



Republic of the Philippines
PROVINCE OF ISABELA
City of Ilagan
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Office of the Sangguniang Panlalawigan

EXCERPT FROM THE MINUTES OF THE 21st REGULAR SESSION OF THE 10th SANGGUNIAN
PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA
ON JANUARY 13, 2020.

PRESENT:

FAUSTINO G. DY III	Provincial Vice Governor & Presiding Officer
DELFINITO EMMANUEL L. ALBANO	Member (1 st District) & Floor Leader
EMMANUEL JOSELITO B. AÑES	Member (1 st District)
EDGAR R. CAPUCHINO	Member (2 nd District)
ED CHRISTIAN S. GO	Member (2 nd District)
RAMON JUAN N. REYES, JR.	Member (3 rd District)
RANDOLPH JOSEPH P. ARREOLA	Member (3 rd District)
CLIFFORD R. RASPADO	Member (4 th District)
ABEGAIL V. SABLE	Member (4 th District)
FAUSTINO U. DY IV	Member (5 th District)
EDWARD S. ISIDRO	Member (5 th District)
ALFREDO V. ALILI	Member (6 th District)
MARCO PAOLO A. MERIS	Member (6 th District)
ANTONIO S. HUI	Member, PCL Federation President
DANTE G. HALAMAN	Member, LnB Federation President
DAX PAOLO C. BINAG	Member, SK Federation President
ADRIAN PHILIP S. BAYSAC	Member, Agricultural /Industrial Workers Labor Sector Representative
VENUS T. BAUTISTA	Member, Women's Sectoral Representative
GRETCHEN F. VALDEZ	Member, Indigenous Cultural Communities Sector Representative

ORDINANCE NO. 2020-02-01 SERIES OF 2020

AN ORDINANCE AMENDING SECTIONS 5, 6, 7, 15, 16, AND 26; CREATING SECTIONS 7-A, 7-B, 10-A, 18-A and 20-A; AND INSERTING PARAGRAPHS E, F, G, AND H IN SECTION 2, AND PARAGRAPH E IN SECTION 13 OF ORDINANCE NO. 09, SERIES OF 2014 TITLED "AN ORDINANCE ENACTING THE INVESTMENT AND INCENTIVES CODE OF ISABELA"

Sponsor: HON. FAUSTINO U. DY IV
Member, Committee on Commerce, Trade & Industry

PREFATORY STATEMENT

WHEREAS, the Investment and Incentives Code of Isabela was approved in 2014 through Ordinance No. 09, series of 2014;

WHEREAS, this Honorable Body deemed it necessary to amend certain provisions thereof with the objective of making the Province more attractive to investors and more conducive to the growth of SMSEs considering that such are vital in the creation of employment and livelihood opportunities in the Province and in the distribution of wealth among the populace;

Nagkaisa para sa Isabela

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WHEREAS, this Honorable Body envisions that by automating existing procedures in the application of incentives granted by the Provincial Government of Isabela and by extending commitment to assist MSMEs for their growth, more investors will be encouraged to invest in the Province;

WHEREAS, this Ordinance seeks to simplify business and investment applications in the Province of Isabela, induce the creation of more small and medium-sized enterprises and to provide appropriate support to existing ones;

NOW, THEREFORE, premises considered, and by virtue of the powers vested by law, it is hereby resolved to enact –

AN ORDINANCE AMENDING SECTIONS 5, 6, 7, 15, 16, AND 26; CREATING SECTIONS 7-A, 7-B, 10-A, 18-A and 20-A; AND INSERTING PARAGRAPHS E, F, G, AND H IN SECTION 2, AND PARAGRAPH E IN SECTION 13 OF ORDINANCE NO. 09, SERIES OF 2014 TITLED "AN ORDINANCE ENACTING THE INVESTMENT AND INCENTIVES CODE OF ISABELA"

SECTION 1. Items e, f, g, h are hereby included in Article II, Section 2 of Ordinance No. 09, series of 2014 titled **"AN ORDINANCE ENACTING THE INVESTMENT AND INCENTIVES CODE OF ISABELA"** to read as follows:

- e. To promote the marketing of Isabela products in order to maximize production, attain self-sufficiency, and optimal productivity;
- f. To promote the Province of Isabela as a prime investment destination accessible to the international businesses and investors;
- g. To encourage investments in business activities that will provide livelihood and employment to improve the quality of life and assure that the benefits of development accrue to the people of Isabela;
- h. To promote the active participation of non-government organizations and the private sector as partners in achieving the positive and efficient development of the Province;
- i. To endeavor in making registration processes simpler, faster, more efficient, and more transparent.

SECTION 2. Section 5 of the same Ordinance is hereby amended to read as follows:

"SECTION 2. COMPOSITION. The IIBI shall be composed of the following:

CHAIRPERSON	– The Governor
VICE CHAIRPERSON	– The Vice Governor
ACTION OFFICER	– Provincial Administrator

MEMBERS:

- President of Provincial Chamber of Commerce and Industry
- Provincial Treasurer
- Provincial Agriculturist
- Provincial Tourism Officer
- Provincial Planning and Development Officer
- Provincial Cooperative and Development Officer
- Provincial Director, Department of Trade and Industry
- SP Chairperson, Committee on Trade and Industry
- SP Chairperson, Committee on Labor and Employment

- SP Chairperson, Committee on Health and Sanitation
- SP Chairperson, Committee on Finance and Appropriations
- SP Chairperson, Committee on Livelihood and Cooperatives
- SP Chairperson, Committee on Agriculture
- SP Chairperson, Committee on Tourism
- SP Chairperson, Committee on Natural Resources, Environmental Protection and Ecology
- DILG Representative
- NGO Representative

The Provincial Information Office shall be designated by the IIBI as Secretariat for the Board."

SECTION 3. Section 6 of the same Ordinance is hereby amended to read as follows:

"SECTION 6. MEETINGS AND QUORUM – Within 30 days upon approval of this code, the Governor, in his capacity as Chairman, shall convene the Board. The Board shall meet quarterly or as often as necessary, on such a day time as it may be fixed. The presence of at least majority of the members shall constitute a quorum. All decisions and policies acted upon by at least the majority of the members present during the meetings, with the presence of a quorum, shall be considered valid and binding.

Members on Official Business or outside the territorial jurisdiction of the Province on the date of the Board Meeting shall not be considered in the determination of a quorum."

SECTION 4. Section 7 of the same Ordinance is hereby amended to read as follows:

- a. To promulgate the Implementing Rules and Regulations (IRR) of the IICI to implement the intent and provisions of this Code;
- b. To formulate investment policies and programs and submit the same for adoption by the Sangguniang Panlalawigan;
- c. To formulate and adopt a comprehensive investment promotions program and to provide corresponding incentives and support measures to attract investors;
- d. To formulate and adopt a long-range investment promotions program and to provide corresponding incentives and support measures to attract investors;
- e. To recommend to the Sangguniang Panlalawigan the grant of fiscal and non-fiscal incentives to registered investments/businesses; (the Sangguniang Panlalawigan is endowed with the authority to grant fiscal and non-fiscal incentives);
- f. To periodically review Priority Investment Areas eligible for incentives under this Code;
- g. To review and approve technical researches needed on the priority investment areas to be promoted as well as the appropriate incentives and support measures to be extended to registered enterprises as may be recommended by PDC.

