

## **RULES AND REGULATIONS IMPLEMENTING THE PEZA-ECCP MEMORANDUM OF AGREEMENT**

This Implementing Rules and Regulations (IRR) prescribe the procedures and guidelines for the operationalization of the Memorandum of Agreement (MOA) executed by and between the Philippine Economic Zone Authority (PEZA) and the European Chamber of Commerce of the Philippines (ECCP) which was signed by both parties on 26 March 2012.

### **RULE I – GENERAL PROVISIONS**

#### **Section 1. Title**

These Rules shall be known and cited as the "Implementing Rules and Regulations of the PEZA-ECCP Memorandum of Agreement".

### **RULE II – BASIC POLICY AND OBJECTIVES**

#### **Section 1. Basic Policy**

The basic policy governing the MOA between PEZA and ECCP and the formulation of this IRR is to motivate ecozone locators to implement energy efficiency and conservation measures within the PEZA-administered ecozones and encourage them to carry power cost reduction and energy-related revenue generation measures.

#### **Section 2. Policy Objectives.**

- a. To achieve and maintain optimum energy procurement and utilization throughout the entire PEZA administered ecozones in order to bring about "energy efficient ecozones";
- b. To reduce energy costs/wastes of the locators without affecting the production and quality of their end-products and in the process make the ecozones more competitive as an investment location; and
- c. To minimize adverse environmental effects and carbon footprints, in consonance with the eco-industrial development framework.

### **RULE III – DEFINITION OF TERMS**

For purposes of this Implementing Rules and Regulations, the terms below shall be defined as:

- a. **Accreditation** – is the process to be conducted by ECCP and its partners to determine and verify that suppliers, vendors and energy service providers that will participate in the program are efficient and competent.
- b. **ECCP** – European Chamber of Commerce in the Philippines
- c. **Energy Audit** – is an examination of an energy consuming equipment/system to ensure that energy is being used efficiently.

- d. **Energy Management** – is the strategy of adjusting and optimizing energy, using systems and procedures so as to reduce energy requirements per unit of output while holding constant or reducing total cost of producing the output from the system.
- e. **ESP** – Energy Savings Program
- f. **IRR** – Implementing Rules and Regulations
- g. **PEZA** – Philippine Economic Zone Authority
- h. **Recognition Program** – refers to the annual PEZA Investors Night.
- i. **MOA** – is the Memorandum of Agreement executed by PEZA and ECCP on 26 March 2012.

#### **RULE IV – COMMITMENTS AND RESPONSIBILITIES**

##### **Section 1. PEZA**

- a. The Special Concerns Division under the Policy and Planning Group at the PEZA Central Office, with the assistance of the concerned Zone Administrators/Managers in the ecozones shall lead the implementation of the commitments and responsibilities of PEZA in this MOA.
- b. To increase the awareness of ecozone locators with respect to the implementation of the ESP and energy management, PEZA shall provide the venue for the conduct of information and education campaign in the ecozones.
- c. PEZA shall approve and indorse to the ecozone locators the exclusive list of energy auditors, suppliers/vendors and contractors of energy efficient products and services which were previously verified and accredited by ECCP. This is to ensure that only legitimate and trustworthy service providers and suppliers will transact with the ecozone locators.
- d. PEZA shall require the ecozone locators which will participate in the ESP to provide ECCP with monthly reports on the status of the implementation of the program in order to monitor the progress of the locators, copy furnished PEZA-SCD.

##### **Section 2. ECCP**

- a. ECCP shall provide the speakers, brochures and other seminar requirements during the conduct of information and education campaign in the ecozones.
- b. ECCP, with the assistance of its partners, shall lead the accreditation process of energy auditors, suppliers/vendors and contractors of energy efficient products and services. ECCP shall ensure that only efficient products and competent energy service providers shall be included in the list. The accreditation list shall be submitted to PEZA for approval and endorsement to ecozone locators.



