



EXECUTIVE ORDER No. 49 - 2023
Series of 2023

**AN ORDER ADOPTING THE IMPLEMENTING RULES AND
REGULATIONS OF CITY ORDINANCE NO. 214-2022
OTHERWISE KNOWN AS THE 2022 LOCAL INVESTMENTS
AND INCENTIVES CODE OF THE CITY OF BACOR"**

WHEREAS, Section 16 of R.A.No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or **incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...XXX;**

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 214-2022 entitled, "An Ordinance Establishing The Local Investment And Incentives Code Of The City Of Bacoor, Cavite otherwise known as "The 2022 Local Investments and Incentives Code of the City of Bacoor.", with the intent to promote local economic development, economic growth and help local entrepreneurs recover from the negative economic impact of the COVID-19 pandemic in the city;

WHEREAS, the Office of the City Mayor, in coordination with the concerned departments/agencies, issued the above-mentioned Implementing Rules and Regulations that shall govern the City Ordinance No. 214-2022 or "An Ordinance Establishing The Local Investment And Incentives Code Of The City Of Bacoor, Cavite otherwise known as "The 2022 Local Investments and Incentives Code of the City of Bacoor.";

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Implementing Rules and Regulations of City Ordinance No. 214-2022 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 214-2022 which shall form part of this Executive Order. This shall be known as the **"Implementing Rules and Regulations of the 2022 Local Investments and Incentives Code of the City of Bacoor."**

All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

Strict compliance and observance of all city government officials and employees to this IRR is hereby ordered.





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Section 2. Repealing Clause.

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly.

Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

SO ORDERED.

Issued this 29th day of May 2023 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor

cc:
Sangguniang Panlungsod
Local Economic and Investment Promotions Office
Business Permit and Licensing Office (BPLO)
City Administrator
And all City Government offices/departments/units concerned



Office of the Mayor
Strike B. Revilla



SBR20230778

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THE IMPLEMENTING RULES AND REGULATIONS ESTABLISHING THE LOCAL INVESTMENTS AND INCENTIVES CODE OF THE CITY OF BACOR, CAVITE.

**RULE 1
GENERAL PROVISIONS**

SECTION 1. Title. This Implementing Rules and Regulations shall be known as the "Implementing Rules and Regulations of the 2022 Local Investments and Incentives Code of the City of Bacoor".

SECTION 2. Purpose. These Implementing Rules and Regulations are promulgated for the effective implementation and enforcement of City Ordinance "The 2022 Local Investments and Incentives Code of the City of Bacoor".

SECTION 3. Construction. The Implementing Rules and Regulations shall be liberally construed to carry out the proper implementation and application of the said Ordinance.

**RULE 2
DEFINITION OF TERMS**

SECTION 4. Definition of Terms- For purposes of this Implementing Rules and Regulations:

1. "Barangay Micro Business Enterprise"/"BMBE" shall be as defined under the Barangay Micro Business Enterprises (BMBEs) Act of 2002 (Republic Act No. 9178), i.e, any business entity or enterprise engaged in the production, processing or manufacturing of products or commodities including agro-processing, trading and services, whose total assets including those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated, shall not be more than Three Million Pesos (3,000,000.00).
2. "Board" shall mean the City Local Investment and Incentives Board created under this Code, the powers and composition of which shall be as provided under Section 8.
3. "Board of Investment"/"BOI" shall refer to the implementing agency for Books One to Five of the Omnibus Investments Code (EO No. 226 dated 27 February 1987) as created under the latter.
4. "Capitalization" refers to the total projects cost which includes land, building machineries, equipment, and working capital except where it pertains to a BMBE.
5. "City" shall mean the City of Bacoor covering all the areas within its territorial jurisdiction as provided by law and by Republic Act No. 10160 (the "Charter of the City of Bacoor").
6. "Code" shall refer to the 2022 Local Investments Incentives Code of the City of Bacoor.



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7. *"Date of Official Acceptance"* refers to the date the application for registration was received by the receiving personnel of the LEIPC and recorded in a logbook for the purpose.
8. *"Date of Registration"* refers to the date when Certificate of registration is issued by the Board, which information shall be recorded in a Registration Logbook to be maintained by the Board.
9. *"Diversification"* refers to the introduction and production of district line of products or service by an Existing Business, whether or not a Registered Enterprise;

Provided, That, to be considered distinct, it should require new investment in terms of machinery or equipment or would involve the use of new skills set not currently used in the existing product or services, Provided further, That a new service or product may constitute a diversification even if such service or product is already within the scope of its original or existing business purposes.

10. *"ECOZONE"* shall be as defined under the Special Economic Zone Act of 1995 (PEZA Law, Republic Act No. 7916), i.e., selected areas with highly developed or which have the potential to be developed into agro-industrial, industrial, tourist/ recreational, commercial, banking, investment and financial centers.
11. *"Existing Businesses"* are businesses engaged in activities included in the IPA List but are already engaged in operating in the [Province/City/Municipality] and are intending to expand and/or diversity to other business ventures falling within the IPAs as defines herein.
12. *"Expansion"* shall mean installation of additional facilities/equipment that will result in the increase in the production capacity of an Existing Business. It may include modernization and rehabilitation. No expansion for additional capacity shall be allowed unless applicant has attained, in general, 85% utilization of its existing capacity.
13. *"Incentives law"* shall refer to a law, such as the Omnibus Investments Code, granting incentives to specific businesses at both the national and local levels, by virtue of the nature of their business activity pursued or the location where such business is going to be pursed or undertaken, as administered by a designated government agency or office (Registering Agency), such as the BOI).
14. *"Investment Priorities Plan"/IPP* shall refer to the annual listing of specific activities that have been identified as priority investment areas and thus encourage by granting those engaging in the activities in the list the incentives under the Omnibus Investment Code, approved by the President of the Philippines subject to the recommendation of the BOI.
15. *"Investment Priority Areas"* Shall refer to the business activities which are entitled to incentives granted by the [Province/City/Municipality], which investment area or business activity is specifically included in the Mandatory Investment Priority Areas (MIPAs) or Local Investment Priority Areas (LIPAs), and summarized in an Investment Priority Areas List (IPA List) which shall be amended, as necessary, once every two (2) years.