- h. To accredit investments and to evaluate and approve applications for availment of incentives, and to suspend or cancel the same for failure to maintain the requirements/qualifications and its good standing as required under the Code;
- i. To conduct technical researches on the priority investment areas and to initiate and undertake investment promotions for identified areas;
- j. To develop and maintain linkages and network locally and internationally;
- k. To supervise the operations and activities of the Investment Promotion Center of Isabela (IPCI) for the effective implementation of the provisions of this Code;
- l. To perform such other tasks necessary and incidental to the exercise and performance of their functions.
- m. To undertake active advocacy campaigns for infrastructure programs aimed at providing necessary and eco-friendly facilities.
- n. To promote Isabela as an investment and environment-friendly destination;
- o. To enter into a mutually beneficial agreement with any entity for the purpose of simplifying systems, procedures, and requirements on investments and business operation in the Province of Isabela.
- p. To create sub-committees on different areas of economic and investment promotion;
- q. To generate additional funding and resources to supplement the budgetary support provided by the Province for the implementation and operation of this Code;
- r. To propose measures and agreements with any entity and for the purpose of simplifying system, procedures, and requirements on investments and business operation in the Province
- s. To develop and maintain the status of the Province as a Business and Investment-friendly place.

SECTION 5. A new section, designated as Section 7-A, is hereby inserted to read as follows:

"SECTION 7-A. POWERS AND FUNCTIONS OF THE CHAIRPERSON – The Chairperson of the Board shall have the following powers and duties:

- a. To preside over the regular and special meetings of the Board;
- b. To render annual reports or special reports to the Province of Isabela;
- c. To sign the Certificate of Registration in accordance with the rules and regulations of this Code;
- d. To exercise such other powers and perform such other duties as may be necessary to carry out the objectives of this Code."

SECTION 6. A new section, designated as Section 7-B, is hereby inserted to read as follows:

"SECTION 7-B. POWERS AND FUNCTIONS OF THE VICE CHAIRPERSON – The Vice Chairperson of the Board shall have the following powers and duties:

- a. To preside over the regular and special meetings of the Board in the absence of the Chairperson; and
- b. To perform such other duties and functions as may be necessary for and in behalf of the latter.

SECTION 7. A new section, designated as Section 10-A, is hereby inserted to read as follows:

"SECTION 10-A. CRITERIA IN DETERMINING PREFERRED INVESTMENT AREAS – The preferred investment areas are determined based on the comparative and long-run growth, generation of high-level employment, environmental and economic soundness; and compliance to environmental laws, rules, and regulation."

SECTION 8. Paragraph e is hereby included in Section 13 of the same Ordinance which shall read as follows:

"d. xxx

- e. Foreign companies intending to apply for registration shall comply with the Foreign Investment Act of 1991, as amended by Republic Act. No. 8179, and must not be included in the foreign investment negative list."

SECTION 9. Section 15 of the same Ordinance is hereby amended to read as follows:

"SECTION 15. DOCUMENTARY REQUIREMENT/REQUIREMENTS– All applications for registration and availment of incentives under this Code shall pay a non-refundable filing fee worth **Five Thousand Pesos (Php5,000.00)** to the Provincial Treasurer's Office.

For this purpose, the Provincial Government of Isabela shall endeavor to establish a web-based system that enables the payment of registration and other transaction fees, as well as penalties, online and using debit and credit cards, digital wallets and other cashless payment options.

SECTION 10. Section 16 of the same Ordinance is hereby amended to read as follows:

"16. REGISTRATION PROCEDURES – The following are the procedures for Registration/Accreditation and availment of Incentives under this Ordinance.

- a. **Filing of application** – All applications shall be filed with the Office of the Provincial Governor personally or via other modes which does not require face-to-face transactions such as registered mail or electronic mail (email).

The Office of the Provincial Governor may establish an email address for the purpose of receiving, reviewing, and responding to applications submitted electronically.

- b. If filed personally, the application must be accompanied by a Receipt from the Provincial Treasurer's Office evidencing payment of Five Thousand Pesos (Php5,000.00) which serves as Filing Fee for the application of benefits under this Ordinance.

The Office of the Provincial Governor shall endeavor to establish an electronic payment procedure for those applications filed online or via registered mail.

- c. **Documentary Requirements.** The application shall be accompanied by the following documents, either in electronic or physical form.

For Single Proprietorship:

- i. Copy of duly accomplished application forms;
- ii. Copy of Business Name Registration issued by the Department of Trade and Industry;
- iii. Mayor's Permit and Clearance;
- iv. Copy of Audited Financial Statement (if existing);
- v. Copy of latest audited financial statement, in case of existing business, and business and financial plan for new enterprise applicants or a copy of the Project Feasibility Study;
- vi. Other documentary requirements as may be required by the Board.

