

REGISTERING **WITH THE BOI**







the primary government agency that attends to the advancement of investments in the country, we at the Board of Investments (BOI), support both foreign and Filipino investors which set-up enterprises that provide propitious returns and generate exponential economic activities. We are your one-stop shop in expanding your business in the Philippines.

We have teams of specialists both in the Philippines and overseas to make your investment journey seamless. Our in-depth industry knowledge and commitment to making doing business easy means that we have covered all investment bases. We are dedicated to helping you make it happen in the Philippines.

ONGOING AND AFTERCARE SUPPORT

We make investing simple from start to finish by providing access to key information and assistance throughout your investment journey.

NETWORKS

We introduce you to companies, trade associations, business councils, Chambers of Commerce, and connect you to 36 government agencies through the IPU-NET as well as the Local Government Units that will help further boost your investment.



INSIGHTS BY MARKET

We offer unique insights into local markets in the Philippines, helping you make the best decisions for your business.

INSIGHTS BY INDUSTRY

We provide the latest insights and information into changes and developments in our diverse industries.

RESEARCH AND DEVELOPMENT

We give you access to research and development incentives that will help your business get an edge.

EVENTS AND TRADE MISSIONS

You can meet our investment specialists during industry events in the Philippines, or during various trade shows and trade missions conducted in your country.

BOI VALUE CHAIN



INVESTMENT POLICY FORMULATION ON:

Investment Priorities Plan (IPP) Formulation Registration & Incentives Investment Agreements Stakeholder Consultation





INDUSTRY DEVELOPMENT

Industry Studies
Value Propositions
Industry Roadmaps
Comprehensive National Industrial Strategy
Stakeholder Consultation





INVESTMENT PROMOTION

Marketing Intelligence / Country Strategy
Out / Inbound Missions
Marketing Communications
Capacity Building of LGUs





PROJECT REGISTRATION & SUPERVISION AND INCENTIVES ADMINISTRATION

Check listing, Evaluation and Registration of Projects Supervision and Monitoring of BOI-Registered Projects Check listing and Evaluation of Incentives Application





INVESTOR SERVICING

Investment Counseling
Investors Aftercare Services

Our BOI value chain is the seamless process of our core activities, ably sustained by our Support and Management teams.

The Omnibus Investments Code (Executive Order No. 226) empowers us to provide you and other registered enterprises that engage in activities enumerated in the Investments Priorities Plan (IPP) with significant tax privileges and other incentives.

YOUR ENTERPRISE QUALIFIES AS A BOI REGISTRANT WHEN IT IS:*

- A Filipino-owned enterprise (at least 60% Filipino-owned) that will:
 - export at least 50% of services or products; or
 - engage in IPP activities
- A domestic foreign corporation (more than 40% owned) that will:
 - export at least 70% of services or products; or
 - engage in IPP activities deemed as pioneer

Domestic foreign companies need to attain 60% Filipino ownership within 30 years from registration unless they export or are planning to export 100% of their production.

^{*} Subject to change with the expected passage of the Corporate Recovery and Tax Incentives for Enterprises (CREATE) Bill.

ONCE YOU QUALIFY, WE WILL BE HAPPY TO PROCESS YOUR REGISTRATION. REMEMBER TO CHECK THESE REQUIREMENTS:

- Accomplished and duly notarized BOI application (form 501)
- Projected Income Statement for five (5) to 10 years with breakdown of Cost of Goods Sold and Operating Expenses,
- Audited Financial Statements, Income Tax Return for the past three
 (3) years if applicable, and latest General Information Sheet, if applicable
- SEC Certificate of Registration including Articles of Incorporation and By-Laws including amendments, for Domestic Corporations, Partnerships, or DTI Certificate of Registration for Sole Proprietorships
- Integrity Pledge
- Other supporting documents that may be required for a specific activity (i.e. endorsements, permits, ECC, etc.)

PIONEER ACTIVITY

Q: WHAT IS A PIONEER ACTIVITY?

A: A PIONEER ACTIVITY IS ANY OF THE FOLLOWING:*



Manufacturer or processes (not just assembly or packaging) goods or raw materials that have not been produced in the Philippines on a commercial scale.