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16. *"LEIPC"* refers to the Local Economic and Investments Promotion Center with the responsibilities and functions provided under Title IV of this Code.
17. *"Local Investment Priority Areas"/LIPAs* are investment areas/Business activities identified by the Board to be priority investment areas specifically in the City of Bacoor which are not yet among the Mandatory Investment Priority Areas and are encourage to be pursued within the City of Bacoor by granting to them incentives in accordance with the policy on the grant of incentives provided under Section 15 below.
18. *"Local Applicants"* refer to applicants for incentives under this Code which have no outstanding registration with a Registering Agency under an Incentive Law, provide that its' proposed business is under the IPA List.
19. *"Local Staff"* refer to a worker or personnel who is a bonafide resident of the City of Bacoor for at least six (6) months where proof of residency consists of the presentation of voter's ID/Registration and a Barangay Clearance from the barangay where he resides. Where the eligibility of an applicant to avail of incentives is anchored on its ability to generate employment, it should meet the minimum ratio of Local Staff to non-Local Staff, as the Board may prescribe.
20. *"Mandatory Investment Priority Areas"/MIPA* are investment areas/business activities identified by the National Government as priority areas of investment and thus encouraged through the extension of incentives not only at the national but also at the local level pursuant to applicable Incentive Law, such as those included in the annual Investment Priorities Plan.
21. *"Micro, Small, and Medium Enterprises"/MSME*, for purpose of this Code shall refer to business that meet the criteria below and which are to engage in a business activity included in the IPA List:

By Asset Size:

Micro Enterprise:	Up to Php 3,000,000.00
Small Enterprises:	Php 3,000,001-Php 15,000,000
Medium Enterprise:	Php15,000,001-Php 100,000,000

Provided, that, in case of Micro Enterprises, including BMBEs, land which is not officially contributed into the business as capital or purchased by the business shall not form part of the assets of the business for purposes of determining the assets size above.

Provide further, that, for purposes of securing incentives, in lieu of meeting the foregoing criteria, an enterprise may qualify as an MSME using the following criteria:

By Number of Employees;

By Asset Size:

Micro Enterprise:	1-9 employees
Small Enterprises:	10-50 employees





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Medium Enterprise: 51-199 employees

In the event that an enterprise falls under different classifications foregoing categories, the classification that will entitle it to more incentives shall be controlling.

The foregoing categories may be amended, from time to time, to render the definitions consistent with national laws and other issuances pertaining to MSMEs.

22. *"Modernization or Rehabilitation Projects"* refer to projects of Existing Business or Registered Enterprises, which projects are registrable and thus, eligible to incentives if any of following conditions are met:

- i. At least twenty percent (20%) reduction in production cost, which if sold in the Philippines should result in the reduction of the selling price of the product; or
- ii. Significant increase in productive efficiency including de-bottlenecking; or
- iii. Meaningful upgrading or product quality; or
- iv. Upgrade in the technology used in production to bring it at par with the technology used by leading manufacturers of the product manufactured by the Registered Enterprise.

The modernization or rehabilitation contemplated may or may not result in increase in the operating capacity/actual production output to be eligible for registration

23. *"New projects"* refer to projects or activities in the IPA List that have not started commercial operation, undertaken by (1) a newly organized/formed enterprise; or (2) an Existing Business that proposes to engage in an entirely distinct activity from its existing business as would qualify as a Diversification.

24. *"PEZA"* shall refer to the Philippine Economic Zone Authority, as created under the PEZA Law.

25. *"Project Study"* refers to a project profile which presents, among others, highlights of the projected financial viability and environmental and socio-economic impact of the proposed business.

26. *"Registered Enterprise"* refers to any individual, partnership, cooperative, or corporation, whether a domestic or foreign corporation licensed to do business in the Philippines that has been issued a Certificate of Registration by the Board pursuant to this Code.

27. *"Registering Agency"* refers to any other government agency/instrumentality is authorized to administer incentives under an incentives Law and register and regulate corporations that are enjoying incentives at the national level pursuant to an applicable Incentive Law, such as but not limited to the BOI and the PEZA.

RULE 3
OFFICERS AND THEIR FUNCTIONS





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SECTION 5. Creation of the LIIB. The Local Investment and Incentives Board (LIIB) is hereby created to implement the provisions of this Code and to provide policy and operational directions of the LEIPC.

Considering the importance of Investments and business in the LGU, it is necessary that they should be given proper attention. The creation of a Local Investment Incentives Board (LIIB) composed of high ranking LGU officials and senior representative from business association gives focus on the importance of business and investments in local governance. The LIIB may serve as the strategic arm that shall guide the expansion of business sector. As well will realize in the subsequent sections, the LIIB will set policy directions and identify key interventions in business attraction, retention and expansion in the community.

