




PHILIPPINE ECONOMIC ZONE AUTHORITY

MEMORANDUM CIRCULAR No. 2021-024

TO : ALL ECOZONE I.T. ENTERPRISES IN NCR, BULACAN, RIZAL, CAVITE, LAGUNA

ALL PEZA ZONE ADMINISTRATORS / ZONE MANAGERS / OICs I.T. PARKS / CENTERS/I.T. ENTERPRISES IN NCR, BULACAN, RIZAL, CAVITE, LAGUNA

FROM : BGen CHARITO B. PLAZA MNSA, PhD 

DATE : 27 MARCH 2021

SUBJECT : PEZA ASSISTANCE TO ECOZONE I.T. ENTERPRISES UNDER ECQ FOR THE PERIOD 29 MARCH 2021 UNTIL 04 APRIL 2021 AND FOR THE DURATION OF ANY EXTENSION OF THE SAID PERIOD BY THE OFFICE OF THE PRESIDENT

In view of the announcement of the Office of the President that Enhanced Community Quarantine (ECQ) will be implemented in the NCR Bubble (Metro Manila, Bulacan, Rizal, Cavite, Laguna) for the period 29 March 2021 until 04 April 2021, and in order to ensure the continued operations of I.T. Enterprises during this period, and for any extended period of implementation of the ECQ in said areas by the Office of the President, all Ecozone I.T. Enterprises located in the NCR Bubble are hereby allowed to implement the following, **effective immediately** without need for a Letter of Authority from PEZA, and without need to file the required PEZA Permits prior to moving out equipment from their respective PEZA-registered facilities; **provided, however**, that the I.T. Enterprise implementing the following shall send an email-notification to its respective PEZA Zone Administrator / Zone Manager / OIC (ZA/ZM/OIC) within the following day from implementation of the course of action undertaken by the I.T. Enterprise;

- Work From Home arrangements, including arrangements for temporary operations in (a) other PEZA-registered sites of the I.T. Enterprise concerned; (b) PEZA-registered I.T. Parks / Centers where the I.T. Enterprise concerned has no registered facility; and (c) other sites/buildings that are not PEZA-registered I.T. Centers, including bringing out of I.T. equipment and other related assets / peripherals for said arrangements and deployment of its personnel to said sites.

Ecozone IT. Enterprises availing of PEZA's assistance under this Memorandum Circular shall comply with the following:

1. **Within the day following its implementation of any of the above-cited courses of action**, the I.T. Enterprise shall send an email-notification to its respective PEZA ZA/ZM/OIC, said email notification to be sent by / from the email account of any of the top three (3) officials of the I.T. Enterprise identified in its Ecozone Monthly Performance Reports (EZMPRs) submitted to PEZA. The email notification shall contain the following:
 - a. Description of specific course of action / arrangement implemented, indicating in the case of transfer of equipment from its PEZA-registered facilities, whether for Work From Home, or if to other sites/buildings, the Building / site name and location;
 - b. Date of actual withdrawal of I.T. equipment , together with a list of I.T. Equipment and necessary peripherals / assets, description (generic description only) and the number of units thereof.

The above e-mail notification shall be sent to the PEZA ZA/ZM/OIC for every day of equipment, peripherals / necessary assets from its PEZA – registered facility.

2. As similarly provided in PEZA Memorandum Circular No. 2020-11, the I.T. Enterprise shall, **within seven (7) days from withdrawal of I.T. equipment and necessary peripherals / assets from its PEZA-registered facility**, submit the following to its respective PEZA ZA/ZM/OIC (please coordinate with your respective PEZA ZA/ZM/OIC, as may be necessary, for submission of the documents required via email) :
 - a. The corresponding PEZA Permit Form 8106;
 - b. List of all equipment and necessary peripherals / assets brought out of its PEZA-registered facility, quantity, source, acquisition cost and book value thereof, duly certified by a responsible official / officially designated representative of the I.T. Enterprise;
 - c. The corresponding bond to cover 150% of the amount of duties and/or VAT on the equipment and necessary peripherals / assets brought out of its PEZA-registered facility (in case the corresponding bond cannot be secured yet because of the ECQ circumstances, please coordinate with BOC officer – counterpart of your respective PEZA ZA/ZM/OIC, or through your respective PEZA ZA/ZM/OIC, on securing said Bond within the said 7-day period);
3. All I.T. Enterprises availing of this Memorandum Circular shall comply with and shall be bound by compliance with the following:
 - a. The employees assigned to work outside their base office shall be informed of their temporary work location (if other than their homes) prior to deployment thereto;
 - b. All employees deployed to work from home / other sites shall receive from the concerned I.T. Enterprise the same work load, salary and benefits, including overtime and night differential compensation, among others, that they are entitled to under their existing contracts of employment in their base offices;
 - c. The I. T. Enterprise shall observe and comply with all applicable labor laws, rules and regulations relative to said deployed employees;

- d. The I.T. Enterprise shall be responsible and accountable for data privacy in accordance with applicable laws, rules and regulations, and shall adequately inform its deployed employees of data privacy rules and regulations while working outside their base offices;
- e. The I.T. Enterprise shall comply with applicable provisions and requirements, rules and regulations of the Telecommuting Act (R.A. No. 11165);
- f. The implemented work from home operations and operations outside the PEZA-registered facility of the I.T. enterprise shall be returned to the PEZA-registered facility of the I.T. Enterprise, or to the extent that PEZA may require to be returned to their PEZA-registered facilities, in accordance with guidelines to be issued by PEZA.
- g. The I.T. Enterprise renders PEZA free and harmless from any liability or accountability for any issues that may arise in case of non-compliance by the concerned I.T. Enterprise with the requirements under this Memorandum Circular.

The concerned PEZA Administrators / Zone Managers / OIC are instructed to coordinate with their respective BOC counterparts on the above-cited PEZA assistance, particularly: to forward immediately to their BOC counterpart the email notifications from I.T. Enterprises sent to the respective ZAs/ZMs/OICs in accordance with requirement No. 1 above; and to coordinate with their BOC counterpart on the concerned I.T. enterprises' securing of the required Bond in accordance with requirement No. 2 (c) above.

It shall be understood that any arrangement implemented by the I.T. enterprise under this Memorandum Circular, including movement of its equipment, shall be subject to applicable guidelines therefor under government issuances and PEZA pronouncements / guidance in relation to the ECQ.

Non-compliance with the foregoing shall be cause for PEZA to impose the applicable penalties upon the concerned I.T Enterprise in accordance with PEZA's rules and regulations.

For your guidance and compliance.

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