Uses a design, formula, scheme, method, process or system of production or transformation of any element or raw material or finished good which is new and untried; or



Engages in agricultural activities or services essential to the country's self-sufficiency program; or



Produces non-conventional fuels; manufactures equipment which utilize non-conventional sources of energy.

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YOU ONLY NEED FIVE (5) SIMPLE STEPS IN REGISTERING WITH US.

- Submit duly accomplished and notarized application form (BOI Form 501) for check listing, completeness and consistency of the information in the documents. If these are incomplete, the application will be returned to you together with the Checklist Form. Once the documents are complete, the application is accepted for check listing of substance and information. You will then receive a feedback letter from the Project Evaluation and Registration Division (PERD).
- 2 After filing the application, you will receive:
 - (a) A copy of the Notice of Publication (for publication in any newspaper of general circulation), and
 - (b) An assessment bill and order of payment of filing fee and issuance of official receipt.

Pay the application fee and submit the application form to the Records Division where it will be assigned an application number.

Wait for Project evaluation and for presentation to the Management Committee and the Board.

- You will receive a Notice of Board Action (NOBA). Once approved, submit pre-registration requirements to PERD and pay the registration fee.
- 5 You will receive the Certificate of Registration

The officially accepted application (BOI Form 501) is processed within 20 working days

CONGRATULATIONS! AS A BOI-REGISTERED COMPANY, YOU ARE ENTITLED TO THESE INCENTIVES: (BASED ON E.O. 226, AS AMENDED)*

- 1 Income Tax Holiday (ITH)
 - Six (6) years for new, pioneer projects and those located in Less Developed Areas (LDA)
 - Four (4) years for new, non-pioneer projects
 - Three (3) years for expansion or modernization projects
 - Grant of three (3) ITH Bonus years but in no case should exceed 8 years (based on 3 criteria).
- 2 Duty exemption on imported capital equipment, spare parts, and accessories
- 3 Exemption from wharfage dues and export tax, duty, impost, and fees

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- Tax exemption on breeding stocks and genetic materials
- Tax credits on imported raw materials
- 6 Tax and duty-free importation of consigned equipment
- 7 Additional deduction for labor expense
- 8 Employment of Foreign Nationals
- 9 Simplification of customs procedures on imported products
- 10 Access to bonded manufacturing warehouse
- The enterprise is exempt from paying local business tax for a period of six (6) or four (4) years for pioneer or non-pioneer respectively, the date of registration, pursuant to Section 133 (g) of Republic Act (RA) No. 7160, otherwise known as Local Government Code.

FOR SPECIFIC TYPES OF BUSINESSES, HERE ARE YOUR PRIVILEGES:



Revised Forestry Reform Code of the Philippines (PD # 705)

- Incentives under E.O. 226, as amended or the following: Treatment of the amounts expended by a lessee in the development and operation of an industrial tree plantation or tree farm prior to as ordinary and necessary business expenses or as capital expenditures; and
- Deduction from an investor's taxable income for the year, of an annual investment allowance equivalent to 33 and 1/3 of his actual investment during the year in an enterprise engaged in industrial tree plantation or tree farm.



Philippine Mining Act of 1995 (RA #7942)

- Incentives under E.O. 226, as amended (unless specified in the IPP) and the following: Exemption from real property tax and other taxes of pollution control devices.
- Income tax-carry forward losses.
- Income tax-accelerated depreciation.



Book Publishing Industry Development Act (RA #8047)

• Incentives under E.O. 226, as amended



Downstream Oil Industry Deregulation Act of 1998 (RA # 8479)

- Income tax holiday (five years)
- Additional deduction for labor expenses.
- Minimum tax and duty of three percent (3%) and valueadded tax (VAT) on imported capital equipment.

