

## **EXECUTIVE ORDER NO. 18 CONSTITUTING GREEN LANES FOR STRATEGIC INVESTMENTS**

Executive Order 18 – Constituting Green Lanes for Strategic Investments (EO 18) is a government-wide response to enhance Ease of Doing Business by expediting, streamlining and automating government processes for Strategic Investments.

EO 18 is in support of the Marcos administration’s Eight-Point Agenda specifically on ensuring a level playing field by strengthening market competition and reducing barriers to entry and limits to entrepreneurship to make the country more competitive with other Southeast Asian nations in attracting foreign direct investments.

It complements the landmark economic reforms such as the Foreign Investments Act and the Retail Trade Liberalization Act. Public Service Act, Corporate Recovery and Tax Incentives for Enterprises (CREATE) Act, and relaxed foreign equity participation in renewable energy sector.

EO 18 seeks to address the barriers across multiple regulatory agencies that hamper the entry and realization of Foreign Direct Investments, such as:

- a) Rep-tape and unnecessary delays in processing regulatory permits/licenses; imposition of additional requirements even if not reflected in the Citizen’s Charter; and
- b) Fast realization of Strategic Investments in the country.

EO 18 mandated the adoption of the following strategies that will encourage investors to engage in strategic investments, and expedite government transactions through:

- a) Establishment of a One-Stop-Action-Center for Strategic Investments (OSAC-SI), which shall serve as the single point of entry for all projects that qualify as strategic investments.
- b) Mandatory establishment of Green Lanes across all government agencies to expedite and streamline the processes and requirements for the issuance of permits and licenses of Strategic Investments endorsed by the OSAC-SI.
- c) NGAs and LGUs shall act on the application for the issuance of permit/license within the 3-7-20 rule under R.A 11032.
- d) Simultaneous processing of applications/ projects endorsed as strategic investments
- e) Crafting of Investor’s Guidebook containing the list of government requirements for the establishment of Strategic Investments per sector.
- f) Monitoring and reporting to the Office of the President by OSAC-SI of the progress of the permits and licenses applied for Strategic Investments.

### **What is the difference of EO 18 from other initiatives in the ease of doing business?**

- a. Allows simultaneous processing of applications where NGAs and LGUs that receive applications for permits and licenses shall process the same with the presumption that the relevant documents from other agencies have already been issued. The NGA or LGU concerned shall then issue the corresponding permits or licenses, with an annotation that it shall be subject to the completion of requirements covered by an undertaking coming from the investor applicant.

- b. Each concerned NGA, LGU and/or quasi-judicial body shall submit to the DTI-8OI monthly updates regarding the status of applications received and acted upon involving Strategic Investments and that DTI-BO1 shall submit regular reports on the implementation of this Order to the President, through the Executive Secretary.
- c. An account officer for every certified Green Lane project will monitor the application for permits/licenses with other government agencies.

### **What activities are considered as Strategic Investments?**

Strategic Investments are those which are aligned with the Philippine Development Plan or any similar national development plans that are characterized as:

- a) having a significant capital or investment to the country;
- b) consequential economic impact;
- c) positive impact on the environment;
- d) significant contribution to the country's balance of payments;
- e) with complex technical processes and engineering designs; and
- f) will bring about improvement in the country's infrastructure capabilities.

Strategic Investments shall include but not limited to:

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."
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.
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.