SECTION 6. Composition of the LIIB. The Board shall be composed of seven (7) members as follows:

Chairperson : City Mayor

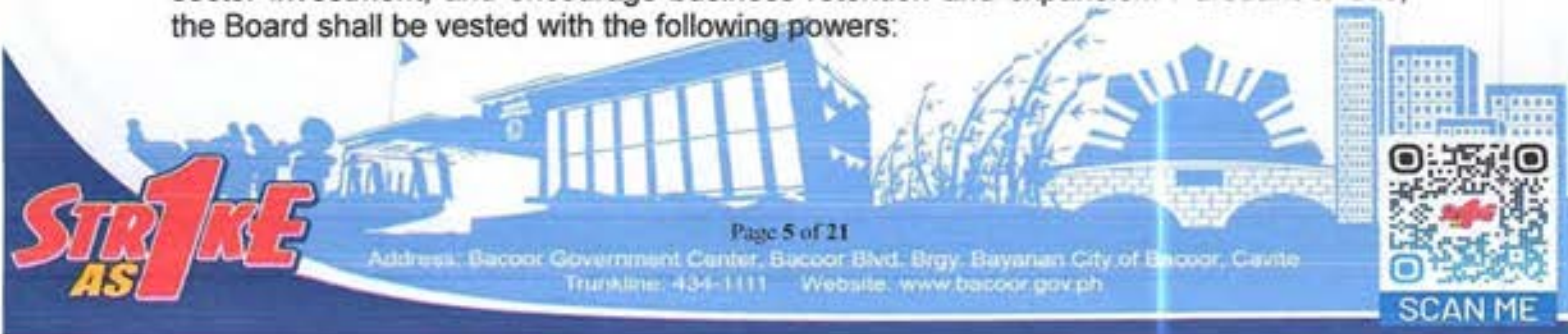
Vice Chairperson : President of the Bacoor Chamber of Commerce
Members:

1. Chairperson of the Committee on Trade, Commerce and Industry of the Sangguniang Panlungsod;
2. Sangguniang Panlungsod Chairperson of the Committee on Rules, Privileges, Laws and Ordinances;
3. Private Sector Representatives from the business/industry sectors in the City of Bacoor for a term of two (2) years and confirmed by the Sanggunian;
4. Head of the Business Permits and Licensing Office, the City Assessors Office, and the City Treasurer's Office; and
5. The appointed or designated Local Economic and Investment Promotion Officers (LEIPO) of the City of Bacoor .

The Board may likewise invite, from time to time, representatives from pertinent national government agencies (NGAs), including but not limited to Regional Officers of the BOI/Department of Trade and Industry (DTI), and other relevant stake holders for advice or consultation in their areas expertise.

SECTION 7. Meeting and Quorum of Board. - The Board shall meet at least once a month or as necessary, on such day and time as it may fix. The presence of at least a majority of all members of the Board shall constitute a quorum. All decisions and policies must be approved by at least a majority of the members present during the meeting.

SECTION 8. Powers and Functions of the Board. - The primary functions of the Board are to establish a favorable and stable policy for business, encourage and support private sector investment, and encourage business retention and expansion. Pursuant to this, the Board shall be vested with the following powers:





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1. Promulgate the rules and regulations to implement the intent and provisions of the Local Investment and Incentives Code;
2. Periodically review the Investment Priority Areas (IIPAs) eligible for incentives after considering the City of Bacoor, development needs, economic and technical conditions, available resources and prospects of an industry;
3. Adopt an investment promotion program;
4. Act on applications for registration of projects and availment of incentives;
5. Decide on issues and controversies concerning the implementation of this Code;
6. Recommend to the Sanggunian any amendments to the Code;
7. Supervise the operations of the LEIPC;
8. Establish cooperative undertaking with other local government units (LGUs), the private sector, non-governmental organizations (NGOs) or other institutions as may be necessary;
9. Establish trade and investments satellite offices in such other places as may be necessary to effectively carry out its mandate;
10. rev
11. Perform such other tasks necessary and incidental to the performance of its functions

SECTION 9. Duties of the LIIB Chairperson. - The Chairperson of the Board shall have the following powers and duties:

1. Preside over the regular and special meetings of the Board;
2. Sign the Certificate of Registration in accordance with the rules and regulations of the Code;
3. Submit a semi-annual report to the Sangguniang Panlungsod on the accomplishments of the LEIPC and the Board and its impact to the local investment environment; and
4. Exercise such other powers and perform such other duties as the Board may direct it to perform to carry out the objectives of this Code.

SECTION 10. Powers and Functions of the Vice Chair. - The vice chair of the Board shall have the following powers and duties:

1. To preside over the regular session and special meetings of the Board in the absence of the Chairperson; and



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2. To Perform such other duties and functions as may be delegated by the Chairperson or by the Board.

SECTION 11. Visitorial Powers of the Board. - The Board, or any duly authorized representatives thereof, shall be empowered to conduct ocular inspection of the premises or examination of the business activity of any enterprises, registered and applying for registration, at any reasonable time of the day, during office hours, for verification or ascertaining the enterprise's compliance with the provisions of the Code, or when the Board deems it necessary or incidental to the effective exercise and performance of their respective and functions.

SECTION 12. Creation of the Local Economic and Investment Promotions Center (LEIPC). - Working under policy guidance from the City Mayor and the LIIB, the Local Economic and Investment Promotions Center (LEIPC) is hereby created to be the lead office on investments promotions and in carrying out the objectives of the Code. The LEIPC shall initially be attached under the City Planning and Development Coordinating Office.