- Tax credit on domestic capital equipment
- Exemption from contractor's tax.
- Unrestricted use of consigned equipment
- Exemption from real property tax on production equipment or machineries.
- Exemption from taxes and duties on imported spare parts.
- Such other applicable incentives under Article 39 of Executive Order 226, as amended



Magna Carta for Disabled Persons (RA # 7277)

Incentives under E.O. 226, as amended



Renewable Energy Act of 2008 (RA # 9513)

- Income tax holiday (seven years)
- Duty-free importation of machinery, equipment, and materials
- Net Operating Loss Carry-Over (NOLCO)
- Corporate tax rate of 10% after ITH
- Accelerated depreciation.
- VAT-zero rate on sale of fuel or power generated.
- Cash incentive for missionary electrification
- Tax exemption of carbon credits
- Tax credit on domestic capital equipment and services



Tourism Act of 2009 (RA # 9593)

Incentives under E.O. 226, as amended

FREQUENTLY ASKED QUESTIONS

1) HOW DOES A PROPOSED PROJECT OR ACTIVITY QUALIFY FOR REGISTRATION WITH THE BOI, PHILIPPINE ECONOMIC ZONE AUTHORITY (PEZA), OR OTHER INVESTMENT PROMOTION AGENCIES (IPA)?*

To qualify for registration with the BOI for incentives purposes, the proposed foreign investments must be any of the following:

- a. It will engage in a preferred area of investment under the current IPP and satisfy any of the two (2) conditions as provided for under:
 - i. The applicant proposes to engage in a pioneer project as defined in Article 17 of E.O. 226, as amended: or
 - ii. Exporting at least 70% of its total production / services.
- b. Preferred non-pioneer areas and exporting at least 70% of their output.

Domestic companies, subsidiaries and branch offices that will manufacture and export 100% of their production and services may qualify for registration with PEZA pursuant to the Special Economic Zone Act (R.A. No. 7916 series of 1995, as amended). If the enterprise located inside the economic zone will export below 100%, special permission should be sought from PEZA, of which PEZA could allow 30% of production for the domestic market. Registration with other IPAs in the Philippines is also allowed as long as the proponents meet the required criteria for registration under given circumstances.

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2) WHAT POSSIBLE OBSTACLES WOULD OUR APPLICATION MEET?

The obstacles normally encountered during the application process include non-compliance with the criteria set by the BOI, misinterpretation of the coverage of activities listed in the IPP, and possible opposition from sectors or enterprises which might be adversely affected by the proposed project. The BOI requires publication of the Notice of Application and conducts hearings if objections to the application are received. For PEZA or other IPA applicants, the usual problem consists of non-compliance with some of the criteria that have been set and failure to submit required documents and information.

3) HOW LONG WILL IT TAKE TO OBTAIN BOI, PEZA, OR OTHER IPAS APPROVAL ONCE ALL REQUIREMENTS ARE COMPLETED?*

Under EO 226, as amended, applications filed with the BOI shall be considered automatically approved if not acted upon by the BOI Board within 20 working days after they have been officially accepted.

Investors secure the approval after completing the application process and receiving the endorsement from their respective IPA board.

The table below show the timelines and plans that IPAs follow during the approval process.

Investment Promotions Agencies (IPA	Timeline in Processing of Applications	Follow Investment Priorities Plan (IPP) Listing / Others
Authority of the Freeport Area of Bataan (AFAB)	Application to Board approval is two (2) to four (4) weeks given complete documentary requirements. From Board approval to release of Certificate of Registration is two (2) weeks. Total of four (4) to six (6) weeks.	Follows IPP listing
Poro Point Management Corporation (PPMC)	17 days from receipt of complete documentary requirements	Follows Approved Master Development Plan and Land Use Plan of the Zone
Subic Bay Metropolitan Authority (SBMA)	20-25 days processing time until Board approval. Permit processing and issuance is 5 days.	Follows IPP listing but can accommodate other industries
Cagayan Economic Zone Authority (CEZA)	Seven (7) days upon submission of complete documentary requirements	Follows IPP listing but considers other industries like online gaming and financial technology
Zamboanga City Special Economic Zone Authority (ZCSEZA)	14 days upon submission of all documentary requirements	Follows IPP listing but can accommodate other industries
Bases Conversion Development Authority (BCDA)	Length of approval depending on negotiations.	Guided by approved Development Master Plan and Land Use Plan of the Zone.

