



MEMORANDUM ORDER NO. 2024 – 02

**CLASSIFYING NATIONAL SUGAR DEVELOPMENT CORPORATION
(NASUDECO) AS “IN-ACTIVE/NON-OPERATIONAL”**

WHEREAS, the **NATIONAL SUGAR DEVELOPMENT CORPORATION (NASUDECO)** was incorporated with the Securities and Exchange Commission (SEC) on 04 September 1975 under SEC Registration No. 0000063326;

WHEREAS, NASUDECO's primary purpose is to establish, own, lease, manage and operate sugar mills, centrals, refineries or similar entities or establishments;

WHEREAS, NASUDECO is presently classified in the GCG's *Annex A – Classification by Sectors*, under the category of Agriculture, Fisheries and Food Sector;

WHEREAS, Section 5(a) of Republic Act (R.A.) No. 10149, mandates the GCG to “evaluate the performance and determine the relevance of the GOCC, to ascertain whether such GOCC should be reorganized, merged, streamlined, abolished or privatized, in consultation with the department or agency to which a GOCC is attached;”

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;”

WHEREAS, pursuant to GCG Memorandum Circular (M.C.) No. 2015-02, among the grounds for the classification of a GOCC under “In-active/Non-operational” status is “(4)(b)(iii) the Corporate franchise or certificates of incorporation has been suspended or revoked by the SEC;”

WHEREAS, the Securities and Exchange Commission (SEC), through its Company Registration and Monitoring Department, has certified that NASUDECO's “Certificate of Registration was revoked on July 2, 2003 per SEC Order dated May 27, 2003 for failure to submit the required General Information Sheets and Financial Statements for the years 1997-2002;”

WHEREAS, based on its Articles of Incorporation, the corporate existence of NASUDECO is “from the date of its incorporation up to August 31, 1992;”

WHEREAS, the Commission on Audit (COA), in its annual financial reports from 2009 up to 2011, tagged NASUDECO as “Non-operational;”

