



S E N A T E

S. No. 2133

(In substitution of Senate Bill No. 1747, taking into consideration House Bill No. 6524)

PREPARED AND SUBMITTED JOINTLY BY THE COMMITTEES ON ECONOMIC AFFAIRS; LOCAL GOVERNMENT; WAYS AND MEANS; AND FINANCE WITH SENATORS GORDON AND GATCHALIAN AS AUTHORS THEREOF

AN ACT FURTHER STRENGTHENING THE POWERS AND FUNCTIONS OF THE AUTHORITY OF THE FREEPORT AREA OF BATAAN (AFAB), AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9728, OTHERWISE KNOWN AS THE "FREEPORT AREA OF BATAAN (FAB) ACT OF 2009"

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

1 SECTION 1. Section 3 of Republic Act No. 9728 is
2 hereby amended to read as follows:

3 "SEC. 3. *Conversion of the Bataan*
4 *Economic Zone (BEZ) into the Freeport Area of*
5 *Bataan.* – The existing Bataan Economic Zone

1 located in the Municipality of Mariveles,
2 Province of Bataan is hereby converted into a
3 special economic zone and freeport, AND
4 ALONG WITH OTHER TERRITORIES
5 INDICATED IN THIS ACT, [to] SHALL be
6 known as the Freeport Area of Bataan (FAB).

7 "The FAB shall cover the (A) LAND
8 TERRITORIES IN THE Municipality of
9 Mariveles, Province of Bataan FORMERLY
10 PART OF THE BEZ COMPRISING AN AREA
11 OF APPROXIMATELY ONE THOUSAND
12 SEVEN HUNDRED FORTY TWO AND 48/100
13 (1,742.48) HECTARES (THE "FAB MAIN
14 ZONE"), AND (B) ALL OTHER EXPANSION
15 AREAS WITHIN THE PROVINCE OF
16 BATAAN WHICH MAY BE DECLARED AS
17 PART OF FAB IN COMPLIANCE WITH
18 SECTION 4(G) OF THE ACT, INCLUDING
19 ALL MUNICIPAL WATERS WITHIN THE
20 FAB MAIN ZONE AND OF THE EXPANSION

1 AREAS LOCATED AT THE COASTLINE OF
2 THE PROVINCE OF BATAAN (THE "OTHER
3 FAB ZONES").

4 "THE METES AND BOUNDS OF THE
5 FAB MAIN ZONE, AND THE OTHER FAB
6 ZONES SHALL BE DETERMINED BASED
7 ON THE TECHNICAL DESCRIPTION AND
8 COORDINATES VERIFIED AND APPROVED
9 BY THE LAND MANAGEMENT BUREAU,
10 THE NATIONAL MAPPING AND
11 RESOURCE INFORMATION AUTHORITY,
12 AND OTHER GOVERNMENT AGENCIES AS
13 MAY BE PROVIDED BY PERTINENT LAW.

14 "PROSPECTIVE DEVELOPERS AND
15 LOCATORS MAY CHOOSE TO REGISTER
16 WITH AFAB, PEZA OR SUCH OTHER
17 INVESTMENT PROMOTION AGENCY:
18 *PROVIDED*, THAT IN NO CASE SHALL A
19 REGISTERED ENTERPRISE ENJOY
20 INCENTIVES FROM TWO (2) OR MORE

1 INVESTMENT PROMOTION AGENCIES:
2 PROVIDED, FURTHER, THAT IN NO CASE
3 SHALL AN AFAB-REGISTERED ENTERPRISE
4 BE LOCATED WITHIN AN ECOZONE
5 ADMINISTERED OR MANAGED BY
6 ANOTHER INVESTMENT PROMOTION
7 AGENCY.”

8 SEC. 2. Section 4 of Republic Act No. 9728 is hereby
9 amended to read as follows:

10 “SEC. 4. *Governing Principles.* – The FAB
11 shall be managed and operated under the
12 following principles:

13 “(a) Within the framework and limitations
14 of the Constitution and applicable provisions of
15 the Local Government Code, the FAB shall be
16 developed into and operated as a decentralized
17 self-reliant and self-sustaining industrial,
18 commercial-trading, RESEARCH AND
19 DEVELOPMENT, ENGINEERING, MEDICAL,
20 EDUCATION, INFORMATION AND

1 COMMUNICATIONS TECHNOLOGY INCLUDING
2 EMERGING AND FUTURE TECHNOLOGIES
3 SUCH AS ARTIFICIAL TECHNOLOGY,
4 BLOCKCHAIN, BUSINESS PROCESS
5 OUTSOURCING, CLOUD COMPUTING,
6 CYBERSECURITY, DISTRIBUTED LEDGER
7 TECHNOLOGY, FINANCIAL TECHNOLOGY
8 SOLUTIONS, INTERNET OF THINGS, AND
9 VIRTUAL REALITY, RETIREMENT, AND
10 HEALTHCARE SERVICES, agro-industrial,
11 [tourist] TOURISM, banking, financial and
12 investment center with PROVISION FOR
13 suitable residential areas;

14 “(b) NOTWITHSTANDING THE
15 AUTONOMY PROVIDED IN SECTION 4 (a)
16 OF THIS ACT, [T]he FAB shall continue to be
17 provided BY THE NATIONAL GOVERNMENT
18 AND/OR LOCAL GOVERNMENT with
19 transportation, telecommunications and other
20 facilities needed to attract legitimate and

1 productive investments, generate linkage
2 WITH industries and employment
3 opportunities for the people of the Province of
4 Bataan and its neighboring towns and cities.
5 THE FAB SHALL ALSO HAVE PRIORITY
6 AND PREFERENTIAL ACCESS TO SUCH
7 NATIONAL GOVERNMENT AND/OR LOCAL
8 GOVERNMENT TRANSPORTATION AND
9 TELECOMMUNICATIONS INFRASTRUCTURE
10 AND OTHER FACILITIES, AND ACCESS TO
11 FAB SHALL BE INCORPORATED IN THE
12 PLANNING, CONSTRUCTION, AND OPERATION
13 OF SUCH INFRASTRUCTURE OR
14 EXPANSIONS: *PROVIDED*, THAT THE
15 AUTONOMY AND SELF-RELIANCE OF THE
16 AFAB SHALL NOT BE A HINDRANCE TO
17 ASSISTANCE AND/OR PARTNERSHIPS
18 WITH OTHER UNITS AND
19 INSTRUMENTALITIES OF THE
20 GOVERNMENT: *PROVIDED, FURTHER*,