For Partnerships/Corporation:

- i. Copy of duly accomplished application form;
- ii. Copy of the Articles of Partnership or Incorporation;
- iii. Certified true copy of its Certificate of Registration issued by the Securities and Exchange Commission;
- iv. Resolution of the applicant's Board of Directors regarding its application for benefits under this Code;
- v. Copy of Audited Financial Statements (if existing);
- vi. Copy of latest audited financial statement, in case of existing business, and business and financial plan for new enterprise applicants or a copy of the Project Feasibility Study;
- vii. Other documentary requirements as may be required by the Board.

For Cooperatives:

- i. Copies of duly accomplished application form;
- ii. Copies of Articles of Incorporation and By-Laws;
- iii. Certified True Copy of the Certificate of Registration issued by the Cooperative Development Authority;
- iv. Authority from the Board of Directors to file the application;
- v. Mayor's Permit and Barangay Clearances;

- vi. Copy of latest audited financial statement, in case of existing business, and business and financial plan for new enterprise applicants or a copy of the Project Feasibility Study;
- vii. Other documentary requirements as may be required by the Board.

For Prospective Investors:

- i. Letter of Intent to the Governor which shall include the following information:
 - Letter of Introduction and Intent;
 - Project Brief;
 - Articles of Incorporation;
 - Other documentary requirements as may be required by the Board.
- ii. Letter of Application to be submitted to the Board;
- iii. Feasibility study of the proposed investment project shall be submitted for review, reference, and approval to ensure that the proposed investment project is consistent with the PIA.
- iv. For projects to be conducted within protected areas under NIPAS Law, the following shall be required:
 - Clearance from NCIP;
 - Clearance from Protection Areas Management Board;
 - Environmental Impact Assessment;
 - Environmental Clearance Certificate."

For applications filed online or via registered mail, the Office of the Provincial Governor shall ensure the veracity and authenticity of all documents accompanying or filed in support of the application.

- d. **Check listing and Preliminary Assessment of Documents** – The Office of the Provincial Governor shall perform a preliminary assessment of the application and accompanying documents to ensure a more expeditious action on the application. Only complete applications shall be officially accepted and registered in the Registration Book maintained by the Office of the Provincial Governor;

b.1. The Office of the Provincial Governor shall assign a unique identification number to the application which shall be the identifying number for all subsequent transactions with the applicant;

b.2. For applications filed personally or via registered mail, the Office of the Provincial Governor shall stamp the receiving copy of the Applicant bearing the seal of the agency, the name of the Receiving Officer and Office of

designation, and the date and time of receipt of the application.

For applications filed via email, the Office of the Provincial Governor shall respond to the online application stating therein if the same is complete or not, the name of the Receiving Officer and Office of designation, and the date and time of receipt of the application.

- e. **Assistance in Securing Requirements** – the Office of the Provincial Governor shall provide the applicant with appropriate assistance in securing the requirements for registration that are lacking upon presentation, such as:

c.1. Guidance in registration with the Securities and Exchange Commission, Department of Trade and Industry, Cooperative Development Authority, or any other government entity concerned in the registration of businesses;

c.2. Coordination with Local Government Units thru their Local Economic and Investment and Promotions Officers or any officer duly appointed by the Local Chief Executive, for the purpose of obtaining Mayor's and Business Permits, Building Permits, and any other local permits and licenses that can be obtained from the local government unit.

- f. **Evaluation and Approval of the Application** – Once an application is officially accepted, registered, and after presentation by the applicant of the Official Receipt from the Provincial Treasurer's Office, the application and the project will be evaluated by the Office of the Provincial Governor which may conduct ocular inspection of the plant/premises of the proposed/business, if necessary. The recommendation issued thereafter shall be presented for appropriate action of the Board.

If the application is approved, the Office of the Provincial Governor shall notify the applicant and inform the Provincial Treasurer and Provincial Assessor of such approval for their guidance and appropriate action.

