Sector	:	All sectors
Subsector	:	-
Industry Classification	:	-
Level of Government	:	All levels
Type of Obligation	:	National Treatment (Article 10.3) Most-Favoured-Nation Treatment (Article 10.4) Prohibition of Performance Requirements (Article 10.6) Senior Management and Board of Directors (Article 10.7)
Description of Measure	:	The Philippines reserves the right to adopt or maintain any measure or mechanism relating to privatization programs of government assets and divestment of assets requirement in iron and steel, pioneer[8] activities[9], and public-private partnership programs.
Source of Measure	:	– The *1987 Philippine Constitution* – R.A. No. 7042, the *Foreign Investments Act of 1991*, as amended and its Implementing Rules and Regulations – Executive Order No. 226, *the Omnibus Investments Code of 1987*, as amended – R.A. No. 9184, the *Government Procurement Reform Act* – R.A. No. 7718, *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"*

[8] "Pioneer Enterprise" shall mean a registered enterprise (1) engaged in the manufacture, processing or production, and not merely in the assembly or packaging of goods, products, commodities or raw materials that have not been or are not being produced in the Philippines on a commercial scale or (2) which uses a design, formula, scheme, method, process or system of production or transformation of any element, substance or raw materials into another raw material or finished goods which is new and untried in the Philippines or (3) engaged in the pursuit of agricultural, forestry and mining activities and/or services including the industrial aspects of food processing whenever appropriate, pre-determined by the Board, in consultation with the appropriate Department, to be feasible and highly essential to the attainment of the national goal, in relation to a declared specific national food and agricultural program for self-sufficiency and other social benefits of the project or (4) which produces non-conventional fuels or manufactures equipment which utilize non-conventional sources of energy or uses or converts to coal or other non-conventional fuels or sources of energy in its production, manufacturing or processing operations. Provided, That the final product in any of the foregoing instances, involves or will involve substantial use and processing of domestic raw materials, whenever available; taking into account the risks and magnitude of investment: Provided, further, That the foregoing definitions shall not in any way limit the rights and incentives granted to less-developed-area enterprises.

[9] The registered enterprise under Executive Order No. 226 (the *Omnibus Investments Code of 1987*) shall obligate itself to attain the status of a Philippine national within 30 years from the date of registration or with such longer period as the Board may require taking into account the export potential of the project.

		– R.A. No. 9136, the *Electric Power Industry Reform Act of 2001* – Presidential Decree No. 194, s. 1973, *Authorizing Aliens, as well as Associations, Corporations or Partnerships Owned in Whole or in Part by Foreigners to Engage in the Rice and Corn Industry, and for other Purposes* and its Implementing Rules and Regulations – Executive Orders and Administrative Issuances