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Investment Promotions Agencies (IPA	Timeline in Processing of Applications	Follow Investment Priorities Plan (IPP) Listing / Others
Clark Development Corporation (CDC)	For lease agreements, 21 days upon receipt of all documentary requirements. Business permit: Certificate of Registration and Tax Exemption (CRTE)- seven (7) days Certificate of Registration (CR) – five (5) days	Follows Clark Investors Priority Listing (CIPL)
Clark International Airport Corporation (CIAC)	20 days for lease agreements	Guided by Clark Civil Aviation Complex (CCAC) Masterplan. They also refer to the CIPL of CDC
Philippine Economic Zone Authority (PEZA)	One (1) to three (3) working days from submission of complete documentary requirements (application / company registration stage only as there is post registration stage)	Follows PEZA 's list of eligible activities

4) ASSUMING APPROVAL IS OBTAINED, WHAT RESTRICTIONS, IF EVER, ARE ORDINARILY ATTACHED?

Normally, a list of general and specific terms and conditions is attached to the approval letter issued by the BOI / PEZA / other IPAs after the application for registration has been approved. The general conditions include management, financial, operational, and marketing restrictions which must be properly complied with to prevent registration from being cancelled. The specific terms and conditions which may include nationality, operational, and reporting requirements vary depending upon the nature of the business enterprise.

5) HOW MUCH TIME IS AN INVESTOR ALLOWED TO START HIS PROJECT?

The time it takes to commence a registered project depends on the type of the proposed project and the period set by the proponent in the feasibility study with the approval of the BOI, PEZA, or IPAs. Generally, the project must be commenced within one year from approval date, but may be extended under certain, qualifying circumstances.

BOI registered companies receive certificates of issuance from us for different purposes. Below is a guide on the types of certificates, its requirements, corresponding fees and duration of the process before its acquisition.

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CERTIFICATES ISSUED BY THE BOI

Type of Certificate	Requirements / Steps	Fees	Timetable
Certificate of Income Tax Holiday Entitlement	 Submit request form (LCS-CSD-FORM-AP-COE) Payment of filing fee 	₱1,500	Five (5) days
Certificate of Qualification	 Submit request form (LCS-CSD-FORM-AP-CQ) For renewal, copy of previous CQ issued Copy of license to operate a Customs Bonded Manufacturing Warehouse (CBMW) Proof of inward remittance of foreign exchange earning Payment of filing fee 	₱1,500	Five (5) days
Certificate of Non-Local Availability	 Letter of request Pro-forma invoice of items to be imported Latest Audited Financial Statements Sworn statement that spare parts, machinery, equipment to be imported for exclusive use of importing entity, Payment of filing fee 	₱1,500	10 days

Type of Certificate	Requirements / Steps	Fees	Timetable
Certification on firm's registration under EO 226 as Regional Operating Headquarters (ROHQ) / Regional Headquarters (RHQ)	 Letter of Request Payment of filing fee 	₽750	Three (3) to five (5) days
Issuance of Endorsement (Certificate of Good Standing for Bureau of Customs purposes)	1. Letter of Request	none	Five (5) days

Type of Certificate	Requirements / Steps	Fees	Timetable
BOI endorsement to SEC for the Establishment of RHQ / ROHQ in the Philippines	 Letter of Request Application form for Registration and License to establish ROHQ / RHQ in the Philippines (SEC form) Name verification slip for the company name (SEC office) Accomplished BOI General Information Sheet (GIS) Application Form. Certificate from the Philippine Consulate/Embassy, / or the Philippine Commercial Office that the firm is an entity engaged in international trade with affiliates, or branch offices in the Asia Pacific Region and other foreign markets. Certification from the principal officers of the foreign entity stating that it has been authorized by its Board of directors to establish its foreign or area headquarters in the Philippines, specifying its qualifying services, 	₽4,545	Within five (5) working days upon official acceptance of application