1 THAT NO ASSISTANCE OR PARTNERSHIP
2 BE CONSTRUED AS A WAIVER OF THE
3 AUTONOMY OF THE AFAB;

4 “(c) The FAB may establish mutually
5 beneficial economic relations with other
6 entities or enterprises within the country or
7 with foreign entities or enterprises;

8 “(d) Foreign citizens and companies
9 owned by non-Filipinos in whatever proportion
10 may set up enterprises in the FAB, either by
11 themselves or in joint venture with Filipinos in
12 any sector of industry, international trade, and
13 commerce within the TERRITORIAL
14 JURISDICTION OF FAB AS PROVIDED IN
15 SECTION 3 OF THIS ACT: *PROVIDED,*
16 THAT THE AFAB MAY REQUIRE A
17 MINIMUM INVESTMENT IN FREELY
18 CONVERTIBLE CURRENCIES FROM ANY
19 ENTERPRISE SEEKING REGISTRATION AS
20 A FAB ENTERPRISE;

1 “(e) The FAB shall be managed and
2 operated as a separate customs territory
3 ensuring free flow or movement of goods and
4 capital within, into and out of its territory:

5 *PROVIDED*, THAT IN ACCORDANCE WITH
6 SECTIONS 301 AND 817 OF REPUBLIC ACT
7 NO. 10863, THE BUREAU OF CUSTOMS
8 (BOC) SHALL CONTINUE TO EXERCISE
9 BORDER PROTECTION AND CUSTOMS
10 CONTROL AUTHORITY OVER THE
11 CUSTOMS TERRITORY ADJACENT TO FAB:

12 *PROVIDED, FURTHER*, THAT AFAB SHALL
13 ALLOW PATROL OR OTHER LAW
14 ENFORCEMENT ARRANGEMENTS BY BOC
15 AND OTHER GOVERNMENT AGENCIES
16 WITHIN THE MUNICIPAL WATERS
17 COVERED BY THE OTHER FAB ZONES
18 SUBJECT TO COORDINATION WITH AFAB
19 TO ENHANCE ITS PROTECTION AND
20 CONTROL CAPACITY AND ENSURE

1 COMPLIANCE WITH CUSTOMS, FISHERIES
2 AND OTHER LAWS AND REGULATIONS;

3 “(f) AFAB-REGISTERED ENTERPRISES
4 DOING BUSINESS WITHIN [T]he FAB shall
5 [provide] ENJOY incentives such as tax and
6 duty-free [importations] ADMISSIONS of raw
7 materials, capital and equipment [to] INTO
8 THE FREEPORT: [registered enterprises
9 located therein.] [However] *PROVIDED*, THAT
10 exportation or removal of goods from the
11 territory of the FAB to the other parts of the
12 Philippine territory shall be subject to customs
13 duties and taxes under the Tariff and Customs
14 Code of the Philippines, as amended, and the
15 National Internal Revenue Code (NIRC) of
16 1997, as amended: *PROVIDED, FURTHER*,
17 THAT SUBJECT TO COORDINATION WITH
18 THE BOC, CUSTOMS TRANSIT TO FAB
19 SHALL ALSO BE CONSIDERED TAX AND
20 DUTY-FREE;

1 “(g) The areas comprising the FAB may
2 be expanded or reduced when necessary. For
3 this purpose, the AFAB [FAB Authority which
4 will be created under this Act], with the
5 concurrence of the APPROPRIATE AND
6 AFFECTED local government units (LGUs)
7 AND/OR THE AGREEMENT OF
8 APPROPRIATE NATIONAL GOVERNMENT
9 AGENCIES, AND THE APPROVAL OF THE
10 AFAB BOARD in accordance AND IN
11 COMPLIANCE with existing laws and local
12 ordinances shall have the power to acquire,
13 PROCURE, AND/OR INCREASE, EXPAND
14 either by purchase, negotiation [or]
15 condemnation proceedings, OR ANY OTHER
16 ARRANGEMENT, any private OR
17 ALIENABLE AND DISPOSABLE PUBLIC
18 lands AND/OR THEIR RESPECTIVE WATER
19 TERRITORIES WITHIN THE TERRITORIAL
20 JURISDICTION OF THE PROVINCE OF

1 BATAAN, IF ANY, [within or adjacent to the
2 FAB] for the following purposes: (1)
3 consolidation of lands for FAB development
4 AND ESTABLISHMENT OF NEW
5 INDUSTRIAL ESTATES AND ECONOMIC
6 ZONES UNDER FAB; (2) acquisition of right of
7 way to the FAB; and (3) the protection, AND
8 SAFEGUARD of watershed areas and the
9 maintenance and improvement of its water
10 yield and natural assets valuable to the
11 prosperity of the FAB AND THE LGU, the
12 EFFECTIVE management of solid and water
13 waste IN COMPLIANCE WITH EXISTING
14 NATIONAL LAWS AND LOCAL
15 ORDINANCES, and its impact to adjacent
16 areas within the local government concerned:
17 *PROVIDED*, THAT [T]the AFAB and the
18 RELEVANT LGUs AND NATIONAL
19 GOVERNMENT AGENCIES [FAB] shall
20 provide for [a] IMMEDIATE AND

1 RESPONSIVE mechanismS, BEST
2 MANAGEMENT PRACTICES AND
3 SUITABLE ENVIRONMENTAL PROTECTION
4 PROGRAMS FOR LAND AND COASTAL
5 MANAGEMENT to address ANY ABUSE
6 AND/OR [inappropriate] exploitation of the
7 natural environment [and disruptive land use]
8 within the TERRITORIAL jurisdiction of the
9 FAB AS PROVIDED IN SECTION 3 OF THIS
10 ACT;

11 “(h) Goods manufactured by [the] FAB
12 enterprises shall be made available for
13 immediate retail sale in the domestic market,
14 subject to the payment of corresponding taxes
15 on raw materials and other regulations that
16 may be formulated by the [FAB Authority]
17 AFAB, together with the Philippine Economic
18 Zone Authority (PEZA), the Bangko Sentral ng
19 Pilipinas (BSP), the Department of Finance
20 (DOF), the Bureau of Customs (BOC) and the

1 Department of Trade and Industry (DTI) in
2 accordance with the NIRC of 1997, as
3 amended, and the Tariff and Customs Code of
4 the Philippines, as amended: *PROVIDED*,
5 THAT THE VALUE OF THE GOODS AT THE
6 TIME OF THE IMPORTATION SHOULD BE
7 THE BASIS IN DETERMINING THE
8 APPROPRIATE DUTIES AND TAXES:
9 *PROVIDED, FURTHER*, THAT IN
10 COOPERATION WITH THE AFAB, THE
11 FOREGOING AGENCIES SHALL PROVIDE
12 AND IMPLEMENT MEASURES TO
13 SUPPORT THE IMPROVEMENT OF EASE
14 AND COST OF DOING BUSINESS WITHIN
15 FAB AND THE ENHANCEMENT OF THE
16 INVESTMENT PROMOTION CAPACITY OF
17 THE AFAB. [However] In order to protect the
18 domestic industries, a negative list of
19 industries shall be drawn up and regularly
20 updated by the [PEZA] AFAB. Enterprises

1 engaged in industries included in such negative
2 list shall not be allowed to sell their products
3 locally NOTWITHSTANDING THE
4 REGISTRATION OF SUCH ENTERPRISES
5 IN THE FAB; and

6 “(i) The defense of the FAB and the
7 security of its perimeter fence shall be the
8 responsibility of the National Government in
9 coordination with the [FAB Authority] AFAB
10 and the LGUs. THE AFAB SHALL PROVIDE
11 ITS OWN INTERNAL SECURITY AND
12 FIREFIGHTING FORCES.”

