



Republic of the Philippines

House of Representatives

Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 15



**Introduced by Representatives Ferdinand Martin G. Romualdez,
Andrew Julian K. Romualdez and Jude A. Acidre**

EXPLANATORY NOTE

The proposed policy initiative aims to apply the concept of green lanes in international trade in the processing and welcoming of strategic investments that not only infuse foreign capital to the economy but also facilitate the transfer of technology, creation of jobs, and promotion and growth of entrepreneurial activities of the country's small or medium domestic enterprises.

The proposal aims to supplement the guarantees of Republic Act No. 9485, as amended by Republic Act No. 11032, otherwise known as the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018," which were passed to send the message to prospective investors that the Philippine Government is serious in providing an environment that spurns notorious practices and procedures that unduly delay the processing of documents to start doing business in the country.

Indeed, the ease of doing business law was perceived as a game changer in that it supplements the advantages that the Philippines have over other competing economies. However, while we offer a large, English-speaking, and relatively low-cost workforce, free trade and economic zones, and favorable legal framework, we are still heavily weighed down by such issues as problematic

bureaucracy, both national and local, antiquated or insufficient support infrastructure, corruption, and transparency.

This bill seeks to institutionalize the processes and directives in Executive Order No. 18, dated February 23, 2023, also known as "An Order Constituting Green Lanes for Strategic Investments," which was issued to further 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.

Originally filed during the Nineteenth Congress by the Honorable Jose Manuel F. Alba, Representative of the First District of Bukidnon, this bill once enacted into law will provide the missing link between the law and certain loopholes in its implementation by ensuring that all actors and agencies that play a role in the processing of business application provide a simplified and streamlined regulatory environment, 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. It is envisioned that 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 foreign investments to the Philippines.

In view of the foregoing, the passage of this bill is earnestly being sought.



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AN ACT

FURTHER PROMOTING THE ENTRY AND GROWTH OF STRATEGIC INVESTMENTS IN THE COUNTRY, ESTABLISHING FOR THE PURPOSE THE GREEN LANES FOR STRATEGIC INVESTMENTS

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Green Lanes
2 for Strategic Investments Act."

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

1 **SEC. 3. *Coverage.*** - This Act covers all national government agencies
2 (NGAs) and their regional and provincial offices, government-owned or -
3 controlled corporations (GOCCs), and other government instrumentalities, as
4 well as local government units (LGUs), involved in the issuance of permits,
5 licenses, certifications or authorizations, collectively referred to herein as
6 "permit/s and/or license/s" covering Strategic Investments specified under
7 Section 4 hereof.

8

9 **SEC. 4. *Strategic Investments.*** - Strategic Investments are those which
10 are aligned with the Philippine Development Plan or any similar national
11 development plan; and can be characterized by the significant capital or
12 investment to the country; consequential economic impact; positive impact on the
13 environment; significant contribution to the country's balance of payments; with
14 complex technical processes and engineering designs; and will bring about
15 improvement in the country's infrastructure capabilities.

16

17 For purposes of this Act, Strategic Investments shall include the following:

18

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

28

29 b. **Foreign Direct Investments** - Foreign Direct Investments are those
30 resulting from the implementation of the Foreign Investment Promotion
31 and Marketing Plan, as endorsed by the Inter-Agency Investment
32 Promotion Coordination Committee.

33

34 c. **Projects or activities under the Strategic Investment Priority Plan
35 (SIPP)** - Local or foreign investments on activities considered projects
36 of national significance or highly desirable, and which falls under the
37 priority sectors or industries included in the SIPP formulated by the
38 Department of Trade and Industry-Board of Investments (DTI-BOI)
39 and approved by the President in accordance with Section 300 of RA

1 11534. These projects cover registrations under the DTI-BOI or other
2 Investment Promotion Agencies.

3

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

8

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

15

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

21

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

26

27 **SEC. 6. *Green Lanes for Strategic Investments.*** - The concerned NGAs,
28 including their regional and provincial offices when applicable, LGUs, and quasi-
29 judicial bodies shall establish or designate, whichever is applicable, a Green Lane
30 within their offices in charge of expediting and streamlining the processes and
31 requirements for the issuance of permits and licenses of Strategic Investments
32 endorsed by the OSAC-SI. The said Green Lane shall be integrated and shall not
33 be duplicative of the existing one-stop shops or one-stop action centers
34 established under existing laws such as, RA 11534, RA 11234 or the "Energy
35 Virtual One-Stop Shop Act," and RA11032.

36

37 For this purpose, the above agencies or offices shall designate an account
38 officer for the Green Lane, who is responsible for coordinating with the OSAC-
39 SI, relevant government offices or agencies in streamlining and simplifying
40 business permitting and licensing processes, and recommending modifications

1 or amendments to existing procedures that are outdated, redundant, and adds
2 undue regulatory burden and cost to the transacting public, in coordination
3 with the Anti-Red Tape Authority (ARTA).