Type of Certificate	Requirements / Steps	Fees	Timetable
Application for Registration of Investment Activities listed in the Investment Priorities Plan	 For New Projects: Accomplished, BOI Application Form, available at the Project Evaluation and Registration Divisions of each Industry Services. General Information Sheet (GIS), latest Google Map, indicating the applicant's existing project/s (if any) located near the proposed site. Business Model - Schematic diagram/model of the activity being registered (clearly indicate how the proponent will earn revenues and make profit). Financial Projections (at least 5 years projection), (in Excel format). Integrity Pledge SEC Registration with Articles of Incorporation and By- Laws, including amendments. Audited Financial Statements (AFS), latest. Board Resolution Authorizing officer to transact, execute and sign in behalf of the applicant enterprise. Other requirements/ endorsement that the specific sector of activity may require Existing / Expansion / Modernizaton Project Activities: Same as above (#1 - 6, 8, 7, 9) Audited Financial Statements for last three years 	Filing Fees for New and Expansion Projects (based on Project Cost / Total Assets): 1. ₱3 – 4 M (₱1,500) 2. ₱4 – 20 M (₱3,000) 3. ₱20 – 50 M (₱4,500) 4. Above ₱50 M (₱6,000) Registration Fees 1. New & Expansion Projects 1/10 of 1% not less than ₱3,000 not over ₱15,000 2. Existing ₱3,000	Within 20 days upon acceptance of application

Type of Certificate	Requirements / Steps	Fees	Timetable
Application For Model Registration of Vehicle and Issuance of Electronic Certificate of Authority to Import (eCAI) under the Motor Vehicle Development Program (MVDP)	 Letter request Duly notarized Application Form for Model Registration (option for online application) Copy of Valid Technical Licensing Agreement Technical data sheet (with complete vehicle specification) and Model Brochure/model picture Notarized Secretary Certificate authorizing officer/representative to transact to BOI on matters pertaining to application Notarized Sworn Statement that the company has no pending IPR Case both locally and internationally Certificate no pending IPR case issued by the 8. Bureau of Legal Affairs, Intellectual Property Office (IPO) Comprehensive Market and Engineering Study for Model / Variant Registration with projected production and sales schedule (for motorcycle only) Certificate of Conformity (COC) issued by the Department of Environment and Natural Resources (DENR) Bill of Materials (BOM) 	 BOI Fee (eCAI): P650 WebCWS Fee: P50 per transaction Model Registration (per basic and/or variant model for Classification I and II-Commercial and Passenger): P5,000 Model Registration (per basic and/or variant model for Classification III-Motorcycles) P3,000 	Three (3) to five (5) working days for model registration 10 minutes for online eCAI application

Type of Certificate	Requirements / Steps	Fees	Timetable
	New Application 1. Accomplished, application for accreditation (Form RA 9290-1) 2. Annual business plan with proposed importation and local acquisition of raw materials, supplies, machinery and equipment, tools and spare parts; projected production and sales covering its year of accreditation. 3. Location map and plant layout for every place of production. 4. Certificate of Registration with the Bureau of Internal Revenue (BIR); 5. Mayor's Permit or City/Municipal Business Permit. 6. Endorsement from a duly accredited Footwear, Leather Goods and Tannery Industry association certifying membership of good standing. 7. Affidavit that enterprise shall exclusively use the raw materials, supplies, machinery and equipment, tools and spare parts acquired with incentives under R.A. No. 8502 for jewelry manufacturing. 8. For newly formed enterprise: Duly notarized certification by the enterprise of its total assets. 9. For existing enterprise: Income Tax Return (ITR) duly filed with the BIR together with the attached Audited Financial Statement	Fees Fees	Three (3) to five (5) working days for model registration 10 minutes for online application

Type of Certificate	Requirements / Steps	Fees	Timetable
	10. For single proprietorship: Business Name Registration with the Department of Trade and Industry.		
	11. For partnership, corporation, and organization: Registration with the Securities and Exchange Commission (SEC) and Articles of Incorporation and By-Laws.		
	12. For cooperative: Registration with the Cooperative Development Authority (CDA).		
	For Association (New)		
	 Accomplished application for accreditation (Form RA 9290-2) 		
	2. SEC Registration and Articles of Incorporation (for partnership, corporation and organization)		
	3. List of active members including their contact details. It must have at least 10 (ten) active members.		
	4. Accomplishment / Annual Report for the past one (1) or three (3) years, for member and non-member of the association., respectively, indicating activities, programs, and projects		

