS comment to include as additional function.

The focal person/unit shall have the authority to provide answers to technical and legal inquiries as well as take fast action on the approval of investment-related permits and licenses submitted by the DTI-BOI and BOI-OSAC-SI. Whenever a more detailed evaluation of documents and papers are necessary, the focal person/unit shall be responsible for monitoring the status of such documents and papers and ensuring that they are returned to the DTI-BOI and the applicant in the shortest possible time or within the prescribed time period.

**9.2.10.** Allow the DTI-BOI to accept and checklist the requirements for application of permits/licenses; and

**9.2.7-9.2.11.** Address investor concerns starting pre-project establishment until post-investment assistance (aftercare services);

Commented [RCB39]: DA-AMAS comment to include as additional function

**9.2.12.** Provide training to the DTI-BOI personnel and designated focal persons of all investment-related requirements by concerned agencies including local government units; and

Commented [RCB40]: DA-AMAS comment to include as additional function.

**9.2.8-9.2.13.** Adopt strategies to encourage investors to engage in strategic investments.

Commented [RCB41]: DA-AMAS comment to include as additional function.

**9.3. Anti-Red Tape Authority (ARTA) ARTA**

~~Coordinate technical assistance for the implementation of this JMC from the development partners as part of its Ease of Doing Business Activities;~~

**9.3.1.** Provide technical support in case of inordinate delay of failure of the concerned agency to act on the applications within the specified timeline provided under the Citizen's Charter of the concerned agency, for the implementation of the standards provided for in this JMC;

Commented [RCB42]: ARTA recommended to indicate specific assistance needed from ARTA. For revision

**9.3.2.** Coordinate with business groups at the local and national levels to support the new guidelines in streamlining the processes for issuance of Permits, Licenses and Certificate;:-  
and

**9.3.3.** Oversee the implementation of this JMC in close collaboration with the concerned government agencies to ensure compliance with the Ease of Doing business law.-

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~~9.3.1-9.3.4.~~ If the ICQs of investors fall under violations of R.A. No. 11032 (Section 21) and its rules (Rule IX Section 18, Rule XIII Section 1), and after facilitation efforts exerted by BOI~~804~~ and the ~~INFA-PU-Net~~ have been exhausted within the prescribed timeframe, these ICQs can be endorsed to ARTA for appropriate action in accordance with the provisions of R.A. No. 11032. Otherwise, all ICQs not falling under the scope of R.A. No. 11032 must be referred to the appropriate government office or agency for appropriate action. ICQs outside the scope of R.A. No. 11032 and its IRR including alleged commission of bribery, extortion, or when the violation was done deliberately and maliciously to solicit favor in cash or in kind, should be filed to the appropriate court.

~~9.3.2-9.3.5.~~ Complaints for delays in the delivery of frontline government services can be directly filed to the ARTA pursuant to Section 17 (d) and (e) of R.A. No. 11032.

**9.4. NCIP**

9.4.1. Provide guidance and expertise on indigenous peoples' rights, customary laws, and cultural practices to ensure alignment with the legal framework and principles of the Indigenous Peoples Rights Act (IPRA) of 1997.

9.4.2. Facilitate the Free, Prior, and Informed Consent (FPIC) process for projects or activities that may affect indigenous communities. This includes ensuring that indigenous communities are properly consulted, informed, and given the opportunity to provide their consent or withhold it.

9.4.3. Monitor compliance to ensure that the rights and interests of indigenous peoples are respected and protected through conducting regular assessments, inspections, and consultations with indigenous communities to ensure that their rights are upheld.

9.4.4. Provide recommendations and feedback on any issues or concerns related to indigenous peoples' rights and welfare.

~~9.4.9.5. DICT Department of Information and Communications Technology (DICT).~~ The DICT, in consultation with the DTI-BOI, ARTA, and concerned national and local government agencies, shall streamline the applications of Strategic Investments by adopting automation and digitalization of government services to promote zero-contact policy. This shall involve the integration of any existing government portal/ platform issuing permits, authorities, approvals, and certificates, which are necessary for the registration and operation of Strategic Investments.

