



Republic of the Philippines
PROVINCE OF BOHOL
City of Tagbilaran



OFFICE OF THE SANGGUNIANG PANLALAWIGAN
THE 28TH BOHOL LEGISLATURE

PROVINCIAL ORDINANCE NO. 2021-019

ENACTING THE BOHOL ECONOMIC DEVELOPMENT AND INVESTMENT CODE IN THE NEW NORMAL.

Be it enacted by the Sangguniang Panlalawigan of the Province of Bohol in session duly assembled –

CHAPTER 1. TITLE, PURPOSE AND DECLARATION OF POLICY

“Section 1. Title. – This Ordinance shall be known and cited as the Bohol Economic Development and Investment Code in the New Normal.

“Section 2. Purpose. – This Code is promulgated to:

- a) Enhance the competitiveness of the local investment climate through appropriate local policies and programs;
- b) Provide the Provincial, City and Municipal Local Governments with a guide to draw local and foreign investments in priority areas and industries, and a tool to define the development thrust of the LGU consistent with its Comprehensive Land Use Plan (CLUP) and zoning regulations; and hasten the development of new or brownfield areas for industrial or business development and urban/countryside renewal or revitalization, thereby attaining the LGU’s economic and social objectives and contributing to regional and national goals;
- c) Engage the League of Municipalities of the Philippines- Bohol Chapter and the City Government of Tagbilaran, including its Local Legislative Bodies (Sangguniang Bayan/ Sangguniang Panlungsod) to provide a cohesive force in establishing strong collaboration between and among LGUs and National Government Agencies (NGAs) in the formulation and implementation of the local investment ordinances, rules, regulations and policies, and in ensuring that local initiatives are consistent with national investment plans and policies;
- d) Improve the investment environment through reforms in legal and regulatory environment for investments, including institutional and administrative processes that create bottlenecks and impede the flow of investments;
- e) Direct all LGUs that consultation with various sectors is imperative so that necessary safeguards to protect the environment, ensure the health and safety of the community, and social safety nets for micro, small and medium enterprises, are guaranteed; and
- f) Enjoin all Local Government Units to update their Local Investment and Incentives Code (LIIC) to ensure the implementation of this amended Bohol Economic Development and Investment Code in the New Normal in a synchronized and integrated manner; and in pursuance to DILG MC 2020-167, designate Local Economic Development and Investment Promotion Officer (LEDIPO) and establish/create Local Economic Development and Investment Promotion (LEDIP) Office/Unit, and other similar structures.

“Section 3. Declaration of Investment Policy. – It is hereby declared as a general policy of the Provincial Government of Bohol to encourage a holistic local economic development (LED) to build up the economic capacity of the Province and its component city and municipalities to improve its economic future and the quality of life for all. It shall adhere to LED principles and approaches to promote and encourage domestic and foreign investments that shall generate employment, create local wealth, build quality of place, promote sustainable development and support the pursuit of poverty reduction in the Province of Bohol. Along this line, the following are the investment policies of the province:

- a) To attract and encourage investments in priority areas as determined in this Code and other relevant development priorities of the Provincial Government, that shall significantly contribute to the socio-economic development of the province and enhance local competitiveness and quality of life for all;
- b) To promote Bohol as a competitive and sustainable investment destination in the Asia Pacific region and other global markets;
- c) To encourage investment projects that utilize local manpower and local capacities with greater inclusivity and in compliance with labor laws, promote local culture and values, and contribute to community resilience;
- d) To ensure the optimal utilization of local resources and the implementation of PPP projects within the context of sustainable environment and resources management enunciated in the Bohol Environment Code, National Building Code, NIPAS Act, and in the Provincial Development and Physical Framework Plan;
- e) To push for the development and growth of local micro, small and medium-scale enterprises, encourage livelihood activities, and initiate corporate responsibility programs, that foster self-sufficiency; and
- f) To pursue active community and multi-sectoral engagement as partners and catalysts to assure that the benefits of development accrue to the people of Bohol.

“Section 4. Scope and Coverage. – This Code shall apply to:

- a) All persons, entities or enterprises, belonging to micro, small, medium and large-scale categories in preferred areas of investments, and other areas of investments as may be determined from time to time by the Board;
- b) All Local Government Units (LGUs) in the Province to harmonize and streamline development and investment priorities, business processes and incentives availment; spur local competitiveness; and enhance quality of place and life;
- c) All Local Economic Development and Investment Promotion Offices/Units (LEDIPO/Us) in coordination with the City/Municipal Planning and Development Office, Business Permit and Licensing Office (BPLO) and other relevant local and national government agencies, to strengthen effectiveness and efficiency, and build local competencies and standards.

"Section 5. Enabling Policies for a Sustainable Local Economic Development and Legal Compliance. – The Local Government Code of 1991 or RA 7160 gives LGUs more power and authority to accelerate local economic development. Further, pertinent national issuances prescribe development directions and guidelines for LGUs:

- 5.1) Philippine Development Plan 2017-2022;
- 5.2) DILG and DTI Joint Memorandum Circular No. 2011-01: Formulation of Local Investment and Incentives Code;
- 5.3) Memorandum Circular No. 2016-120: Guidelines for the Implementation of Public-Private Partnership for the People Initiative for Local Governments (LGU P4);

- 5.4) DILG and PPP Center Joint Memorandum Circular No. 2019-01: Supplemental Guidelines for the Implementation of Public-Private Partnership for the People Initiative for Local Governments (LGU P4);
- 5.5) DILG Memorandum Circular 2020-167: Guidelines on Promoting Local Economic Development and Investment Promotion and Establishment of Local Economic Development and Investment Promotion Office/Unit in all Provinces, Cities and Municipalities;
- 5.6) Other relevant laws and regulations.