If the application is denied, the Office of the Provincial Governor shall inform the applicant in writing, stating the person making the denial and the grounds upon which such denial is based.

In both cases, a Board Resolution shall be entered in the minutes of the meeting of the Board.

- e. **Processing Time** – The period to process all applications shall not exceed twenty (20) working days. This may be extended only once for the same

number of days which shall be indicated in the Citizen's Charter of the Center.

Prior to the lapse of the processing time, the Office of the Provincial Governor shall notify the applicant in writing of the reason for the extension and the final date of determination of the adequacy of the application.

Failure to determine the adequacy of an application within the period of twenty (20) days from receipt thereof, or within the time of the extension duly informing the applicant, shall be construed as an automatic approval of the application.

- f. **Certificate of Registration** – Upon approval or lapse of the period for determination of adequacy of the application, an enterprise shall have the right to the issuance of a Certificate of Registration in its favor with the signature of the Governor as Chairman of the Board. It shall state inter alia: the 1. Name of the Registered Enterprise; 2. The Preferred Investment Area in which the registered enterprise is engaged in; 3. The specific incentives granted and period of availment; 4. Such other terms and conditions to be observed by virtue of its registration.

The Office of the Provincial Governor shall be responsible for the formulation of other rules and procedure relative to the screening, processing and approval of applications including devising standard forms for use by the applicants.

SECTION 11. A new section, designated as Section 18-A, is hereby inserted to read as follows:

"SECTION 18-A. ASSISTANCE TO MICRO, SMALL, AND MEDIUM SIZED ENTERPRISES.

- a. The PGI shall prioritize the promotion and advancement of MSMEs and shall consider the same in its priority agenda and its developmental plans, projects, programs, strategies, and activities;
- b. The PGI shall ensure the provision of assistance for MSME development by enhancing the capacity of MSMEs thru provision of skills training and funding;
- c. The PGI shall make available sustainable and affordable loan programs to MSMEs to encourage the establishment of new small businesses, and/or to stimulate the expansion of their trade or operations.

SECTION 12. Section 26 is hereby amended to read as follows:

"SECTION 26. IMPLEMENTING GUIDELINES – The Board shall prepare the Implementing Rules and Regulations of this Code within thirty (30) days from effectivity, for ratification and approval of this Body."

SECTION 13. REPEALING CLAUSE. All ordinances, orders, and other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.


SECTION 14. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval.


I hereby certify that the foregoing ordinance was duly enacted by the Sangguninang Panlalawigan of Isabela during its 21st Regular Session on January 13, 2020.

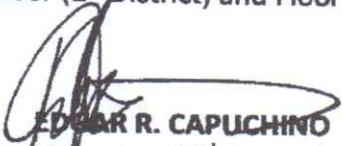
I HEREBY CERTIFY TO THE CORRECTNESS
of the foregoing Resolution:

ATTY. FRANCIS JAMES E. MEER
Secretary, Sangguniang Panlalawigan

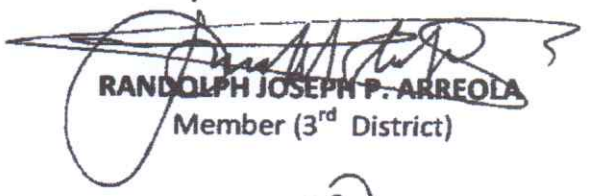
ATTESTED:



DELFINITO EMMANUEL L. ALBANO
Member (1st District) and Floor Leader



EMMANUEL JOSELITO B. ANES
Member (1st District)



EDUAR R. CAPUCHINO
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Member, Indigenous Cultural Communities
Sector Representative


FAUSTINO S. DY III

Provincial Vice Governor & Presiding Officer

APPROVED:


RODOLFO T. ALBANO III

Provincial Governor

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FROM THE ORIGINAL FILE


AUGUSTO C. TAGANAS

Administrative Officer V

Office of the Secretary to the SP

Date: 03/05/2025