SECTION 13. Functions of the LEIPC. - The LEIPC shall function as a one-stop-shop for investors and shall serve as the technical secretariat of the Board. In addition, it shall have the following specific duties and responsibilities:

1. Development a medium-term and long-term investment promotions and retention plan to be approved by the Board in coordination with the Local Development Council (LDC) and consist with national investment policies. The Plan shall be broken down into annual investment programs to be integrated into the local priorities for implementation;
2. Facilitate the efficient and effective operations of LEIPC through:
 - a. Compilation and processing of information, studies, and reports relevant to the local economic environment and the identified investment priority areas.
 - b. Establishment and update of a data bank on general business information and a web based information system to disseminate key messages, procedures, and information necessary to attract and retain investments.
 - c. Preparation and updating of an operations manual specifying processes, activities, roles and responsibilities for the administration of investment promotion and retention. The operations manual shall include a client/citizens charter specifying accountability and maximum periods for the processing of documents for investments and code of conduct for LEIPC management and staff;
3. Assist: (1) business investors in securing licenses and permits; (2) identifying business or joint venture partners, raw material suppliers and possible business sites; (3) sourcing skilled manpower and service providers; and (4) facilitating the resolution of issues and concerns encountered by business and staff;
4. Undertake investment promotions activities based on value added in relation to cost;



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- a. Develop and disseminate investments promotion collaterals, (i.e. brochures, industry and project profiles, cost of doing business in the City of Bacoor);
 - b. Respond to information needs of investors;
 - c. Conduct of marketing and investment targeting strategies such as investment meetings, fairs, and missions;
 - d. Conduct briefing of potential investors whenever necessary;
 - e. Conduct follow through activities to convert potential investors to actual locators in the LGU; and
 - f. Perform such tasks as may be necessary in order to make the City of Bacoor a more attractive investment destination.
5. Receive , process and evaluate applications for registration and grant of local incentives for approval by the Board;
 6. Render after-care services to all investment/ business locators particularly the registered enterprises;
 7. Recommended to the Board any modifications/amendments to existing legislation and procedures on local investments for its appropriate action;
 8. Establish cooperative undertakings with other LGUs, private sector , NGOs, NGAs and other institution as may be necessary, useful, and incidental to the effective and efficient implementation of the LIIC;
 9. Monitor and supervise project implementation of registered enterprise;
 10. Represent the City of Bacoor in trade and investments meetings, conferences, conventions and other similar gathering as maybe directed by the Board; and
 11. Perform such other functions as may be necessary to implement the intent of the Code.

SECTION 14. Local Economic and Investment Promotions Officers (LEIPC). - The LEIPC shall be headed by a Local Economic and Investment Officer (LEIPO) who shall be appointed by the City Mayor in accordance with applicable civil service regulations. The LEIPO must at least be a holder of a degree in law, accountancy, business, economics and other relevant disciplines. Experience in marketing, business development, and management of business is desirable.

SECTION 15. Local Economic Development and Investment Promotions Officer (LEDIPO). - By virtue of the Department of Interior and Local Government (DILG) Memorandum Circular No. 2020-167, DILG Memorandum Circular No. 2010-113 was expanded to mandate cities and provinces to designate a Local Economic Development and Promotions Officer (LEDIPO) and establish the Local Economic Development and Investment Promotions Office/Unit (LEDIP Office/Unit). The role of LEDIPO is expanded





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to include not only to serve as the local investment promotions officer but also as the focal officer for local economic development. In compliance with DILG Memorandum Circular No. 2020-167, the LEIPO shall hereinafter be referred to as LEDIPO unless otherwise provided.

RULE 5
IMPLEMENTING GUIDELINES AND PROCEDURES TO BE OBSERVED

SECTION 16. Policies in the Identification of Investment Priority Areas (IPAs). - The Board through the LEIPC shall formulate the IPAs, consistent with the IPP, the CDP, and CLUP, Zoning Regulations and such other criteria that will ensure sustainable and equitable economic and social development. The identification of the IPAs of the City of Bacoor shall be guided by the following guidelines:

1. Investment activities that are aligned to the national development thrusts and the development vision of the City of Bacoor;
2. Significant potential contribution to the growth of a sizable number of existing businesses or to a vital industry in the City of Bacoor;
3. Capacity to generate employment, whether direct or indirect, particularly for those within the City of Bacoor;
4. Use of locally available materials and resources;
5. Ability to promote the dispersal of business/ commercial activities to less developed areas within the City of Bacoor;
6. Ability to improve environmental conditions within the City of Bacoor including biodiversity, or involves activities that promote sustainability of existing natural resources of the City;
7. Contribution to the infrastructure in the City of Bacoor through Public Private Partnership (PPP).
8. Agriculture and Eco-Tourism- The LGU may encourage organic agriculture, including the production of organic fertilizers of plant and animal origin, production of microbial fertilizers with nitrogen fixing organism and he like, which are considered biodiversity-friendly business in accordance with the three (3) E's of sustainable development: ecology, economy and equity.

SECTION 17. Categories of the IPA list. The Investment Priority Areas (IPAs) to be considered by the Board shall consist of the MIPA List which are the investments categories that are listed and granted incentives under the IPP and other laws granting incentives. The Board shall have the power to determine other criteria to qualify for the grant of the said incentives. The Board shall issue the List within sixty (60) days from the date of approval of this Code.

SECTION 18. Inclusion in the IPA list the basis for grant of incentives.- The investment activities listed in the Mandatory Investment Priority Areas (MIPA) and





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Local Investment Priority (LIPA) shall be the basis for the grant incentives. The Board shall determine the terms and conditions to qualify for the said incentives which shall be subject to approval by the Sangguniang Panlungsod.

