

September 14, 1993

MEMORANDUM ORDER NO. 166

**DELINEATING THE RESPONSIBILITIES OF AGENCIES AND DESIGNATING
THE CHAIRMAN OF THE COORDINATING COUNCIL FOR THE PHILIPPINE
ASSISTANCE PROGRAM (CCPAP) AS THE ACTION OFFICER FOR THE
PROMOTION OF BUILD-OPERATE-TRANSFER (BOT) AND RELATED
SCHEMES**

WHEREAS, Republic Act No. 6957 or the Build-Operate-Transfer Law authorizes the financing, construction, operation and maintenance of infrastructure projects by the private sector;

WHEREAS, there is already a policy framework for the implementation of the BOT and related schemes;

WHEREAS, there is a need for a more focused and pro-active approach for the implementation of the BOT Program;

WHEREAS, the supervision and coordination in the implementation of the BOT Law is lodged with the NEDA Board;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby designate the Chairman of the CCPAP as the Action Officer for the promotion of BOT and related schemes of the NEDA Board.

SECTION 1. The CCPAP Chairman, as the Action Officer for the promotion of BOT, shall discharge the following duties and functions:

1. Formulate regularly, in collaboration with the Investments Coordinating Committee (ICC) and the Infrastructure Committee (INFRACOM) of the NEDA Board and the Department of Trade and Industry, an integrated and updated list of potential projects for implementation under the BOT law;
2. Undertake the promotion and marketing of the BOT and related projects of the government, in coordination with the Board of Investments (BOI);

3. Facilitate the mobilization of the necessary resources for the implementation of projects under BOT and related schemes;
4. Provide training and institution-building support services to private and public groups in the identification, packaging, financing, and implementation of projects under BOT schemes; and
5. Perform other functions that may be deemed necessary by the President and the NEDA Board in the furtherance of the BOT Program.

SECTION 2. In the performance of the above functions, the CCPAP Chairman shall be assisted by the CCPAP Secretariat, which shall establish and operate a One-Stop BOT Center which shall be accessible both to the public and private sectors.

SECTION 3. *Role of the NEDA Board-* The NEDA Board shall provide the overall policy and operational directions on BOT and related schemes. The NEDA Board shall be supported by the following: The Investment Coordinating Committee (ICC), which shall be the supervising central and final authority for the approval and disapproval of BOT or similar projects, as provided in the Joint Congressional Resolution No. 03 dated 10 February 1992; and the Infrastructure Committee (INFRACOM), which shall be the body that will coordinate the activities of government entities concerned with infrastructure development (including BOT and related activities), per Executive Order No. 230 (Reorganizing the NEDA), dated 22 July 1987.

SECTION 4. *Role of the Implementing Entity.* - The sponsoring agency or the agency administering the BOT and related projects shall be responsible for the identification and implementation of such projects, including compliance with all pertinent rules and regulations.

SECTION 5. The CCPAP Chairman, as the Action Officer for the promotion of BOT, shall also submit regular and integrated reports on the Program of the BOT and related schemes to the NEDA Board.

SECTION 6. All orders, issuances, rules and regulations or parts thereof inconsistent with this Order are hereby repealed or modified accordingly.

SECTION 7. This order shall take effect immediately.

DONE in the City of Manila, this 14th day of September, in the year of our Lord, nineteen hundred and ninety-three.