



S E N A T E \*

S. No. 2572

(In substitution of Senate Bill Nos. 1013, 2266, 2524, taking  
into consideration House Bill No. 8841)

---

PREPARED AND SUBMITTED JOINTLY BY THE COMMITTEES  
ON ECONOMIC AFFAIRS; LOCAL GOVERNMENT; WAYS  
AND MEANS; AND FINANCE WITH SENATORS MARCOS,  
ZUBIRI, VILLANUEVA, AND POE AS AUTHORS THEREOF

---

AN ACT ESTABLISHING THE BULACAN SPECIAL  
ECONOMIC ZONE AND FREEPORT IN THE  
PROVINCE OF BULACAN, CREATING FOR THE  
PURPOSE THE BULACAN SPECIAL ECONOMIC  
ZONE AND FREEPORT AUTHORITY, AND  
APPROPRIATING FUNDS THEREFOR

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

CHAPTER I

GENERAL PROVISIONS

1  
2  
3  
4 SECTION 1. *Short Title.* – This Act shall be known as  
5 the “Bulacan Special Economic Zone and Freeport Act”.

6 SEC. 2. *Declaration of Policy.* – It is declared the  
7 policy of the State to encourage, promote, and accelerate

1 the sound and balanced industrial, economic and social  
2 development of the country. The establishment of a  
3 strategically located, master-planned, and value-creation-  
4 oriented special economic zone, within the framework and  
5 limitations of the Constitution, shall attract legitimate and  
6 productive foreign investments that generate employment  
7 and increase productivity and individual, as well as family  
8 incomes, thereby enhancing the quality of life of the  
9 Filipino people. It is also the declared policy of the State to  
10 promote an effective and sustainable economic growth  
11 model that benefits all stakeholders.

## 12 13 CHAPTER II

### 14 CREATION OF THE ECONOMIC ZONE AND FREEPORT

15

16 SEC. 3. *Creation of the Bulacan Special Economic*  
17 *Zone and Freeport.* – In accordance with the foregoing  
18 declared State policy, there is hereby established a Special  
19 Economic Zone and Freeport, hereinafter referred to as the  
20 Bulacan EcoZone (BuZ).

21 The BuZ shall cover:

22 (a) the Airport Project and the Airport City Project,  
23 as defined under, and to be developed pursuant to, Sections  
24 1 and 6 of Republic Act No. 11506, otherwise known as “An  
25 Act Granting San Miguel Aerocity Inc. a Franchise to  
26 Construct, Develop, Establish, Operate and Maintain a

1 Domestic and International Airport in the Municipality of  
2 Bulakan, Province of Bulacan, and to Construct, Develop,  
3 Establish, Operate, and Maintain an Adjacent Airport  
4 City,” respectively;

5 (b) the remaining land territories of the cities of  
6 Malolos and Meycauayan, and of the municipalities of  
7 Bulakan, Paombong, Guiguinto, Balagtas, Bocaue,  
8 Marilao, Obando, and Sta. Maria, in the Province of  
9 Bulacan, that are not yet included as component parts of  
10 the Airport Project and the Airport City Project; and

11 (c) all other expansion areas or municipalities,  
12 whose metes and bounds shall be clearly defined through a  
13 Presidential Proclamation, within the Province of Bulacan  
14 and surrounding areas which may be declared as part of  
15 the BuZ in compliance with Section 7(e) of this Act.

16 SEC. 4. *Creation of the Bulacan Special Economic*  
17 *Zone and Freeport Authority.* – There is hereby created a  
18 body corporate to be known as the “Bulacan Special  
19 Economic Zone and Freeport Authority,” hereinafter  
20 referred to as the BEZA, which shall manage and operate  
21 the BuZ, in accordance with the provisions of this Act:  
22 *Provided,* That the management and operations of any  
23 existing Philippine Economic Zone Authority (PEZA)-  
24 supervised economic zones in the BuZ shall remain with  
25 PEZA: *Provided, further,* That existing PEZA-registered  
26 locators within the BuZ shall have the option to register

1 with PEZA or the BEZA: *Provided, finally*, That the  
2 management and operations of the Airport Project and the  
3 Airport City Project shall be in accordance with Republic  
4 Act No. 11506.

5 It shall be organized within one hundred eighty (180)  
6 days upon the effectivity of this Act.

7 *SEC. 5. Land Use, Planning, and Development.* – Any  
8 provision of existing laws, ordinances, executive orders,  
9 rules or regulations to the contrary notwithstanding, forest  
10 lands located in Barangay San Nicolas in the Municipality  
11 of Bulakan; in Barangay Ubihan and Barangay Liputan, in  
12 the City of Meycauayan; in Barangay Abangan Norte,  
13 Barangay Abangan Sur, and Barangay Nagbalon, in the  
14 Municipality of Marilao; and in Barangay Salambao,  
15 Barangay Binuangan, Barangay Tawiran, Barangay Paco,  
16 Barangay Lawa, Barangay San Pascual, Barangay  
17 Paliwas, Barangay Pag-Asa (Poblacion), Barangay  
18 Catanghalan, Barangay Panghulo, in the Municipality of  
19 Obando, are hereby converted to agricultural lands and, as  
20 such, are declared as alienable and disposable, and may be  
21 used for industrial, commercial, or other lawful uses, as  
22 the case may be, in accordance with the Constitution to  
23 ensure that other inalienable lands shall not be included.