SECTION 19. Periodic Review of the IPA list. The MIPA List shall be automatically amended upon the issuance of the revised Investment Priorities Plan (IPP) and/or the issuance of any other law granting incentives, fiscal or otherwise at the national level. Investment activities in the MIPA List shall be dropped in accordance with applicable provisions of the national law or the repeal of the law that granted local incentives to a particular business activity. No addition or deletion from the MIPA List shall be made in the absence of corresponding statutory or other basis issued by the national government. The entitlement to incentives of applicants for registration whose business activity belong to the MIPA List shall be mainly governed by the national law or other issuance pursuant to such law.

The board shall undertake review of the LIPA list at least once every two (2) years following the date of approval of this Code taking into consideration the socioeconomic development plan and public investment plans formulated by the City Development Council and preferred areas of investments as provided under pertinent national laws. The following factors may be considered for inclusion to the LIPA:

1. Number of local residents to be employed by the enterprise;
2. Use of local/indigenous raw materials;
3. High degree of value added features;
4. Creation of linkages with local industries such as joint ventures with local investors; and
5. Projects of historical or cultural value such as restoration of historical buildings, cultural revivals, among others, in accordance with the program for historical or cultural revival of the locality.

SECTION 20. Amendment of the LIPA List.- The Board may recommend the amendment/removal of an investment activity from the LIPA List (a) as soon as the sufficient investments in the area has been attained, (b) when continued extension of incentives is no longer to the best interest and benefit of the City of Bacoor, and/or (c) the investment area or activity cannot attract investors within a reasonable time, and the cost may result in unfavorable business climate.

SECTION 21. LIPA List for the Period 2022-2025- Subject to the confirmation of the Board and the Sangguniang Panlungsod, the LIPA List shall include the following:

Sector	Specific Projects/Activities
Agriculture, Agribusiness, And Fishery	1. This covers commercial production and commercial processing of agricultural, herbal and fishery products (including their by-products and wastes).



	<ol style="list-style-type: none">Commercial production of agricultural crops, poultry, livestock, and fishery product- Crop production should involve new plantation, and fish pens/fish cages areas to qualify for registration, intercropping of high value crops as identified by the Department of Agriculture (DA).Commercial processing of agricultural and fishery products, their by-products and wastes, to a form ready for further processing or final consumption.Extraction of higher value substances from agricultural and forest-based raw materials through bioprocessing as endorsed by the concerned government agencies.Production of animal and aqua feeds excluding those for game animals, fowls and other species for pet/leisure purposes.Processing of agricultural products should involve domestically produced raw or semi-processes agricultural products, unless the raw or semi processed raw materials are not locally produced (NLP) or not in sufficient quantity (NISQ). If using imported raw or semi-processed agricultural products that are locally produced (LP) or in sufficient quantity (ISQ), the project may qualify for registration, provided that the finished/final product is for export, or the project qualifies for pioneer status.
Support facilities such as irrigation post-harvest, cold storage, blast freezing, and the production of the fertilizers and pesticides	<p>2. Irrigation</p> <p>Irrigation system primary intended to render service to agricultural farms to include water sources, distribution lines and control mechanism. The system may also include prime mover, pump, generator and transformer. System capacity is expressed in terms of cubic meters of irrigation water per year.</p> <p>3. Harvesting Services</p> <p>This covers mechanized harvesting services, establishment and operation of ice plants, cold storage, freezing, bulk handling, packing house, storage facilities establishment of trading centers.</p>
Tourism	<ol style="list-style-type: none">Tourism transport services whether for land, sea and air. Land transport covers the operation of brand new, world class buses and or mini buses/coaster. The number of units of vehicles that shall be allowed shall be based on the number of tourist arrivals in the area or the ratio of hotel/ resort facilities/rooms. Tourist



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	<p>transport operators must have garage, hangar, or berthing/docking facilities.</p> <p>b. Accommodation facilities. Establishment and operation of establishments such as but not limited to hotels, resorts, apartment hotels, tourist inns, motels, pension houses, private homes for homestay, serviced apartments, and bed and breakfast facilities and similar structures, convention and exhibition facilities; amusement parks, adventures and eco-tourism facilities; sports facilities and recreation center; theme parks; health and wellness facilities such as but limited to spas, tertiary hospitals and ambulatory clinics, agri-tourism farms and facilities; tourism and training centers and institute.</p> <p>c. Development of retirement villages; and</p> <p>d. Restoration/preservation and operation of historical shrines, landmarks and structures.</p>
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SECTION 22. Registration Requirement. - For the purpose of effective management, all enterprises listed in the IPAs and wanting to avail of local incentives shall be registered. Prior to registration the following requirements shall be complied:

1. Those mandated under existing laws, rules and regulations for doing business in the Philippines;
2. The activity engaged in the enterprise must be listed in the IPAs of the City of Bacoor;
3. The place of operation or production must be located within the territorial jurisdiction of the City of Bacoor;
4. Specified percentage of its workforce must be bonafide residents of the City of Bacoor, giving equal opportunities for men, women, the poor, the indigenous people and physically handicap;
5. The activity engaged in must have safeguards against pollution and other environmental and health hazards; and
6. The enterprise must secure from the Office of the National Commission on Indigenous People a Free and Prior Informed Consent (FPIC) should the proposed site of investment be located within the ancestral domain claim.

SECTION 23. Types of Projects for Registration. - The following are the types of investment projects eligible for registration, provided they involve business activities included in the IPA List:

1. New Projects;





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2. Expansion projects;
3. Modernization Projects; and
4. Diversification Projects.