CHAPTER 2. DEFINITION OF TERMS

“Section 6. Definition of Terms. – When used in this Code, the following terms and phrases shall mean as follows:

- a) **BEDIPO** – refers to the Bohol Economic Development and Investment Promotion Office, created under this Code, streamlining and expanding the functions and structure of the office formerly known as BIPC;
- b) **BIPC** – refers to the Bohol Investment Promotion Center created under Executive Order No.3 series of 1998, Provincial Ordinance No. 99-02, and the 2001 Bohol Investment Code, and served as the Secretariat and implementing arm of the Code;
- c) **Board** – refers to the Bohol Investment Board (BIB);
- d) **Bohol Business One-Stop Shop** – refers to the facility within the premises of BEDIPO where services and information assistance of mandatory and cooperating National Government Agencies (NGAs) are being provided that enables the fast-tracking or processing of requirements for the registration of a business or enterprise, advisory, or handholding of entrepreneurs and investors;
- e) **Boholano-inspired Design and Architecture** – a look, style, function, structure or effect that conforms with the local landscape and resonates with the culture of the island of Bohol, highlighting features that make use of indigenous materials and crafts;
- f) **Civil Society** – refers to formal groups of individuals that are independent of government and do not function as for-profit business, whether people’s organizations or non-government organizations, that have a presence in public life, expressing the interests and values of their members and non-members, based on ethical, cultural, scientific, religious or philanthropic considerations;
- g) **Code** – refers to this Code;
- h) **Corporate Social Responsibility** –the commitment of business to contribute to sustainable economic development, working with employees, their families, the local community and society at large to improve quality of life in ways that are both good for business and good for development;
- i) **Eco-Tourism** – a form of sustainable tourism within a natural and cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and the satisfaction of visitors. Ecotourism is based on the principles of biodiversity conservation, community and stakeholder participation, social and cultural sustainability, local economic benefits and quality of visitor experience;
- j) **Expansion Project** – shall mean installation of additional facilities/equipment that will result in increase in production capacity of the same product line within the same existing plant/facilities of the enterprise, provided that total expansion project cost is at least 50% of the total cost pertaining to its fixed assets of the original project, as stated in the investor’s project study;
- k) **Fixed Asset** – a tangible asset of the business entity that is used for the production of its goods and services. These assets may include land, building, machinery or equipment, and vehicle;

- l) **Green Business Project** – refers to a project that either provides environment- friendly products or services, or through an environment-friendly process, or with the help of clean technologies which reduce any negative effects of the business;
- m) **Green Growth** – defined as a means to create jobs and economic growth while reducing costs and environmental impact over the long run;
- n) **Incentives** – refer to the fiscal and non-fiscal incentives as provided for in this Code;
- o) **Investment Priority Area** – refers to the economic activity or sector declared as a preferred area for investment by the Board in accordance with the provisions of this Code;
- p) **Large-scale Enterprise** – refers to an enterprise or business with total fixed assets of more than P100,000,001;
- q) **Local Economic Development** – the process by which actors within the LGUs (barangays, municipalities, cities and provinces) work collectively with the result that there are improved conditions for economic growth, employment generation and quality of life for all;
- r) **Medium-scale Enterprise** – refers to an enterprise or business with total fixed assets of P15,000,001 – P 100,000,000);
- s) **Micro Enterprise** – refers to an enterprise or business with total fixed assets of not more than P3,000,000;
- t) **Modernization Project** – refers to a project of an existing enterprise that would involve improvements in systems, processes, equipment, and facilities that must result in any of the following (as defined by the BOI):
 - At least 25% substantial reduction of production cost/cost of provision of the service;
 - Upgrading of product/service quality or classification of the facility (e.g., hospitals, hotels, resorts) to a higher class in accordance with accreditation standards applicable to the industry concerned;
 - Renovation of tourism facilities in compliance with health emergency protocols or to enhance health and safety systems and procedures that may include but not limited to a ‘negative pressure’ floor; expansion or renovation of guest rooms, food and beverage outlets, function/meeting rooms, recreation areas and other common areas; investment in new or upgrade of laundry, kitchen, housekeeping, employee facilities and other back-of-house facilities; building of full, partial or movable partitions; installation of built-in thermal scanners, hygiene gates, or booths; upgrade or improvement of ventilation, air conditioning, air filtration systems, water systems, water treatment facilities (STP), generators, roofing and insulation to meet the latest DENR, green or energy-efficient standards; environmental and monitoring equipment and systems; upgrade of front office and back office IT systems; mobile check-in system; non-touch or no-contact door lock systems and non-touch panels in elevators and other areas.
- u) **New Project** – refers to a project/activity listed in the Investment Priority Areas (IPAs) that has not started commercial operation, undertaken by:
 - a newly organized/formed enterprise; or
 - an existing enterprise, that shall engage in an entirely distinct and different activity from its existing business operations; or the same activity provided it shall establish a new facility in an area not contiguous to the premises of its existing project and with new investments.
- v) **Province** – refers to the Province of Bohol covering all the areas within its territorial jurisdiction now existing or hereinafter acquired, as provided by law and its charter;
- w) **Registered Enterprise** – refers to an enterprise or business registered in accordance with the provisions of this Code;
- x) **Small Enterprise** – refers to an enterprise or business with total fixed assets of P3,000,001 and up to P15,000,000;

- y) **Start of Commercial Operation** – date when a particular enterprise actually begins production of the registered product for commercial purposes, or commercial harvest in the case of agricultural, fishery and forestry activities, whichever comes first. In the case of service-oriented activities, it shall be the date when a particular registered enterprise begins catering to or servicing its clients on a commercial basis. In the case of export traders and service exporters, the term shall mean the date when the initial export shipment in commercial quantity has been made or initial performance of service as borne out by the appropriate supporting documents;
- z) **Sustainable Development** – development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

CHAPTER 3. BOHOL INVESTMENT BOARD

“Section 7. Creation of the Bohol Investment Board. – There is hereby created a body to be known as the Bohol Investment Board (BIB) to implement the provisions of this Code.