13 SEC. 3. Section 5 of Republic Act No. 9728 is hereby
14 amended to read as follows:

15 “SEC. 5. *Fiscal Incentives.* – The
16 registered enterprises operating within the
17 FAB may be entitled to the existing pertinent
18 fiscal incentives as provided for under Republic
19 Act No. 7916, as amended by Republic Act
20 No. 8748, also known as the “Special Economic

1 Zone Act of 1995”, or those provided under
2 Executive Order No. 226, as amended,
3 otherwise known as the Omnibus Investment
4 Code of 1987[;].”

5 SEC. 4. Section 6 of Republic Act No. 9728 is hereby
6 amended to read as follows:

7 “SEC. 6. *Imposition of a Tax Rate of Five*
8 *Percent (5%) on Gross Income Earned.* – [n]No
9 taxes, local and national, shall be imposed on
10 REGISTERED business establishments
11 operating within the FAB. In lieu thereof, AND
12 SUBJECT TO SECTION 10 OF THIS ACT,
13 said business establishments shall pay a five
14 percent (5%) final tax on their gross income
15 earned in the following percentages:

16 “(a) *One per centum* (1%) to the National
17 Government;

18 “(b) *One per centum* (1%) to the Province
19 of Bataan;

1 “(c) One *per centum* (1%) to the
2 [Treasurer’s office of the] HOST
3 CITY/MUNICIPALITY [Municipality of
4 Mariveles]; and,

5 “(d) Two *per centum* (2%) to the Authority
6 of the Freeport Area of Bataan.”

7 SEC. 5. Section 7 of Republic Act No. 9728 is hereby
8 amended to read as follows:

9 “SEC. 7. *Incentive to Investors.* – Any
10 foreign national who invests an amount of [One
11 hundred fifty thousand (US\$150,000.00)]
12 SEVENTY-FIVE THOUSAND US dollars
13 (US\$75,000.00), either in cash and/or
14 equipment, in a registered enterprise shall be
15 entitled to an investor's visa: *Provided*, That he
16 has the following qualifications:

17 “(a) He is at least eighteen (18) years of
18 age;

19 “(b) He has not been convicted of a crime
20 involving moral turpitude;

1 “(c) He is not afflicted with any
2 loathsome, dangerous or contagious disease;
3 and

4 “(d) He has not been institutionalized for
5 any mental disorder or disability.

6 “As a holder of investor's visa, an alien
7 shall be entitled to reside in the Philippines
8 while his investment subsists. For this
9 purpose, he should submit an annual report, in
10 the form duly prescribed for the purpose, to
11 prove that he has maintained his investment in
12 the country, should said alien withdraw his
13 investments from the Philippines, then the
14 investor's visa issued to him shall
15 automatically expire.”

16 SEC. 6. Section 10 of Republic Act No. 9728 is hereby
17 amended to read as follows:

18 “SEC. 10. *Duration of Incentives.* –
19 Enterprises registered with AFAB may enjoy
20 the [income tax holiday] ITH or the [net

1 operating loss carryover] NOLCO [granted]
2 DEFINED IN SEC. 34(D)(3) OF THE
3 NATIONAL INTERNAL REVENUE CODE,
4 AS AMENDED, AND ADMINISTERED by the
5 AFAB [authority prior to] PRIOR TO the
6 availment of the five percent (5%) FINAL TAX
7 ON gross income earned (GIE).

8 "Fiscal incentives under this Act shall be
9 terminated after a [cumulative] period of
10 twenty (20) years from date of registration or
11 start of commercial operation, whichever is
12 applicable: [except] *PROVIDED*, That [it could
13 be extended with to] industries deemed
14 indispensable to national development MAY
15 ENJOY FISCAL INCENTIVES FOR
16 ANOTHER NON-EXTENDIBLE PERIOD OF
17 20 YEARS. THE DETERMINATION OF AN
18 INDUSTRY AS INDISPENSABLE TO
19 NATIONAL DEVELOPMENT SHALL BE
20 SOLELY DETERMINED BY THE AFAB

1 AFTER CONSULTATION WITH THE DTI
2 AND THE DOF.

3 “[The industries exempted from this
4 provision shall be determined by the AFAB.]”

5 SEC. 7. Section 13 of Republic Act No. 9728 is
6 hereby amended to read as follows:

7 “SEC. 13. *Powers and Functions of AFAB.*

8 – The AFAB shall have the following functions:

9 “(a) x x x;

10 “(b) x x x;

11 “(c) To operate, administer, manage, AND
12 develop, in accordance with Executive Order
13 No. 525, as amended, the FAB according to the
14 principles and provisions set forth in this Act
15 and to coordinate with the LGUs for the
16 development plans, activities and operation of
17 the FAB;

18 “[(d) To recommend to the President the
19 issuance of a proclamation to fix and delimit
20 the site of the FAB;]

1 “[(e)] (D) To register, regulate and
2 supervise the enterprises in the FAB in an
3 efficient and decentralized manner, subject to
4 existing laws;

5 “[(f)] (E) To coordinate with the LGUs and
6 THE METRO BATAAN DEVELOPMENT
7 AUTHORITY (MBDA) exercise general
8 supervision over the development plans,
9 activities and operations of the FAB. THE
10 EXCLUSIVE DELEGATION OF CERTAIN
11 POWERS TO AFAB UNDER THIS ACT
12 NOTWITHSTANDING, THE AFAB MAY
13 PARTNER WITH THE MBDA IN THE
14 IMPLEMENTATION OF DEVELOPMENT
15 PLANS, ENFORCEMENT OF ENVIRONMENTAL
16 LAWS, MAINTENANCE OF ROAD
17 NETWORK AND TRANSPORT FACILITIES,
18 AND PERFORMANCE OF SUCH OTHER
19 SERVICES DESIGNED TO ENHANCE THE
20 ATTRACTIVENESS OF THE FAB AS AN