~~9.6. Bureau of Customs (BOC) and Cluster Agencies~~— The BOC shall ensure that the documents required for the importation and subsequent release of shipments, capital equipment, raw materials, spare parts, or accessories are accomplished properly, complete, accurate and accessible to relevant Departments and Agencies, concerned Departments, and/or its offices/agencies, subject to the provisions of Republic Act No. 10863, otherwise known as the Customs Modernization and Tariff Act and other

Commented [RCB43]: NCIP suggested to include their functions in section 10

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relevant rules. The BOC shall facilitate the duty-free importation for registered companies upon compliance with the formalities and requirements prescribed, following the guidelines of the CMTA and existing regulations.  
~~existing laws, and shall streamline its guidelines on the issuance of permits/licenses and other import-related documents to facilitate the process of duty-free importation of registered companies.~~

**9.5.9.7. CSC Civil Service Commission** - The Civil Service Commission (CSC) shall make recommendations on service delivery improvement of the INFA-Net based on investment-related feedback received by the CSC through the Contact Center ng Bayan.

**9.6.9.8. Office of the Ombudsman** – The Office of the Ombudsman, consistent with its mandate to investigate and prosecute graft and corruption offenses committed by government officials and employees, shall act with investment-related complaints falling within the purview of anti-graft laws such as, but not limited to, R.A. No. 3019, R.A. No. 6770, R.A. No. 7080, R.A. No. 6713, Title Seven of the Revised Penal Code on Crimes Committed by Public Officers, inter alia.

~~9.7.9.9. Department of the Interior and Local Government (DILG) and its Regional Offices~~ – Ensure active cooperation by the LGUs and other relevant agencies and offices under its purview and monitor compliance of LGU to this JMC.

To cause the dissemination of this JMC to all LGUs with their respective jurisdictions.

~~10.2. Local Government Units (LGUs)~~ – LGUs shall comply with the provisions of the JMC and shall issue appropriate orders or ordinances to adopt this JMC.

## **SECTION 10. ADOPTION OF THE PROVISIONS OF JMC 2019-001**

The provisions of JMC 2019-001 entitled "The Implementing Rules and Regulations of Republic Act 11032 otherwise known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018" is hereby adopted.

## **SECTION 11. COORDINATION MECHANISMS**

In order to ensure effective implementation of this JMC, there shall be institutionalized coordination mechanisms which shall cover the following functions:

**11.1. Whole-of-government approach** – All concerned NGAs shall provide the necessary assistance and support for the successful implementation of this JMC. The INFA-Net shall serve as platform for the speedy resolution of issues and concerns of projects endorsed for facilitation. Coordination can be in person or through electronic or digital system i.e. email, messaging application, etc.

**11.2. Stakeholder engagement.** Establish consultative mechanism and dialogues with concerned government agencies, in person or through

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electronic or digital system of coordination, depending on the industry/sector, to address the entry barriers of investments and facilitate issues and concerns related to investments.

**44.2.11.3. Complaint Resolution.** Without prejudice to resorting to available Alternative Dispute Resolution Mechanisms, disputes, complaints, or issues arising from the following shall be referred to and addressed by the corresponding agency identified herein:

**44.2.1.11.3.1. ARTA –** Delays in the processing of the application for Permit or Licenses beyond the processing time provided herein as well as the imposition of additional requirements other than those expressly enumerated in this JMC, the applicable Citizen's Charter and/or other laws, rules, and regulations relevant to the said application.

**44.2.2.11.3.2. DILG –** Issues arising from the failure of the local government unit concerned or office under its purview to comply with this JMC.

**44.2.3.11.3.3. Composition of Coordination Mechanisms.** The Approving Authorities of this JMC shall identify the composition and membership of each of the Coordination Mechanisms, which may include members from private sector, as may be necessary. The Mechanisms herein institutionalized shall ensure proper reporting and documentation, including status updates, plans, and program implementation to the Approving Authorities.

Commented [RCB44]: ARTA revisions

**SECTION 12. DATA SHARING**

Data sharing between and among the 38 government agencies shall be allowed for the purpose of a public function or public service subject to the provisions of the Data Privacy Act of 2012 and its IRR.

**SECTION 13. VIOLATIONS, PENALTIES, AND LIABILITIES**

The provisions of Sections 21, 22, and 23 of R.A. No. 9485, as amended by R.A. No. 11032, are applicable in case of violations concerning applications or requests for permits, licenses, clearances, authorizations or certifications covered by this JMC.