The BOI released a Resolution that, subject to the condition that the projects are trailblazing-worthy or promotes innovation towards the 4th industrial revolution, the following list, under the 2022 Strategic Investment Priority Plan (SIPP) that may qualify for Green Lane Services pursuant to Section 2 of Executive Order No. 18 (E.O. 18), entitled "Constituting Green Lanes for Strategic Investments,":

1. Clean Energy Sources (Renewable Energy, Hydrogen, Nuclear, including energy storage)
2. Green Metals (Mining and Mineral Processing)

3. Electronics
4. Defense-related Projects
5. Aerospace
6. Electric Vehicles Manufacturing/Assembly including Charging Stations and Batteries
7. Pharmaceuticals including vaccines and essential drugs and medicines included in the Philippine National Drug Formulary (PNDF)
8. LNG Storage and Regasification
9. PPP and Infrastructure Projects including Agri-Infra and Telecommunications Infrastructure
10. Specialty Hospitals (e.g., centers for cancer, heart, lungs, kidneys, etc.)
11. Water Treatment, Supply and Distribution
12. New Products and New Technologies

### Updates on The Projects Endorsed under EO 18

The Investments Assistance Service (IAS) of the Board of Investments offers assistance and facilitation services to prospective and existing investors as part of the ease of doing business initiative of the Philippine government to help in the realization of investments as well as support for the retention, expansion, and diversification of existing businesses.

In support of this core function, BOI-IAS spearheaded the crafting, approval, and implementation of Executive Order No. 18 Constituting the Green Lane for Strategic Investments.

As the One-Stop Shop for Strategic Investments (OSAC-SI), BOI-IAS assisted and facilitated the resolution of issues and concerns of investors and helped in the removal of the barriers to the entry of investments.

As of 1 September 2023, the following projects have been approved and endorsed as Strategic Investments for Green Lane Services:

Company Name	Project Name-Description	Date Approved
SunAsia Energy Inc.	1300 MW Floating Solar Project in Laguna de Bay	18-Apr-23
NKS Solar One Inc.	250MW NKS Solar One Inc. Floating Solar Power Project in Caliraya, Laguna	18-Apr-23
Phil-tower Consortium Inc.	7,907 Built-to-Suit Common Towers	26-May-23
Narra Technology Development Park	EDC-Project Charlie Hyperscale Data Center in New Clark City, Tarlac	07-Jul-23
SolarAce4 Energy Corp.	SolarAce4 140.000 MWp / 105.003 MWac Floating Solar Power Plant Project in Laguna Lake	31-Aug-23
AC SUBIC SOLAR, INC.	AC SUBIC 280.000 MWp / 210.000 Mwac Floating Solar Power Plant Project in Laguna Lake	31-Aug-23

AC LAGUNA SOLAR, INC.	AC LAGUNA 280.000 MWp / 210.000 Mvac Floating Solar Power Plant Project in Laguna Lake	31-Aug-23
Ingrid2 Power Corp.	Ingrid 140.000 MWp / 105.003 Mvac Floating Solar Power Plant in Laguna Lake	31-Aug-23
GIGAWIND1 INC.	GigaWind1 280.000 MWp / 210.000 Mvac Floating Solar Power Plant in Laguna Lake	31-Aug-23

The following projects have already lodged their applications and are currently ongoing evaluation and processing, pending complete submission of documentary requirements:

Company Name	Project Name-Description
BPE Corporation (BPEC)	Micro-Hydro Electric Plant in Bustos, Bulacan
REALSTEEL CORPORATION	New Domestic Producer Of Reinforcing Steel Bars - 600,000 Mts Capacity
SteelAsia Manufacturing Corp.	500,000 MT Section Mill Project in Lemery Batangas
Infineum 4 Energy	318-MWp Mapanuepe Lake Floating Solar Power Project in San Marcelino, Zambales Province
ATN Holdings Inc.	ATN Aggregate Project
Edgepoint Towers Inc.	Common Passive Telecommunications Tower Infrastructure Project
Ubay Solar Corp.	155.833MWpk/137.480MWac Ubay Solar Power Plant in Bohol

## OSAC-SI ASSISTANCE FOR GREEN LANE REGISTERED PROJECTS

### 1. SunAsia Energy, Inc. – 2023-00001

SunAsia Energy, Inc. will be putting up 1.3 GW Floating Solar Project in Laguna Lake. The project has been identified and designated as Significant Project under EO 18 and was issued a Certificate of Endorsement.