24 To ensure the efficient and sustainable development  
25 of areas covered, and proper inter-local development and  
26 coordination, the BEZA, in consultation with the National

1 Economic and Development Authority (NEDA), shall  
2 establish the general framework for land use, planning,  
3 and development for the area covered by the BuZ, which  
4 shall be consistent with the goals of the Philippine  
5 Development Plan (PDP). The framework shall abide by  
6 the following principles:

7 (a) The general framework shall maintain an  
8 optimal balance between economic maximization and  
9 ecological protection;

10 (b) The framework shall provide for the development  
11 of necessary transport, sanitation, waste management,  
12 flood control, and support infrastructure; and

13 (c) The framework shall include criteria for the  
14 designation or subdivision of the area covered into various  
15 zones for commercial, industrial, residential, or other uses.

16 The BEZA shall establish under it a land use,  
17 planning, and development office or unit to craft, revise,  
18 and implement the framework.

19 Local, regional, and national plans for the uses and  
20 development of the areas covered by the BuZ shall be  
21 consistent with the framework established by the BEZA.  
22 The BEZA shall also be involved in the crafting of local,  
23 regional, and national land use, zoning, and development  
24 plans which partially or fully cover the area of the BuZ, or  
25 which cover means of access to the BuZ.

1           SEC. 6. *Registration with the BEZA.* – Prospective  
2 locators within the BuZ may register with the BEZA and  
3 qualify for business incentives in accordance with Republic  
4 Act No. 11534, otherwise known as the “Corporate Recovery  
5 and Tax Incentives for Enterprises Act (CREATE)”: *Provided,*  
6 That the Airport Project and the Airport City Project shall  
7 remain covered by Republic Act No. 11506, including the  
8 incentives and regulatory regime provided therefor.

9           SEC. 7. *Governing Principles.* – The BEZA, created  
10 under Section 4 of this Act, shall manage and operate the  
11 BuZ under the following principles:

12           (a) Within the framework and limitations of the  
13 Constitution and applicable provisions of Republic Act No.  
14 7160, otherwise known as the “Local Government Code of  
15 1991”, as amended, the BuZ shall be developed into and  
16 operated as a decentralized, self-reliant and self-sustaining  
17 aviation hub, industrial, commercial, trading, agro-  
18 industrial, tourism, retirement, banking, financial and  
19 investment center, emerging and future technologies, with  
20 suitable residential areas;

21           (b) Notwithstanding the autonomy provided in  
22 Section 7(a) of this Act, the BuZ may continue to be  
23 provided by the National Government (NG) and local  
24 government and shall be equipped with transportation,  
25 telecommunications, and other facilities needed to attract  
26 legitimate and productive investments, and generate

1 linkage industries and employment opportunities for the  
2 people of the Province of Bulacan, and its neighboring  
3 towns and cities: *Provided*, That the development of the  
4 BuZ shall be integrated and consistent with the plans of  
5 the National Government Agencies (NGAs), Regional  
6 Development Council (RDC), and Local Government Units  
7 (LGUs) with respect to transportation, telecommunications  
8 infrastructure and other facilities: *Provided, further*, That  
9 access to the BuZ shall be incorporated in the planning,  
10 construction, and operation of such infrastructure or  
11 expansions;

12 (c) The BuZ may establish mutually beneficial  
13 economic relations with other entities or enterprises within  
14 the country or, subject to the administrative guidance of  
15 the Department of Foreign Affairs (DFA), the PEZA, and  
16 the Department of Trade and Industry (DTI), with foreign  
17 entities or enterprises;

18 (d) Subject to existing laws, rules and regulations,  
19 foreign citizens and companies owned by non-Filipinos may  
20 set up enterprises in the BuZ, either by themselves or in a  
21 joint venture with Filipinos, in any sector of industry,  
22 international trade and commerce within the BuZ;

23 (e) The areas comprising the BuZ may be expanded  
24 or reduced when necessary through a Presidential  
25 Proclamation with the concurrence through local  
26 legislation by the concerned LGU: *Provided*, that the

1 acquisition by the BEZA of lands distributed under the  
2 Comprehensive Agrarian Reform Program shall be subject  
3 to existing laws, rules, and regulations: *Provided, further,*  
4 That the acquisition of land by BEZA in areas outside of  
5 BuZ' territorial coverage shall not automatically expand  
6 the same;

