

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'22 AUG 16 P2 :22

SENATE
S. No. 1182

RECEIVED BY: 

Introduced By Senator Christopher Lawrence "Bong" T. Go

AN ACT
PROVIDING FOR GOVERNMENT FINANCIAL INSTITUTIONS UNIFIED
INITIATIVES TO DISTRESSED ENTERPRISES FOR ECONOMIC RECOVERY
(GUIDE)

EXPLANATORY NOTE

Two years ago, the COVID-19 pandemic caused an unprecedented shock for both the health care system and economy. In a bid to prioritize the health and safety of the people, the National Government imposed community quarantine measures. This enabled the country to reinforce and enhance the capacity of our health care system in effectively managing the pandemic.

Although reported cases and deaths in the country are declining, and community health restrictions are being eased, the pandemic is not yet over. The restrictions came at a great cost to the economy, directly affecting the livelihoods of millions of workers and businesses all over the country. Many micro, small, and medium enterprises (MSMEs), which are the primary employers of the country, have suffered due to constrained economic activity and the dip in consumer confidence. Some strategically important companies (SICs) that contribute significantly to the country's gross domestic product (GDP) are facing solvency issues due to the decline in economic activity amid the pandemic.

Providing timely and effective assistance to MSMEs and SICs is crucial to ensuring a strong economic recovery. A prolonged period of struggling operations could result in a vicious cycle characterized by deteriorating credit profiles, reduced investments, continued job losses, financial market disruptions, and eventually deeper economic losses.

To this end, the Government Financial Institutions Unified Initiatives to Distressed Enterprises for Economic Recovery (GUIDE) bill aims to strengthen the capacity of the Land Bank of the Philippines (LandBank) and the Development Bank of the Philippines (DBP) in order to provide much-needed access to credit and

financial assistance to distressed businesses, including MSMEs, SICs, and other businesses affected by the pandemic.

LandBank and DBP shall be authorized to create a special holding company which aims to assist in the rehabilitation of SICs heavily affected by the COVID-19 pandemic. Equity participation in this special holding company may be held by qualified private sector investors. However, to ensure that the policies and objectives under the proposed bill are effectively carried out, LandBank and DBP are mandated to maintain at least a majority ownership over the special holding company until such time that they have recovered or will be able to recover their investment.

The special holding company shall be authorized to invest or place funds in equity, execute convertible loans, or purchase convertible bonds and/or other securities, in said SICs. To ensure that such investments are properly utilized, as well as to ensure the successful rehabilitation of SICs, the legislative measure imposes strict conditions on the investee company such as requiring that the number of employees are not reduced beyond a certain level, limiting its ability to declare dividends, restricting the increase in salary and other benefits of the board and its senior executive officers, and ensuring that investments of LandBank and DBP are not diluted and time-bound with a definite exit mechanism.

The bill will also help lower the overall cost of borrowing for MSMEs. MSME support is a critical job-saving intervention, as these enterprises hire approximately 9 million people or 63% of the workforce. Government financial institutions shall be mandated to expand their credit programs in order to assist affected MSMEs in meeting their liquidity needs. In particular, LandBank and DBP are mandated to expand their loan programs as well as rediscount loans and other credit accommodations to affected MSMEs in the agriculture, infrastructure, service, and manufacturing industries.

In view of the urgent need to support hard-hit enterprises and restore employment for millions of Filipino workers to ensure a strong economic recovery, the approval of this measure is earnestly sought.



SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'22 AUG 16 P2 :22

SENATE
S. B. No. 1182

RECEIVED BY 

Introduced By Senator Christopher Lawrence "Bong" T. Go

AN ACT
PROVIDING FOR GOVERNMENT FINANCIAL INSTITUTIONS UNIFIED
INITIATIVES TO DISTRESSED ENTERPRISES FOR ECONOMIC RECOVERY
(GUIDE)

Be it enacted by the Senate and House of Representatives of the Philippines, in Congress assembled:

1 **Section 1. Title.** – This Act shall be known as the "Government Financial
2 Institutions (GFIs) Unified Initiatives to Distressed Enterprises for Economic
3 Recovery (GUIDE) Act of 2022."
4

5 **Sec. 2. Declaration of Policy.** – The substantial disruption of the economy
6 due to the community quarantine measures restricted the operation of numerous
7 businesses.
8

9 The State recognizes the role of these businesses composed of micro, small
10 and medium enterprises (MSMEs) and strategically important companies in providing
11 employment to the Filipino people and in supporting the Philippine economy. Thus,
12 it is essential that these enterprises are given necessary access to credit and
13 financial assistance. It is hereby declared the policy of the State to protect
14 employment and assist distressed enterprises in order to reinvigorate the economy.
15

16 **Sec. 3. Definition of Terms.** – As used in this Act:
17

- 18 (a) *Agribusiness value chain* refers to a set of actors/players, such as
19 farmers, fisherfolk, traders, suppliers, processors, and aggregators, who
20 make up the linked sequence of value-adding activities undergone by an
21 agricultural product when converted from raw material to the final form it
22 is presented to the consumers;
23

1 Policy Council (DA-ACPC) to MSMEs affected by the COVID-19 pandemic engaged in
2 infrastructure, service industry, and/or manufacturing business.

3
4 The DBP may undertake other similar activities as may be provided under the
5 rules and regulations to be issued to implement this Act.

6
7 **Sec. 6. Increase in DBP's Authorized Capital Stock.** — Section 7 of Executive
8 Order No. 81, as amended by Republic Act No. 8523, otherwise known as "*The*
9 *1986 Revised Charter of The Development Bank of The Philippines*", as amended, is
10 hereby further amended to read as follows:

11
12 "Section 7. *Authorized Capital Stock-Par Value.* The capital stock of
13 the Bank shall be [~~Thirty-five billion pesos (P35,000,000,000.00)~~]
14 **ONE HUNDRED BILLION PESOS (PHP100,000,000,000.00)** to
15 be divided into [~~Three hundred fifty million (350,000,000)~~] **ONE**
16 **BILLION (1,000,000,000)** common shares with par value of One
17 hundred pesos (**PhP100.00**) per share, which shall be fully subscribed
18 by the ~~n~~**National** ~~g~~**Government**: [~~Upon the effectivity of this Charter,~~
19 ~~the National Government shall initially subscribe to One hundred~~
20 ~~twenty-five million (125,000,000) common shares of stock worth~~
21 ~~Twelve billion five hundred million pesos (P12,500,000,000.00), Five~~
22 ~~billion pesos (P5,000,000,000.00) of which shall be deemed paid for~~
23 ~~by the government and the balance shall be paid for by the~~
24 ~~government out of the stock dividends to be declared by the Bank~~
25 ~~from its unappropriated retained earnings: Provided, That the~~
26 ~~dividends due the national government pursuant to Republic Act No.~~
27 ~~7656 shall first be paid.] **PROVIDED, THAT THE PRESIDENT OF**
28 **THE PHILIPPINES MAY APPROVE THE INCREASE IN THE**
29 **CAPITALIZATION OF THE BANK, UPON THE**
30 **RECOMMENDATION OF THE BOARD AND THE CONCURRENCE**
31 **OF THE SECRETARY OF FINANCE, UP TO SUCH AN AMOUNT**
32 **AS MAY BE NECESSARY TO ATTAIN THE OBJECTIVES OF THIS**
33 **CHARTER."**~~

34
35
36 **CHAPTER 2**
37 **Land Bank of the Philippines**

38
39 **Sec. 7. Loan Assistance Program of the Land Bank of the Philippines**
40 **(LandBank).** — The LandBank shall expand its loan program for qualified MSMEs
41 affected by the COVID-19 pandemic under this Act and those covered under
42 Republic Act No. 11494 or "the Bayanihan to Recover as One Act": *Provided*, That
43 such loans shall be granted in accordance with the rules and regulations that shall
44 be issued to implement this Act and the following guidelines:

1 (a) Eligible MSMEs under this Act should be engaged in activities in the
2 agribusiness value chain; and

3
4 (b) The loans granted hereunder should comply with the applicable prudential
5 standards and regulations of the BSP.

