

Republic of the Philippines  
**PHILIPPINE ECONOMIC ZONE AUTHORITY**  
Roxas Boulevard corner San Luis Street  
Pasay City

**CERTIFICATE OF BOARD RESOLUTION**

This is to certify that in a meeting of the Board of Directors of the Philippine Economic Zone Authority held on 10 October 2002, during which a quorum was present, the following resolution in consonance with the Memorandum of Agreement between the Department of Tourism represented by its Secretary Richard J. Gordon and the Philippine Economic Zone Authority represented by its Director General Lilia B. de Lima, was approved:

**RESOLUTION NO. 02-342**

**GUIDELINES  
FOR THE REGISTRATION AND ADMINISTRATION OF INCENTIVES TO  
TOURISM ECOZONE DEVELOPERS/OPERATORS AND LOCATORS  
REPUBLIC ACT NO. 7916, AS AMENDED**

**I. DEFINITION OF TERMS**

1. **“Tourism Development Zone / Tourism Estate”** refers to a tract of land with defined boundaries, suitable for development into an integrated resort complex, with prescribed carrying capacities of tourist facilities and activities, such as, but not limited to, sports and recreation centers, accommodations, convention and cultural facilities, food and beverage outlets, commercial establishments and other special interest and attraction activities/establishments, and provided with roads, water supply facilities, power distribution facilities, drainage and sewage systems and other necessary infrastructure and public utilities. A Tourism Development Zone / Tourism Estate shall be under unified and continuous management, and can either be a component of an ecozone or the whole ecozone itself.
2. **“Tourism Ecozone”** refers to a Tourism Development Zone / Tourism Estate which has been granted as a special economic zone status, through PEZA registration and issuance of the required Presidential Proclamation, with its metes and bounds delineated by the Proclamation pursuant to R.A. No. 7916, as amended.

3. **“Tourism Ecozone Developer/Operator”** refers to the owner and/or operator of a Tourism Development Zone/Tourism Estate seeking registration with PEZA and the required Presidential Proclamation of the Tourism Development Zone/Tourism Estate as a Tourism Ecozone for the availment of incentives provided under R.A. No. 7916.
4. **“Tourism Ecozone Locators”** refers to enterprises registered with PEZA for the establishment and operation, within PEZA-registered Tourism Ecozones, of sports and recreation centers, accommodation, convention, and cultural facilities and other special interest and attraction activities/establishments, with foreign tourists as primary clientele, and which are, therefore, eligible for fiscal and non-fiscal incentives.

## II. **COVERAGE**

These Guidelines shall cover the PEZA registration of and the grant of fiscal and non-fiscal incentives to Tourism Ecozone Developers/Operators and Locators, as provided under R.A. No. 7916, as amended.

### 1. **Location**

PEZA-registered Tourism Ecozones shall be located in priority areas identified in or consistent with the DOT's Tourism Master Plans.

### 2. **Landholding Rights**

A PEZA-registered Tourism Ecozone Developer/Operator shall have proof of ownership or right/authority to use the land subject of the Tourism Ecozone and shall be responsible for the management and operation of such Tourism Ecozone. A Tourism Ecozone may serve as location for Filipino, foreign and/or joint venture enterprises engaged in tourism-oriented activities, endorsed by the DOT and subsequently registered or given locational clearance by PEZA. Location of an enterprise/establishment in a Tourism Ecozone, therefore, shall not automatically entitle the enterprise to availment of incentives provided under R. A. No. 7916, as amended.

### 3. **Registrable Activities and Fiscal Incentives**

The following enterprises, activities and facilities, established with foreign tourists as primary clientele, as may be determined through compliance with appropriate DOT standards, may, upon endorsement of the DOT, be considered for PEZA-registration for availment of fiscal and non-fiscal incentives provided under R.A. No. 7916, as amended:

- a. Tourism Ecozone Developers/Operators shall be entitled to four (4) years of Income Tax Holiday (ITH), subject to the provisions of the Investment Priorities Plan (IPP), provided that Tourism Ecozones located in Less Developed Areas shall be granted six (6) years ITH. Upon expiry of the ITH period, Tourism Ecozone Developers/ Operators shall have the option to pay a special 5% tax on gross income earned, in lieu of all national local taxes, except real property taxes on land owned by developers (5% GIT incentive), provided, however, that PEZA-registered Tourism Ecozone Developers/Operators shall have the option to forego its ITH incentive entitlement and immediately avail of the 5% GIT incentive upon start of their commercial operations.
- b. Enterprises establishing and operating sports and recreation centers, accommodation, convention and cultural facilities, theme parks, and other special interest or attraction activities/ establishments shall be entitled to four (4) years ITH, as may be provided in and in accordance with the provisions of the IPP, and tax and duty-free importation of capital equipment required for the technical viability and operation of the registered activities of the enterprises. Upon expiry of the ITH period, PEZA-registered Tourism Ecozone locators shall be entitled to the 5 % GIT incentive, provided, however, that they shall have the option to forego their ITH incentive entitlement and immediately avail of the 5% tax GIT incentive upon start of their commercial operations.
- c. Enterprises establishing and operating airports, seaports and/or marinas shall be entitled to the ITH incentive, as may be provided in and in accordance with provisions of the IPP, and tax and duty-free importation of capital equipment. Upon expiry of the ITH period, PEZA-registered Tourism Ecozone locators establishing and operating airports, seaports and/or marinas shall be entitled to avail of the 5 % GIT incentive, provided, however, that they shall have the option to forego their ITH incentive entitlement and immediately avail of the 5% GIT incentive upon start of their commercial operations.

All PEZA-registered Tourism Developers/Operators and Locator Enterprises shall conform with the development guidelines and operating standards of the DOT, land use and zoning regulations, as well as the policies and guidelines of other concerned government agencies, provided that in the case of Ecotourism Projects, endorsement from the National Ecotourism Steering Committee shall also be secured prior to PEZA registration.

#### 4. **Non-Fiscal Incentives**

PEZA-registered Tourism Ecozone Developers/Operators and Locators shall be entitled to the following non-fiscal incentives:

- a. Employment of foreign national, as provided under R.A. No. 7916
- b. Special Investor's Resident Visa, as provided under Executive Order No. 63
- c. Incentives under the Build-Operate-Transfer Law, as may be applicable, subject to prescribed guidelines.

### **III. DOCUMENTARY REQUIREMENTS FOR PEZA-REGISTRATION OF PROPOSED TOURISM ECOZONES AND LOCATOR ENTERPRISES**

Applications for PEZA-registration of proposed Tourism Ecozones shall be submitted with the following documentary requirements:

1. Endorsement of the DOT and, in the case of Ecotourism Projects, together with the endorsement of the National Ecotourism Steering Committee.
2. Duly accomplished PEZA Application Form
3. Board Resolution authorizing the filing of the application with PEZA and designating representative(s) authorized to transact registration with PEZA
4. Proof of ownership of or right to use the land subject of the proposed Tourism Ecozone
5. Land Use Conversion Clearance Certificate or its equivalent from the Department of Agrarian Reform (DAR)
6. Certification from the Department of Agriculture (DA) that the proposed area is not covered by Administrative Order No. 20 and that such land has ceased to be economically feasible for agricultural purposes
7. Certification from the Housing Land Use Regulatory Board (HLURB) specifying that the proposed land use is in accordance with the land use plan duly approved by the legislative council (Sanggunian) of the host municipality/city
8. Environmental Compliance Certificate issued by the Department of Environmental and Natural Resources/Environmental Management Bureau (DENR/EMB)

9. National Water Resources Board (NWRB) Certification that the identified source of water shall not cause water supply problem for the adjacent communities
10. Endorsements by the concerned Local Government Units (LGUs)
11. Site Development Plan
12. Technical Description of the area(s) sought to be proclaimed as an ecozone including survey returns duly approved by the Land Management Bureau
13. Securities and Exchange Commission (SEC) Registration including Articles of Incorporation and By-Laws.

Applications for PEZA-registration of Tourism Ecozone Locator Enterprises shall be submitted with the following documentary requirements:

1. Endorsement of the DOT
2. Duly accomplished PEZA Application Form
3. Board Resolution authorizing the filing of the application with PEZA and designating representative(s) authorized to transact registration with PEZA
4. Securities and Exchange Commission (SEC) Registration including Articles of Incorporation and By-Laws
5. Corporate Profile (including that of the parent company, if applicable)
  - a. Brief history of the company
  - b. Principal officers and bio-data
  - c. List of affiliated companies in the Philippines
  - d. Audited Financial Statements (for the latest three years for existing companies)
  - e. Existing business activities and projects
6. Project Brief (providing information on the proposed activity to be registered with PEZA and the corresponding market, technical, management and financial aspects of the proposed project)

#### IV. EFFECTIVITY

These Guidelines shall take effect thirty (30) days after publication in the Official Gazette or in a newspaper of general circulation.