7 (f) Goods manufactured by a BuZ enterprise shall be  
8 made available for immediate retail sale in the domestic  
9 market, subject to the payment of corresponding taxes on  
10 raw materials and other regulations that may be  
11 formulated by the BEZA, the Department of Finance  
12 (DOF), the Bureau of Customs (BOC), and the DTI.  
13 However, in order to protect domestic industries, a  
14 Negative List of industries shall be drawn up and regularly  
15 updated by the Interagency Investment Promotion  
16 Coordination Committee (IIPCC), pursuant to Republic Act  
17 No. 7042, otherwise known as the "Foreign Investments  
18 Act of 1991", as amended, and other relevant laws, rules,  
19 and regulations. Enterprises engaged in industries  
20 included in such Negative List shall not be allowed to sell  
21 their products locally; and

22 (g) The security of its perimeter, maintenance of  
23 peace and order, firefighting, and disaster response within  
24 the BuZ shall be the responsibility of the NG in  
25 cooperation with the BuZ and the LGUs: *Provided, That,*  
26 for the costs of securing the BuZ, the Office of the



1 President (OP) shall, upon the recommendation of the  
2 DOF, establish a cost-sharing scheme between the BEZA  
3 and the relevant NGAs.

4 SEC. 8. *Separate Customs Territory.* – The BEZA  
5 shall operate and manage the BuZ as a separate customs  
6 territory, thereby ensuring the free flow or movement of  
7 goods and capital within, into, and out of its territory:  
8 *Provided,* That the BEZA shall establish a permanent  
9 customs control or customs office at its perimeter to  
10 enhance revenue collection and prevent importation of  
11 prohibited goods into the customs territory. The  
12 exportation or removal of goods from the territory of the  
13 BuZ to the other parts of the Philippine territory shall be  
14 subject to customs duties and taxes under Republic Act No.  
15 10863, otherwise known as the “Customs Modernization  
16 and Tariff Act (CMTA)”, and other relevant tax laws of the  
17 Philippines: *Provided, finally,* That this provision shall be  
18 effective upon the formal organization of the BEZA and  
19 submission of the Master Plan for the BuZ.

20 The BOC shall continue to exercise border protection  
21 and customs control authority over the customs territory  
22 outside the BuZ: *Provided,* That the BEZA shall allow  
23 patrol or other law enforcement arrangements by the BOC  
24 and other government agencies within the municipal  
25 waters covered by the BuZ, subject to coordination with the  
26 BEZA, to enhance its protection and control capacity and

1 ensure compliance with customs, fisheries, and other laws  
2 and regulations.

3       SEC. 9. *Development Goals of the BuZ.* – The BEZA  
4 shall include in its development goals for the BuZ the  
5 construction and operation of a domestic and international  
6 airport and allied businesses within the framework of the  
7 Constitution, and national development plans, policies and  
8 goals. The Administrator shall, upon approval by the  
9 Board of Directors of the BEZA, submit the BuZ plans,  
10 programs and projects to the RDC for inclusion and inputs  
11 to the overall regional development plan. The RDC  
12 endorsement or comments to the BuZ plan, as well as  
13 subsequent amendments to the plan, shall be submitted to  
14 the OP, the Province, and concerned LGUs, in order to  
15 ensure that the plans are finally vetted, prioritized, and  
16 translated into budgets.

17       SEC. 10. *Capitalization.* – The BEZA shall have an  
18 authorized capital stock of Two billion (2,000,000,000.00)  
19 no par shares at a minimum issue of Ten pesos (P10.00)  
20 each, the majority shares of which shall be subscribed and  
21 paid for by the NG and the LGUs embracing the BuZ.

22       The capital of the BEZA shall consist of:

23       (a) its assets and such other properties as may be  
24 contributed to the BEZA by the Government to form part of  
25 capital;

- 1 (b) all capitalized surplus;  
2 (c) any cash contribution by the Government; and  
3 (d) any budgetary outlay allocated and released in  
4 favor of BEZA.

5 Thereafter, any sum as may be necessary to augment  
6 its capital outlay shall be included in the General  
7 Appropriations Act to be treated as an equity of the NG.

8 The Board of Directors of the BEZA may, with the  
9 authorization of the President, and subject to the  
10 concurrence and prescribed manner of disposition by the  
11 Secretary of Finance, sell shares representing not more  
12 than forty per centum (40%) of the capital stock of the  
13 BEZA to the general public, under such policy as the Board  
14 and the Secretary of Finance may determine. The NG and  
15 LGUs shall in no case own less than sixty per centum  
16 (60%) of the total issued and outstanding capital of the  
17 BEZA: *Provided*, That the sale of shares to the public shall,  
18 in no manner, alter the composition of the BEZA Board.