6
7 The LandBank shall likewise extend loans to LGUs subject to existing rules
8 and regulations.

9
10 **Sec. 8.** LandBank *Rediscounting and other Programs.* — Subject to applicable
11 prudential standards and regulations of the BSP, the LandBank may rediscount loans
12 to eligible MSMEs engaged in activities in the agribusiness value chain granted by
13 BSFIs, the SBC, and those granted pursuant to credit programs of the DA-ACPC to
14 MSMEs affected by the COVID-19 pandemic.

15
16 The LandBank may undertake other similar activities for purposes of this Act
17 as may be provided under the implementing rules and regulations to be issued.

18
19
20 **CHAPTER 3**
21 **Special Holding Company**

22
23 **Sec. 9.** *Creation of Investment Vehicle.* — To ensure that Strategically
24 Important Companies (SICs) remain solvent, the LandBank and DBP are hereby
25 authorized to invest in, or enter into a joint venture agreement to incorporate a
26 special holding company (the "SHC") that is a stock corporation to be organized
27 under Republic Act No. 11232, otherwise known as "The Revised Corporation Code
28 of the Philippines," within six (6) months beginning from the date of effectivity of
29 the rules and regulations of this Act, or effectivity of applicable revenue regulations,
30 whichever comes later. The establishment, administration, and operation of the SHC
31 shall be governed by the following principles:

32
33 (a) The purpose of the SHC is to rehabilitate SIC affected by the COVID-19
34 pandemic which are experiencing temporary solvency issues;

35
36 (b) SICs are investee companies that are nationally significant, or those with
37 high economic returns or high employment potential, and which are
38 engaged in any of the following "strategically important industries or
39 sectors," such as, but not limited to, agriculture, construction, education,
40 food industry, healthcare, infrastructure, low-cost and socialized housing,
41 manufacturing, power and energy, product distributor/retailer, services,
42 tourism and hospitality, transportation and logistics, water and sanitation,
43 and other industries to be identified in the rules and regulations issued to
44 implement this Act: *Provided,* That a SIC must be able to demonstrate
45 upstream and downstream linkages to other firms and/or industries,
46 substantial employment to the community, and exhibit high degree of

1 process efficiency, cost efficiency, product quality, and environmental
2 soundness: *Provided, further,* That a SIC can show proof of temporary
3 solvency problems due to the pandemic, financial soundness prior to the
4 pandemic, and credible and sound financial rehabilitation plan.
5

6 (c) Equity participation in the SHC may be offered to, and held by, qualified
7 private sector investors, including multilateral companies and lending
8 institutions, as may be determined by the LandBank and DBP: *Provided,*
9 That majority ownership of the total outstanding capital stock in the SHC
10 shall be held by the LandBank and DBP until such time that they have
11 recovered or will be able to recover their investment in the SHC;
12

13 (d) The LandBank and the DBP shall dispose of their stockholdings in the SHC
14 to qualified private sector investors as they may determine. The LandBank
15 and DBP shall provide equal opportunity for equity participation in the
16 SHC to all qualified investors, including multilateral companies and lending
17 institutions. When private shareholdings in the SHC reaches fifty percent
18 (50%) of the total outstanding capital stock, the stockholders thereof
19 shall cause the adoption and registration with the Securities and Exchange
20 Commission (SEC) of the company's amended articles of incorporation
21 within three (3) months from such transfer of ownership;
22