The projects shall likewise comply with the following additional requirements:

1. Capitalization of at least P100,000,000.00;
2. Employ at least 90% of non-technical personnel who are residents of the LGU;
3. Comply with existing labor laws; and
4. 30% of the product component are indigenous materials available in the LGU.

SECTION 24. Documentary Requirements. - The following documents shall submitted to the Board through the LEIPC for evaluation:

1. Single Proprietorship
 - a. Copy of Business Name Registration issued by the Department of Trade and Industry (DTI)
 - b. Copy of Audited Financial statements
 - c. Copy of completed application form for registration under the LIIC
 - d. Such other documents that may be required by the LGU
2. For Partnership/Corporation
 - a. Copy of the Articles of Partnership or Incorporation
 - b. Certified true copy of its Certificate of Registration issued by the Securities and Exchange Commission (SEC), for Corporation/Partnership
 - c. Certificate of Good Standing from SEC, if the business is already existing.
 - d. Resolution authorizing the filing of application by the applicant's Board of Directors
 - e. Copy of Audited Financial statement (if existing)
 - f. Environmental Compliance Certificate (ECC) or Non-Compliance Certificate (NCC), if applicable.



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- g. Copy of completed application form for registration under the LIIC
 - h. Such other documents, as may be required by the LGU
3. For enterprises registered under an existing incentives law
- a. Certified true copy of the BOI Certificate of Registration; and
 - b. Copy of Documents submitted to the appropriate registration Agency pertaining to their registration.

The Board shall have the power to either reduce or increase the number of documentary requirements to be submitted by prospective investors depending on the complexity of the intended business, its potential impact on the environment or the local economy, the threat it poses on public safety if any, and any other factor necessitating adjustments in the number of documents to be submitted.

SECTION 25. Registration Procedures. - The procedure for the processing registration under this Code is as follows:

1. Filing of Application- All application shall be filed with the Local Economic and investments Promotion Center (LEIPC) together with all documents required above. The form for the purpose shall be issued by the same Office.
2. Check Listing/Assessment of Documents- The LEIPC shall evaluate completeness and consistency of information and other documents. The applicant must be immediately advised for any error, inconsistencies and missing documents in the submission.
3. Date of Official Acceptance- Only complete application shall be officially accepted and registered in the Registration Book. The date stamped on the application shall be considered as the date of official acceptance of the application.
4. Notice of filing of application in the provincial, city, municipal, or barangay hall shall suffice as publication requirement.
5. The LEIPC shall issue a non-refundable filing fee in the amount of P500.00. An order of Payment of the necessary fees shall then be issued by the LEIPC which shall be paid to the Local Treasurer's Office. Micro Enterprises shall pay one half of the rate prescribe.
6. Evaluation/Approval of Application-One an application is officially accepted, the project will be evaluated by the LEIPC. Whenever necessary, the LEIPC may conduct an ocular inspection at the premises of the business. The inspection shall be conducted during the office hours at a time convenient for both the applicant and the LEIPC which should not be later than 10 working days after the official acceptance of the application. Once the evaluation of the application is approved, the LEIPC shall notify the applicant and inform the City Treasurer and the City





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Assessor in writing of such approval for their guidance and appropriate action. If the application is denied, the LEIPC shall inform the applicant in writing. In both cases, a Board Resolution shall be entered in the minutes of the meeting of the Board.

SECTION 25-A. Effect of Late Action on Application. Failure of the Board to approve or disapprove an applicant within twenty (20) calendar days shall be construed as an approval of the application.

SECTION 25-B. Certificate of Registration. Upon approval, an enterprise shall be issued a Certificate of Registration which shall state among others, the following:

- a. Name of the Registered Enterprise;
- b. The Investments Priority Area (IPA) in which the registered enterprise will engage;
- c. The incentives granted and period of its availment; and
- d. Such other terms and conditions to be observe by virtue of its registration.

The Certificate of Registration shall be issued within five working days from the date of approval of the board of the lapse of the processing period.

SECTION 25-C. Assistance to be Provided by the LEIPO to MSMEs: BOI-registered MSMEs may be provided assistance as follows:

- a. Preparation of simplified project application;
- b. Identification of MSMEs support companies;
- c. Exemption/reduced payment of application and registration fees;
- d. Exemption from the 25% equity requirement;
- e. 10% reduction of application fee for incentives;
- f. Posting of notice of filing of application in the provincial, city, municipal, or barangay hall in lieu of the publication in newspaper of general circulation; and
- g. Simplified documentary, reportorial requirements and applications for incentive.

SECTION 26. General Policies in the Administration of Local Incentives. – Unless specifically provided under an applicable Incentive Law or the LGC, the grant of incentives shall be governed by the following general policies:

1. Incentives shall be extended only to investments and investment activities specifically enumerated in the IPA lists that support and promote the development vision of the City of Bacoar, as expressed in its City Development Plan and Comprehensive





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Land Use Plan and those which are included in the investment thrusts of the local, regional and national government.

2. Incentives to be established shall be fair, clear, time-bounded and ensure the level playing field for investors in the locality.

3. The incentives shall not extend to regulatory fees levied under the police power of the City of Bacoor and on fees and charges imposed for services rendered by the City, such as garbage fees, as well as rental for use of public utilities owned and operated by the local government such as charges for actual consumption of water, electric power and toll fees for use of public roads and bridges and the like, and those levied for the use of government facilities and properties.