19 SEC. 11. *Revenue Sharing*. – To ensure sufficient  
20 funds, the BEZA and the affected LGUs shall be entitled to  
21 a share in the special corporate income tax (SCIT) under  
22 Title XIII of Republic Act No. 8424, otherwise known as  
23 the “National Internal Revenue Code (NIRC) of 1997”, as  
24 amended, from all registered business enterprises in the  
25 BEZA. For this purpose, the said corporate income tax  
26 collected shall be divided as follows:

1 (a) Forty percent (40%) to the NG, which shall be  
2 directly remitted to the NG: *Provided*, That the revenue  
3 sharing under this section shall be considered compliance  
4 with Section 284 of Republic Act No. 7160, as amended,  
5 and shall no longer be further divided for purposes of the  
6 National Tax Allotment;

7 (b) Twenty percent (20%) to the BEZA, earmarked  
8 for infrastructure development projects of the BEZA as  
9 determined by its Board of Directors, consistent with the  
10 principles and purposes of this Act; and

11 (c) Forty percent (40%) to the concerned LGUs:  
12 *Provided*, That the local government share from revenues  
13 derived from BEZA-registered locators who availed of  
14 incentives under Republic Act No. 11534, in component  
15 cities or municipalities shall be allocated among the LGUs  
16 of the BuZ using the formula prescribed under Section 285  
17 of Republic Act No. 7160, as amended.

18 The share of the NG shall be paid by the locator  
19 directly to the Bureau of Internal Revenue (BIR). The  
20 share of the LGUs and the BEZA shall be collected by the  
21 latter. The BEZA shall remit the local government share  
22 on a quarterly basis.

23 SEC. 12. *Principal Office of the BEZA.* – The BEZA  
24 shall maintain its principal office at the Airport City, but it  
25 may establish liaison offices within the Philippines as may  
26 be necessary for the proper conduct of its business.

1           SEC. 13. *Powers and Functions of the BEZA.* – The  
2 BEZA shall have the following powers and functions:

3           (a) Operate, administer, manage and develop the  
4 BuZ according to the principles and provisions set forth in  
5 this Act: *Provided*, That the management and operations of  
6 the Airport Project and the Airport City Project shall be in  
7 accordance with Republic Act No. 11506;

8           (b) Register, regulate and supervise the enterprises  
9 in the BuZ in an efficient and decentralized manner,  
10 subject to existing laws;

11           (c) Coordinate with LGUs and exercise general  
12 supervision over the development plans, activities and  
13 operations of the BuZ; and adopt, prepare, and implement  
14 a comprehensive and detailed development plan with  
15 timelines and milestones that shall be consistent with the  
16 goals under Section 9 of this Act. The development plan  
17 shall include a list of projects for the sound and balanced  
18 operation of the BuZ consistent with ecological and  
19 environmental standards, proper waste management  
20 practices, effective flood control and management,  
21 mandatory water impoundment, and other productive uses  
22 to promote the economic and social development of the  
23 LGUs comprising the BuZ in particular and the country in  
24 general;

25           (d) Construct, acquire, own, lease, operate, and  
26 maintain, on its own or through contracts, franchise,

1 licenses, bulk purchase from the private sector or permits  
2 under any of the schemes allowed in Republic Act No.  
3 11966, otherwise known as the “Public-Private Partnership  
4 (PPP) Code of the Philippines”, adequate facilities and  
5 infrastructure required or needed for the operation and  
6 development of the BuZ, in coordination with appropriate  
7 national and local government authorities and in  
8 conformity with applicable laws thereon;

9 (e) Approve plans, programs and projects of the BuZ,  
10 to be submitted to the RDC for inclusion and inputs to the  
11 overall regional development plan;

12 (f) Operate on its own, either directly or through  
13 licenses to others, tourism-related activities, including  
14 games, amusements, recreational and sports facilities:  
15 *Provided*, That the BEZA shall not allow the registration of  
16 any business that is engaged, hosts, or accommodates any  
17 form of gambling, gaming-related activity, or any form of  
18 game of chance within BuZ;

19 (g) Raise or borrow, within the limitation provided  
20 by law, and subject to the approval of the Monetary Board  
21 of the Bangko Sentral ng Pilipinas (BSP), as the case may  
22 be, adequate and necessary funds from local or foreign  
23 sources, to finance its projects and programs under this  
24 Act; and for this purpose, to issue bonds, promissory notes  
25 and other forms of securities, and to secure the same by a  
26 guarantee, pledge, mortgage, deed of trust or an

1 assignment of all or part of its property or assets. In no  
2 instance shall the Philippine Government guarantee any  
3 bonds issued by the BEZA;