1 INVESTMENT DESTINATION. THE AFAB
2 MAY PROVIDE ASSISTANCE TO THE MBDA
3 TO ENSURE THAT THE EQUIPMENT AND
4 OTHER RESOURCES NECESSARY TO
5 PERFORM THE SERVICES ENVISAGED
6 UNDER THIS ACT ARE ADEQUATELY
7 PROVIDED;

8 “[(g)] (F) To authorize or undertake, on its
9 own or through others, and to regulate the
10 establishment, construction, operation and
11 maintenance of public utilities, services, and
12 infrastructure in the FAB such as[:]

13 “1. AIRPORT OPERATIONS IN
14 COORDINATION WITH THE CIVIL
15 AVIATION AUTHORITY OF THE
16 PHILIPPINES;

17 “2. SHIPPING, BARGING,
18 STEVEDORING, CARGO, HANDLING,
19 HAULING, WAREHOUSING, STORAGE OF
20 CARGO, PORT SERVICES OR

1 CONCESSIONS, PIERS, WHARVES,
2 BULKHEADS, BULK TERMINALS,
3 MOORING AREAS, STORAGE AREAS IN
4 COORDINATION WITH THE PHILIPPINE
5 PORTS AUTHORITY; AND

6 "3. SUCH OTHER SERVICES OR
7 CONCESSIONS OR INFRASTRUCTURE
8 NECESSARY OR INCIDENTAL TO THE
9 ACCOMPLISHMENT OF THE OBJECTIVES
10 OF THIS ACT, INCLUDING BUT NOT
11 LIMITED TO, ROADS, BRIDGES,
12 RECLAMATION PROJECTS, TERMINALS,
13 CONVEYORS, WATER SUPPLY AND
14 STORAGE, SEWERAGE, DRAINAGE:

15 *Provided, however,* That the private investors
16 in the FAB shall be given priority in the
17 awarding of contracts, franchises, licenses, or
18 permits for the establishment, operation and
19 maintenance of utilities, services and

1 infrastructure in the FAB, SUBJECT TO THE
2 PROVISIONS OF APPLICABLE LAWS;

3 “[(h)] (G) To license, set fees, regulate and
4 undertake the establishment, operation and
5 maintenance of utilities, other services,
6 educational and medical institutions and
7 infrastructure in the FAB such as, but not
8 limited to, heat, light and power, water supply,
9 telecommunications, mobile, internet and other
10 data facilities, transport, toll roads and
11 bridges, port services, etc., and to fix just,
12 reasonable and competitive rates, fares,
13 charges and prices thereof;

14 “[(i)] (H) To construct, acquire, own, lease,
15 operate and maintain on its own or through
16 contracts, franchises, licenses, bulk purchase
17 from the private sector and build-operate-
18 transfer scheme, or under a joint venture with
19 the private sectors, any or all of the public
20 utilities and infrastructure required or needed

1 for the operation and development of the FAB,
2 INCLUDING TRANSPORTATION, ACCESS
3 AND CONNECTION TO, AND OUT OF THE
4 FAB, in coordination with appropriate national
5 and local government authorities and in
6 conformity with applicable laws thereon. FOR
7 THIS PURPOSE, THE AFAB SHALL
8 EXERCISE THE POWER OF EMINENT
9 DOMAIN OVER PRIVATE LANDS GRANTED
10 IN PARAGRAPH (B) OF THIS SECTION
11 INSOFAR AS IT MAY BE REASONABLY
12 NECESSARY, WITHOUT PREJUDICE TO
13 THE EXECUTION OF AGREEMENTS WITH
14 PUBLIC AGENCIES, AND SUBJECT TO THE
15 LIMITATIONS PRESCRIBED THEREIN AND
16 THE OBSERVANCE OF THE
17 PREREQUISITES OF TAKING OF
18 POSSESSION AND THE DETERMINATION
19 AND PAYMENT OF JUST COMPENSATION
20 IN ACCORDANCE WITH REPUBLIC ACT

1 NO. 10752, OTHERWISE KNOWN AS "THE
2 RIGHT-OF-WAY ACT";

3 "[j)] (I) To operate on its own, either
4 directly or through a SUBSIDIARY OR
5 PRIVATE ENTITY, OR CONCESSION, OR
6 license [to other] tourism-related activities,
7 including games, amusements, NATURE
8 PARKS, AND recreational and sports facilities,
9 AND ONLINE GAMING AND OTHER
10 RELATED ACTIVITIES: *PROVIDED*, THAT
11 ALL ONLINE GAMING ACTIVITIES AND
12 OTHER ACTIVITIES, DIRECTLY OR
13 INDIRECTLY RELATED TO OR IN
14 SUPPORT OF SUCH GAMING ACTIVITIES,
15 MUST BE CONDUCTED WITHIN THE FAB'S
16 TERRITORIAL JURISDICTION ONLY:
17 *PROVIDED, FINALLY, THAT* THE AFAB
18 SHALL ISSUE LICENSE AND SUPERVISE
19 THE OPERATION OF ONLINE GAMING
20 ACTIVITIES IN THE FAB IN ACCORDANCE

1 WITH APPLICABLE RULES AND
2 REGULATIONS PRESCRIBED BY the
3 Philippine Amusement and Gaming
4 Corporation (PAGCOR);

5 "NO DULY LICENSED ONLINE
6 GAMING OPERATOR, OR PROVIDER OF
7 ACTIVITIES AND SERVICES RELATED TO
8 OR IN SUPPORT OF ONLINE GAMING
9 ACTIVITIES, SHALL DIRECTLY OR
10 INDIRECTLY ALLOW PERSONS WHO ARE
11 RESIDING OUTSIDE THE TERRITORIAL
12 JURISDICTION OF THE FAB, BUT WITHIN
13 THE PHILIPPINE TERRITORY TO PLACE
14 BETS, OR IN ANY WAY PARTICIPATE, IN
15 THE GAMES CONDUCTED BY SUCH
16 OPERATOR, WHETHER THROUGH AN
17 ONLINE PORTAL OR SIMILAR MEANS.