#### Issue:

Notice of Award to be issued by Laguna Lake Development Authority has been held in abeyance since last year pending the issuance of opinion from the Office of the Government Corporate Council which was sought by LLDA. SunAsia sought the assistance of BOI-IAS in the facilitation of the issuance of the said Notice of Award.

**Action taken:**

BOI-IAS coordinated the matter with LLDA. As the project has been designated as Strategic Investment under Greenlane EO 18, permits and licenses applied for the project must be processed within the timeframe provided under LLDA's Citizen's Charter. BOI-IAS wrote a position paper to the LLDA that the Notice of Award should be awarded as SunAsia has been declared already as having submitted the highest-rated bid. BOI-IAS also coordinated with the OGCC for the release of the opinion sought by LLDA as the bidding process undertaken was compliant with what the law requires.

OGCC released its opinion that LLDA can already issue the Notice of Award to SunAsia which would pave the way for the contract signing. The DOE has also released their opinion emphasizing that the Solar Energy Operating Contract (SEOC) awarded to SunAsia pertains to the utilization and development of RE projects in Laguna Lake and does not cover possessory rights. DOE further stated that in the awarding of the NOA, DOE participation is no longer necessary as the utilization and acquisition of possessory rights are two different matters.

**Through the Green Lane, LLDA processing of the NOA has been expedited. The Notice of Award was issued and received by the company on June 29, 2023.**

**Issue:**

THE Department of Environment and Natural Resources (DENR) has suspended the acceptance, processing and approval of environmental compliance certificate (ECC) for offshore wind energy and floating solar energy projects pending the approval of a new guideline for these renewable energy (RE) projects. Pending these guidelines, SunAsia Energy Inc. has forecasted possible delays in their planning, development and implementation timeline as they would need the guidelines to know the requirements for their projects.

**Action taken:**

OSAC-SI met with the Environmental Management Bureau to discuss the possibility of releasing interim guidelines for the projects in Laguna Lake as they have been designated as Strategic Investments for Green Lane. The discussions with EMB started on March 2023 and they have advised OSAC-SI that they have already received relevant studies from the Asia Development Bank which they would utilize for the crafting of the guidelines.

OSAC-SI made several follow-ups with both EMB and DENR to expedite the release of the guidelines. On August 4, 2023, the DENR has officially released the guidelines for acceptance, processing and approval of ECC for floating solar energy projects located in Laguna Lake under the Laguna Lake Development Authority through DENR DAO 2023-08.

## **2. NKS Solar One, Inc. – 2023-00002**

NKS will be constructing a Floating Solar Project in Caliraya Lake. Said project has been identified and designated as Strategic Investment under EO18

**Issue:**

Application for Certificate of Non-Coverage by the company from the National Commission for Indigenous People (NCIP) has been pending with the NCIP for six months

Application by the company with DENR for Cadastral Map and Lot Data Computation was filed with the agency last May 11, 2023.

Application for Certificate of Non-Objection from the LGU of Kalayaan, Laguna which has been pending for six months with no feedback on the status of the said certificate despite several follow-ups by the company.

**Action taken:**

BOI-IAS coordinated with the NCIP regional and national offices of NCIP informing the agency that the project has been designated as Strategic Investments and inquired about the issuance of the Certificate of Non-Coverage applied for by the company. **The Certificate of Non-Coverage has been issued the very next day.**

Upon coordination with DENR on the status of the application of the company for the cadastral map and Lot Data computation on May 24, 2023, the same was released by the agency on May 26, 2023.

BOI-IAS coordinated with the Mayor of Kalayaan LGU for the issuance of the certificate of non-objection for NKS project. This prompted the Mayor to instruct the Sanggunian Bayan to act on the said certificate request and BOI-IAS will be coordinating and monitoring the release of the said certificate.