4. The grant shall apply to all businesses similarly situated subject to the pertinent provisions of this Code.

5. The exemption granted shall take effect for only one year unless extended by the Sangguniang Panlungsod by way of a Resolution approved by a majority of its members.

6. No double availment of incentives/benefits under different laws and/or programs shall be allowed by the city government. The beneficiary of the said incentives shall be required by the LEIPO to state in writing which of the incentives to which it qualifies shall be availed by it.

7. Amendments of IPAs resulting to changes in the incentives granted to registered enterprise shall take effect prospectively and shall not impair the incentives being enjoyed by registered enterprises pursuant to the Certificate of Registration.

8. The withdrawal of incentives for violation of the conditions for the grant of the same under the relevant Incentive Law or the pertinent Certificate of Registration shall automatically result in the withdrawal of local incentives granted pursuant to such Incentive Law or by virtue of the issuance of the Certificate of Registration by a Registering Agency.

SECTION 27. Local Incentives granted to investments under MIPA List. – Enterprises registered under the MIPA list shall enjoy incentives under the Incentive Law pursuant to its subsisting Certificate of Registration with a Registering Agency. They shall only enjoy the fiscal and non-fiscal incentives at the local level that are expressly granted under the Incentive Law under which it is registered and specifically included among the incentives in its Certificate of Registration with the Registering Agency.

Incentives granted shall take effect from:

(a) The date of registration until the lapse of the term of such incentive, unless another reckoning date is approved by the Board on justifiable grounds, but in no case beyond six (6) months from the date of registration; or

(b) Such other reckoning date as may be prescribed under an applicable Incentive Law; Provided that in the case of BOI-registered enterprises, their local incentives



shall be reckoned from the date of their registration with the BOI, as provided under Section 133(g) of the LGC.

In case of change of ownership of the enterprise, the local incentives which it is enjoying shall continue to be enjoyed by the enterprise provided that the terms and conditions of the registration of the project assumed by the new owners. Provided further: that if Registered Enterprise is enjoying local incentives pursuant to an Incentive Law, the Certificate of Registration issued by the Registering Agency remains valid despite the change ownership. Any change in the controlling shareholders of a Registered Enterprise shall be reported to the Board;

A Registered Enterprise which ceases to be registered with a Registering Agency or wishes to avail of local incentives other than those provided under the Incentive Law under which it is registered may apply for incentives under this Code, subject to the registration procedure applicable to local applicants.

SECTION 28. Regular Update of Certificate of Registration. – Those enjoying incentives by virtue of their registration with a Registering Agency and pursuit of a business activity in the MIPA list shall submit annually to the LEIPC an original copy of a certification from the Registering Agency that it continues to be registered with said Registering Agency and that it remains in good standing as such and thus fully entitled to all the incentives granted under its Certificate of Registration. Failure to submit such certificate to LEIPC on or before every anniversary date of the Registered Enterprise's registration with the Registering Agency shall authorize the Board to exercise its authority under this Code.

SECTION 29. Local Fiscal Incentives.– The following fiscal incentives may be given to enterprises consistent with the Local Revenue Code and Book II of the Local Government Code (RA 7160):

- a. Exemption from local business taxes pursuant to Section 133(g) of the LGC; and
- b. Exemption from payment of various local fees as may be recommended by the Board in favor of new investments made following the date of approval of this Code with a capital infusion into the local economy valued at no less than P10,000,000,000.00 and the hiring of at least 300 employees who are registered voters of the City of Bacoor.

SECTION 30. Non Fiscal incentives. – The Board through the LEIPC shall provide non-fiscal incentives to Registered Enterprises as follows:

1. One stop documentation for simplified registration procedure;
2. Assistance in resolving issues and concerns with NGA, NGOs and other service providers;
3. Support for industrial peace through reconciliation and mediation;
4. Assistance in securing electric power and water supply connection;





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5. Coordination in the negotiation of special rates for utilities for industries with a certain minimum load, if feasible;
6. Networking with concerned national government agencies such as Technical Education Skills and Development Authority (TESDA) and other similar institutions for trainings of workers to enhance skills of manpower of the enterprise;
7. Referral to existing technical and financial assistance programs available through government and non-government organizations;
8. Facilitation of outbound and inbound missions of investors;
9. Assist potential and existing investors in: (1) securing of business, construction, and other regulatory permits and licenses; (2) identifying business and joint venture partners raw materials suppliers; and (3) sourcing of skilled manpower and service providers;
10. Assistance in site selection and negotiation for right of way;
11. Identification of joint venture partner as deemed necessary;
12. Provide opportunities for micro and small enterprises to participate in trade fairs and exhibits, entrepreneur development and training, and inclusion in business matching; and
13. Such other aftercare services that may be afforded to investors.

SECTION 31. Continuing Eligibility for Registration. – A registered enterprise shall continue to satisfy whatever criteria rendered it eligible for registration under this Code. Accordingly, if a local applicant was qualified for registration under this Code on account of the amount of manpower, nature of technology, or local raw material that it represented will be used in its production, the Board, through the LEIPC, shall have authority to inspect the Registered Enterprise to verify that it is in fact using the technology or the local raw material that it represented will be used. If the Registered Enterprise ceases to meet the said registration criteria that rendered it eligible for registration under this Code, the Board shall have the authority to suspend all or some of the incentives of the registered business.

Each registered investment should continue to satisfy the requirements for their eligibility as this will be the basis for their incentives. The board through the LPEIC will conduct regular inspection to determine the compliance which may mean continuation, suspension, or revocation of their registration.