18 "NOTHING HEREIN SHALL PROHIBIT
19 DULY LICENSED ONLINE GAMING
20 OPERATORS FROM ALLOWING THE

1 PARTICIPATION OF PERSONS RESIDING
2 OUTSIDE THE PHILIPPINE TERRITORY;

3 “[(k)] (J) To raise, or borrow, within the
4 limitation provided by law, AND SUBJECT TO
5 THE APPROVAL OR OPINION OF THE
6 MONETARY BOARD OF THE BANGKO
7 SENTRAL NG PILIPINAS (BSP), IN
8 ACCORDANCE WITH LAW, adequate and
9 necessary funds from local or foreign sources,
10 to finance its projects and programs under this
11 Act, and for that purpose, to issue bonds,
12 promissory notes, and other forms of securities,
13 and to secure the same by a guarantee, pledge,
14 mortgage, deed of trust, or an assignment of all
15 or part of its property or assets;

16 “(K) TO EXCLUSIVELY ENFORCE AND
17 ADMINISTER THE PROVISIONS OF THE
18 NATIONAL BUILDING CODE OF THE
19 PHILIPPINES AND THE FIRE CODE OF
20 THE PHILIPPINES, AS AMENDED, WITHIN

1 THE TERRITORIAL JURISDICTION OF THE
2 FAB: *PROVIDED*, THAT AFAB SHALL BE
3 FULLY RESPONSIBLE AND ACCOUNTABLE
4 FOR THE ENFORCEMENT AND
5 ADMINISTRATION OF THE NATIONAL
6 BUILDING CODE OF THE PHILIPPINES
7 AND THE FIRE CODE OF THE
8 PHILIPPINES, AS AMENDED, WITHIN THE
9 FAB.

10 "THE AFAB ADMINISTRATOR, OR HIS
11 OFFICIAL DESIGNATE, SHALL FUNCTION
12 AS THE AFAB BUILDING OFFICIAL, WHO
13 SHALL ISSUE ALL BUILDING PERMITS
14 AND OTHER RELATED PERMITS SUBJECT
15 TO THE COLLECTION BY AFAB OF THE
16 CORRESPONDING PERMIT FEES:
17 *PROVIDED*, THAT THE AFAB BUILDING
18 OFFICIAL SHALL ALSO BE AUTHORIZED
19 TO REQUIRE OWNERS OF HOUSES,
20 BUILDINGS, OR OTHER STRUCTURES

1 CONSTRUCTED WITHOUT THE
2 NECESSARY AFAB PERMIT/S, OR THOSE
3 THAT ARE CONDEMNED AND/OR ABATED
4 BY THE AFAB IN ACCORDANCE WITH THE
5 CONDITIONS SET FORTH IN THE
6 NATIONAL BUILDING CODE OR CIVIL
7 CODE, AS THE CASE MAY BE, WHETHER
8 OWNED BY OR CONSTRUCTED ON
9 PUBLIC OR PRIVATE LANDS, TO REMOVE
10 OR DEMOLISH SUCH HOUSES,
11 BUILDINGS, STRUCTURES WITHIN
12 FIFTEEN (15) DAYS FROM RECEIPT OF
13 NOTICE. UPON FAILURE OF SUCH
14 OWNER TO REMOVE OR DEMOLISH SUCH
15 HOUSE, BUILDING, OR STRUCTURE
16 WITHIN SUCH PERIOD, THE AFAB MAY
17 SUMMARILY CAUSE ITS REMOVAL OR
18 DEMOLITION AT THE EXPENSE OF THE
19 OWNER AND THE OCCUPANTS.

1 “THE AFAB MAY EVICT ANY PERSON
2 WHO REFUSES TO VACATE SUCH
3 PREMISES IN ACCORDANCE WITH
4 REPUBLIC ACT NO. 7279, OTHERWISE
5 KNOWN AS THE “URBAN DEVELOPMENT
6 AND HOUSING ACT OF 1992”, AND OTHER
7 EXISTING LAWS. A TEMPORARY OR
8 PERMANENT RELOCATION SITE SHALL
9 BE MADE AVAILABLE FOR QUALIFIED
10 INDIVIDUALS OR FAMILIES.

11 “(1) To provide security for the FAB in
12 coordination with the national and local
13 governments. For this purpose, the AFAB may
14 establish and maintain its security forces and
15 firefighting capability or hire others to provide
16 the same. In the event that an assistance of the
17 military force is necessary, it shall not interfere
18 in the internal affairs of the FAB except to
19 provide the necessary security and defense,
20 and their expenses shall be borne by the

1 National Government. TO ENSURE THE
2 MAINTENANCE OF LAW AND ORDER
3 WITHIN THE BOUNDARIES OF THE FAB,
4 INCLUDING CONDUCTING POLICE
5 INVESTIGATIONS, ARRESTS, SEARCH AND
6 SEIZURE FOR VIOLATION OF PENAL
7 LAWS INSIDE THE FAB, THE PHILIPPINE
8 NATIONAL POLICE SHALL ESTABLISH A
9 POLICE SUB-STATION, IF NECESSARY,
10 UNDER THE SUPERVISION OF THE PNP
11 PROVINCIAL DIRECTOR, TO BE MANNED
12 BY SUCH NUMBER OF PERSONNEL AS
13 WILL ALLOW THEM TO EFFECTIVELY
14 AND EFFICIENTLY PURSUE ITS
15 MANDATE.

16 "THE AFAB SHALL ALSO BE
17 AUTHORIZED TO INSTALL CONTROL
18 GATES AT STRATEGIC POINTS OF THE
19 NATIONAL ROADS WITHIN THE FAB,
20 THROUGH WHICH ACCESS INTO AND

1 DEPARTURE FROM THE FAB SHALL BE
2 FULLY CONTROLLED BY THE AFAB;

3 "(m) To protect, preserve, maintain and
4 develop the [virgin] forests, beaches, coral and
5 coral reefs, and maintain ecological balance
6 within the FAB. For this purpose, the rules and
7 regulations of the Department of Environment
8 and Natural Resources (DENR) and other
9 government agencies involved in the above
10 functions shall be implemented by the AFAB:

11 *PROVIDED*, THAT THE ISSUANCE,
12 ENFORCEMENT AND MONITORING OF
13 ENVIRONMENTAL COMPLIANCE
14 CERTIFICATES (ECCs), TREE CUTTING
15 PERMITS, FORESHORE LEASES AND ALL
16 OTHER RELATED PERMITS AND
17 CLEARANCES ISSUED BY THE DENR AND
18 OTHER GOVERNMENT AGENCIES SHALL
19 BE UNDER THE EXCLUSIVE CONTROL
20 AND JURISDICTION OF THE AFAB;

1 “(n) x x x;

2 “(o) x x x;

3 “(p) x x x;