### **3. Phil-Tower Consortium – 2023-00004**

Phil-Tower Consortium, Inc. (PTCI) will build a total of 7,907 build-to-suit telecommunications towers in the underserved/ unserved areas in the Philippines. The project involves construction and operation of Telecommunications infrastructure that will provide coverage and internet connectivity to different regions in the country. As an enabler of 4G and 5G coverage for smart cities, the project shall also provide innovative outdoor solutions through Ground base Towers, Camouflage Towers and Customized Monopole Towers), Rooftop Towers, and In Building Communication Systems (i.e., Rapid Deployment Solutions: Cells on Wheels and Portable BTS for Rapid Deployment). Phil-Tower has rolled out 200 telecommunication towers as of 2022 and is eyeing to construct 7,907 for this Project which they are currently applying for BOI Registration.

OSAC-SI assisted the company in the process of securing DICT endorsement for BOI registration and in coordinating with selected LGUs for the processing of business permit and other relevant permits awaiting the compliance of the proponent.

As part of our investment facilitation services, OSAC-SI also connected Phil-Tower Consortium Inc. to the Provincial Government of Ilocos Norte (PGIN) to explore investment opportunities and partnership between the two institutions. PGIN and PTCI have already initiated discussions on the setting up of smart poles to improve connectivity within the province. These smart poles may also be utilized by the LGUs for installation of street lights and CCTVs improving the safety and security within the area.

#### **4. Narra Technology Development Park Inc. – EDC Project Charlie – 2023-00006**

NTDPI will be responsible for establishing and operating Project Charlie which is a 300 MW (IT Load) hyperscale data center currently in development at New Clark City, Capas, Tarlac. Hyperscale data centers are massive business-critical facilities built by companies with vast data processing and storage needs.

The facilities are designed to efficiently support robust, scalable applications that are often associated with big data-producing companies such as Google, Amazon, Facebook and Microsoft. Unlike traditional data centers, hyperscale data centers exceed 5,000 servers and 10,000 square feet.

Project Charlie is a result of President Ferdinand R. Marcos Jr.'s productive roundtable discussion with American business leaders in New York in September 2022. According to Presidential Communications Office (PCO) Secretary Cheloy Garafil, the proponents of Project Charlie are committed to starting the project in the first quarter of 2024 and will work with a local Renewable Energy (RE) company for its electricity requirements to support its energy-intensive data center operations. As the present administration is pushing for digitalization, investments in digital infrastructures such as data centers, fiber optics and satellites are highly encouraged to enable the Philippines to catch up with our neighbors in the region.

OSAC-SI assisted the company in the process of securing DICT endorsement for BOI registration and in coordinating with selected LGUs for the processing of business permit and other relevant permits awaiting the compliance of the proponent.

#### **5. AC Energy Floating Solar Projects in Laguna Lake – 2023-00007 to 2023-00011**

SolarAce4 Floating Solar Power Plant Project occupies the 100 hectares of lake surface area of Santa Cruz, Laguna. The project will generate 140 MWp of clean, sustainable energy and is expected to start in Q1, 2026.

AC Laguna Floating Solar Power Plant Project occupies the 200 hectares of lake surface area of Victoria and Pila, Laguna. The project will generate a 280MWp of clean, sustainable energy and aims to operate commercially by Q2 of 2027.

AC SUBIC Floating Solar Power Plant Project occupies the 200 hectares of lake surface area of Victoria and Santa Cruz, Laguna. The project will generate 280 MWp of clean, sustainable energy and aims to operate by Q3 of 2027.

Gigawind1 Floating Solar Power Plant Project occupies the 200 hectares of lake surface area of Kalayaan and Paete, Laguna. The project will generate 280 MWp of clean, sustainable energy and is expected to start in Q3 2024.

Ingrid Floating Solar Power Plant Project occupies the 100 hectares of lake surface area of Lumban, Laguna. The project will generate 140 MWp of clean, sustainable energy and is expected to be completed in Q1, 2026.

