

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 161

DIRECTING ALL LOCAL GOVERNMENT OFFICIALS TO EXTEND THE MAXIMUM COOPERATION AND ASSISTANCE TO THE BOARD OF INVESTMENTS IN THE IMPLEMENTATION OF RA 5455 AND THE RULES PROMULGATED THEREUNDER

1. All officials and instrumentalities of local governments, particularly the city and municipal mayors and such other local government officials charged with the registration or licensing of persons and entities for the purpose of doing business anywhere in the Philippines, are hereby directed to extend the maximum cooperation and assistance to the Board of Investments and other government agencies involved in the implementation of RA 5455 and the rules issued or to be issued by the Board of Investments thereunder, and to observe the injunction in Section 6 of said law that -

"No agency, instrumentality or political subdivision of the Government shall take any action in conflict with or which will nullify the provisions of this Act, or any certificate or authority granted thereunder."

2. To insure compliance with the foregoing, local government officials shall inform themselves of the provisions and operation of RA 5455 and its implementing rules, and seek clarification of any question thereon from the Board of Investments.

3. In accordance with Section 4 of RA 5455 and its implementing rules, and except as otherwise therein provided, no local government official or employee shall allow the following persons and entities to do business or engage in any economic activity in the Philippines, or register, license or permit any of them to do so without first securing a written certificate or authority from the Board of Investments:

- a. Aliens;
- b. Partnerships, corporations and other business organizations formed, organized, chartered or existing under any laws other than those of the Philippines;
- c. Domestic entities which are not Philippine nationals; and
- d. Domestic entities more than 30% of the outstanding capital of

benefits, where the trustee is a Philippine national and at least 60% of the fund will accrue to the benefit of Philippine nationals.

4. Local government officials shall, at their own initiative or upon the request of the Board of Investments, investigate and report to the latter violations of Republic Act 5455 and its implementing rules, and perform such other acts within the scope of their authority to help ensure the effective and efficient enforcement of the said law and rules and the decisions of the Board of Investments with respect thereto.

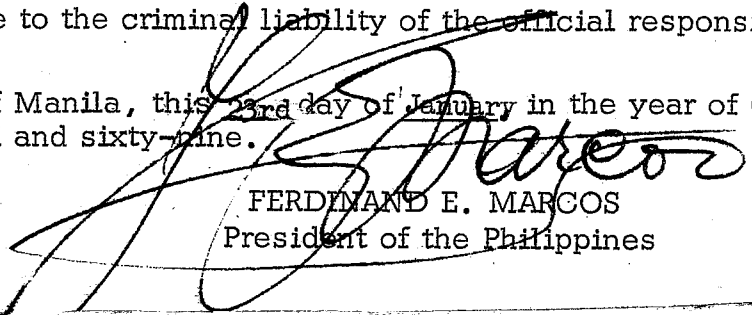
5. Within ninety (90) days from the date of this Order, the Treasurer of every city and municipality shall submit a report through the Secretary of Finance to the Board of Investments setting forth ^{the} names of the persons and entities engaged in business within his jurisdiction, the dates they were licensed to do so, and the specific lines of business in which said persons or entities are engaged, appropriately classified on the basis of specific economic activities.

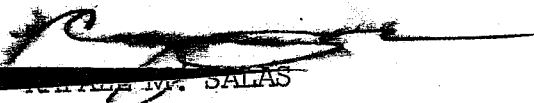
6. On or before the end of February of each year, a similar report duly updated shall be submitted by the Treasurer of every city and municipality to the Board of Investments through the Secretary of Finance setting forth the data specified above as of the end of the preceding year. The Secretary of Finance shall take such measures as may be necessary to ensure compliance with this and the preceding paragraphs.

7. Applications to be filed with the Board of Investments for certificate or authority to do business or engage in any economic activity in the Philippines may be filed with the Treasurer of the city or municipality in which the economic activity is proposed to be undertaken, and the latter shall forward the applications to the Board of Investments.

8. Failure to comply with this Order shall be administratively dealt with, without prejudice to the criminal liability of the official responsible therefor.

Done in the City of Manila, this 23rd day of January in the year of Our Lord, nineteen hundred and sixty-nine.


FERDINAND E. MARCOS
President of the Philippines


ENRIQUE M. SALAS
Executive Secretary