“Section 8. Powers and Functions of the Board. – The primary function of the Board shall be to establish a favorable and stable policy on local economic development, business-enabling environment, local competitiveness, promotion and support of investments and other economic enterprises, all consistent with the purpose for which this Code is promulgated, with the general investment policy of the Provincial Government of Bohol, and with the overall development goals of the Province of Bohol. Pursuant to this, the Board shall be vested with the following powers and functions:

- a) To formulate the rules and regulations to implement the intent and provisions of this Code;
- b) To formulate and adopt a long-range Local Economic Development and Investment Promotion Plan that shall be in accordance with the Provincial development thrusts and priorities;
- c) To supervise the operations and activities of the Bohol Economic Development and Investment Promotion Office (BEDIPO) for the effective implementation of the provisions of this Code;
- d) To formulate and adopt investment policies, incentives and support measures, and review and update the fiscal and non-fiscal incentives granted to registered enterprises under this Code, to attract investors and retain existing businesses;
- e) To promote ease of doing business by encouraging the City and Municipalities in the Province of Bohol to harmonize their Local Investments and Incentives Code with this Provincial Code, align their local policies and integrate the incentives application and registration requirements of enterprises under this Code into their business processes and licensing system;
- f) To establish cooperative undertakings with Local Government Units, national government agencies, private sector, and civil society, as may be necessary, useful and incidental to the effective and efficient implementation of this Code;
- g) To evaluate and approve registration application for incentives availment under the terms, conditions and objectives of this Code;
- h) To conduct an ocular inspection, if necessary, of the premises or examination of the business activity of any enterprise, including the records and books of any enterprise, registered or 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;

- i) After due notice, cancel the registration or suspend the enjoyment of incentives or benefits of any registered enterprise for:
 - Failure to maintain the qualifications required for registration under this Code, or
 - Violation of any provision of this Code and its Implementing Rules and Regulations;
- j) To inform, provide notice and recommend action, if necessary, to any concerned Local Government Unit of any existing business located thereat that does not conform or comply with the development principles and provisions of this Code; and
- k) To facilitate the resolution of issues between and among parties with regard to investments and business, such as the interpretation and implementation of local laws, by coordinating with the Tripartite Industrial Peace Council (TIPC) and other authorities, with the common consent of the parties concerned, in the interest of resolving said issues without bringing them to court.

“Section 9. Composition of the Board. – The Board shall be composed of the following:

Chairperson: Provincial Governor
Executive Vice-Chairperson: Provincial Vice-Governor
Vice-Chairperson: President, Bohol Chamber of Commerce and Industry

Members:

- a) Provincial Administrator;
- b) Provincial Planning and Development Coordinator;
- c) Provincial Treasurer;
- d) Provincial Assessor;
- e) Provincial Legal Officer;
- f) Chairman, Committee on Trade and Industry, Sangguniang Panlalawigan;
- g) Provincial Environment and Natural Resources Officer;
- h) Provincial Director, Department of the Interior and Local Government;
- i) Provincial Director, Department of Trade and Industry;
- j) Head, Provincial Disaster Risk Reduction and Management Office;
- k) Head, Bohol Environment Management Office;
- l) President, League of Municipalities of the Philippines – Bohol Chapter;
- m) President, Bohol Association of Non-Government Organizations (BANGON), Inc.;
- n) President, League of Local Planning and Development Coordinators of the Philippines, Inc.

Designation of a Permanent Alternate Representative: In case a member is unable to attend a Board meeting, a permanent representative whose name and designation in the Office/Organization shall be reflected in a written authority from the Member Head of Office/Organization, shall be recognized as the Alternate that shall entitle one to the same voting right as the appointed Member.

Sectoral Representatives: The sectoral representatives from agriculture, information and communications technology/business process management (ICT/BPM), tourism, education, and health and wellness shall be appointed by the Chairman of the Board upon the recommendation of the Board through a majority vote and shall be invited as needed:

- a) Representative, Tourism Sector;
- b) Representative, Agricultural Sector;
- c) Representative, Health and Wellness Sector;
- d) Representative, Information and Communications Technology Sector;
- e) Representative, Education Sector.

The membership of the Board, which may change every new term of the Local Chief Executive, may be increased or decreased by the Board for the effective implementation of this Code. The members of the Board shall undergo an orientation and briefing to effectively carry out their tasks.

Secretariat: The Bohol Economic Development and Investment Promotion Office (BEDIPO) shall serve as the Secretariat of the Board.

“Section 10. Board Meetings and Quorum. – The Board shall meet at least twice a year or as often as may be necessary, on such a day and time as may be determined by the Chair. The presence of five (5) members of the Board shall constitute a quorum as determined by the Secretariat, provided that the Chairperson or the Executive Vice-Chairperson, the Provincial Planning and Development Coordinator, and any one of the sectoral representatives shall be in attendance, which shall be required to exercise its powers and perform its functions; unless the Board shall convene to evaluate and approve an application for registration of an enterprise for the availment of investment incentives under the Bohol Investment Code, then a simple majority (one-half plus one) or nine (9) of its members shall constitute a quorum.

“Section 11. Creation and Function of the Bohol Investment Board-Evaluation Committee (BIB-EC). – There is hereby created a committee to be known as the Bohol Investment Board- Evaluation Committee (BIB-EC) that evaluates and endorses, whether for approval or denial, any application for registration for the availment of incentives under this Code, to the Bohol Investment Board. The BIB-EC, as a recommendatory body to the BIB, reviews development plans and projects to ascertain compliance, evaluates the validity and legality of all documents submitted by the Applicant through the BEDIPO for assessment and other pertinent documents that may be required in the application process, and may conduct an ocular inspection at project location if necessary.