## **Notable projects assisted outside Greenlane – Business as usual of IAS:**

### **EVOLUTION DATA CENTER PTE. LTD**

Evolution Data Centres Pte. Ltd. is a Singapore based company that will put up a PhP9.61 billion Data Center in Park in General Trias, Cavite. With a capacity 23.04MW.

#### **Issue:**

The company sought the assistance of BOI-IAS in requesting the LGU of General Trias, Cavite that it be allowed to start groundwork for the construction of the Data Center pending the release of the building permit being applied for with the LGU to be able to meet the construction schedule. this

#### **Action taken:**

BOI-IAS organized a meeting among BOI, Gen. Trias LGU and Evolution and discussed the with the Mayor of Gen. Trias that the company is willing to issue an undertaking for the issuance of the building permit in advance for the company to start the groundwork. Mayor Luis Ferrer IV agreed for the company to commence construction pending the issuance of the building permit.

### **COLLINS AEROSPACE**

Collins Aerospace is into manufacturing of aircraft parts for export.

#### **Issue:**

The Bureau of Customs at the Manila International Container Port Export Division is requiring Collins to secure a Certificate of Non-Coverage from the Civil Aviation Authority of the Philippines (CAAP) before exporting its products which was not required for their previous exports of the same parts. Collins sought the assistance of BOI-IAS in clarifying with BOC this matter.

#### **Action taken:**

BOI-IAS coordinated the concern with the responsible export unit at BOC which still insisted on the CAAP requirement despite not being in BOC's Citizen's Charter. With this, BOI-IAS referred the matter to ARTA where a show-cause order was issued to the BOC official. In the ensuing hearing held by ARTA, it was found out that there is no legal basis for BOC to require the CAAP document and that BOC shall henceforth will not require the same document from Collins and BOC will be issuing a clarificatory statement on no longer requiring the CAAP document for export activities.

### **TOYOTA MOTOR PHILIPPINES (TMP)**

TMP is into assembly of vehicles for export.

#### **Issue:**

TMP sought the assistance of BOI-IAS for the delay of the delivery assembled vehicles to car dealers nationwide as BOC has not issued still the Electronic Certificate of Payment since there was allegedly a glitch in the system.

#### **Action taken:**

BOI-IAS directly coordinated the concern to the BOC commissioner through ARTA whereby the BOC Commissioner immediately instructed the BOC division concerned to issue the said ECertificate of Payment and TMP was able to deliver the assembled units the next day.



## **STARLINK**

Starlink, a subsidiary of Elon Musk's Space X, will be providing internet services to unserved and underserved areas in the Philippines through its low orbit satellite system. It has applied for Mayor's permit at Makati City, the location of its office in the Philippines and permit to import from the BOC for its satellite dishes.

### **Issue:**

Starlink would like to launch its services on schedule. However, its application for Mayor's Permit is still pending with the Makati City hall as it has to still complete the documentary requirements for the said permit which in turn the Mayor's Permit is needed for the release of the BOC's import permit. The company sought the assistance of BOI-IAS in the facilitation of the release of the permits.

Starlink wanted a blanket authority from NTC for the importation of its satellite kits.

### **Action taken:**

BOI-IAS met with officials of the Makati City and proposed that Starlink will issue an undertaking that it will submit the lacking necessary documents within a certain period to which Makati City acceded to. Once the permit was issued, it was also proposed by BOI-IAS to which the BOC accepted that a similar undertaking will be issued by the company to BOC for the release of the import permit pending completion of the other documentary requirements. The permits were issued upon submission of the said affidavits.

BOI-IAS met with officials of NTC for the concern of Starlink for blanket authority for the importation of its satellite kits. It was agreed in the meeting that Starlink can do batch importation of its kits instead of individual importation of each kit to address Starlink's concern.

