



PHILIPPINE ECONOMIC ZONE AUTHORITY

MEMORANDUM CIRCULAR NO. 2021-047

TO : ALL CONCERNED ECOZONE ENTERPRISES / NEW APPLICANTS
ALL PEZA ZONE ADMINISTRATORS / ZONE MANAGERS/ OICs

FROM : BGen CHARITO B. PLAZA, MNSA, PhD
Director General

DATE : 31 August 2021

SUBJECT : MANDATORY USE OF PEZA ELECTRONIC APPLICATION
REGISTRATION SYSTEM (EARS)

With the enactment of R.A. No. 11534 or the Corporate Recovery and Tax Incentives for Enterprises (CREATE) Act which offers new incentives menu for registrable projects/activities, the law also provides for the uniform manner of registration with the various Investments Promotion Agencies (IPAs).

Section 3, Rule 6. Registration of Business Enterprise, of the Implementing Rules and Regulations (IRR) of the CREATE Act, provides that:

“SECTION 3. Method of filing; Fees. – Application for registration shall be filed electronically through a system prescribed by the FIRB, or through the system of an IPA: Provided, That the IPA system is interoperable with and can be linked to the FIRB system: Provided, further, That in the event that the FIRB or IPA system is unavailable, such application may be filed manually, accomplished in two (2) copies and sworn before a notary public, or in any manner prescribed by the concerned IPA. The applicable fees shall be determined by the IPA concerned.”

In view of the foregoing, applications for registration with PEZA as an Ecozone Enterprise through the **PEZA Electronic Application Registration System (EARS)**, which is available in the PEZA website, **SHALL NOW BE MANDATORY**. In addition, applications for registration should include the basic documentary requirements provided under Section 4, Rule 6 of the CREATE IRR, particularly the following:

“SECTION 4. Basic Documentary Requirements

a. Enterprise-level information

- (1) Department of Trade and Industry (DTI) or Securities and Exchange Commission (SEC) registration, whichever is applicable*
- (2) BIR Certificate of Registration*
- (3) Tax Identification Number (TIN)*
- (4) General company information*
- (5) Business capitalization and ownership structure*
- (6) Authorized business representative details*
- (7) Latest Audited Financial Statement (AFS), if applicable*

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b. Project or activity-level information

- (1) *Locational address, contacts, activity representative details*
- (2) *Description, classification, and type of activity*
- (3) *Project or activity set-up timetable*
- (4) *Committed investment capital and other related details*
- (5) *Facility or utility requirements*
- (6) *Projected financial performance*
- (7) *Projected sales, raw materials, and production*
- (8) *Projected employment, by type*

c. Such other documents or information as may be required under the SIPP, the IPA, or by the FIRB.”

This is also to remind all applicants to submit realistic/rational projections for the project or activity-level information as these will form part of the applicants' commitments once the PEZA Board of Directors approved the application for registration, subject to further review by the FIRB. Further, these commitments shall be one of the bases for the issuance of the Certificate of Entitlement to Tax Incentives (CETI), as provided in the CREATE IRR.

PEZA will no longer accept requests for amendments on project or activity-level information once the project/activity is approved by the PEZA Board as this is prohibited under the CREATE Law. Should there be a need for amendment, the applicants need to cancel the application without prejudice to its re-filing. PEZA shall use the project or activity-level information in evaluating the application through a cost benefit analysis. Therefore, any change in the information/data upon which PEZA based its previous evaluation of the project/activity, needs to be re-evaluated based on the new set of information of the project/activity.

All should be mindful of the provision of Section 1, Rule 22 of the IRR of the CREATE Law which penalizes misrepresentation of information for the purpose of availing incentives such as cancellation of registration, suspension of incentive benefits and/or refund of incentives enjoyed by the enterprise, including interest and penalties.

All other transactions or applications particularly, for the Letters of Authority (LOAs) under the Operations Group enumerated in the PEZA Citizens Charter should be addressed to the Director General (*also available in the website*) and shall be accepted through emails at odgcbp@peza.gov.ph while PEZA is still finalizing the system for the electronic LOA (e-LOA) applications.

This circular shall take effect on **15 September 2021**.

For your guidance and strict compliance.

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