



## MEMORANDUM ORDER NO. 2021-16

### CLASSIFYING THE PHIVIDEC PANAY AGRO-INDUSTRIAL CORPORATION (PPAIC) AS EXCLUDED FROM THE COVERAGE OF REPUBLIC ACT NO. 10149

**WHEREAS**, Section 4 of Republic Act (R.A.) No. 10149 provides that the jurisdiction of the Governance Commission for GOCCs (GCG) shall cover “all GOCCs, GICPs/GCEs, and government financial institutions, including their subsidiaries, but excluding the Bangko Sentral ng Pilipinas, state universities and colleges, cooperatives, local water districts, economic zone authorities and research institutions;”

**WHEREAS**, the Phividec Panay Agro-Industrial Corporation (PPAIC) was registered with the Securities and Exchange Commission (SEC) on 29 April 1976, under SEC registration number 67315;

**WHEREAS**, majority of the common shares of PPAIC are owned by the PHIVIDEC Industrial Authority (PHIVIDEC-IA) – an economic zone authority excluded from the coverage of R.A. No. 10149;

**WHEREAS**, Section 5(b) of R.A. No. 10149, empowers the GCG to “classify GOCCs into: (1) Development/Social Corporations; (2) Proprietary Commercial Corporations; (3) Government Financial Investment and Trust Institutions; (4) Corporations with regulatory Functions; and (6) Others as may be classified by the GCG, without prejudice to further sub-classifications in each category and/or any other classification based on parameters as it may find relevant or material such as, but not limited to, industry type. The Classification shall guide the GCG in exercising its functions as provided herein;”

#### **NOW, BE IT-**

**RESOLVED**, that PPAIC shall be classified as a GOCC excluded from the coverage of R.A. No. 10149;

**RESOLVED FURTHER**, the above stated classification of PPAIC shall be subject to reclassification, pending any change in the situation and/or circumstances of the corporation, such as when PPAIC is transferred to a covered GOCC, which would then bring it back within the coverage of R.A. No. 10149.

**DONE**, this 29<sup>th</sup> day of December 2021.