## **GLOVAX BIOTECH**

Glovax Biotech is a Filipino owned company that will be putting up a vaccine manufacturing in Batangas Province

### **Issue:**

The proposed site of the vaccine facility was acquired by the company from agrarian reform beneficiaries. As such, the company applied for Cancellation of Title with the Department of Agrarian Reform for the title to be transferred from the beneficiaries to the company. The company sought BOI-IAS' assistance the Cancellation order was still pending with DAR for almost two years despite having submitted the necessary documents.

### **Action taken:**

BOI-IAS met with officials of DAR Central office which was initially leaning on denying the application. After informing DAR on the necessity to have the Order release as the project is of national significance given the pandemic situation, the Order of Cancellation was finally released.

## **BPE COMPANY**

BPE company has proposed to put up a demo hydro-electric plant using the irrigation facility of the National Irrigation Administration dam is Bustos, Bulacan. The proposal was forwarded to the

NIA Central office. BPE sought BOI-IAS's assistance as the proposal has been pending with NIA for more than two years.

**Action taken:**

BOI-IAS met with NIA officials and that it was agreed that a MOA between BOI and NIA will be crafted to assist companies which will be going into hydro project using NIA's facility. It was also agreed upon that the legal framework for NIA to go into partnership with private entities for hydro-electric project will be fast-tracked. As an update, the framework has already been crafted and will be presented to the NIA board for approval. Once approved, BPE's proposal will be considered already.

**Additional Initiatives of OSAC-SI in relation to EO 18:**

**1. House Bill 8039**

OSAC-SI is in coordination with the Office of Representative Jose Manuel F. Alba of the First District of Bukidnon regarding institutionalizing EO 18 into law. Rep. Alba filed House Bill 8039 on 10 May 2023 seeking to codify Executive Order no. 18 into law.

In support of this initiative, Representative Ferjenel Biron of Iloilo 4<sup>th</sup> District has also pledged to support the Bill. Rep. Biron's office together with OSAC-SI are drafting recommendations/revisions to improve HB 8039.

**2. EO 18 Implementing Rules and Regulations**

OSAC-SI is currently drafting Implementing Rules and Regulations to serve as guidelines for the implementation of the provisions of EO 18. The draft IRR will be discussed with the EO 18 Technical Working Group this month of September.

**3. Joint Memorandum Circular with Investments Promotion Unit Network Members**

To further enhance coordination among IPUNet Members on the implementation of Green Lanes, OSAC-SI is proposing a signing of a Joint Memorandum Circular among the members to establish standards, requirements, protocols and coordination mechanisms among concerned government agencies to smoothly implement Green Lanes.



**HOUSE OF REPRESENTATIVES**

House Bill No. **8039**

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BY HON. JOSE MANUEL F. ALBA

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**EXPLANATORY NOTE**

This bill seeks to institutionalize Executive Order No. 18 also known as "An Order Constituting Green Lanes for Strategic Investments."

This Executive Order was issued to promote the Philippines as a top investment destination, and to encourage investors to engage in strategic investments by ensuring that the country's regulatory environment is conducive to business operations. This is consistent with the Eight-Point Socioeconomic Agenda of the Administration, which aims to implement ease of doing business reforms and adopt measures that will expedite transactions with the government.

The Executive Order also cites Republic Act (RA) No. 9485, as amended by RA No. 11032, or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018," which directs the State to maintain and promote transparency in transactions involving the public. To reduce red tape and expedite transactions with the government, the Act calls for the adoption of unified and simplified requirements and procedures.

Therefore, this bill seeks to codify Executive Order No. 18 into law and establish the Green Lanes for Strategic Investments. The purpose of the law is to provide a simplified and streamlined regulatory environment that encourages strategic investments in the country, thereby boosting economic growth and creating job opportunities. The law also aims to promote transparency in transactions with the government and reduce bureaucratic red tape. The creation of the Green Lanes for Strategic Investments will contribute to the realization of the government's goals of promoting ease of doing business and attracting more foreign investments to the Philippines.

The passage of this measure is earnestly sought.