4 (h) Protect, preserve, maintain, and sustainably  
5 develop the forests, beaches, coral and coral reefs,  
6 terrestrial and marine ecosystems, and maintain ecological  
7 balance within the BuZ. The rules and regulations of the  
8 Department of Environment and Natural Resources  
9 (DENR) and other government agencies involved in the  
10 above functions shall be implemented by the BEZA:  
11 *Provided*, That the DENR shall continue to have primary  
12 authority and responsibility on environment protection:  
13 *Provided, further*, That the monitoring and issuance of  
14 leases, permits, certificates, clearances, and all other  
15 environment-related issuances by the DENR under its  
16 mandate shall remain under the jurisdiction of the  
17 Department: *Provided, further*, That upon a finding of any  
18 part of the area as needed for critical habitat  
19 establishment under Republic Act No. 9147, otherwise  
20 known as the “Wildlife Resources Conservation and  
21 Protection Act”, the BEZA will accommodate and integrate  
22 the requirements for range, habitat, feeding and roosting  
23 of the relevant species identified: *Provided, further*, That  
24 the BEZA shall take into consideration any new scientific  
25 information that comes to light on requirements for  
26 endangered species and honor local and national

1 legislation for conservation that would support  
2 conservation goals: *Provided, further,* That protected areas  
3 declared by local legislation, and those registered with the  
4 DENR pending enactment by national legislation, shall be  
5 observed and respected: *Provided, finally,* That  
6 frameworks, tools, methods and skills including, but not  
7 limited to, the Extractive Industries Transparency  
8 Initiative (EITI), shall be utilized in order to improve  
9 governance and management of natural resources within  
10 the BuZ;

11 (i) Create, operate or contract to operate such  
12 functional units or offices of the BEZA as it may deem  
13 necessary;

14 (j) Adopt, alter and use a corporate seal; contract,  
15 lease, buy, acquire, own or otherwise dispose of personal  
16 and/or real property of whatever nature; sue and be sued;  
17 and otherwise carry out its functions and duties as  
18 provided for in this Act;

19 (k) Issue certificates of origin for products  
20 manufactured or processed in the BuZ, in accordance with  
21 prevailing rules of origin and the pertinent regulations of  
22 the PEZA, the DTI, and the DOF;

23 (l) Establish one-stop shops for the issuance of all  
24 necessary permits, clearances, licenses, and other similar  
25 certifications to conduct such activities intended to  
26 improve the ease of doing business within the BuZ, in



1 coordination with government agencies having jurisdiction  
2 over activities therein: *Provided*, That all government  
3 agencies are directed to provide and extend utmost and full  
4 cooperation to the BuZ in the establishment of such one-  
5 stop shops;

6 (m) To provide internal security to the BuZ, in  
7 coordination with the NG and affected LGU. For this  
8 purpose, the BEZA shall provide and establish its own  
9 internal security and firefighting forces, in accordance with  
10 Republic Act No. 9514, otherwise known as the “Fire Code  
11 of the Philippines of 2008”, or hire others to provide the  
12 same;

13 (n) Exercise such powers, subject to existing laws,  
14 rules, and regulations, as may be essential, necessary or  
15 incidental to the powers granted to it hereunder, including  
16 imposition of reasonable fees and penalties, that shall  
17 enable it to carry out, implement and accomplish the  
18 purposes, objectives and policies of this Act; and

19 (o) Issue rules and regulations within the exercise of  
20 its powers under this section, subject to existing laws,  
21 rules, and regulations.

22 SEC. 14. *Board of Directors of the BEZA.* – The powers  
23 of the BEZA shall be vested in and exercised by a Board of  
24 Directors, composed of fifteen (15) members, hereinafter  
25 referred to as the Board, which shall be composed of the  
26 following:

1 (a) The Chairperson of the BEZA, who shall be  
2 appointed by the President of the Philippines and who  
3 shall automatically be a member of the Board;

4 (b) The Administrator of the BEZA, who shall be  
5 appointed by the President of the Philippines and shall  
6 serve as the Vice-Chairperson;

7 (c) Members consisting of:

8 (1) The Secretary or a designated representative of  
9 the DOF;

10 (2) The Secretary or a designated representative of  
11 the DTI;

12 (3) The Secretary or a designated representative of  
13 the NEDA;

14 (4) The Secretary or a designated representative of  
15 the DENR;

16 (5) The Secretary or a designated representative of  
17 the Department of Transportation (DOTr);

18 (6) The Governor, or a designated representative, of  
19 the Province of Bulacan;

20 (7) The Mayor of the Municipality of Bulakan and  
21 two (2) designated representatives of the mayors of the  
22 remaining cities and municipalities covering the BuZ, to be  
23 elected among themselves;

24 (8) The Chairperson or a designated representative  
25 of the RDC of Central Luzon;

1           (9) One (1) independent director representing the  
2 private sector who has at least ten (10) years' experience in  
3 any of the following areas: business, trade, port and  
4 logistics operations, and freeport or economic zone  
5 operations;

6           (10) One (1) representative from the workers in the  
7 BuZ; and

8           (11) One (1) independent director representing the  
9 Airport Project and Airport City Project.