23 (e) The SHC, as a government-owned or controlled corporation (GOCC), and
24 the investments of DBP and LandBank therein, shall be subject to the
25 power of the Commission on Audit (COA) to audit and examine GOCCs
26 and the investments of government in corporations: *Provided,* That the
27 audit of the SHC by the COA shall not preclude the SHC from engaging
28 the services of a private auditing firm when equity participation in the
29 SHC is offered to qualified private investors: *Provided, further,* That even
30 if the services of the latter are availed of, the audit report of the COA
31 shall serve as the report for purposes of compliance with audit
32 requirements as required of a GOCC under applicable law;
33

34 (f) The SHC shall devise mechanisms that shall protect the government's
35 investment, such as issuing a special class or series of shares, or entering
36 into shareholders' or voting share agreements for the purpose as provided
37 in the rules and regulations issued to implement this Act.
38

39 **Sec. 10. Powers of the Investment Vehicle.** — The SHC shall have the
40 powers granted to a stock corporation under Republic Act No. 11232. Furthermore,
41 the power of the SHC to invest shall be subject to the following investment
42 guidelines:
43

44 (a) To avoid undue risk concentration from excessive exposures, the
45 investment of the SHC in an investee company and the total investment in
46 companies belonging to the same industry or sector shall be subject to a

1 ceiling in relation to its net income or capital as prescribed under the
2 implementing rules and regulations;

3
4 (b) The SHC can only invest in corporations engaged in strategically
5 important industries or sectors that are experiencing temporary solvency
6 issues because of the COVID-19 pandemic, such as those with
7 considerable impact on the economy;

8
9 (c) Such investment shall be in the form of (i) limited equity participation by
10 subscription or acquisition of shares, (ii) execution of convertible loans or
11 purchase of convertible bonds; and/or (iii) investment in such other
12 securities as may be issued by the investee corporations, acceptable to
13 the DBP and LandBank; and

14
15 (d) The investee company is eligible based on the requirements in this
16 Section and in Section 13 of this Act.

17
18 **Sec. 11. Board of Directors of the SHC** – The powers and authority of the
19 SHC shall be vested in, and exercised by a Board of Directors, hereinafter referred
20 to as the "Board," composed of nine (9) members, as follows:

21
22 (a) The Secretary of Finance, as *ex-officio* Chairperson;

23 (b) The President of the LandBank;

24 (c) The President of DBP;

25 (d) The President or Chief Executive Officer of the SHC;

26 (e) Two (2) independent Directors;

27 (f) Three (3) directors who shall be appointed by the LandBank, DBP, and
28 the private equity investor(s), if any, in proportion to the voting shares
29 held in the SHC

30
31 The members of the Board shall elect from among themselves the Vice
32 Chairperson. The *ex-officio* members of the Board may designate their respective
33 representatives who shall exercise the powers of a director.

34
35 Once the private shareholdings in the SHC reaches fifty percent (50%) of the
36 total outstanding capital stock, subject to the proviso of Chapter 3, Section 9(c) of
37 this Act, the company shall cease to be a GOCC, the *ex-officio* directors will cease to
38 be members of the Board, and the membership of the Board shall be based on the
39 election of the directors by the voting shares held by the shareholders, pursuant to
40 the provisions of Republic Act No. 11232.

41
42 The Board shall provide for an organization and staff of officers and
43 employees of the SHC and fix their remunerations and other emoluments. All
44 positions in the SHC shall be governed by the compensation, position classification
45 system, and qualification standards approved by the Board based on a job analysis
46 of actual duties and responsibilities. The compensation plan shall be comparable

1 with the prevailing compensation plans in the private sector and shall be subject to
2 periodic reviews once every two (2) years, without prejudice to early merit or
3 increases based on the SHC's productivity and profitability. The SHC, being a GOCC,
4 shall therefore be exempt from existing laws and the rules and regulations on
5 compensation, position classification, and qualification standards in the government
6 service.

7
8 **Sec. 12. Responsibility of the Board and the Employees of the SHC** — The
9 Board shall set appropriate standards and corporate governance for the investee
10 companies that the SHC will invest in. The Board shall likewise institute mechanisms
11 to oversee that such standards are followed by the investee company.

