

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 289

PROVIDING LAND FOR THE PHILIPPINE TRADE CENTER IN ACCORDANCE WITH
REPUBLIC ACT NO. 7844

WHEREAS, Section 15 of Republic Act No. 7844, otherwise known as the "Export Development Act of 1994" (The "EDA LAW"), mandates that the Government, in order to assist the private sector in the establishment of Philippine Trade Centers, "shall provide the land for the center, through a land grant or a long-term lease to the accredited organization";

WHEREAS, pursuant to the above mandate, the National Government has opted to provide land for the center through a long-term lease to the accredited organization;

WHEREAS, the Philippine Exporters Confederation Inc. (PHILEXPORT), a non-profit, non-stock corporation, is the single umbrella organization of exporters currently accredited by the Export Development Council (EDC) pursuant to R.A. No. 7844 to represent the export sector's concerns and interest;

WHEREAS, the Department of Trade and Industry (DTI), in its capacity as the lead government agency in the Export Development Council and as the government agency tasked under R.A. No. 7844 to prepare the Philippine Export Development Plan, has identified the reclaimed land presently occupied and conveyed under Executive Order (EO) No. 989 to the Center for International Trade Expositions and Missions (CITEM) formerly Philippine Trade Exhibition Center (PTEC) a DTI attached agency under EO No. 133 as amended by EO No. 242 as the ideal site for the construction of the Philippine Trade Center, which will house the trade promotion offices and permanent exhibition center for the country's export products;

WHEREAS, Executive Order No. 989 has not been implemented as the title to the aforesaid land has been held by the Philippine National Construction Corporation (PNCC) pursuant to a contract, dated November 20, 1973, executed by and between the Republic of the Philippines and PNCC, then known as CDCP, as well as the certificates of pledge, dated March 10, 1976 and April 6, 1977, wherein the National Government thru the Department of Public Works and Highways (DPWH) guaranteed the right of PNCC to possess and own certain parcels of reclaimed land, among them the following:

A. A portion of Lot 3, Block 1, RL-04-000001, with an area of Forty-Nine Thousand Nine Hundred Ninety Seven (49,997) square

IN REPLYING, PLEASE CITE:



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meters, more or less, now covered by Transfer Certificate of Title (TCT) No. 34996 of the Registry of Deeds for Metro Manila District IV.

B. Under Certificate of Pledge No. 3 dated April 6, 1977, the remaining portion of that parcel of land identified and described as Lot 3, Block I, RL-04-000001, with an area of Six Hundred Forty Five (645) square meters, more or less, bringing the total area of said parcel of land pledge to PNCC to Fifty Thousand Six Hundred Forty-Two (50,642) square meters, more or less, which is more particularly described as follows:

"A parcel of land Lot 3, Block 1 of RL-04-000001 situated in Pasay City, Island of Luzon. Bounded on the North by a road with a right of way of 64.00 meters, on the East by Roxas Boulevard on the South and West by a road with a right of way of 23.00 and 45.00 meters, respectively. Beginning at a point marked '1' on plan being S 02 37'W, 1004.30 meters from CBM No. 2, City of Manila. Thence S 76 deg. 49 min. W, 310.43 meters to point '2'; thence N. 13 deg. 11 min. W, 150.92 meters to point '3'; thence N 72 deg. 19 min. E, 311.39 meters to point '4'; thence S 13 deg. 11 min. E, 174.35 meters to point of beginning. Containing an area of FIFTY THOUSAND SIX HUNDRED FORTY TWO (50,642) SQUARE METERS, more or less."

WHEREAS, pursuant to that Memorandum of Agreement executed by and between the Department of Finance (DOF) and the Asset Privatization Trust (APT), on one hand, and PNCC, on the other, dated August 15, 1995, the latter unconditionally and irrevocably assigned all its rights, title to, and interest in the above-described parcel of reclaimed land, part of which is now covered by TCT No. 34996, in favor of DOF and APT;

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WHEREAS, on August 15, 1995, the Department of Finance and the Asset Privatization Trust executed a Deed of Assignment in favor of the Bureau of Treasury, assigning all its rights, title to and interest in the above-described parcel of land covered by TCT No. 34996 and the remaining portion of reclaimed land consisting of 645 square meters, more or less;

WHEREAS, the terms and conditions of the Memorandum of Agreement executed by the DOF, APT, and PNCC and the Deed of Assignment executed by DOF and APT in favor of the Bureau of Treasury have been approved by the Committee on Privatization;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order the following:

SECTION 1. Pursuant to Section 15 of R.A. No. 7844, or the EDA Law, the above-described parcel of land owned by the National Government consisting of Fifty-Thousand Six Hundred Forty Two (50,642) square meters, more or less, a portion of which is covered by Transfer Certificate of Title (TCT) No. 34996 registered in the name of the Republic of the Philippines, is hereby made available for long-term lease to the export organization duly accredited by the Export Development Council (EDC) to represent the export sector's concerns and interests.

SEC. 2. For and in behalf of the National Government, the Secretary of Trade and Industry (DTI) is hereby authorized to negotiate, sign, and execute a long-term lease contract over said land, or a substantial portion thereof with PhilExport, the incumbent accredited export organization which, under the EDA law, shall represent the export sector's concerns and interests for a term of three (3) years. Said lease agreement shall be made assignable to the next export organization duly accredited by the EDC after the end of the term of PhilExport.

SEC. 3. To further support the operations of the duly accredited export organization, the lease rate for said land shall be fixed at One Thousand Pesos (P1,000.00) a year. The leased land shall house the Philippine Trade Center and other such complexes, including the World Trade Center, to serve primarily as the venue for international exhibitions for promotion of products from the Philippines.

SEC. 4. In furtherance of its functions under Section 12 letter (d) of R.A. No. 7844 the duly accredited export organization may enter into a sublease of said land with organizations or firms for the setting up of the Philippine Trade Center and may include the World Trade Center provided that, the

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revenues earned by the duly accredited export organization or PhilExport from the lease rental and other operations of the Center shall be used solely for the development and promotion of exports in accordance with the provisions of R.A. no. 7844.

SEC. 5. The accredited export organization shall render a regular report to the EDC on the use of said funds. The EDC shall oversee the use of the funds by the accredited export organization and shall formulate guidelines to ensure its proper utilization within ninety (90) days from the effectivity of this Order.

SEC. 6. The capital structure of CITEM under E.O. 989 is hereby modified to comply with the provisions of this Executive Order on said parcels of land. The Board of Governors of CITEM shall implement, determine and approve such modification.

SEC. 7. All executive orders, particularly the provisions in Executive Order No. 989 referring to the above-described parcels of land owned by the National Government or TCT No. 34996, which are inconsistent with the provisions of this Executive Order are hereby deemed amended, repealed, or modified accordingly.

SEC. 8. The provisions of this executive order are hereby declared to be separable, and in the event any one or more of such provisions are held unconstitutional, the validity of the other provisions shall not be affected.

SEC. 9. This Executive Order shall be effective immediately.

Done in the City of Manila, this 13th day of December, in the year of Our Lord, nineteen hundred and ninety five.

By the President


RUBEN D. TORRES
Executive Secretary