“Section 12. Composition of the Bohol Investment Board-Evaluation Committee (BIB-EC). – The Committee shall be composed of the following:

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|--------------|--|
| Chairperson: | Provincial Legal Office |
| Vice-Chair: | Bohol Chamber of Commerce and Industry |
| Secretariat: | BEDIPO |
- Members:
- a) Office of the Provincial Assessor;
 - b) Provincial Planning and Development Office (PPDO);
 - c) Department of Trade and Industry;
 - d) Department of the Environment and Natural Resources Office;
 - e) Provincial Disaster Risk Reduction and Management Office;
 - f) Bohol Environment Management Office;
 - g) Local Economic Development and Investment Promotion Officer of the City or Municipal Local Government Unit where the applicant Enterprise is to be located;
 - h) League of Municipalities of the Philippines – Bohol Chapter;
 - i) Sectoral Representative shall be invited as needed as determined by the BIB-EC.

CHAPTER 4. THE BOHOL ECONOMIC DEVELOPMENT AND INVESTMENT PROMOTION OFFICE

“Section 13. Streamlining of the Bohol Economic Development and Investment Promotion Office (BEDIPO). – The Bohol Economic Development and Investment Promotion Office, hereinafter referred to as BEDIPO, formerly known as BIPC, which has been streamlined and expanded in compliance with DILG MC 2020-167, and created as a regular department of the Provincial Government of Bohol, is deemed necessary to enhance local competitiveness and ease

of doing business to enable business to thrive and encourage more investments in the province in order to sustain local economic development.

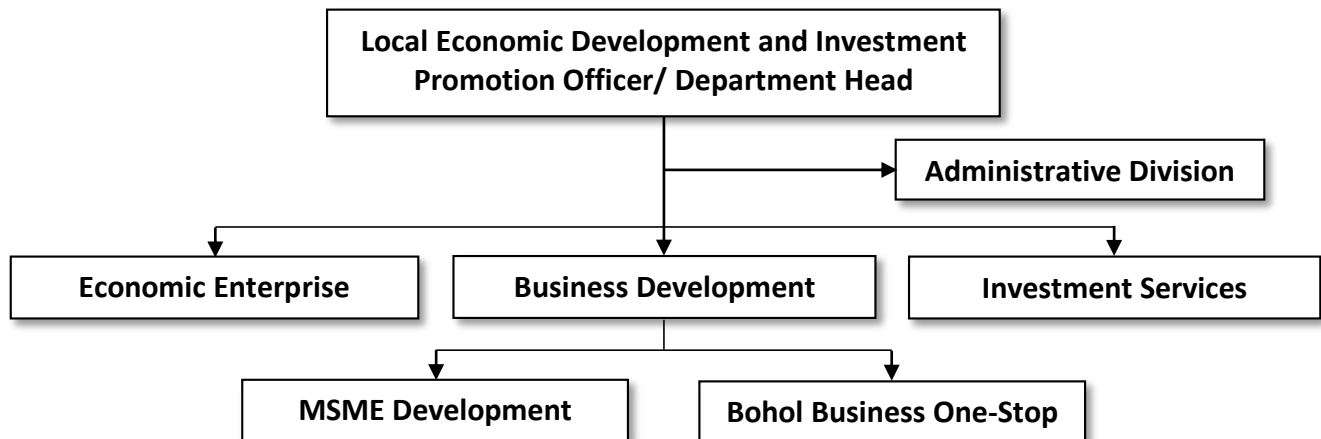
It shall be the office in the Provincial Government of Bohol that is in charge of the facilitation, preparation, coordination, and execution of local economic development and investment promotion policies, projects and activities. Its basic function is to take charge of all activities related to a) LGU investment facilitation and promotion activities, b) Local Enterprise Development, c) Establishment of support mechanisms for the growth of Micro, Small and Medium Enterprises (MSMEs), d) Provide mechanisms for business retention and expansion, and e) Other business and economic activities to attract investments and generate employment, within the purview of the purpose, principles and framework of this Code. It shall serve as the Secretariat of the Board.

In addition, the BEDIPO shall have the following specific duties and functions:

- a) To serve as member of the advisory group on local economic development and investment promotion;
- b) To steer the creation of a business-enabling environment to attract, retain or expand sustainable investments and businesses, and to increase local competitiveness;
- c) To assist in the development, promotion and marketing of MSMEs and investment priority areas;
- d) In close coordination with the Provincial Planning and Development Office, to identify economic enterprise projects that may be implemented through Public-Private Partnership (PPP);
- e) To establish and maintain partnership with Local Government Units and National Government regulatory agencies to advocate, streamline, harmonize and provide one-stop assistance; extend available incentives and support for business requirements; undertake monitoring activities; and, advocate the enforcement of investment-related policies, laws and regulations and facilitate the resolution of issues/concerns encountered by business entities when necessary;
- f) To coordinate with multi-sectoral stakeholders to implement programs and projects that will promote business-friendliness and local competitiveness;
- g) To conduct, participate and represent the Province in trade, promotion and marketing events/missions, including meetings, conferences and other similar activities in both domestic and foreign venues that promote and market Bohol Province to attract investors and business people;
- h) To establish and maintain a local economic database containing relevant facts and figures on the local economy and service agencies and providers for updated information and advice;
- i) To prepare, disseminate and make accessible investment promotion collaterals;
- j) To facilitate business registration and provide handholding assistance;
- k) To support local councils whose undertakings are related to economic development;
- l) To build the capacity of the BEDIPO and network with counterpart LEDIPOs and investment promotion organizations to enhance and propel a holistic local economic development and investment promotion in the Province of Bohol.

“Section 14. Bohol Economic Development and Investment Promotion Office Functional Structure. – Pursuant to its general duties and functions, in compliance with DILG MC 2020- 167, the Bohol Economic Development and Investment Promotion Office (BEDIPO), which presence has been established as one of the indicators in the Seal of Good Local Governance (SGLG: Business-Friendliness and Competitiveness Essential Area), shall provide the following specific functions and duties:

BOHOL ECONOMIC DEVELOPMENT AND INVESTMENT PROMOTION OFFICE (BEDIPO)



Local Economic Development and Investment Promotion Officer/Department Head supervises and manages the operations of the BEDIPO; Facilitates the preparation, coordination, and execution of local economic development and investment promotion policies, programs, projects and activities of the Provincial Government of Bohol.