10           The Administrator and the members of the Board,  
11 except the *ex officio* members, shall be appointed by the  
12 President of the Philippines to serve for a term of six (6)  
13 years, unless sooner separated from service due to death,  
14 voluntary resignation or removal for cause. In case of  
15 death, resignation or removal for cause, their replacements  
16 shall serve only the unexpired portion of the respective  
17 terms.

18           No person shall be appointed by the President of the  
19 Philippines as a member of the Board unless one is a  
20 Filipino citizen, of good moral character, and of proven  
21 probity and integrity. The Administrator and the  
22 independent director representing the Airport Project and  
23 Airport City Project shall be a degree-holder in any of the  
24 following fields: economics, business, public  
25 administration, law, management, or their equivalent, and  
26 with at least ten (10) years relevant working experience,

1 preferably in the field of management or public  
2 administration.

3 All benefits and emoluments of the members of the  
4 Board shall be subject to existing laws, rules, and  
5 regulations, including those prescribed by the Governance  
6 Commission for Government-Owned or -Controlled  
7 Corporations.

8 SEC. 15. *Organization and Personnel.* – The Board  
9 shall provide for its organization and staff. The Board shall  
10 appoint and fix the remuneration and other emoluments of  
11 its officers and employees in accordance with existing laws  
12 on compensation and position classification. The Board  
13 shall have exclusive and final authority to promote,  
14 transfer, assign, reassign, or remove officers of the BEZA,  
15 any provision of existing law to the contrary  
16 notwithstanding. The Administrator shall execute the  
17 decisions of the Board.

18 The officers and employees of the BEZA, including all  
19 members of the Board except those holding elective offices,  
20 shall not engage directly or indirectly in partisan political  
21 activities nor take part in any election, except to vote.

22 No officer or employee of the BEZA shall be removed  
23 or suspended, except for cause, as provided by civil service  
24 law and regulations.

1           SEC. 16. *Powers and Duties of the Chairperson.* – The  
2 Chairperson shall have the following powers and duties:

3           (a) Preside at all meetings of the Board;

4           (b) Ensure that all policies, directives, plans, and  
5 programs formulated by the Board are faithfully carried  
6 out by the Administrator as Chief Executive Officer of  
7 BEZA; and

8           (c) Exercise such powers and perform such functions  
9 and duties as the President may direct, or as may be  
10 assigned to him by the BEZA.

11          SEC. 17. *Powers and Duties of the Administrator.* –  
12 The Administrator shall have the following powers and  
13 duties:

14          (a) As Chief Executive Officer of the BEZA, direct  
15 and manage the affairs of the BEZA in accordance with the  
16 policies of the Board;

17          (b) Establish the internal organization of the BEZA  
18 under such conditions that the Board may prescribe;

19          (c) Submit an annual budget and necessary  
20 supplemental budget to the Board for its approval;

21          (d) Submit, within thirty (30) days after the close of  
22 each fiscal year, an annual report to the Board and such  
23 other reports as may be required;

24          (e) Submit to the Board for its approval, policies,  
25 systems, procedures, rules and regulations that are  
26 essential to the operation of the BuZ;

1 (f) Execute, administer, and implement the policies  
2 and measures approved and adopted by the Board;

3 (g) Directly administer and supervise the operations  
4 and day-to-day business activities of the BEZA;

5 (h) Represent the BEZA in all dealings with offices,  
6 agencies, and instrumentalities of the government and  
7 with all persons and entities, public or private, domestic or  
8 foreign, unless otherwise directed by the President or by  
9 the Board;

10 (i) Execute, on behalf of the BEZA, all contracts,  
11 agreements, and other instruments affecting the interests  
12 of the BEZA duly approved by the Board;

13 (j) Direct and supervise the preparation of the  
14 agenda for the meetings of the Board;

15 (k) Preside at the meetings of the Board in the  
16 absence of the Chairperson;

17 (l) Recommend to the Board the remuneration and  
18 other emoluments of its officers and employees in  
19 accordance with existing laws on compensation and  
20 position classification;

21 (m) Create a mechanism in coordination with  
22 relevant agencies for the promotion of industrial peace, the  
23 protection of the environment, and the advancement of the  
24 quality of life in the BuZ; and

1 (n) Perform such other duties as may be assigned by  
2 the Board, or which are necessary or incidental to the  
3 office.

4 SEC. 18. *Legal Counsel.* – The BEZA shall have its  
5 own internal legal counsel under the supervision of the  
6 Government Corporate Counsel. When the exigencies of its  
7 businesses and operations demand, the BEZA may engage  
8 the services of an outside counsel, either on a case-to-case  
9 or on a fixed retainer basis, subject to compliance with  
10 existing laws, rules, and regulations.