4 “(Q) TO RECOMMEND THE ISSUANCE
5 OF WORKING VISAS RENEWABLE EVERY
6 THREE (3) YEARS TO FOREIGN
7 EXECUTIVES AND FOREIGN TECHNICIANS
8 WITH HIGHLY SPECIALIZED SKILLS
9 WHICH NO FILIPINO POSSESS, SUBJECT
10 TO THE ISSUANCE OF THE
11 CERTIFICATION AND ALIEN EMPLOYMENT
12 PERMIT BY THE DEPARTMENT OF LABOR
13 AND EMPLOYMENT (DOLE);

14 “(R) SUBJECT TO REPUBLIC ACT
15 NO. 7653, OTHERWISE KNOWN AS “THE
16 NEW CENTRAL BANK ACT”, OTHER
17 ISSUANCES OF THE BANGKO SENTRAL
18 NG PILIPINAS, REPUBLIC ACT NO. 8799,
19 OTHERWISE KNOWN AS “THE SECURITIES
20 REGULATIONS CODE”, EXISTING APPLICABLE

1 LAWS, AND SUCH OTHER LAWS AS MAY
2 BE REQUIRED THAT ARE CONSISTENT
3 WITH THE OBJECTIVES OF THE AFAB, TO
4 ACT AS AN OFFSHORE FINANCIAL
5 CENTRE THAT ENGAGE IN, OR ALLOW,
6 ANY OR ALL INTERNATIONAL FINANCIAL
7 AND BUSINESS SERVICES, INCLUDING
8 BANKING, OFFSHORE FUND MANAGEMENT,
9 COLLECTIVE INVESTMENT SCHEMES,
10 AND CRYPTOCURRENCY MINING, AND
11 PROVIDE THE NECESSARY AND
12 PERTINENT FISCAL INCENTIVES AS
13 PROVIDED FOR UNDER REPUBLIC ACT
14 NO. 7916, AS AMENDED BY REPUBLIC ACT
15 NO. 8748, ALSO KNOWN AS THE "SPECIAL
16 ECONOMIC ZONE ACT OF 1995", AND/OR
17 THOSE PROVIDED UNDER EXECUTIVE
18 ORDER NO. 226, AS AMENDED,
19 OTHERWISE KNOWN AS "THE OMNIBUS
20 INVESTMENT CODE OF 1987." BANKS AND

1 FINANCIAL INSTITUTIONS ENGAGED IN
2 QUASI BANKING FUNCTIONS TO BE
3 ESTABLISHED IN THE FAB SHALL BE
4 UNDER THE SUPERVISION OF THE
5 BANGKO SENTRAL NG PILIPINAS, AND
6 SHALL BE SUBJECT TO EXISTING
7 BANKING LAWS, RULES AND
8 REGULATIONS. OTHER FINANCIAL
9 INSTITUTIONS NOT ENGAGED IN QUASI-
10 BANKING FUNCTIONS, AND THOSE
11 ENGAGED IN COLLECTIVE INVESTMENT
12 SCHEMES AND CRYPTOCURRENCY
13 MINING WITHIN THE FAB SHALL BE
14 UNDER THE SUPERVISION OF THE
15 SECURITIES AND EXCHANGE COMMISSION.

16 (S) TO ESTABLISH AND INSTITUTE
17 MUTUALLY SUPPORTIVE AND ALL-
18 INCLUSIVE INTERNATIONAL ECONOMIC
19 RELATIONS TO ALLOW THE
20 ESTABLISHMENT AND OPERATION OF

1 REGIONAL OR AREA HEADQUARTERS,
2 REGIONAL OPERATING HEADQUARTERS,
3 AND REGIONAL WAREHOUSES OF
4 MULTINATIONAL COMPANIES WITHIN
5 THE TERRITORIAL JURISDICTION OF
6 FAB, AS PROVIDED FOR IN REPUBLIC ACT
7 NO. 8756, OTHERWISE KNOWN AS "AN ACT
8 PROVIDING FOR THE TERMS,
9 CONDITIONS AND LICENSING
10 REQUIREMENTS OF REGIONAL OR AREA
11 HEADQUARTERS, REGIONAL OPERATING
12 HEADQUARTERS, AND REGIONAL
13 WAREHOUSES OF MULTI-NATIONAL
14 COMPANIES, AMENDING FOR THE
15 PURPOSE CERTAIN PROVISIONS OF
16 EXECUTIVE ORDER NO. 226, OTHERWISE
17 KNOWN AS THE OMNIBUS INVESTMENTS
18 CODE OF 1987";

19 "(T) TO ISSUE SPECIAL
20 REGULATIONS FOR THE BENEFIT OF

1 PARTICULAR INDUSTRIES DESIGNED TO
2 IMPROVE EASE OF DOING BUSINESS,
3 DECREASE COST OF DOING BUSINESS,
4 AND LOWER BUREAUCRATIC BURDENS
5 OF INVESTING AND DOING BUSINESS
6 WITHIN THE FAB: *PROVIDED*, THAT SUCH
7 SPECIAL REGULATIONS SHALL NOT BE
8 CONTRARY TO EXISTING LAWS;

9 “(U) TO ENDORSE SPECIAL
10 RESIDENT RETIREE'S VISAS (SRRVs) FOR
11 RETIREES THAT INTEND TO RESIDE IN
12 THE FAB, IN COLLABORATION WITH THE
13 PHILIPPINE RETIREMENT AUTHORITY
14 (PRA): *PROVIDED*, THAT PRA AND AFAB
15 SHALL ISSUE JOINT ISSUANCES ON THE
16 PROCESSING OF SRRVs IN ACCORDANCE
17 WITH EXISTING LAWS;

18 “(V) TO ESTABLISH, OPERATE AND
19 MAINTAIN UTILITIES, FACILITIES,
20 INFRASTRUCTURE, SERVICES, BUSINESSES,

1 ACTIVITIES, AND CONCESSIONS IN THE
2 FAB, PERTAINING TO SHIPPING AND
3 MARITIME BUSINESS AND ACTIVITIES
4 INCLUDING STEVEDORING AND PORT
5 TERMINAL SERVICES OR CONCESSIONS:
6 *PROVIDED*, THAT THE MARITIME
7 INDUSTRY AUTHORITY (MARINA) SHALL
8 CONTINUE TO EXERCISE ITS POWER TO
9 REGULATE AND SUPERVISE THE
10 SHIPBUILDING AND SHIP REPAIR OF ANY
11 MERCHANT MARINE VESSEL OPERATED
12 OR TO BE OPERATED IN THE DOMESTIC
13 TRADE AND THE DOMESTIC SHIPPING
14 INDUSTRY WITHIN THE FAB;

15 “(W) TO ESTABLISH ONE-STOP SHOPS
16 FOR THE ISSUANCE OF ALL NECESSARY
17 PERMITS, CLEARANCES, LICENSES, AND
18 OTHER SIMILAR CERTIFICATIONS TO
19 CONDUCT ACTIVITIES, TO IMPROVE THE
20 EASE OF DOING BUSINESS WITHIN THE

1 FAB, IN COORDINATION WITH
2 GOVERNMENT AGENCIES HAVING
3 JURISDICTION OVER ACTIVITIES IN THE
4 FAB NOT OTHERWISE SOLELY RESERVED
5 TO THE AFAB IN THIS ACT: *PROVIDED*,
6 THAT ALL GOVERNMENT AGENCIES ARE
7 DIRECTED TO PROVIDE AND EXTEND
8 UTMOST AND FULL COOPERATION TO
9 THE AFAB IN THE ESTABLISHMENT OF
10 SUCH ONE-STOP SHOPS;

11 “[(q)] (X) x x x;

12 “[(r)] (Y) To be vested with other powers
13 enjoyed or exercised by other free port zone
14 authorities.”