Administrative Division provides administrative and technical support in organizational planning, budgeting, personnel and financial affairs; Initiates efficient and effective support in general office management including the setup of an office system to facilitate information exchange, storage and retrieval, performance monitoring, reporting, and other compliance requirements.

Economic Enterprise Division formulates plans, develops and implements proposals for the establishment of new business economic enterprises; Closely coordinates with the PPDO, PPP Center and DILG on: a) Building partnerships and facilitation in the planning and implementation of PPP projects, and the recommendation of relevant policies and guidelines; b) Conduct of research and setup of database; c) PPP project monitoring, tracking and documentation; d) Accessing relevant PPP learning, advisory or capacity building resources; and e) Other functions related to PPP projects as may be determined by the Local Chief Executive.

Business Development Division has two sections: a) **MSME Development Section** supervises the trade and industry functions and coordinates with the Bohol Micro-Small-Medium Enterprise (MSME) Development Council, national government agencies and the private sector in the following areas: research and product development, industry trends and initiatives, innovation and technology adoption, financial/funding and sustainability; Develops mindset and builds capacity of entrepreneurs; Plans, executes and monitors product promotion and marketing events; b) **Bohol Business One-Stop Shop (Bohol BOSS)** provides streamlined business registration services in collaboration with national government agencies and local government units and advocates for ease of doing business and enhanced local competitiveness, in partnership with the private sector; Manages data and provides information assistance, advisory and learning materials.

Investment Services Division formulates investment promotion strategies and policies; Promotes the Provincial investments and incentives code and advocates for harmonized and streamlined procedures among local and national government agencies to attract entrepreneurs and investors; Assesses and facilitates all applications for registration in the availment of local incentives; Monitors new investments projects and compliance of registered business establishments to the terms and conditions as stipulated in the Code; Conducts research for economic, industry and project profiling; Prepares and disseminates investment promotion

collaterals and briefing kits; Organizes, facilitates and participates in investment missions and exhibitions; Organizes client site visits and handholds investors; Makes referrals to relevant agencies and government and private sector network as needed.

CHAPTER 5. BOHOL INVESTMENT PRIORITIES PLAN

“Section 15. Criteria in Determining Investment Priority Areas. – Economic activity that shall be included in the Investment Priorities Plan must be environmentally, socio-economically, technically and financially sound after thorough investigation and analysis by the Board. It shall build the capacity of the locality to improve the economy and the quality of life for all. The determination of preferred areas of investment to be listed in the Bohol Investment Priorities Plan shall be based on the following:

- a) Sustained comparative and competitive advantages;
- b) High economic impact;
- c) Considerable contribution to the sustainable development goals;
- d) Accelerated generation of quality jobs/employment;
- e) Boost economic diversification;
- f) Resilient, climate-smart and pandemic-ready;
- g) Adaptive and innovative low carbon emission technologies;
- h) Enhanced value and supply chains;
- i) Strong linkages with local industries; and
- j) Compliant with environmental policies, rules and regulations.

“Section 16. Investment Priority Areas. – These overarching principles shall guide the development of the investment priority areas in the Province of Bohol:

- a) Conformity to the green growth strategies of development and consistent with the priorities of the Philippine Risk Reduction and Management Act of 2010 or Republic Act 10121;
- b) Boholano-inspired design and architecture of buildings and facilities consistent with Boholano culture and heritage;
- c) Integration of facilities compliant with the Disability Access Law, Gender and Development Code of Bohol Province, Child Protection Laws, and similar laws; and
- d) Observance of corporate social responsibility principles.

Investment Priority Areas

I. All Qualified Activities Relating to the Fight against the COVID-19 Pandemic

- a. Essential Goods
 - Production or manufacture of medicines
 - Medical, surgical and laboratory equipment, devices, supplies
 - Personal Protective Equipment (PPE)
 - Consumables, such as, but not limited to, sanitizers and cleaning materials
- b. Essential Services
 - Crematorium
 - Columbarium
 - Modernization of hospital laboratories
 - Test facilities
 - Hospital, medical and healthcare facilities
 - Quarantine facilities
 - Cold Chain Storage Facilities

- c. Green business
 - Provision of environment- friendly products or services
 - Establishment of facilities using environment- friendly processes or clean technologies in the manufacture/assembly of goods

II. Light Manufacturing Activities

- a. Manufacture of industrial and consumer goods

III. Agriculture, Fishery, Forestry and Agro-Processing

- a. Commercial production of agricultural, including livestock, poultry, fishery and forestry products
- b. Processing of agricultural, including livestock, poultry, fishery and food products
- c. Support services and infrastructure
 - Nurseries, Sanctuaries
 - Hatcheries
 - Postharvest facilities
 - Fish landing facilities
 - Class AAA/AA Abattoirs/Slaughterhouse
 - Cold storage facilities
 - Processing/Packaging facilities
 - Soil laboratory

IV. Strategic Services

- a. IT-BPM services
- b. Logistics services
- c. Port facilities
- d. Food testing laboratory
- e. Charging/Refueling Stations for Alternative Energy Vehicles except LPG-run vehicles
- f. Waste Treatment/Management Facilities
 - Treatment, disposal and management facilities for medical, toxic and hazardous wastes; Waste water and sewage
 - Waste material recovery and recycling facilities
 - Waste to energy facilities
- g. Telecommunications
 - Establishment of connectivity facilities for fixed and mobile broadband services

V. Disaster Risk Reduction Management/Climate Change Adaptation Services

- a. Rehabilitation and evacuation centers
- b. Elderly care facilities
- c. Weather surveillance, forecast, monitoring and information facilities
- d. Command centers/Emergency operation centers