**ATTY. LUISITO A. TRINIDAD**  
Corporate Secretary

Republic of the Philippines  
**PHILIPPINE ECONOMIC ZONE AUTHORITY**  
Roxas Boulevard corner San Luis Street  
Pasay City

**CERTIFICATE OF BOARD RESOLUTION**

This is to certify that at the Board Meeting of the Philippine Economic Zone Authority (PEZA) held on **28 November 2007**, during which a quorum was present, the following resolution was approved:

**RESOLUTION NO. 07-553**

RESOLVED, That the PEZA Board hereby **APPROVES** the recommendation of Management to reduce the minimum area requirement for tourism economic zones from 25 hectares to only about 5 hectares.



**JENNY JUNE G. ROMERO**  
Acting Corporate Secretary

Republic of the Philippines  
**PHILIPPINE ECONOMIC ZONE AUTHORITY**  
Roxas Boulevard corner San Luis Street  
Pasay City

**CERTIFICATE OF BOARD RESOLUTION**

This is to certify that at the Board Meeting of the Philippine Economic Zone Authority (PEZA) held on **29 May 2008**, during which a quorum was present, the following resolution was approved:

**RESOLUTION NO. 08-275**

RESOLVED, That the PEZA Board hereby **APPROVES** the following list of tourism-oriented activities and/or types of establishments which shall be eligible for PEZA-registration inside Proclaimed Tourism Economic Zone as confirmed by the Department of Tourism (DOT) on 30 October 2007, and to include in the said list condominium hotels and serviced residences/apartments:

<b>Activity</b>	<b>Classification</b>
Hotel	De Luxe, First Class
Resort	"AAA"
Themed Park	
Museum/Art Galleries	
Health and Wellness Facility	Spa
Sports and Recreational Center	
International Convention/Trade Center	
Airport, Seaport, Marina	



**JENNY JUNE G. ROMERO**  
Acting Corporate Secretary



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**CERTIFICATE OF BOARD RESOLUTION**

This is to certify that at the Board Meeting of the Philippine Economic Zone Authority (PEZA) held on **15 October 2008**, during which a quorum was present, the following resolution was approved:

**RESOLUTION NO. 08-525**

RESOLVED, That the PEZA Board hereby **APPROVES** the list of capital equipment for ecozone tourist facilities to be eligible for tax and duty-free importation incentive, which shall be incorporated in the Supplemental Memorandum of Agreement (MOA) between the Department of Tourism (DOT) and the PEZA for the Registration and Administration of Incentives to Tourism Ecozone Developers/Operators and Locators under Republic Act No. 7916, as amended, as follows:

**I. GENERAL BUILDING EQUIPMENT AND MATERIALS**

- I.1 Elevators including service elevators, electric dumbwaiter elevators, freight/lift elevators, escalators including instrumentalities
- I.2 Air-conditioning systems to include cooling towers, chillers (Air Handling Units with precision temperature and humidity control VAV Controllers including actuators, compliant to non-ozone depleting agent
- I.3 Power/electrical supply and distribution system including power generators, transformers, circuit breakers, switch gear, automatic breakers, switch gear including specialized architectural lighting fixtures, dimmers and wiring devices
- I.4 Water supply system including tanks, pumps, broilers, valves water heaters, flow meters, fixtures and fittings, desalination plants reverse osmosis and other water treatment facilities
- I.5 Waste water treatment facilities including sewage collection systems pumps, aerators, valves, recycled wastewater treatment facilities
- I.6 Energy saving equipment e.g. solar panels, wind mills, Building Maintenance Systems (BMS), co-generation plants, rubber insulation for chilled water piping system and refrigerant piping system

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## **II. MAIN COMMUNICATION SYSTEMS**

- II.1 Telephone and other communication equipment, namely, microwave antennas, switching stations, PABX, public address system

## **III. POLLUTION CONTROL EQUIPMENT**

- III.1 Environmental equipment e.g. scrubbers, clarifiers, screens, filters
- III.2 Auxiliary equipment consisting of pumps, blowers, tanks

## **IV. SOLID WASTE DISPOSAL SYSTEM**

- IV.1 Specialized garbage truck
- IV.2 Compactors and bailers
- IV.3 Auxiliary equipment such as grinders, digesters


## **V. FIRE-FIGHTING AND PREVENTION SYSTEMS**

- V.1 Fire truck, pump and accessories
- V.2 Fire cabinet, hoses, nozzles, fittings and accessories
- V.3 Fire alarm and suppression system including, screens, switches, sensors and sprinkler head, smoke detectors, including fire pumps and jockey pumps (installed within a building)
- V.4 Special fire extinguishers for special use (FM 200 or equivalent)
- V.5 Specialized Fire Exit door devices and hardwares

## **VI. CENTRALIZED SECURITY SYSTEM**

- VI.1 Closed Circuit TV monitor/surveillance system/digital video recorder
- VI.2 Walk-through metal detectors (high tech) including x-ray machines
- VI.3 Communication systems e.g. built-in facility for security purposes (CCTV)
- VI.4 Security systems including electronic card key/door access systems