### 11 CHAPTER III

#### 12 INCENTIVES TO ECOZONE ENTERPRISES/INVESTORS

13  
14  
15 SEC. 19. *Investors and Other Special Visas.* – Foreign  
16 nationals, who either intend to invest in the BuZ or possess  
17 highly specialized skills, can apply for a special resident  
18 visa in the BuZ, subject to relevant labor and immigration  
19 laws, rules and regulations. The special resident visa shall  
20 be of two types: (a) the special skills visa; and (b) the  
21 investor's visa.

22 (a) *Special Skills Visa.* – The BEZA shall recommend  
23 the issuance of special skills visas, renewable every three  
24 (3) years, to foreign executives and foreign technicians with  
25 highly specialized skills which no Filipino possesses,  
26 subject to the issuance of the certification and alien

1 employment permit by the Department of Labor and  
2 Employment (DOLE). Applications for the special skills  
3 visa shall be sponsored by the registered enterprises that  
4 require the expertise of the applicants: *Provided*, That such  
5 enterprises shall formulate and undertake an understudy  
6 or skills development program to ensure the transfer of  
7 technology or skills to Filipino workers.

8 Foreign nationals who may serve as faculty members  
9 of Bulacan State University campuses and other  
10 government and private higher educational institutions  
11 within the BuZ shall also be eligible for the special resident  
12 visa, subject to the provisions of Republic Act No. 11448,  
13 otherwise known as the “Transnational Higher Education  
14 Act”, and the rule on reciprocity. The educational  
15 institution, with concurrence from the Commission on  
16 Higher Education (CHED), shall sponsor the application of  
17 the applicant. The CHED shall promulgate the guidelines  
18 and eligibility requirements for applicants for the special  
19 skills visa who shall be faculty members of educational  
20 institutions in the BuZ.

21 The BEZA, the DOLE, and the Bureau of  
22 Immigration (BI) shall formulate the necessary guidelines  
23 for the submission and approval of applications, as well as  
24 the monitoring of visa grantees under this subsection.

25 (b) Investors Visa. – Any foreign national who  
26 invests an amount of Two hundred fifty thousand US



1 dollars (US\$ 250,000.00), either in cash and/or equipment,  
2 in a BEZA-registered enterprise shall be entitled to an  
3 investor's visa to be issued by the BI subject to the  
4 recommendation of the BEZA and the endorsement of the  
5 Board of Investments: *Provided*, That the foreign national:

6 (1) Must be at least eighteen (18) years of age;

7 (2) Must not have been convicted by final judgment  
8 of a crime involving moral turpitude;

9 (3) Must not be afflicted with any loathsome,  
10 dangerous or contagious disease;

11 (4) Must not have been confined in an institution for  
12 any mental disorder or disability; and

13 (5) Must be financially capable with legitimate  
14 sources of income, as borne out by credible and verifiable  
15 evidence.

16 A foreign national shall be granted permanent  
17 resident status within the territorial coverage of the BuZ  
18 while the investment subsists. To prove this, the foreign  
19 national shall submit an annual report in the form duly  
20 prescribed for the purpose. In the event that the  
21 investments are withdrawn from the Philippines, the  
22 investor's visa issued to the foreign national shall  
23 automatically expire or be withdrawn. The authority to  
24 issue visas and work permits shall remain with the BI and  
25 the DOLE, respectively: *Provided*, That the BI and the  
26 DOLE shall implement measures to expedite the

1 processing of such visas and permits for workers in the  
2 BuZ and coordinate with the BEZA for the purpose of  
3 improving ease of doing business.

4 SEC. 20. *Fiscal Incentives.* – Registered enterprises  
5 operating within the BuZ may apply for pertinent fiscal  
6 incentives granted under Title XIII of Republic Act No.  
7 8424, as amended, and for such other fiscal incentives as  
8 may be provided by law: *Provided,* That the grant of fiscal  
9 incentives shall be subject to Section 292 of Republic Act  
10 No. 8424, as amended.

11 SEC. 21. *Administration, Implementation and*  
12 *Monitoring of Incentives.* – In the interest of enhancing  
13 transparency in the management and accounting of tax  
14 incentives in the BuZ, and ensuring the proper  
15 administration, enforcement, implementation and  
16 monitoring of tax incentives, the BEZA shall comply with  
17 the provisions of Republic Act No. 10708, otherwise known  
18 as the “Tax Incentives Management and Transparency Act  
19 (TIMTA)” and its implementing rules and regulations;  
20 Republic Act No. 11534 and its implementing rules and  
21 regulations; and other rules, regulations, and issuances  
22 made by the Fiscal Incentives Review Board, pursuant to  
23 Chapter III, Title XIII of Republic Act No. 8424, as  
24 amended.