VI. Housing, Logistics and PPP Projects

- a. Development of low-cost and socialized housing; resettlement housing
- b. Land and water transport facilities including mass transport system
- c. PPP projects including those initiated or implemented by Local Government Units (LGUs)
- d. Warehouse for utilization as relief warehouse in time of disaster

VII. Innovation Drivers

- a. Educational institutions/Human resource development/Training services and facilities
- b. Financial/Engineering/Architectural/Creative Industry, such as: design, visual arts and crafts including fashion, interior design and jewelry; software, computer games; marketing and advertising; media and publishing
- c. Establishment of Centers of Excellence
- d. Innovation centers and fabrication laboratories
- e. Business incubation hubs, co-working spaces
- f. Business establishments into e-commerce
- g. Natural health products

VIII. Inclusive Business (IB) Models

- a. Business activities of Medium and Large Enterprises (MLEs) that provide business opportunities to Micro and Small Enterprises (MSEs) as part of their value chains

IX. Energy and Energy Efficiency

- a. Renewable Energy (R.A. 9513)
- b. Power generation, transmission and other activities using environment-friendly technologies that comply with relevant environmental laws

X. Water

- a. Bulk water supply and distribution system
- b. Bulk water treatment and supply
- c. Water desalination
- d. Water (potable, groundwater, surface water, wastewater) testing facilities

XI. Sustainable Tourism

- a. Accommodation facilities
- b. Convention/Event/Meeting centers
- c. Tourism training centers
- d. Eco-cultural-faith and agri-tourism facilities, including:
 - Nature, adventure and theme parks
 - Mountain, island resorts
 - Pilgrimage and meditation facilities
 - Museums
- e. Diving, sports and recreation facilities
- f. Health and wellness facilities
- g. Retirement village
- h. Malls, restaurants, food outlets/Delivery service
- i. DOT-accredited tourist transport services

XII. Creation and Development of Economic Zones

- a. Economic Zone for agricultural production and processing; light industry
- b. IT Park; IT Building
- c. Logistics Park near ports, such as: storage, shipment, distribution center and other related facilities

- d. Renewable Energy Eco-Industrial Park
- e. Tourism Enterprise Zone

“Section 17. Determination of Additional Investment Areas. –

- a) Additional economic activities may be included in the list of priority investment areas upon approval by the Board. The inclusion of investment priority areas shall be based on the criteria set in Section 15 of this Code.

“Section 18. Review of Investment Incentives and Support Measures. – To promote the growth of investments in the province, particularly in investment priority areas, the Board shall review the list of preferred areas and package of incentives and support measures every three (3) years, and recommend for approval to this August Body the appropriate specific fiscal and non-fiscal incentives that the government shall grant to qualified investors and enterprises.

“Section 19. Pre-Qualification Requirements. – All enterprises intending to avail of the incentives as provided for in this Code must be able to meet the following requirements:

- a) The business enterprise shall have complied with all the requirements mandated under existing local and national laws, and under the Philippine Constitution, including business registration requirements, accreditation requirements, as the case may be;
- b) The prospective investor’s place of operation or production shall be located within the Province;
- c) The prospective investment shall engage in any of the areas or activities cited in the investment priority areas, or, as may hereafter be declared by the Board;
- d) The new enterprise shall either be a registered Micro, Small, Medium or Large Enterprise, whether single proprietorship, partnership, corporation, or a cooperative, whose total fixed assets are defined in this Code, as stated in the Applicant’s project study submitted for approval by the Board;
- e) The new enterprise shall employ qualified bona fide residents of the Province equivalent to at least 60% of its total labor/manpower requirements; it shall submit a complete list of employees, or a Certification from the Public Employment Service Office in the LGU where the registered enterprise is located, that said requirement has been met;
- f) Expansion or modernization project shall have an additional project cost in the scale as provided for in this Code, and such expansion or modernization as stated in the investor’s project study submitted to and approved by the Board;
- g) Foreign companies intending to apply for registration shall comply with the Foreign Investments Act, and project shall conform with existing law on the Foreign Investment Negative List; and
- h) Project shall not negatively impact the environment, whether in terms of pollution, use of resource or easement.

CHAPTER 6. REGISTRATION OF ENTERPRISE

“Section 20. Types of Projects for Registration. –

- a) New Projects
- b) Expansion Project
- c) Modernization Project
- d) Green Business Project

“Section 21. Registration Requirements. –

- I. Filing Fee. An entity shall file its application for registration of a project with the Board through the Bohol Economic Development and Investment Promotion Office. A non-refundable filing fee shall be paid to the Provincial Treasurer’s Office, which shall issue an Official Receipt to be submitted together with the application documents. The filing fee shall be based on the amount of capitalization based on initial fixed assets of the business or enterprise, under the following scale:

Size of Enterprise	Filing Fee (P)
Micro-scale Enterprise	None (0)
Small-scale Enterprise	Five Thousand Pesos (P5,000.00)
Medium-scale Enterprise	Ten Thousand Pesos (P10,000.00)
Large Enterprise	Twenty Thousand Pesos (P20,000.00)

The following documents shall likewise be submitted:

- II. Documentary Requirements. The following documents shall be submitted to the Board through the Bohol Economic Development and Investment Promotion Office (BEDIPO) in three (3) copies:

For Micro Enterprises:

- a) Single Proprietorship
- Copy of completed application form for registration under the Bohol Investment Code;
 - Copy of Business Name Registration issued by the Department of Trade and Industry (DTI);
 - Mayor’s permit and barangay clearance;
 - Other documentary requirements as may be indicated in the application guidelines.
- b) For Partnership/Corporation
- Copy of completed application form for registration under the Bohol Investment Code;
 - Copy of the Articles of Partnership or Incorporation;
 - Certified true copy of its Certificate of Registration, specific to the business applied for, issued by the Securities and Exchange Commission (SEC), for Corporation/Partnership;
 - Resolution of the applicant’s Board of Directors, in case of a Corporation authorizing the filing of application;
 - Other documentary requirements as may be indicated in the application guidelines.
- c) For Cooperatives
- Copy of completed application form for registration under the Bohol Investment Code;
 - Copy of the Articles of Cooperation and By-Laws approved by the Cooperative Development Authority (CDA);
 - Certified true copy of the Certificate of Registration issued by the Cooperative Development Authority (CDA);
 - Authority from the Board of Directors to file the application;
 - Mayor’s Permit and Barangay Clearance;
 - Other documentary requirements as may be indicated in the application guidelines.