- c. In the event that some locators are already implementing their own ESP but the service providers and products they are utilizing are not included in the accredited list, ECCP may accredit the same provided that these providers and companies submit the necessary documents to ECCP for evaluation.

## **RULE V – RECOGNITION PROGRAM**

### **Section 1. PEZA Investors Night**

- a. PEZA shall create a new category in its annual Investors Night to identify and give importance to ecozone locators that participated in the program and those which achieved significant reduction in their energy consumption patterns and/or improvement in their system efficiency.
- b. PEZA and ECCP shall jointly evaluate the performance of the ecozone locators under the ESP using the reports regularly given by the ecozone locators.

## **RULE VI - ENERGY AUDIT**

### **Section 1. Accredited Auditors**

- a. ECCP, being the lead auditor in this undertaking shall implement the following:
- Establish the accreditation system for suppliers and auditors;
  - Establish the general criteria for the audit;
  - Establish, implement and monitor all rules and regulations of the audit;
  - Monitor the entire process from start to finish.
- b. Only accredited products and energy service providers contained in the list shall be used and allowed to transact with ecozone locators.
- c. PEZA and ECCP shall be furnished with copies of the audit reports for documentation purposes.

## **RULE VII - MONITORING**

### **Section 1. Reportorial Requirements**

- a. PEZA and ECCP shall jointly monitor the progress of the ecozone locators.
- b. Ecozone locators that participated in the ESP shall regularly submit reportorial requirements to PEZA and ECCP in order to determine whether the objectives of the MOA are being realized.
- c. ECCP shall submit to PEZA a comprehensive annual report on the current status, challenges and future directions in the implementation of the MOA. This report shall be used as a basis in determining the viability of the program inside the ecozones.

## RULE VIII - EFFECTIVITY

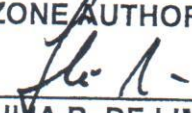
### Section 1.

This implementing rules and regulations shall take effect immediately after conformance of both parties.

### Section 2.

Amendments to these Rules may be effected only upon mutual consent by both parties.

PHILIPPINE ECONOMIC  
ZONE AUTHORITY

  
LILIA B. DE LIMA  
Director General

EUROPEAN CHAMBER OF  
COMMERCE OF THE PHILIPPINES

  
MICHAEL RAEUBER  
President

  
TERESO O. PANGA  
Deputy Director General

Signed in the presence of:

  
MARTIAL BECK  
Vice President and General Manager

## ACKNOWLEDGMENT

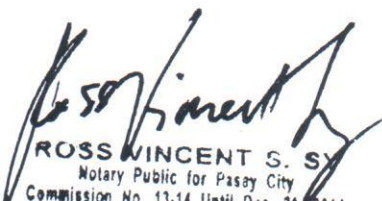
Republic of the Philippines)  
Pasay City ) S.S.

BEFORE ME, this 2<sup>nd</sup> day of April 2013, personally appeared **LILIA B. DE LIMA**, with Passport No. XX46990415, issued on October 7, 2009 at Manila, and **MICHAEL RAEUBER**, with Passport No. \_\_\_\_\_, issued on \_\_\_\_\_ at \_\_\_\_\_, both known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free and voluntary act and deed as well as that of the entities represented.

Said instrument refers to the Implementing Rules and Regulations of the Memorandum of Agreement consisting of four (4) pages, including this page, signed by the parties and their witnesses on each and every page thereof and sealed with my notarial seal.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 2<sup>nd</sup> day of April 2013 in the City of Pasay, Philippines.

Doc. No. 100  
Page No. 21  
Book No. 1  
Series of 2013.

  
ROSS VINCENT S. SY  
Notary Public for Pasay City  
Commission No. 13-14 Until Dec. 31, 2014  
Attorney's Roll No. 50345  
IBP C.R. No. 923353 / 1-9-13 / Cam Sur.  
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