

PERMIT AGREEMENT
(Service Firm)
January – December 2019

KNOW ALL MEN BY THESE PRESENTS:

This Permit Agreement made and entered into by and between:

PHIVIDEC INDUSTRIAL AUTHORITY (PIA), a government-owned and controlled corporation created and existing by virtue of Presidential Decree No. 538 that is amended, with principal office address at Phividec Industrial Estate, Mindanao Container Terminal Complex, Municipality of Tagoloan, Province of Misamis Oriental, herein represented by its Administrator, **ATTY. FRANKLIN M. QUIJANO** hereinafter referred to as “**PIA**”;

-and -

Name of the Firm, an entity created and existing under the laws of the Republic of the Philippines, with principal office address at ***(address of the firm)***, herein represented by its ***(designation of the representative)***, ***Name of the Representative***, hereinafter referred to as the “**FIRM**”;

WITNESSETH THAT:

WHEREAS, PIA is empowered to operate, administer and manage the PHIVIDEC Industrial Estate-Misamis Oriental (PIE-MO) and other areas as may be proclaimed, designated and specified by Presidential Proclamation;

WHEREAS, PIA is empowered to determine and regulate the enterprises to be established within the PIE-MO areas in order to ensure the proper implementation of its plans for the sound development and operation of the Areas;

WHEREAS, the FIRM is engaged in the business of providing ***Nature of Activity***;

WHEREAS, the FIRM has applied for its Permit to Operate with PIA as a service enterprise to serve locators within the PIE-MO areas;

WHEREAS, PIA approved the application of the firm for its Permit to Operate;

NOW THEREFORE, for and in consideration of the foregoing premises, the parties hereto have agreed as follows:

I - PERMIT TO OPERATE - The FIRM is hereby authorized and permitted to operate and conduct its business activities and engagements within the PIE-MO areas subject to the terms and conditions as may be imposed by PIA.

II - **TERM** - The FIRM's Permit to Operate shall be valid for a period of one (1) year effective upon the execution of this Permit Agreement and shall be renewable annually as may be mutually agreed by the parties. Failure of the Firm to renew its Permit to Operate within three (3) months after its expiry date shall mean re-application or considered as a new applicant.

III - **GENERAL TERMS AND CONDITIONS** - The following are the terms and conditions of this Permit Agreement, to wit;

1. That the FIRM shall comply with the following employment requirements, to wit;
 - a. To hire at least Fifty percent (50%) of unskilled and Thirty Percent (30%) of skilled labor from the unemployed bona fide and actual residents of the Municipality of Tagoloan and Villanueva, where the Firm undertakes its operation, and shall submit to PIA, thru its Office of the Estate Management Department/Enterprise Assistance Division, a list of hired laborers and status of its employment every two months.
 - b. Assures all its employees of their basic rights under the Constitution of the Philippines, which among others include the right to security of tenure, humane conditions of work and the right to self-organization. Provided, however, that the right of the enterprises to reasonable returns of investments, and to expansion and growth shall be recognized.
 - c. Guarantees that the terms and conditions of employment of all its employees shall not be less than the standards provided under the Labor Code of the Philippines, its implementing rules and regulations and other applicable laws, orders, issuances and proclamation of the government.
2. That the FIRM shall comply with all the pertinent government regulatory issuances, permit and licenses, as well as the conditions attached thereto.
3. That the FIRM shall engage only in a business undertaking or activity for which it was permitted with PIA. New business undertaking or activities, which the FIRM may additionally engage into, should be approved by PIA.
4. That any enterprise under the supervision of the FIRM within the Estate must register first with PIA prior to its business operation. Likewise, the said enterprise must be registered with the Department of Labor and Employment.
5. That the FIRM shall immediately inform and notify PIA in writing of any vital information affecting its organizational structure, which among others, includes change in its structure, administration, change of address of its main office, etc.
6. That the FIRM shall promptly pay applicable taxes so required by the Local Government Unit of Tagoloan or Villanueva, where the Firm undertakes its operation.

7. That the FIRM shall comply with all the provisions of all existing contracts and those that it may thereafter enter into with PIA.
8. That the FIRM shall promptly comply with all the reportorial requirements of PIA.
9. That the violation or the non-compliance by the FIRM of any of the terms and conditions provided in this Permit Agreement shall be a ground for PIA, upon written notice, to cancel and revoke this Permit Agreement, as well as the Permit to Operate issued to the FIRM, without being liable for any criminal or civil liability.
10. That this Permit Agreement may not be modified, amended nor altered unilaterally by either parties except by an instrument mutually agreed and signed by both parties.
11. That the provisions of the following are deemed integrated and included by reference in this Permit Agreement, to wit;
 - a. Presidential Decree No. 538, as amended and its Implementing Rules and Regulations (IRR) ; and
 - b. Permit to Operate.

IN WITNESS WHEREOF, the parties hereto have signed this Permit Agreement this _____ at PHIVIDEC Industrial Authority, MCT Complex, Administration Bldg., Tagoloan, Misamis Oriental.

**PHIVIDEC INDUSTRIAL AUTHORITY
(PIA)**
By:

NAME OF FIRM
(Firm)
By:

ATTY. FRANKLIN M. QUIJANO
Administrator

NAME OF REPRESENTATIVE
(Position)

SIGNED IN THE PRESENCE OF:

_____ ; _____

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
Province of Misamis Oriental)
s.s.Municipality of Tagoloan)

BEFORE ME, this _____ day of _____, 2018 personally appeared the following:

Name

CTC No.

Issued at / on

ATTY. FRANKLIN M. QUIJANO

Name of representative

And to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free, intelligent and voluntary act and deed as well as that of the entities they represent.

Said instrument refers to a Permit Agreement, consisting of three (3) pages, including this page whereon this acknowledgment is written, signed by the parties and their witnesses on each and every page thereof and sealed with my notarial seal.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 20____.