## **VII. SPECIALIZED MAINTENANCE EQUIPMENT**

- VII.1 Rotaslasher equipment
  - VII.2 Mechanical sweeper
  - VII.3 Declogging equipment
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### **VIII. GUESTROOM EQUIPMENT**

- VIII.1 Specialized mini-refrigerator/bar with Sensors
- VIII.2 Electronic safety deposit boxes

### **IX. HOUSEKEEPING EQUIPMENT**

- IX.1 Heavy duty washing machine equipment
- IX.2 Dry cleaning equipment e.g. washer extractor, dryer cissel
- IX.3 Ironing equipment e.g. steam pressing machine, sheet folders, towel folders, spotling boards

### **X. KITCHEN EQUIPMENT (Heavy Duty)**

- X.1 Refrigeration equipment e.g. walk-in freezers
- X.2 Ovens, broilers, fryers, other cooking apparatus but excluding utensils
- X.3 Dishwashing equipment
- X.4 Weighing scale system
- X.5 Food grater/slicer mince, other food processors
- X.6 Ice-maker, coffee maker, beverage dispensers
- X.7 Spiral mixer (heavy duty)

### **XI. FUNCTION/CONVENTION FACILITIES/BUSINESS CENTER**

- XI.1 Simultaneous translator
- XI.2 Teleconferencing/Videoconferencing facilities
- XI.3 Teleprompters

### **XII. RECREATION/SPORTS/SPECIAL INTEREST FACILITIES**

- XII.1 Water sports of special interest e.g. scuba diving equipment, wake boarding equipment, pedalo etc.
- XII.2 Spa equipment such as but not limited to sauna, steamer, Jacuzzi
- XII.3 Swimming pool equipment such as water pumps, filters, water treatment systems, non-heat materials/tiles and other specialized materials
- XII.4 Battery operated/electric carts

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### **XIII. TOURIST TRANSPORT EQUIPMENT**

- XIII.1 Luxury sedan with seating capacity of not less than five (5), including driver
- XIII.2 Mini bus, tourist bus, limousine, all terrain vehicle, amphibious vehicle
- XIII.3 Air transport units to include helicopters and fixed wing aircrafts including its operational instrumentalities and specialized maintenance equipment
- XIII.4 Water transport units including its operational instrumentalities, outboard motor and specialized maintenance equipment (e.g. speed boats, jet ski, yachts, cruise ships, sea craft, semi-submersible vessels)

Note: As a general rule, all tourist transport equipment should be brand new, except for passenger vessels which should comply with the qualification requirements in the current Investment Priorities Plan and R.A. No. 9295 "The Domestic Shipping Development Act of 2004".

For Imported Tourist Transport Equipment, which will not be used exclusively inside the zone, only duty-free importation and VAT Zero rating shall be granted to such equipment (E.O. 528 and R.A. No. 9337), its corresponding excise taxes, if any, shall be paid under the National Internal Revenue Code of 1997, as amended by Republic Act No. 9224 (An Act rationalizing the excise tax on automobiles).

### **XIV. MEDICAL EQUIPMENT**

- XIV.1 Automated external defibrillators
- XIV.2 Search and rescue equipment
- XIV.3 Ambulance


In addition, capital equipment for ecozone tourist facilities to be eligible for tax and duty-free importation incentive shall conform to the following criteria:

1. As a general rule, all tourist transport equipment should be brand new, except for passenger vessels which should comply with the qualification requirements in the current Investment Priorities Plan and R.A. No. 9295 "The Domestic Shipping Development Act of 2004";
2. It is necessary for the technical viability of the PEZA-registered ecozone tourist facility;

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3. It should be endorsed by the Department of Tourism with said equipment as complying with standards for registrable activities enumerated in Section 1 hereof;
4. It is not manufactured domestically in sufficient quantity, not of comparable quality and not sold locally at reasonable prices;
5. It is reasonably needed and will be used exclusively by the ecozone tourist facility;
6. The equipment shall be brought directly and physically inside the ecozone restricted area or such area as may be designated by PEZA for this purpose and in no instance shall these be sold, transferred, assigned, donated or be disposed of in any manner in the customs territory; and
7. Applications for equipment not in the list shall be subject to separate PEZA Board action.

For tax and duty-free importation of tourist transport equipment, prior Board action will have to be sought upon application and submission of all documentary requirements including pertinent documents, clearances and permits from appropriate government agencies and instrumentalities.



**JENNY JUNE G. ROMERO**  
Acting Corporate Secretary