**SECTION 14. REPORTING AND FEEDBACK**

All concerned NGAs shall submit to the BOI progress reports detailing the implementation of this JMC. For all inquiries and concerns regarding this JMC, all questions should be directed/addressed to the following:

**Board of Investments**  
E-Mail: [ias@boi.gov.ph](mailto:ias@boi.gov.ph)

**Anti-Red Tape Authority**

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Email: info@arta.gov.ph

**SECTION 154. SEPARABILITY CLAUSE**

If any section or part of this JMC is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force and effect.

**SECTION 165. REPEALING CLAUSE**

All Agreements inconsistent with this JMC are hereby repealed or modified accordingly.

This JMC may be amended, supplemented, or modified only by a written instrument duly executed by or on behalf of each party hereto.

**SECTION 176. COUNTERPARTS**

This JMC may be executed in several copies each of which will be deemed to be an original, will constitute as one and the same JMC.

**SECTION 187. EFFECTIVITY**

This JMC shall take effect immediately fifteen (15) days after publication in a newspaper of general circulation and filing of three (3) certified true copies with the Office of the National Administrative Register, University of the Philippines.

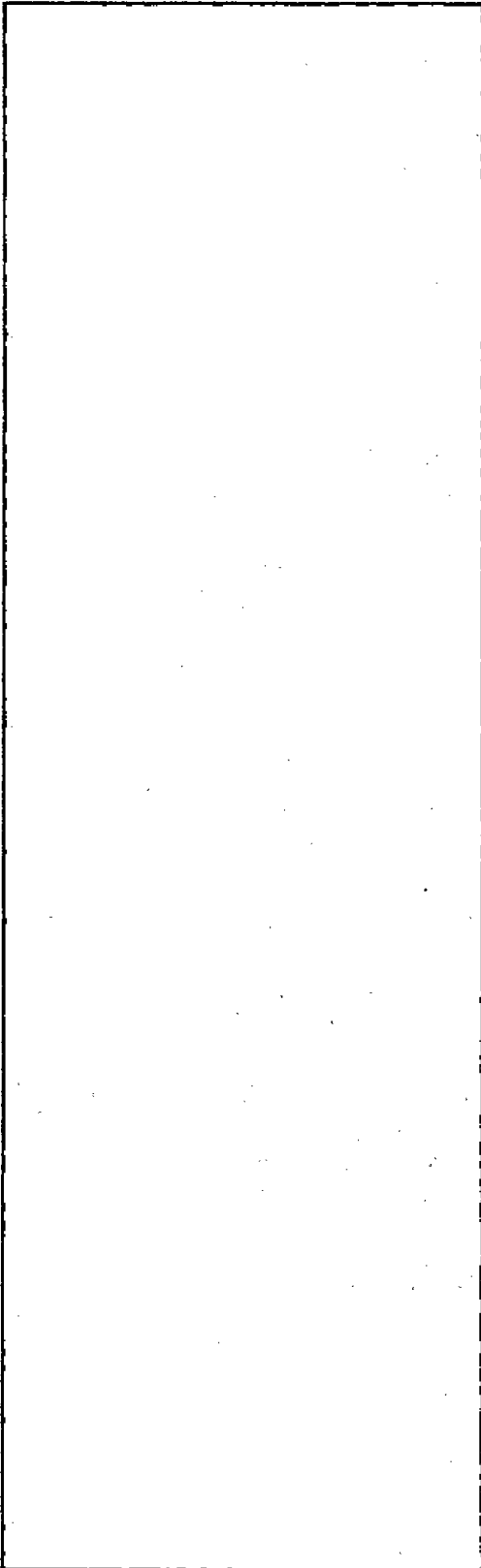
Approving Authority:



**MA. CRISTINA A. ROQUE**  
**ACTING SECRETARY**  
**ALFREDO S. PASCUAL**  
**SECRETARY**

DEPARTMENT OF TRADE AND INDUSTRY

**CEFERINO S. RODOLFO**  
**UNDERSECRETARY AND BOI MANAGING HEAD**  
**BOARD OF INVESTMENTS**





**ERNESTO V. PEREZ**  
SECRETARY  
ANTI-RED TAPE AUTHORITY

**RALPH G. RECTO**  
SECRETARY  
DEPARTMENT OF FINANCE

**ELI M. ROMOLONA**  
GOVERNOR  
BANGKO SENTRAL NG PILIPINAS

**ARSENIO M. BALISACAN**  
SECRETARY  
OP-NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY

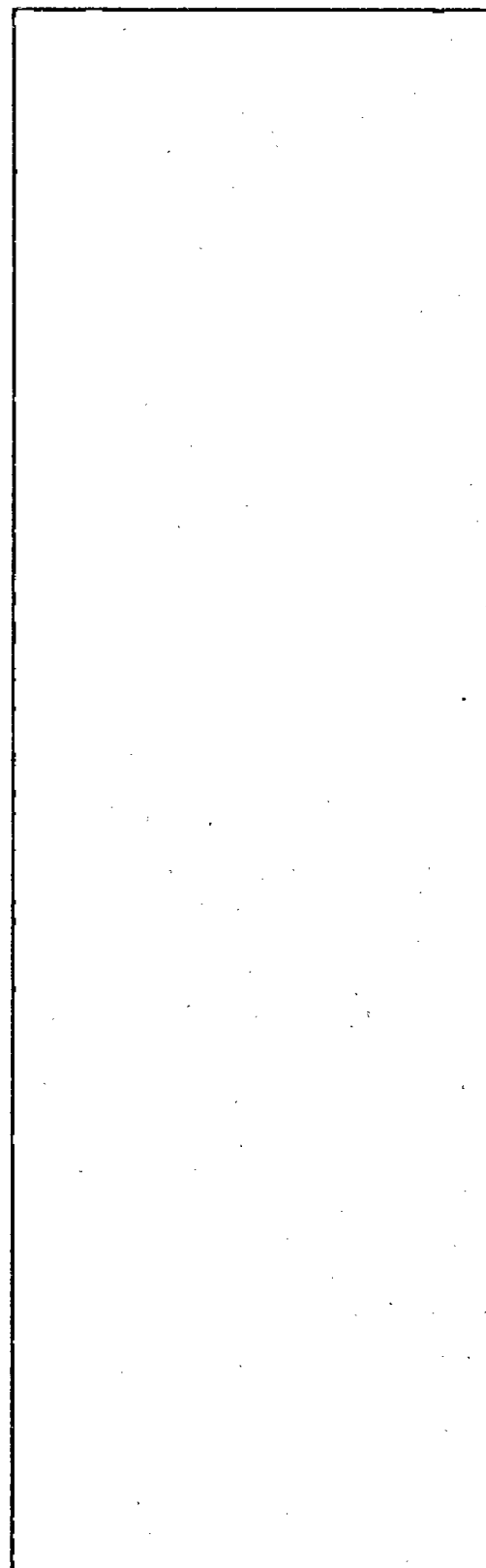
**FRANCISCO T. LAUREL, JR.**  
SECRETARY  
DEPARTMENT OF AGRICULTURE

**CONRADO M. ESTRELLA**  
SECRETARY  
DEPARTMENT OF AGRARIAN REFORM

**RAPHAEL P. M. LOTILLA**  
SECRETARY  
DEPARTMENT OF ENERGY

**MARIA ANTONIA YULO LOYZAGA**  
SECRETARY  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**ENRIQUE A. MANALO**  
SECRETARY  
DEPARTMENT OF FOREIGN AFFAIRS