12
13 The general rule and the exception therefrom on the liability of public officers
14 as provided in Sections 38 and 39 of Chapter 9, Book 1 of the Revised
15 Administrative Code of 1987 shall apply to the members of the Board and other
16 personnel of the SHC Unless the actions or omissions of the SHC, members of the
17 Board and its other personnel are finally adjudged to be in wilful violation of this
18 Act, performed in evident bad faith or with gross negligence, they shall be held free
19 and harmless to the fullest extent permitted by law from any liability, and they shall
20 be indemnified for any and all liabilities, losses, claims, demands, damages,
21 deficiencies, costs and expenses of whatsoever kind and nature that may arise in
22 connection with the exercise of their powers and performance of their duties and
23 functions.

24
25 **Sec. 13. Requirements for the Investee Company.** — To be eligible, the
26 investee company must not be a party to any pending tax-related cases in court for
27 tax collection or tax evasion, must not be a debtor in any bankruptcy proceeding
28 prior to the enhanced community quarantine period, and must not be insolvent and
29 is capable of being rehabilitated as determined by the SHC

30
31 The agreement between the SHC and the investee company must contain the
32 following minimum conditions:

- 33
34 (a) The investee company must not reduce the number of employees beyond
35 the percentage prescribed by the SHC;
36 (b) The investee company shall not, without prior authority from the SHC, be
37 allowed to issue stock dividends and repurchases during the term of the
38 investment;
39 (c) The investee company shall not issue cash dividends during the term of
40 the investment;
41 (d) The investee company must not increase the salaries, benefits and other
42 forms of remuneration of its senior executive officers and members of its
43 board;
44 (e) The investee company shall not provide or grant senior executive officers
45 and members of its Board separation pay or retirement pay: *Provided,*

- 1 That any amount received by the senior executive officers and members
2 of the board which is in violation of the foregoing shall be returned;
- 3 (f) The investee company shall not incur irregular, unnecessary, excessive,
4 extravagant or unconscionable expenditures such as entertainment,
5 events, office/facility renovations, aviation/transportation services and
6 other activities;
- 7 (g) The ownership of the SHC in the investee company shall not be diluted
8 and a provision protecting the value of the shares of the SHC from market
9 transactions such as stock splits, mergers and other forms of
10 reorganization and recapitalization shall be included in the agreement;
11 and
- 12 (h) The investment in the investee company shall be time-bound with a
13 definite exit mechanism.

14
15 *Provided, further,* That additional conditions and provisions may be imposed
16 by the SHC to ensure that the investment will be properly utilized and ensure the
17 successful rehabilitation of the investee company.

20 CHAPTER 4

21 Incentives and Exemption Privileges of the DBP, LandBank, and the SHC

22
23 **Sec. 14. Tax Exemptions and Fee Privileges.** – Any existing law to the
24 contrary notwithstanding, the following shall be exempt from documentary stamp
25 tax, capital gains tax, creditable withholding income tax, value-added tax, gross
26 receipts tax, and such other taxes that may be imposed under Republic Act No.
27 8424, or the "National Internal Revenue Code of 1997," as amended, whichever is
28 applicable pursuant to the regulations to be issued by the Department of Finance
29 (DOF), upon the recommendation of the Bureau of Internal Revenue (BIR):

- 30
31 (a) Loan assistance program, rediscounting and other programs of the DBP
32 and LandBank under Chapters 1 and 2 of this Act, respectively, including
33 dation in payment (*dacion en pago*) by the borrower or by a third party in
34 favor of the DBP and the LandBank; and
- 35
36 (b) Transactions of the SHC as to its:
- 37
38 (i) subscription or acquisition of shares;
- 39 (ii) execution of convertible loans or purchase of convertible bonds;
- 40 (iii) investment in such other securities as may be issued by the
41 investee corporations, acceptable to DBP and LandBank; and
- 42 (iv) acquisitions of assets of an investee company.