Type of Certificate	Requirements / Steps	Fees	Timetable
	Renewal of Application for Enterprises:		
	Application for accreditation and all supporting documents applicable to "new" accreditation except the last item.		
	 Annual Report on Actual Operations ending calendar or fiscal year, whichever is applicable (BOI Form S-1, available at the MIS-PERD); and 		
	3. Original copy of the Import Incentives Availment Report indicating importations made with incentives during the previous year		
	For Asociation – Renewal (submitted in two sets):		
	Application for accreditation and all supporting documents applicable to "new" accreditation except the last item.		
	 Accomplishment / Annual Report for the previous year indicating its activities, programs and projects 		

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Type of Certificate	Requirements / Steps	Fees	Timetable
Accreditation under Republic Act (R.A.) No. 8502 - Jewelry Industry Development Act	 For New Enterprises: Accomplished, signed and duly notarized application for accreditation (Form RA8502-1, available at the Project Evaluation and Manufacturing Industries Service [MIS]; Annual business plan indicating the proposed importation and local acquisition of raw materials, supplies, machinery and equipment, tools, and spare parts, as well as the projected production and sales covering its year of accreditation. Location map and plant layout for each place of production. Certificate of Registration with the Bureau of Internal Revenue (BIR). BOC Certificate of Accreditation as Importer Mayor's Permit or City/Municipal Business Permit. Endorsement from a duly accredited jewelry association certifying membership of good standing. Transcript Sheets of the Official Register Books (ORB) for the calendar/fiscal year 	Fees for New and Renewal based on Total Assets: 1. Microenterprise up to ₱3 M New: ₱1,500 Renewal: ₱750 2. Small ₱3 M - ₱15 M New: ₱3,000 Renewal: ₱1,500 3. Medium ₱15 M - ₱100 M New: ₱4,500 Renewal: ₱2,250 4. Large Above ₱100 M New: ₱6,000 Renewal: ₱3,000	One (1) working day from acceptance of application.

Type of Certificate	Requirements / Steps	Fees	Timetable
	9. Sworn statement that the enterprise shall exclusively use the raw materials, supplies, machinery and equipment, tools and spare parts acquired with incentives under R.A. No. 8502 for jewelry manufacturing.		
	10. For newly formed enterprise: Duly notarized certification by the enterprise of its total assets.		
	11. For existing enterprise: Income Tax Return (ITR) duly filed with the BIR together with the attached Audited Financial Statement (AFS).		
	12. For single proprietorship: Business Name Registration with the Department of Trade and Industry.		
	13. For partnership, corporation, and organization: Registration with the Securities and Exchange Commission (SEC) and Articles of Incorporation and By-Laws.		
	For New Associations:		
	 Accomplished application for accreditation (Form RA 8502- 2, available at the MIS-PERD) SEC Registration and Articles of Incorporation (for partnership, corporation and organization) 		

Type of Certificate	Requirements / Steps	Fees	Timetable
	3. List of active members including their contact person, office and plant addresses, telephone, and fax numbers. It must have at least 10 (ten) active members.		
	 Annual Information Return duly filed with the BIR, including attachments, if any; and 		
	5. Accomplishment/Annual Report for the past one (1) or three (3) years, for member and non-member of the Confederation of Philippine Jewelers, Inc., respectively, indicating activities, programs and projects		
	For Enterprise - Renewal:		
	Application for accreditation and all supporting documents applicable to "new" accreditation except the last item.		
	 Annual Report ending calendar or fiscal year, whichever is applicable (BOI Form S-1, available at the MIS-PERD); and 		
	For Association - Renewal:		
	Application for accreditation and all supporting documents applicable to "new" accreditation except the last item.		
	 Accomplishment/Annual Report for the previous year indicating its activities, programs and projects 		