**JOSE MANUEL F. ALBA**  
Representative, 1st District, Bukidnon



HOUSE OF REPRESENTATIVES  
**8039**

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BY HON. JOSE MANUEL F. ALBA

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**AN ACT ESTABLISHING GREEN LANES FOR STRATEGIC INVESTMENTS**

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

**SECTION 1. Short Title.** – This Act shall be known as the “Green Lanes for Strategic Investments Act.”

**SECTION 2. Declaration of Policy.** – It is the policy of the State to promote and facilitate investments in the country, particularly those that are aligned with the Philippine Development Plan or any similar national development plan and can be characterized by significant capital or investment to the country, consequential economic impact, positive impact on the environment, significant contribution to the country’s balance of payments, and improvement in the country’s infrastructure capabilities. To achieve this, it is necessary to establish a One-Stop Action Center for Strategic Investments to streamline and expedite the issuance of permits, licenses, certifications, or authorizations.

**Section 3. Coverage.** This Act covers all national government agencies (NGAs) and their regional and provincial offices, government-owned or -controlled corporations (GOCCs), and other government instrumentalities, as well as local government units (LGUs), involved in the issuance of permits, licenses, certifications or authorizations (collectively referred to herein as “permit/s and/or license/s”) covering Strategic Investments specified under Section 2 hereof.

**Section 4. Strategic Investments.** Strategic Investments are those which are aligned with the Philippine Development Plan or any similar national development plan; and can be characterized by the significant capital or investment to the country; consequential economic impact; positive impact on the environment; significant contribution to 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 purposes of this Act, Strategic Investments shall include, but shall not be limited to, the following:

**a. 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.”

**b. 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.

**c. 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.

**Section 5. Single Point of Entry.** Within six (6) months from the effectivity of this Act, the DTI-BOI shall establish a One-Stop-Action-Center for Strategic Investments (OSAC-SI), which shall serve as the single point of entry for all projects qualified as Strategic Investments.

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

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

The DTI-BOI will be supported by additional manpower, including the designation of Account Officers for Strategic Investments, as well as the equipment necessary to operationalize the OSAC-SI, in coordination with the Department of Budget and Management.

**Section 6. Green Lanes for Strategic Investments.** The concerned NGAs, including their regional and provincial offices when applicable, LGUs, and quasi-judicial bodies shall establish or designate, whichever is applicable, a Green Lane within their offices in charge of expediting and streamlining the processes and requirements for the issuance of permits and licenses of Strategic Investments endorsed by the OSAC-SI. The said Green Lane shall be integrated and shall not be duplicative of the existing one-stop shops or one-stop action centers established under existing laws such as, RA No. 11534, RA No. 11234 or the "Energy Virtual One-Stop Shop Act," and RA No. 11032.

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

**Section 7. Action on the Application.** NGAs and LGUs shall act on the applications for the issuance of a permit or license within the prescribed processing time provided in the concerned agency or LGU's Citizen's Charter (original period), which shall not be longer than three (3) working days in the case of simple transactions, seven (7) working days in the case of complex transactions, and

twenty (20) working days for highly technical transactions from the date the complete application was received. The said prescribed maximum processing period may be extended only once for the same number of days, provided the same is indicated in the Citizen's Charter (extension period), pursuant to Rule VII, Section 3(b) of the Implementing Rules and Regulations of RA No. 11032. In all cases, denial of such application shall be made in writing within the same period prescribed.

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. Imposition of additional requirements other than those listed in the Citizen's Charter and imposition of additional costs not reflected in the Citizen's Charter shall be punished in accordance with Sections 21 and 22 of RA No. 9485, as amended. However, with respect to applications for registration and tax incentives under RA No. 11534, the same shall not be deemed approved in case of failure of the NGA or LGU to act on said applications.