15 SEC. 8. Section 14 of Republic Act No. 9728 is hereby
16 amended to read as follows:

17 “SEC. 14. *Board of Directors of the FAB.* –
18 The powers of the AFAB shall be vested in and
19 exercised by a Board of Directors, hereinafter

1 referred to as the Board, which shall be
2 composed of the following:

3 “(a) The chairman [who shall, at the same
4 time, be the administrator of the AFAB] AND
5 [(b)]THE VICE-CHAIRMAN, BOTH OF
6 WHOM shall BE [come] ELECTED FROM
7 AMONG THE MEMBERS OF THE BOARD;

8 “(b) THE ADMINISTRATOR, WHO
9 SHALL IN NO CASE BE, AT THE SAME
10 TIME, THE CHAIRMAN OR
11 VICE-CHAIRMAN;

12 “(c) Members consisting of:

13 “(1) Two (2) representatives from the
14 National Government

15 “(2) One (1) representative from the
16 Province of Bataan;

17 “(3) One (1) representative from the
18 district covering the site of the FAB;

19 “(4) One (1) representative from the
20 Municipality of Mariveles, Province of Bataan;

1 “(5) One (1) representative from the
2 AFAB-REGISTERED domestic investors;

3 “(6) One (1) representative from the
4 AFAB-REGISTERED foreign investors; and

5 “(7) One (1) representative from the
6 workers working in the FAB.

7 “*PROVIDED*, THAT ALL MEMBERS OF
8 THE BOARD SHALL BE FILIPINO
9 CITIZENS.

10 “The [chairman] ADMINISTRATOR and
11 the members of the Board, shall be appointed
12 by the President of the Philippines to serve for
13 a term of six (6) years, unless sooner separated
14 from service due to death, voluntary
15 resignation or removal for cause. In case of
16 death, resignation or removal for cause, the
17 replacement shall serve only the unused
18 portion of the term.

19 “[Except for the representatives of the
20 business and labor sectors,] [n]No person shall

1 be appointed by the President of the
2 Philippines as a member of the Board unless he
3 is a Filipino citizen, of good moral character, of
4 proven probity and integrity, and a degree
5 holder in any of the following fields: economics,
6 business, public administration, law,
7 management or their equivalent, and with at
8 least ten (10) years relevant working
9 experience preferably from the field of
10 management or public administration.

11 "The members of the Board shall each
12 receive per diem at rates to be determined by
13 the Department of Budget and Management
14 (DBM) in accordance with existing rules and
15 regulations: *Provided, however,* That the total
16 per diem collected each month shall not exceed
17 the equivalent per diem for four (4) meetings."

18 SEC. 9. Section 15 of Republic Act No. 9728 is hereby
19 amended to read as follows:

1 “SEC. 15. *Powers and Duties of the*
2 [*Chairman-*] *Administrator.* – The [chairman–]
3 administrator shall have the following powers
4 and duties:

5 “(a) To direct and manage the affairs of
6 the AFAB in accordance with the policies of the
7 Board;

8 “(b) To establish the internal organization
9 of the AFAB under such conditions that the
10 Board may prescribe;

11 “(c) To submit an annual budget and
12 necessary supplemental budget to the Board
13 for its approval;

14 “(d) To submit within thirty (30) days
15 after the close of each fiscal year an annual
16 report to the Board and such other reports as
17 may be required;

18 “(e) To submit to the Board for its
19 approval policies, systems, procedures, rules

1 and regulations that are essential to the
2 operation of the AFAB;

3 “(f) To create a mechanism in
4 coordination with relevant agencies for the
5 promotion of industrial peace, the protection of
6 the environment, and the advancement of the
7 quality of life in the FAB; and

8 “(g) To perform such other duties as may
9 be assigned to him by the Board or which are
10 necessary or incidental to his office.”

11 SEC. 10. Section 16 of Republic Act No. 9728 is hereby
12 amended to read as follows:

13 “SEC. 16. *Organization and Personnel.* –
14 The AFAB Board of Directors shall provide for
15 an organizational structure and appoint
16 employees, subject to the civil service law.
17 Upon the recommendation of the [chairman–]
18 administrator [and with the approval of the
19 Secretary of the DTL,] the Board shall appoint
20 and fix the remuneration and other

1 emoluments of its officers and employees in
2 accordance with existing laws on compensation
3 and position classification: *PROVIDED*, THAT
4 THE SALARY AND OTHER COMPENSATION
5 OF THE ADMINISTRATOR SHALL BE
6 COMPARABLE WITH THE PRESIDENT AND
7 CHIEF EXECUTIVE OFFICER OF CLARK
8 DEVELOPMENT CORPORATION: *PROVIDED*,
9 *FURTHER*, THAT the Board shall exercise
10 administrative supervision on their employees.

11 "The officers and employees of the AFAB,
12 including all members of the Board, shall not
13 engage directly or indirectly in partisan
14 activities nor take part in any election, except
15 to vote.

16 "No officer or employee of the AFAB,
17 subject to civil service laws and regulations,
18 shall be removed or suspended except for
19 cause, as provided by law."

1 SEC. 11. Section 17 of Republic Act No. 9728 is hereby
2 amended to read as follows:

3 “SEC. 17. *Labor Center, HEALTH AND*
4 *HOUSING FACILITIES.* – (A) A labor center
5 shall be established within the FAB. This
6 center shall be responsible for studying and
7 amicably settling professional and labor
8 relations and disputes, interpretation of
9 employment contracts, and monitoring work,
10 hygiene and safety standards within the FAB.
11 The labor center shall comprise a labor office,
12 an industrial health and safety office, and an
13 inspection and disputes office.