**DR. TEODORO J. HERBOSA**  
**OFFICER IN CHARGE AND UNDERSECRETARY**  
**DEPARTMENT OF HEALTH**

**SAMUEL R. MARTIRES**  
**OMBUDSMAN**  
**OFFICE OF THE OMBUDSMAN**

**IVAN JOHN E. UY**  
**SECRETARY**  
**DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY**

**ATTY. BENJAMIN C. ABALOS, JR.**  
**SECRETARY**  
**DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT**

**BIENVENIDO E. LAGUESMA**  
**SECRETARY**  
**DEPARTMENT OF LABOR AND EMPLOYMENT**

**MANUEL M. BONOAN**  
**SECRETARY**  
**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS**

**Dr. RENATO U. SOLIDUM, JR.**  
**SECRETARY**  
**DEPARTMENT OF SCIENCE AND TECHNOLOGY**

**MA. RIA ESPERANZA CHRISTINA GARCIA FRASCO;**  
**SECRETARY**  
**DEPARTMENT OF TOURISM**

**JAIME J. BAUTISTA**  
**SECRETARY**

DEPARTMENT OF TRANSPORTATION

**JACQUELINE A. CAANCAN**  
**ENGR. GILBERT C. GONZALES**  
DIRECTOR  
DENR-ENVIRONMENTAL MANAGEMENT BUREAU

**LOUIE S PURACAN, CEO VI**  
FIRE DIRECTOR  
DILG-BUREAU OF FIRE PROTECTION

**ANNA LIZA F. BONAGUA CESO III**  
DIRECTOR  
DILG-BUREAU OF LOCAL GOVERNMENT DEVELOPMENT

**BIENVENIDO Y. RUBIO**  
COMMISSIONER  
DOF-BUREAU OF CUSTOMS

**ROMEO D. LUMAGUI, JR.**  
COMMISSIONER  
DOF-BUREAU OF INTERNAL REVENUE

**NIÑO RAYMOND B. ALVINA CONSOLACION Q. AGCAOILI**  
EXECUTIVE DIRECTOR  
DOF-BUREAU OF LOCAL GOVERNMENT FINANCE

**EMILIO BENITO AQUINO**  
CHAIRPERSON  
DOF-SECURITIES AND EXCHANGE COMMISSION

**SAMUEL A. ZACATE**

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**ROLANDO ENRIQUE D. DOMINGO**  
 UNDERSECRETARY, OIG-DIRECTOR GENERAL  
 DOH-FOOD AND DRUG ADMINISTRATION

**ATTY. CHARADE B. MERCADO GRANDE, MPSA**  
 DIRECTOR-IV  
 DOH HEALTH FACILITIES AND SERVICES REGULATORY BUREAU

**ATTY. NORMAN G. TANSINGCO**  
 COMMISSIONER  
 DOJ-BUREAU OF IMMIGRATION

**CESAR M. CHIONGERIC JOSE C. INES**  
 GENERAL MANAGER  
 DOTR-MANILA INTERNATIONAL AIRPORT AUTHORITY

**MR. ALLEN A. CAPUYAN JENNIFER PIA SIBUG-LAS**  
 CHAIRPERSON  
 OP-NATIONAL COMMISSION ON INDIGENOUS PEOPLES

**RICARDO F. DE LEON, Ph.D.**  
 DIRECTOR GENERAL  
 OP-NATIONAL INTELLIGENCE COORDINATING AGENCY

**MA. CYNTHIA C. HERNANDEZ**  
 EXECUTIVE DIRECTOR  
 NEDA-PUBLIC-PRIVATE PARTNERSHIP CENTER

**Annex** ==

**Proposed Percentile for Accomplishment of Issues/Concerns**

**W/C ENDORSED TO OTHER AGENCIES**

STEPS	BOI-OSAC-VC HANDLING MECHANISM Approved by ManCom/Board		OTHER AGENCIES	
	Activities		Activities	
1	Evaluate Data Gathering & Coordination	10		

2	Correspondence	20		
3	Visitation/Meeting (as necessary)	30		
4	Recommendation thru email/letter/memo	80	Evaluate Issues/Concerns	40
5	Monitoring		Correspondence	45
	Short-Term — every 2 weeks subject to elevation to either Medium or Long-term as appropriate Medium-Term — every 2 weeks subject to elevation to Long-term as appropriate Long-Term — once a month		Agency MC Handling Mechanism (depending on the a one's set of activities)	
			0-25% Accomplished	25
			26-50% Accomplished	50
			51-75% Accomplished	75
			76-100% Accomplished	95
6	Issue Resolved	100%	Transmittal of Completion Letter to the investor cc- BOI	100%

**BOARD OF INVESTMENTS  
ISSUES/CONCERNS VC TRACKING CARD**

<p><b>ISSUE PROFILE</b></p> <p>Investor: _____</p> <p>Address: _____</p> <p>Representative: _____</p> <p>Contact Number: _____</p> <p>email: _____</p> <p>Brief Description of the Issues/Concerns (MC):</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Date Received by BOI: _____</p> <p>Date Endorsed to Target date of completion: _____</p> <p>Designated Official: Name: _____</p> <p>Position: _____</p> <p>Office/Department Contact Number: _____</p> <p>Email: _____</p>
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Step	Activities	Expected-Output	Date Accomplished	Detailed Status
1	Evaluation	40		Reason for Delay (if any)
2	Correspondence	45		
3	MC Handling Mechanism			
	0-25% Accomplished	25		
	26-50% Accomplished	50		
	51-75% Accomplished	75		
	76-100% Accomplished	95		

4	Correspondence to the Investor cc BOI	100		
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Note: All yellow shaded portions are BOI predefined entries. The unshaded portions are to be filled up by the Agency.

