

# MALACAÑANG

Manila

## EXECUTIVE ORDER NO. 269

### AMENDING EXECUTIVE ORDER NO. 182 WHICH PROMULGATES THE FIRST REGULAR FOREIGN INVESTMENT NEGATIVE LIST, SPECIFICALLY "LIST A" OF ANNEX A

**WHEREAS**, List A of the First Regular Foreign Investment Negative List enumerates investment activities/areas where foreign equity participation is limited as prescribed in the Constitution and other specific laws;

**WHEREAS**, Section 2, Rule IX of the Implementing Rules and Regulations of Republic Act No. 7042, also known as the Foreign Investments Act of 1991, allows amendments to List A to be made by NEDA at any time to reflect changes made by laws regarding foreign equity participation in any investment activity/area;

**WHEREAS**, there is a need to amend the first Regular Foreign Investment Negative List (RFINL) to reflect the provisions under Republic Act No. 7718 or "An Act Amending Certain Sections of Republic Act No. 6957, Entitled An Act Authorizing The Financing, Construction, Operation and Maintenance of Infrastructure Projects By the Private Sector, And For Other Purposes" on the allowed foreign equity in build-operate-transfer projects.

**NOW, THEREFORE, I, FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by the Foreign Investments Act of 1991 do hereby order:

**SECTION 1.** List A of "Annex A" of Executive Order No. 182 is hereby amended as follows:

(a) Item No. 10 is amended to read as follows:

"10. Contracts for the construction and repair of locally-funded works except (i) infrastructure/development projects covered in Republic Act No. 7718, also known as the Expanded BOT Law; and (ii) projects which are foreign funded or assisted and required to undergo international competitive bidding (Commonwealth Act 541 as amended by Presidential Decree 1594; Letter of Instruction No. 630; Republic Act 7718)"

(b) Item No. 17(d) is deleted from the list.



(c) A new item no. 18 is added to read as follows:

"18. Project proponent and facility operator of a BOT project requiring a public utility franchise (Article XII, Section 11 of the Constitution; Republic Act No. 7718)"

**SEC. 2.** All orders, issuances, rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

**SEC. 3.** This Executive Order shall take effect immediately upon publication in two (2) newspapers of general circulation in the Philippines.

**DONE** in the City of Manila, this 8th day of August in the year of our Lord, Nineteen Hundred and Ninety Five.

By the President:

  
RUBEN D. TORRES  
Executive Secretary



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