

[EXECUTIVE ORDER NO. 569, November 23, 1979]

AUTHORIZING THE BOARD OF INVESTMENTS TO EXTEND THE PERIOD OF AVAILMENT OF INCENTIVES BY, OR INCREASE THE RATES OF TAX EXEMPTIONS OF, REGISTERED ENTERPRISES.

WHEREAS, Presidential Decree No. 1584 provides that the President, in meritorious cases and upon recommendation of the Board of Investments, is authorized to liberate the incentives under R.A. 5186, R.A. 6135 and P.D. 1159, by extending the period of availment of incentives or increasing the rates of tax exemption;

WHEREAS, in the light of the need for immediate assistance to firms, particularly those, in distressed conditions, there is a need for BOI in meritorious cases to immediately grant requests for liberalization of incentives under the aforesaid laws;

WHEREAS, Presidential Decree No. 1416 authorizes the President to reorganize the government;

WHEREAS, such assistance is necessary for sustaining industrial growth and development;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order that:

SECTION 1. The Board of Investments shall be vested with the authority to extend the period of availment of incentives by any registered enterprise for a period not exceeding five (5) years and/or increase the rate of tax exemption of registered enterprises under R.A. 5186, R.A. 6135 and 1159, to not more than fifty per cent (50%) of the tax exemption enjoyed by such registered enterprises prior to the increase, subject to any or all of the following criteria:

- (1) The registered enterprise has suffered heavy financial losses and is in a distressed condition.
- (2) The registered enterprise has suffered operational force majeure that has impaired its viability.
- (3) The registered enterprise has not fully enjoyed the incentives granted to it by the BOI for reasons beyond its control.
- (4) The project of the registered enterprise has a gestation period which goes beyond the period of availment of needed incentives.
- (5) The operation of the registered enterprise has been subjected to unforeseen