43
44 Transfer of properties in the abovementioned transactions shall also be
45 subject to the following, in lieu of the applicable fees:

1 (a) Fifty percent (50%) of the applicable mortgage registration and transfer
2 fees on the transfer of real estate mortgage and security interest to and
3 from DBP, LandBank, or the SHC, as imposed in accordance with the
4 existing circulars of the Land Registration Authority (LRA);
5

6 (b) Fifty percent (50%) of the filing fees for any foreclosure initiated by the
7 DBP and LandBank in relation to loan assistance and rediscounting
8 programs as prescribed by the Rules of Court; and
9

10 (c) Fifty percent (50%) of the land registration fees prescribed under the
11 existing circulars of the LRA.
12

13 The tax exemptions and fee privileges in this Section cannot be enjoyed by
14 any person not a party to the above transactions except in cases of subsequent
15 transfers by the DBP, LandBank, or the SHC to a third party of rediscounted loans
16 and other credit accommodations, properties, shares and other assets, acquired
17 pursuant to the said transactions.
18

19 The incentives enumerated herein may be availed of for a period of three (3)
20 years from the date of effectivity of the applicable implementing rules and
21 regulations or of the applicable revenue regulations, whichever comes later:
22 *Provided*, That the tax exemption and fee privileges of subsequent transfers may be
23 availed of for a period of three (3) years from the date of acquisition by the DBP,
24 LandBank, or the SHC; *Provided, further*, That the Secretary of Finance may extend
25 such period by a maximum of three (3) years; *Provided, finally*, That once the SHC
26 ceases to be a GOCC, its tax exemptions and fee privileges under this clause shall
27 be automatically revoked.
28

29 **Sec. 15. *Emergency Procurement under the Government Procurement***
30 ***Reform Act.*** — In order to ensure the expeditious implementation of their mandates
31 under this Act, procurement activities undertaken by the LandBank, DBP, and the
32 SHC in light of the COVID-19 pandemic and pursuant to their mandate and functions
33 as defined in this Act, shall adopt the rules under Negotiated Procurement under
34 Emergency Cases under Section 53(b) of Republic Act No. 9184, or the
35 "Government Procurement Reform Act" for a period of three (3) years from the
36 effectivity of the implementing rules and regulations to be issued under Chapter 5,
37 Section 20 of this Act.
38

39 **Sec. 16. *Other Exemptions of the SHC*** — The SHC shall be exempt from the
40 provisions of Republic Act No. 10149, or the "GOCC Governance Act of 2011."
41

42 Further, transactions by the SHC shall be exempt from the provisions of
43 Republic Act No. 10667, or the "Philippine Competition Act" for a period of three (3)
44 years from its incorporation: *Provided*, That this exemption shall only apply to
45 acquisitions of assets of an investee company by the SHC pursuant to its powers
46 under this Act.

1
2 Any provision of law to the contrary notwithstanding, the disposal of assets of
3 an investee company by the SHC pursuant to their mandate and functions, as well
4 as the disposal of shares, assets, or investments by LandBank or DBP, or both, in
5 the SHC, shall be exempt from the provisions of laws and regulations on government
6 disposal of assets.

7
8 **Sec. 17. Prohibition Against Injunction.** - No court, other than the Court of
9 Appeals and the Supreme Court, shall issue any temporary restraining order,
10 preliminary injunction, preliminary mandatory injunction, status quo order, stay
11 order, commencement order, or any other issuance of injunctive relief against the
12 sale or acquisitions of assets of an investee company by the SHC, or the disposal of
13 assets of an investee company by the SHC, including judicial or extrajudicial
14 foreclosure sales or execution sales.

15
16
17 **CHAPTER 5**
18 **Miscellaneous Provisions**
19

20 **Sec. 18. Ratios, Ceilings, and Limitations.** — For purposes of this Act, the
21 Monetary Board may exempt DBP and LandBank from such ratios, ceilings and
22 limitations, provided under Republic Act No. 8791 or the "The General Banking Law
23 of 2000," for a period as may be determined by the Monetary Board, subject to
24 conditions as may be prescribed by the Monetary Board such as, but not limited to,
25 the adoption of appropriate risk management measures to mitigate risks that may
26 arise from the implementation of this law.