14 “EXCEPT AS OTHERWISE PROVIDED
15 IN THIS ACT, LABOR AND MANAGEMENT
16 RELATIONS IN THE FAB SHALL BE
17 GOVERNED BY APPLICABLE RULES AND
18 REGULATIONS UNDER THE LABOR CODE
19 OF THE PHILIPPINES, AS AMENDED.
20 EMPLOYEES AND PERSONNEL IN THE

1 REGISTERED ENTERPRISES SHALL
2 RECEIVE SALARIES AND BENEFITS, AND
3 SHALL ENJOY WORKING CONDITIONS
4 PROVIDED UNDER THE LABOR CODE AND
5 OTHER RELEVANT LAWS AND ISSUANCES
6 OF THE PHILIPPINE GOVERNMENT AND
7 THE DOLE. THE AFAB SHALL ALLOW THE
8 VISITORIAL POWER OF THE SECRETARY
9 OF THE DOLE OR HIS DULY AUTHORIZED
10 REPRESENTATIVE, AND/OR MAY ASSIGN
11 ITS PERSONNEL TO JOIN THE DOLE
12 REGIONAL OFFICE III IN THE CONDUCT
13 OF LABOR INSPECTION.

14 "(B) THE DEPARTMENT OF HEALTH
15 SHALL ESTABLISH, FUND, OPERATE AND
16 MAINTAIN A TERTIARY HOSPITAL IN THE
17 FAB.

18 "(C) THE NATIONAL HOUSING
19 AUTHORITY, PURSUANT TO ITS
20 MANDATE, SHALL UNDERTAKE

1 VERTICAL AND HORIZONTAL HOUSING
2 DEVELOPMENT FOR THE MARGINALIZED
3 INFORMAL SETTLERS AND LOW INCOME
4 EARNERS WITHIN THE FAB, AND SHALL
5 SOURCE THE NECESSARY FUNDS
6 THEREOF THROUGH NATIONAL
7 GOVERNMENT SUBSIDY.”

8 SEC. 12. Section 19 of Republic Act No. 9728 is hereby
9 amended to read as follows:

10 “SEC. 19. *Remittances.* – In the case of
11 foreign investments, a registered enterprise in
12 the FAB [Bataan Ecozone] shall have the right
13 to remit earnings from the investment IN
14 FAVOR OF THE INVESTOR AND/OR
15 INTENDED BENEFICIARY, subject to the
16 provisions [of Section 74] of Republic Act
17 No. 7653, OTHERWISE KNOWN AS “THE
18 NEW CENTRAL BANK ACT” [265, as
19 amended], THE MANUAL OF REGULATIONS
20 ON FOREIGN EXCHANGE TRANSACTIONS,

1 AS WELL AS OTHER RELEVANT RULES
2 AND REGULATIONS.”

3 SEC. 13. Section 21 of Republic Act No. 9728 is hereby
4 amended to read as follows:

5 “SEC. 21. *Capitalization.* – The [AFAB
6 shall have an authorized] capital stock [of] TO
7 BE CONTRIBUTED BY THE GOVERNMENT,
8 SHALL BE (A) Two billion FIVE HUNDRED
9 MILLION Pesos (P2,500,000,000.00) with
10 option to increase capitalization upon the
11 discretion of the AFAB, [divided into twenty
12 thousand (20,000) no-par shares fully
13 subscribed and paid up by the Republic of the
14 Philippines with:] [(a)] (B) All lands embraced
15 and covered by the FAB, INCLUDING THOSE
16 PROPERTIES CONVEYED TO THE
17 GOVERNMENT SERVICE INSURANCE
18 SYSTEM (GSIS) AND/OR THE SOCIAL
19 SECURITY SYSTEM (SSS) UNDER
20 PROCLAMATION NO. 740, AS AMENDED

1 BY PROCLAMATION NO. 900, as well as
2 permanent improvements and fixtures upon
3 proper inventory not otherwise alienated,
4 conveyed or transferred to another government
5 agency; AND [(b)] (C) all other assets which the
6 President may transfer to the AFAB as part of
7 the equity contribution of the government[; (c)
8 cash contribution by the government in the
9 amount of Five hundred million pesos
10 (P500,000,000.00) a year for the next five (5)
11 years, which is hereby appropriated out of any
12 fund in the National Treasury not otherwise
13 appropriated].

14 "THE LANDS CONVEYED TO AFAB
15 PURSUANT TO ITEMS (B) AND (C) ABOVE
16 SHALL BE EXEMPT FROM TRANSFER
17 TAXES, REGISTRATION FEES, DOCUMENTARY
18 STAMP TAXES, REAL PROPERTY TAXES,
19 AND ALL OTHER RELATED TAXES."

1 SEC. 14. A new provision is inserted in the Act as
2 Section 30 and the succeeding provisions are re-numbered
3 accordingly and amended as follows:

4 “SEC. 30. *Non-Impairment* of
5 *Contract/Permits/Licenses.* – All existing
6 contracts, permits and licenses duly granted by
7 the AFAB before the date of effectivity of this
8 Act shall remain valid, and unimpaired, and
9 shall be recognized by the Government.”

10 SEC. 15. *Transitory Provision.* – The incumbent
11 chairman and administrator of the AFAB shall continue to
12 serve as administrator for the remaining term of his
13 appointment without prejudice to his reappointment to the
14 same position upon the expiration of his term at the
15 discretion of the appointing authority.

16 SEC. 16. *Separability Clause.* – Any portion or
17 provision of this Act that may be declared unconstitutional
18 shall not have the effect of nullifying other portions or

1 provisions hereof as such remaining provisions can still
2 subsist and be given effect.

3 SEC. 17. *Repealing Clause.* – [Republic Act No. 5490
4 and Presidential Decree No. 66 are hereby amended.]
5 PROCLAMATION NO. 740, AS AMENDED BY
6 PROCLAMATION NO. 900 AND PRESIDENTIAL
7 DECREE NO. 545, INsofar AS THESE LAWS CONVEY
8 THE BALANCE OF THE PUBLIC LAND MENTIONED
9 THEREIN IN FAVOR OF THE GSIS AND THE SSS, AND
10 MANDATE SAID AGENCIES TO DEVELOP THE LAND
11 FOR CONSTRUCTION OF HOUSING UNITS AND/OR
12 CONDOMINIUM HOUSES, ARE HEREBY REPEALED.
13 All OTHER laws, decrees, executive orders, rules and
14 regulations or parts thereof, inconsistent with the
15 provisions of this Act are hereby repealed or modified
16 accordingly.

17 Sec. 18. *Effectivity.* – This Act shall take effect after
18 fifteen (15) days following its complete publication in the

- 1 *Official Gazette* or in two (2) newspapers of general
- 2 circulation whichever is earlier.

Approved,