25 The BOC shall set up and establish a customs-  
26 controlled area outside the premises of the BuZ to facilitate

1 payment of duties and taxes on goods entering the  
2 Philippine customs territory: *Provided*, That  
3 notwithstanding the limitations on this Act, the BEZA and  
4 the BOC may coordinate and jointly implement measures  
5 on border protection.

6 SEC. 22. *Banking Rules and Regulations*. – Banks  
7 and financial institutions to be established in the BuZ shall  
8 be under the supervision of the BSP and subject to existing  
9 banking laws, rules and regulations.

10 SEC. 23. *Remittances*. – In the case of foreign  
11 investments, a duly registered entity or enterprise within  
12 the BuZ shall have the right to remit earnings from the  
13 investment in the currency in which the investment was  
14 originally made and at the exchange rate prevailing at the  
15 time of remittance, subject to the provisions of Republic  
16 Act No. 7653, otherwise known as “The New Central Bank  
17 Act” as amended, the Manual of Regulations on Foreign  
18 Exchange Transactions of the BSP, and other relevant  
19 laws, rules, and regulations.

## 20 21 CHAPTER IV

### 22 NATIONAL GOVERNMENT AND OTHER ENTITIES

23  
24 SEC. 24. *Supervision and Control*. – For purposes of  
25 policy direction and coordination, the BuZ Plan shall be  
26 approved by the President upon vetting of its overall

1 economic viability and prioritization of subprojects by the  
 2 NEDA, the DOF, and the DBM; the BEZA shall be under  
 3 the direct supervision and control of the OP: *Provided*,  
 4 That the grant of fiscal incentives shall be subject to the  
 5 provisions of Title XIII of Republic Act No. 8424, as  
 6 amended.

7 SEC. 25. *Relationship with Local Government Units*  
 8 *and the National Government.* – Inter-local and -national  
 9 relationship between the BEZA and the NG vis-a-vis LGUs  
 10 shall be governed by existing laws, rules, and regulations.

11 SEC. 26. *Audit.* – The Commission on Audit (COA)  
 12 shall appoint a full-time auditor in the BEZA or may  
 13 assign such number of personnel as may be necessary in  
 14 the performance of their functions. The BEZA shall be  
 15 subject to the audit mechanisms under Sections 24, 25, and  
 16 26 of Republic Act No. 10149, otherwise known as the  
 17 “GOCC Governance Act of 2011”. All transactions of the  
 18 BEZA shall be subject to relevant accounting and auditing  
 19 rules and regulations of the COA.

## 20

## 21 CHAPTER V

### 22 MISCELLANEOUS PROVISIONS

23

24 SEC. 27. *Interpretation and Construction.* – The  
 25 powers, authorities and functions that are vested in the  
 26 BEZA are intended to establish national self-sufficiency

1 and self-reliance in the advancement and protection of  
2 national integrity, enhancement of national security,  
3 decentralization of governmental functions and authority,  
4 and promote an efficient and effective working relationship  
5 among the BEZA, the NG, and the LGUs. Any  
6 interpretation of this Act shall consider such intentions. In  
7 the event of conflict of interpretation and provided the  
8 intentions cannot be harmonized, the provisions of this Act  
9 shall be construed in favor of an interpretation that would  
10 tend to protect national interest and security.

11       SEC. 28. *Applicability Clause.* – Insofar as these are  
12 consistent with the provisions of this Act, the provisions of  
13 Sections 30 to 41 of Republic Act No. 7916, otherwise  
14 known as “The Special Economic Zone Act of 1995”, shall  
15 likewise apply to the BuZ.

16       SEC. 29. *Implementing Rules and Regulations.* –  
17 Within ninety (90) days from the effectivity of this Act, the  
18 DTI, in consultation with the DOF, the NEDA, the  
19 Province of Bulacan, and a representative from the Airport  
20 Project and the Airport City Project, shall formulate the  
21 implementing rules and regulations of this Act. Such rules  
22 and regulations shall take effect fifteen (15) days following  
23 the completion of its publication in a newspaper of general  
24 circulation in the Philippines.

1           SEC. 30. *Separability Clause.* – If any provision of this  
2 Act is declared unconstitutional, the remainder hereof not  
3 otherwise affected shall remain in full force and effect.

4           SEC. 31. *Repealing Clause.* – All laws, presidential  
5 decrees, executive orders, letters of instruction,  
6 proclamations or administrative regulations that are  
7 inconsistent with the provisions of this Act are hereby  
8 repealed, amended, or modified accordingly.

9           SEC. 32. *Effectivity Clause.* – This Act shall take  
10 effect fifteen (15) days following the completion of its  
11 publication in the *Official Gazette*, or in a newspaper of  
12 general circulation.

Approved,