27
28 **Sec. 19. Appropriations.** — The amount of Ten Billion Pesos
29 (PhP10,000,000,000.00) is hereby appropriated out of any funds actually available in
30 the National Treasury of the Philippines not otherwise appropriated, as certified by
31 the National Treasurer, to fund the following:

32
33 (a) The amount of Two Billion Five Hundred Million Pesos
34 (PhP2,500,000,000.00) for the implementation of Chapters 1 and 3 of this Act:
35 *Provided*, That this amount shall be applied as additional paid-up capital of the DBP,
36 for the purposes of lending under the loan assistance program to qualified MSMEs,
37 its rediscounting and other programs, and the creation of the SHC: *Provided*,
38 *further*, That DBP can also utilize funds appropriated under Section 10 of Republic
39 Act No. 11494 or "the Bayanihan to Recover as One Act" for the implementation of
40 Chapter 1 of this Act; *Provided, finally*, That the total amount of
41 PhP2,500,000,000.00 can be fully utilized, if required, for the equity infusion in the
42 SHC; and

43
44 (b) The amount of Seven Billion Five Hundred Million Pesos
45 (PhP7,500,000,000.00) for the implementation of Chapters 2 and 3 of this Act:
46 *Provided*, That this amount shall be applied as additional paid-up capital of

1 LandBank, for the purposes of lending under the loan assistance program to
2 qualified MSMEs, rediscounting and other programs of LandBank, and the creation
3 of the SHC: *Provided, further,* That LBP can also utilize funds appropriated under
4 Section 10 of Republic Act No. 11494 or "the Bayanihan to Recover as One Act" for
5 the implementation of Chapter 2 of this Act; *Provided, finally,* That the total amount
6 of PhP7,500,000,000.00 can be fully utilized, if required, for the equity infusion in
7 the SHC;

8

9 **Sec. 20. *Implementing Rules and Regulations*** — Within thirty (30) days from
10 the effectivity of this Act, the DOF, together with the BIR, the BSP, the SEC, the
11 DBP, and the LandBank shall jointly promulgate the necessary rules and regulations
12 for the effective implementation of this Act: *Provided,* That the DOF may call upon
13 any agency to provide information or assistance in the drafting of the rules and
14 regulations: *Provided, further,* That within thirty (30) days from the effectivity of this
15 Act, the DOF, upon recommendation of the BIR, shall promulgate the revenue
16 regulations implementing the fiscal incentives under this Act.

17

18 **Sec. 21. *Oversight Committee.*** – There is hereby created a Joint
19 Congressional Oversight Committee (JCOC) to oversee, monitor, and evaluate the
20 implementation of this Act. The JCOC shall be composed of five (5) members each
21 from the House of Representatives and from the Senate. The JCOC shall be co-
22 chaired by the Chairpersons of the House Committee on Banks and Financial
23 Intermediaries and the Senate Committee on Banks, Financial Institutions and
24 Currencies.

25

26 The Speaker and the Senate President shall designate the other four
27 members of the JCOC of the House and the Senate from among the members of the
28 House Committee on Banks and Financial Intermediaries and the Senate Committee
29 on Banks, Financial Institutions, and Currencies, at least one member of which shall
30 be from the minority.

31

32 **Sec. 22. *Separability Clause.*** – If any provision of this Act is held
33 unconstitutional or invalid, all other provisions not affected thereby shall remain
34 valid.

35

36 **Sec. 23. *Repealing Clause.*** – All laws, decrees, executive orders, rules and
37 regulations or parts thereof, which are inconsistent with this Act, are hereby
38 repealed, amended or modified accordingly.

39

40 **Sec. 24. *Effectivity.*** – This Act shall take effect immediately upon its
41 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,