For Small, Medium and Large Enterprises:

d) Single Proprietorship

- Copy of completed application form for registration under the Bohol Investment Code;
- Copy of Business Name Registration issued by the Department of Trade and Industry (DTI);
- Mayor's permit and barangay clearance;
- Copy of Audited Financial Statements (if existing);
- Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC), whichever is applicable;
- Project profile or brief;
- Project study indicating the financial viability, socio-economic and environmental impact of the project;
- Comprehensive master plan for a project development of fifty hectares (50 hectares) or more, and corresponding project feasibility study;
- Other documentary requirements as may be indicated in the application guidelines.

e) For Partnership/Corporation

- Copy of completed application form for registration under the Bohol Investment Code;
- Copy of the Articles of Partnership or Incorporation;
- Certified true copy of its Certificate of Registration, specific to the business applied for, issued by the Securities and Exchange Commission (SEC), for Corporation/Partnership;
- Resolution of the applicant's Board of Directors, in case of a Corporation authorizing the filing of application;
- Copy of Audited Financial Statements (if existing);
- Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC), whichever is applicable;
- Project profile or brief;
- Project feasibility study/report and supporting documents indicating environmental and social acceptability, among others, including compliance with existing environmental laws, ordinances and guidelines;
- Comprehensive master plan for a project development of fifty hectares (50 hectares) or more, and corresponding project feasibility study;
- Other documentary requirements as may be indicated in the application guidelines.

f) For Cooperatives

- Copy of completed application form for registration under the Bohol Investment Code;
- Copy of the Articles of Cooperation and By-Laws approved by the Cooperative Development Authority (CDA);
- Certified true copy of the Certificate of Registration issued by the Cooperative Development Authority (CDA);
- Authority from the Board of Directors to file the application;
- Mayor's Permit and Barangay Clearance;
- Project study of the proposed investment indicating the financial viability and the socio-economic and environmental impact of the project;
- Comprehensive master plan for a project development of fifty hectares (50 hectares) or more, and corresponding project feasibility study;
- Other documentary requirements as may be indicated in the application guidelines.

“Section 22. Registration Procedures and Approval of Application. –

- a) Filing of Applications – All applications shall be submitted to the Bohol Economic Development and Investment Promotion Office (BEDIPO);
- b) Check List/Assessment of Documents – Client presents documents for assessment on its completeness and consistency of information, and a project summary report, at least, in a PowerPoint presentation format;
- c) Date of Official Acceptance – Within three (3) working days from receipt of the application, the BEDIPO shall notify the applicant of all pertinent requirements not complied with. The applicant shall have thirty (30) days from receipt of such notice to comply with the said requirements. Failure to comply within the said period shall be construed as an abandonment of the application, unless a written request shall be sent to the BEDIPO. Only complete applications shall be officially accepted by the BEDIPO and registered in the Registration Book. Date stamped on the application shall be considered as the date of official acceptance of the application, which shall be indorsed to the Bohol Investment Board- Evaluation Committee;
- d) Evaluation of Application – The project shall be evaluated by the Bohol Investment Board- Evaluation Committee. The committee may conduct an ocular inspection at the premises of the project/business, if necessary. The evaluation of the application and recommendation for action to the Bohol Investment Board shall be done within seven (7) working days;
- e) Approval of Application – The Bohol Investment Board shall act on the recommendation of the application within ten (10) working days. The applicant shall be called to attend and present the project for registration to the Board;
- f) Certificate of Registration – Upon approval, an enterprise shall be issued a Certificate of Registration with the signature of the Chairman of the Board, or such other officer as the Board may designate for the purpose, and as such, legally entitles it to fully avail of all fiscal and non-fiscal incentives provided for in this Code during the next calendar year and within the period of initial commercial operation. The BEDIPO shall inform the Provincial Treasurer, the Provincial Assessor, and the LGU Chief Executive of such approval, for their guidance and appropriate action.
It shall state, among others, the following:
 - 1) Name of the Registered Enterprise;
 - 2) Investment Priority Area (IPA) in which the registered enterprise shall engage in;
 - 3) Incentives granted and period of its availment; and
 - 4) Such other terms and conditions to be observed by virtue of its registration.
- g) Disapproved Application – If the application is denied, the BEDIPO shall inform the applicant in writing, stating or attaching therein the result of evaluation and reason for disapproval;
- h) Motion for Appeal - a disapproved application may be appealed for review of the Board by the applicant within fifteen (15) working days upon receipt of the written letter from the Applicant through the BEDIPO, otherwise the decision becomes final;
- i) Review of Disapproved Application – The Bohol Investment Board-Evaluation Committee (BIB-EC) shall have ten (10) working days, which shall start on the next working day upon receipt by the BEDIPO of the motion for appeal, to review their decision of a disapproved application and submit its recommendation for action to the Bohol Investment Board.

The Bohol Investment Board shall act on the recommendation of the reviewed application within five (5) working days.

The BEDIPO shall inform the applicant in writing, stating or attaching therein the result of review evaluation whether it has been approved or disapproved. The decision of the Board after the review is final and executory.