4

5 **SEC. 7. Action on the Application.** - Concerned NGAs and LGUs shall act
6 on the applications for the issuance of a permit or license within the prescribed
7 processing time provided in the concerned agency or LGU's Citizen's Charter
8 (original period), which shall not be longer than three (3) working days in the
9 case of simple transactions, seven (7) working days in the case of complex
10 transactions, and twenty (20) working days for highly technical transactions from
11 the date the complete application was received. The said prescribed maximum
12 processing period may be extended only once for the same number of days,
13 provided the same is indicated in the Citizen's Charter (extension period),
14 pursuant to Rule VII, Section 3(b) of the Implementing Rules and Regulations of
15 RA 11032. In all cases, denial of such application shall be made in writing within
16 the same period prescribed.

17

18 Consistent with Section 10 of RA 9485, as amended, the complete
19 application for the issuance of a permit or license shall be deemed approved in
20 case of failure of the NGA or LGU to act, whether to approve or disapprove, on
21 said application. An application shall be considered "complete" when all the
22 documentary requirements indicated in the respective Citizen's Charters are
23 submitted and the required fees and charges are duly paid. Imposition of
24 additional requirements other than those listed in the Citizen's Charter and
25 imposition of additional costs not reflected in the Citizen's Charter shall be
26 punished in accordance with Sections 21 and 22 of RA 9485, as amended.
27 However, with respect to applications for registration and tax incentives under
28 RA 11534, the same shall not be deemed approved in case of failure of the NGA
29 or LGU to act on said applications.

30

31 **SEC. 8. Issuance of Permits and Licenses.** - After the lapse of the original
32 or extension period under Section 7 of this Act, the NGA or LGU shall issue the
33 requested permit or license, otherwise, the DTI-BOI shall endorse the case to the
34 ARTA. Upon receipt of the endorsement, together with the presentation of the
35 acknowledgment receipt and/or official receipt of the payment of the necessary
36 license or permit fees, and other transaction costs, and upon due investigation and
37 verification that the applicant has indeed fully submitted all necessary documents
38 and paid all the required fees, the ARTA shall issue a declaration of completeness
39 and order the concerned office or agency to issue the appurtenant approval,
40 extension, and/or renewal of the license, clearance, permit, certification, or

1 authorization which is deemed approved pursuant to Section 10 of RA 9485, as
2 amended.

3

4 The above mechanism shall likewise apply to issuance of a license or
5 permit by quasi-judicial bodies consistent with Rule VIII Section 1 (b) of the
6 Implementing Rules and Regulations of RA 9485, as amended.

7

8 **SEC. 9. Simultaneous Processing of Applications.** - The NGAs and LGUs
9 that receive applications for permits and licenses shall process the same with the
10 presumption that the relevant documents from other agencies have already been
11 issued consistent with Rule VII Section 3(c) of the Implementing Rules and
12 Regulations of RA 9485, as amended. The applicant shall execute an affidavit of
13 undertaking, using the template prescribed by the DTI-BOI, that it has secured
14 the relevant documents from specific NGAs or LGUs and/or that it shall submit
15 the complete documentary requirements within thirty (30) working days. For this
16 purpose, the concerned NGAs or LGUs may coordinate with other relevant
17 offices or agencies to check or verify the status of applications for related permits
18 or licenses to avoid delay in their own evaluation of applications pending with
19 them. The NGA or LGU concerned shall then issue the corresponding permits or
20 licenses, with an annotation that it shall be subject to the completion of
21 requirements covered by the undertaking.

22

23 **SEC. 10. Monitoring.** - Each concerned NGA, LGU, or quasi-judicial
24 body shall submit to the DTI-BOI monthly updates regarding the status of
25 applications received and acted upon involving Strategic Investments covered
26 under this Act.

27

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

32

33 All remaining cities and municipalities that have yet to comply with
34 Section 1 I(c) of RA 9485, as amended, shall facilitate the computerization of
35 their respective business permit and licensing systems. To this end, the
36 Department of Information and Communications Technology (DICT) shall make
37 available to LGUs the software for the computerization of the business permit
38 and licensing system. The DICT, DTI, and Department of the Interior and Local
39 Government (DILG), shall provide technical assistance in the planning and

1 implementation of a computerized or software-enabled business permitting and
2 licensing system of LGUs.

3

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

10

11 The TWG shall act on complaints and take appropriate actions, consistent
12 with their respective mandates, against third-party business consultants engaged
13 by foreign and local investors who act in violation of RA 9485, as amended, or
14 prejudice the interest of the project proponents and/or the government.

15

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

19

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

23

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

26

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

31

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

36

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

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

6

7 **SEC. 19. *Effectivity.*** - This Act shall take effect fifteen (15) days after
8 publication in the *Official Gazette* or in a newspaper of general circulation.

9

10 Approved,