**Section 8. Issuance of Permits and Licenses.** After the lapse of the original or extension period under Section 7 of this Act, the NGA or LGU shall issue the requested permit or license, otherwise, the DTI-BOI shall endorse the case to the ARTA. Upon receipt of the endorsement, together with the presentation of the acknowledgment receipt and/or official receipt of the payment of the necessary license or permit fees, and other transaction costs, and upon due investigation and verification that the applicant has indeed fully submitted all necessary documents and paid all the required fees, the ARTA shall issue 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.

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

**Section 9. Simultaneous Processing of Applications.** NGAs and LGUs that receive applications for permits and licenses shall process the same with the presumption that the relevant documents from other agencies have already been issued consistent with Rule VII Section 3(c) of the Implementing Rules and Regulations of RA No. 9485, as amended. The applicant shall execute an affidavit of undertaking, using the template prescribed by the DTI-BOI, that it has secured the relevant documents from specific NGAs or LGUs and/or that it shall submit the complete documentary requirements within thirty (30) working days. For this purpose, the concerned NGAs and/or LGUs may coordinate with other relevant offices or agencies to check or verify the status of applications for related permits or licenses to avoid delay in their own evaluation of applications pending with them. The NGA or LGU concerned shall then issue the corresponding permits or licenses, with an annotation that it shall be subject to the completion of requirements covered by the undertaking.

**Section 10. Monitoring.** Each 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 Act.

**Section 11. Electronic Submission.** The concerned NGA or LGU shall enable the electronic submission of application for, and issuance of, license, clearance, permit, certification or authorization, including payment and issuance of receipts, whenever applicable.

All remaining cities and municipalities that have yet to comply with Section 11(c) of RA No. 9485, as amended, shall facilitate the computerization of their respective business permit and licensing

systems. To this end, the Department of Information and Communications Technology (DICT) shall make available to LGUs the software for the computerization of the business permit and licensing system. The DICT, DTI, and Department of the Interior and Local Government (DILG), shall provide technical assistance in the planning and implementation of a computerized or software-enabled business permitting and licensing system of LGUs.

**Section 12. Technical Working Group.** A Technical Working Group (TWG) is hereby created as an oversight body that shall ensure the implementation of this Act. The TWG shall be headed by the DTI-BOI with the representatives from the following agencies as members: (i) DTI; (ii) DILG; (iii) Department of Finance (DOF); (iv) National Economic and Development Authority (NEDA); and (v) ARTA.

The TWG shall act on complaints and take appropriate actions, consistent with their respective mandates, against third-party business consultants engaged by foreign and local investors who act in violation of RA No. 9485, as amended, or prejudice the interest of the project proponents and/or the government.

The DTI OSAC-SI Account Officers and the action officers of NGAs, LGUs, GOCCs and other government instrumentalities, shall directly coordinate with each other to ensure the successful implementation of this Act.

**Section 13. Agency Support.** All concerned NGAs, GOCCs and instrumentalities, and LGUs, are hereby directed to provide the necessary assistance and support for the successful implementation of this Act.

**Section 14. Reporting.** The DTI-BOI shall submit regular reports on the implementation of this Act to both Houses of Congress.

**Section 15. Funding.** The funds necessary to support the operation of the Green Lanes shall be sourced from the existing budget of the concerned agencies or offices. The funding requirements of succeeding years shall be included in their respective budgets, subject to the regular budget process.

**Section 16. Sanctions.** Failure to comply with the provisions of this Act shall be a ground for administrative or disciplinary sanctions against any erring public official or employee, as provided under existing laws and regulations, without prejudice to criminal, civil or other related liabilities under existing laws.

**Section 17. Separability.** If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

**Section 18. Repeal.** All orders, issuances, rules and regulations or parts thereof that are contrary to, or inconsistent with, the provisions of this Act are hereby repealed, modified or amended accordingly. This Act is consistent with, and shall not supplant the other streamlining initiatives of the government covered by previously issued executive orders.

**Section 19. Effectivity.** Notwithstanding the non-issuance of the IRR, this Act shall take effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general circulation.