Prepared by:

\_\_\_\_\_  
Signature over printed name      Position      Date

Endorsed by:

\_\_\_\_\_  
Signature over printed name      Position      Date

DRAFT

ANNEX A \_\_\_\_\_

Endorsement Letter to ARTA for automatic approval  
(Registration and Incentives processes are exempted)  
2023-SOP-GSAC-SI-042

(Date)

(NAME)  
Secretary  
Anti-Red Tape Authority (ARTA)

Dear (Name):

Greetings from the Department of Trade and Industry - Board of Investments (DTI-BOI) One-Stop Action Center for Strategic Investments (OSAC-SI)!

This is to inform you that the proposed (Name of Project and Activity) in (Location) of (Company) has been identified and designated as Strategic Investment pursuant to Executive Order No. 18. With this, the project is bestowed with green lane issuance and processing of permits and licenses as mandated under the said EO 18. National Government Agencies (NGAs) and Local Government Units (LGUs) shall act on the application for issuance the project's permits and licenses through their agency's Green Lane mandated under EO 18 within the prescribed processing time.

The (Name of Project and Activity) in (Location) of (Company) has filed for (Name of Permit) with (Agency) last (date) with complete requirements. The processing period had lapsed last (Date).

Consistent with Section 10 of RA No. 9485, as amended, the complete application for the issuance of a permit or license shall be deemed approved in case of failure of the NGA or LGU to act, whether to approve or disapprove, on said application. An application shall be considered "complete" when all the documentary requirements indicated in the respective Citizen's Charters are submitted and the required fees and charges are duly paid.

Upon due investigation and verification that the applicant has indeed fully submitted all necessary documents and paid all the required fees, we are endorsing the application to your office for the issuance of a declaration of completeness and order the concerned office or agency to issue the appurtenant approval, extension, and/or renewal of the license, clearance, permit, certification, or authorization which is deemed approved pursuant to Section 10 of RA No. 9485, as amended.

For your appropriate action.

Thank you.

Very Truly Yours,

**NAME OF DIRECTOR**  
Service Director-In-Charge  
Investments Assistance Service  
One Stop Action Center for Strategic Investments

Annex     B

**AFFIDAVIT OF UNDERTAKING**

I, (Complete Name), of legal age, and with address at (Address), authorized representative, as evidenced by (Board Resolution) and (Secretary's Certificate) attached herewith as Annexes A and B, respectively, acting as the duly authorized representative of (Company Name) after having been sworn in accordance with the law, hereby declare that:

1. I am the (Designation) and an authorized representative of (Company Name) in connection

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with its application for (Name of Permit or License) with the (Name of Government Agency).

2. Based on the most recent feedback of the (Name of Agency) on the application for (Name of Permit or License) by (Company Name) for its (Name of Project and Activity), the company is requested to submit the following:

(Enumeration of deficiencies)

3. The (Company Name) undertakes to comply with the requirements within 30 days from the execution of this affidavit, or until (Exact Date).

4. This affidavit is executed in compliance with the requirements of the (Name of Government Agency)".

Failure of the company to complete the submissions herein required within the 30-day period or within the provided period without justifiable reasons shall result in the suspension of the approval/permit granted.

IN WITNESS WHEREOF, I hereby sign this affidavit this (date) in (Location).

(Complete Name, Signature)  
Affiant

NOTARY

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**Annex C**

**Endorsement Form to OSAC-SI  
2023-SOP-OSAC-SI-002**

This is to respectfully endorse to the One-Stop Action Center for Strategic Investments (OSAC-SI) the letter (or application) from (Name), (Designation), of (Company Name) for its (Name of Project and Activity) in (Location) for the Green Lane Services under Executive Order No. 18, entitled "Constituting Green Lanes for Strategic Investments."



May we kindly request your office to inform the proponent directly of the actions taken on the matter, copy furnish the (source/name of the government agency).

Thank you.

Very Truly Yours,

(Name)  
(Designation)  
(Official E-mail address)

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