CHAPTER 7. RIGHTS AND PRIVILEGES

“Section 23. Rights and Privileges. – The Provincial Government of Bohol, through the Bohol Investment Board (BIB), guarantees all registered enterprises their full entitlement of the rights and privileges provided under this Code and other laws, viz:

- a) Provide concise and comprehensive information to prospective investors regarding the economic priorities of the province, investment priority areas, and the general conditions applicable to incoming investments;
- b) Disseminate to investors and the general public the investment evaluation criteria and registration procedures to enhance government transparency in the process of granting incentives in the province;
- c) Facilitate the needs of investors in starting a business, and including that on industrial peace and stability by coordinating with the Tripartite Industrial Peace Council (TIPC) and other authorities.

CHAPTER 8. FISCAL AND NON-FISCAL INCENTIVES

“Section 24. Tax Incentives to Registered Enterprises. – In addition to the incentives provided under Republic Act 7160, otherwise known as the Local Government Code of 1991, Republic Act 7916 known as the Special Economic Zone Act of 1995, Executive Order No. 226 known as Omnibus Investments Code of 1987, Republic Act 9593 known as the Tourism Act of 2009, and other pertinent national laws, a registered enterprise under this Code shall enjoy the following tax incentives:

- a) Tax credit equivalent to ten percent (10%) of the total cost of approved infrastructure project to be deducted from the future real property tax liability of the registered enterprise from the Provincial Government starting from the date of the expiration of the real property tax exemption of the registered enterprise to cover for an extended period similar to the term of the holiday as specified; provided, that said infrastructure project shall be open for public use; and
- b) Exemption from the real property tax imposed under Provincial Ordinance No. 97-001, otherwise known as the Provincial Revenue Code of Bohol, for registered enterprises for a fixed period under the following categories; provided, that the tax exemption shall pertain only to the thirty-five percent (35%) share of the province:

Size of Enterprise	Period of Holiday
Micro-scale Enterprise	One (1) year
Small and Medium-scale Enterprise	Three (3) years
Large Enterprise	Five (5) years

“Section 25. Non-Fiscal Incentives. – Registered enterprises and investors shall be granted the following non-fiscal incentives:

- a) Provision of a one-stop business registration and assistance center for simplified procedures, such as: access to data and information, handholding and after-care, and networking with related agencies;
- b) Consistent advocacy and support for ease of doing business; and
- c) Other non-fiscal incentives as may be determined by the Board.

“Section 26. Harmonized Provincial Incentives Scheme. – This Code shall be widely disseminated upon its adoption, and all component Local Government Units under the Provincial Government of Bohol are enjoined to formulate and adopt a harmonized and streamlined Local Investments and Incentives Code. On fiscal incentives available to qualified entrepreneurs and

investors, the LGUs are encouraged to adopt a complementary and goodwill fiscal incentives scheme on Real Property Tax (RPT) that shall waive their Municipal (40%) and Barangay (25%) RPT share so that, in effect, an approved registered enterprise shall be entitled to 100% RPT within the period of holiday as provided for in respective Codes.

CHAPTER 9. MISCELLANEOUS PROVISIONS

“Section 27. Submission of Reports and other Documents for Monitoring and Evaluation. – Every registered enterprise shall submit to the Board annually, from the beginning until the expiration of the period of holiday as provided for in this Code, reports or documents necessary for monitoring and evaluation on its compliance with the Code or for industry profiling for investment promotion through the Bohol Economic Development and Investment Promotion Office (BEDIPO).

CHAPTER 10. FINAL PROVISIONS

“Section 28. Appropriations. – Appropriations covering the current operating expenditures and capital outlays for the Bohol Investment Board and the Bohol Economic Development and Investment Promotion Office (BEDIPO) shall be included in the Annual Provincial Budget.

“Section 29. Penal Provisions. – Any violation of the provisions of this Code, existing laws, ordinances, rules and regulations; or material misrepresentation made by any registered enterprise shall be ground for cancellation or revocation of the Certificate of Registration of the project/business. The cancellation or revocation of the Certificate of Registration shall mean the withdrawal of all the incentives granted under this Code; and the Board may, in appropriate cases, require that all fees and charges previously exempted shall become due and demandable.

The Board shall promulgate rules and procedures governing the conduct of investigations involving violations of this Code and existing laws, ordinances, rules and regulations.

“Section 30. Appeal from the decision of the BIB. – The registered enterprise adversely affected by any decision of the Board relative to its cancellation/revocation of registration or the imposition of fines/penalties in accordance with this Code may file a motion for reconsideration within Fifteen days (15) from receipt of the decision, otherwise the decision shall become final and executory.

“Section 31. Implementing Rules and Regulations (IRR). – The Governor, through the BEDIPO, with the BIB, shall promulgate the necessary rules and regulations for the implementation of this Code within 90 working days from its effectivity.


“Section 32. Separability Clause. – In the event that one or more of the herein provisions are declared illegal or unconstitutional by a competent court, the validity of the other provisions shall not be affected, and shall continue to be in force and effect.

“Section 33. Repealing Clause. – The provisions of Provincial Ordinance 99-002 dated February 12, 1999, and all rules and regulations inconsistent or in conflict with the provisions of this Code are hereby repealed, amended or modified accordingly.

“Section 34. Authorship, Sponsorship, Co-sponsorship and Deliberation. – This Ordinance was authored and sponsored by Hon. Jone Jade A. Bautista; co-sponsored by Hon. Romulo G. Cepedoza, Hon. Ricky U. Masamayor, and co-authored and co-sponsored by the Honorable Presiding Officer, Vice-Governor Rene L. Relampagos, and duly deliberated by all Members present.

"Section 35. Effectivity. – This Ordinance shall take effect immediately upon its approval.

APPROVED: July 13, 2021.


RENE LOPEZ RELAMPAGOS
Vice Governor
(Presiding Officer)

ATTESTED:


BONIFACIO M. QUIROG, JR., J.D., Ph.D.
Secretary, Sangguniang Panlalawigan

APPROVED:


ATTY. ARTHUR C. YAP
Governor

Date Signed: 7/27/2021