

Termination of Territorial Arrangements of Cement Companies And Approvals Of New And Expanding Cement Plants

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WHEREAS, Presidential Decree No. 94 dated January 11, 1973 authorized the Cement Industry Authority to regulate all phases of the distribution and marketing of cement for the domestic and government markets and for this purpose has authority to allocate markets in the distribution of cement;

WHEREAS, said decree likewise provides that no new cement plants and expansion of existing ones shall be allowed without prior approval of the Cement Industry Authority;

WHEREAS, the Cement Industry Authority has been abolished and its powers transferred to the Board of Investments under Executive Order No. 133, Series of 1987;

WHEREAS, the Secretary of Trade and Industry as Chairman of the Board of Investments has directed last year that such market allocations should be dismantled to enable the companies to service the requirements of consumers nationwide.

NOW, THEREFORE, it is hereby directed that:

1. All existing arrangements among cement companies relative to territorial market allocations are hereby terminated.
2. New cement plants outside Metro Manila and the expansion of existing ones without incentives shall not require prior BOI approval unless the foreign equity of the applicant is more than 40%.
3. Violations of the directive shall be administratively prosecuted under Executive Order No. 913 and/or judicially in the appropriate court.
4. This Order shall take effect immediately.

Adopted: 23 April 1990

(SGD.) JOSE S. CONCEPCION, JR.

Secretary
Chairman of the Board of Investment

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