SECTION 32. Periodic and other Compliance Requirements. – Nothing under this Code exempts a Registered Enterprise from applicable requirements of the City of Bacoor on businesses, as generally applicable to all businesses or specifically applicable to the business activity or circumstances of the Registered Enterprise. Accordingly, Registered Businesses, except those specifically exempt under the applicable law, shall secure and





comply with all the requirements to secure a Business Permit and renew the same annually.

Except as expressly provided under this Code of the Incentive Law under which they are likewise registered, registered enterprises shall comply with all applicable laws as other enterprises engaged in the same business as they are engaged in, are required to comply with.

Other than as provided herein, Registered Enterprises shall not be required to comply with any other requirements that businesses not registered under this Code are not required to comply with.

SECTION 33. CSR Requirement. – BOI-registered enterprises with projects under pioneer status must undertake CSR activities which shall be monitored starting on the fourth year of operation of the business enterprise. Those on non-pioneer status are encouraged, in the course of their operations, to undertake CSR activities in accordance with the development plan of the community where the registered project is located.

Registered Local Applicants, on the other hand, are encouraged to pursue CSR projects as soon as they can afford to allocate resources for the purposes; however, it shall be mandatory for Registered Local Applicants to pursue CSR projects starting on their fourth year of operation if they enjoy local incentives for a term of more than three(3) years.

The CSR for registered local applicant may be evaluated by the LGU. They must consider the size of investment because it may be possible for medium size and large business but may not be financially acceptable to micro, small and medium size business. Besides, government should minimize impositions on business.

SECTION 34. Eligible CSR Projects. – CSR projects which a Registered Enterprise may undertake include but shall not be limited to the following:

1. Urban Renewal, Greening or Re-greening

- a. Rehabilitation and restoration of buildings or other structures in accordance with the urban renewal or restoration plan of the City of Bacoor;
- b. Reforestation, rehabilitation, and urban greening or landscaping of major road sides; areas with historical or tourism value; areas in biogeographic zones, especially key biodiversity areas; eroded slopes as technically appropriate based on assessment by competent authorities; public open spaces especially in residential and commercial areas including street islands, parks, promenades, parking area peripheries, and the like, provided that the enterprise takes care of the maintenance of the trees and plants. Otherwise, reimbursement of the incentive granted shall be due and demanded should the trees and plants die due to poor maintenance.

2. Social Projects

- a. Housing for employees;



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- b. Educational projects;
- c. Cultural revivals;
- d. Programs for women, children, elderly, disabled, out of school youth and indigenous people;
- e. Community infrastructure projects aligned with the development plan of the City of Bacoor; and
- f. Such other projects or activities based on the development needs of the community where the project is located or as identified by the National Anti-Poverty Commission (NAPC).

**RULE 6
FUNDING**

SECTION 35. Appropriations. – The expenditures to operationalize the Board and the LEIPC shall be provided through regular or supplemental budget. The City of Bacoor shall appropriate the funds necessary for the implementation of the provisions of this Code based on a budget that may be presented by the Board to include Personal Services, Maintenance and Other Operating Expenses (MOOE), Capital Outlay, and Contingency.

SECTION 36. Revenues from the Operation of the Code. – Income derived from the operation of this Code shall go to a special account captioned "Local Economic and Investments Promotion Fund", which shall be used solely for the operation and maintenance and other operating expenses of the Board, LEIPC, and other investments promotion expenses of the City of Bacoor.

SECTION 37. Immediate Release of Funds. – For purposes of expediting the operations of the LEIPC, its allocation for the Local Economic and Investment Promotion Fund shall be released immediately, subject to the usual government accounting and auditing rules and regulations.

**RULE 7
PENAL PROVISIONS**

SECTION 38. Penal Clause- Any violation of the provision of this Code shall be ground for the cancellation or revocation of the Certificate of Registration of the project or business. The cancellation or revocation of the Certificate of Registration shall mean the withdrawal of all incentives granted and all fees and charges previously exempted shall become due and demandable.

SECTION 39. Grounds For The Cancellation Of Certificate Of Registration:

- 1. Violation of the provision of this code and such other violations of the law, rules and regulation or ordinance;



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2. Violation of the terms and conditions specified in the Certificate of Registration;
and
3. Material misrepresentation.

SECTION 40. Appeal from the decision of the LIIB. Registered enterprises adversely affected by any decision of the Board relative to the cancellation / revocation of registration or the imposition of fines/penalties in accordance with this Code may file a motion for reconsideration within 15 days from the receipt of the decision, otherwise the decision shall become final and executory.

SECTION 41. Refund and Penalties. In this case of the cancellation of the Certificate of Registration, the LIIB shall be require the refund of incentives availed of and impose corresponding fines and penalties.

RULE 8 MISCELLANEOUS PROVISIONS

SECTION 42. Changes and Modifications to the Implementing Rules and Regulations (IRR). - To appropriately manage the orderly administration of the provisions of this IRR, the LEIPO, City Planning Development Coordination Officer, City Treasurer, City Budget Officer and City Legal Officer may at anytime with the approval of the Board change or modify the Implementing Rules and Regulations.

SECTION 43. Separability Clause. – if, for any reason, any portion or provision, section or part of this Implementing Rules and Regulations is declared void by a Court of competent jurisdiction or suspended or revoked by the Sanggunian, such judgment shall not affect or impair the remaining portions, provisions, sections, or parts hereof which shall remain or continue to be in full force and effect.

SECTION 44. Repealing Clause – All ordinances, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this Code are hereby considered repealed, amended or modified, accordingly.

SECTION 45. Date of Effectivity.- This Implementing Rules and Regulations shall take effect immediately.