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| **9.A Legal Due Diligence** |
| *Please provide the following information:*   * *Details of any government or regulatory approvals, licenses or permits required for implementing and operating the project/programme, the relevant issuing authority, and the date of issuance or expected date of issuance.*   In the implementation of the project, the existing facilities will be used in the installation of the needed equipment. Hence, there will be no new buildings required.  In the execution of the Funding Activity Agreement with GCF, LANDBANK as DAE shall secure authorization from the Office of the President (OP) to negotiate and sign the FAA to comply with DOF Memorandum Circular No. 16 dated April 11, 2017.  At the project level, there is no regulatory approval, licenses or permits required since the Multi-Hazard Impact-Based Forecasting and Early Warning System (MH-IBF-EWS) for the Philippines is a government project to be implemented by the following concerned agencies: DOST-PAGASA, OCD, DENR-MGB, WFP, DILG, and LGUs. The roles of the said agencies in the project are based on their legal mandates. Likewise, the project mainly involves activities to develop the capacity of both the providers and the users (or the communities).  PAGASA, as the lead EE, is a separate legal entity from the GOP and has the capacity to enter into contract on its own name, or if necessary, thru the DOST. Pursuant to Executive Order no. 292 Series of 1987 and Republic Act 10692 of 2015, PAGASA was created as an attached agency under the DOST. The Co-EEs (OCD, DENR-MGB, DILG, and the LGUs of the four project sites) are each a separate legal entity from the GOP and has the capacity to enter into contract on their own name.  DOST-PAGASA will be the “Executing Entity” and will lead the Project’s implementation. Partner agencies like DILG, DENR-MGB, OCD, concerned project site LGU and WFP which will implement specific project activities will be called “Co-executing Entities” (Co-EEs). As such, these Co-EEs will be allowed to procure and disburse funds under the supervision of the EE. The Co-EEs’ work & financial plan, procurement plan, M&E plan, among others, will be reviewed, approved and monitored by the EE to ensure their alignment with the Project’s Logical Framework and its proper/effective implementation. To formally define this institutional arrangement/partnership, LANDBANK will sign a Subsidiary Agreement with DOST-PAGASA and the Co-EEs prior to start of project implementation.     * *Describe applicable taxes (or exemptions thereof) and foreign exchange regulations related to the project/programme.*   There is no exemption, privilege and immunity on taxes and foreign exchange regulations related to the project/programme. PAGASA will handle the customs duties of goods/equipment directly procured/imported from other countries.  Since the Project is financed thru GCF grant, no foreign exchange approvals are required for LANDBANK to receive or transfer funds to/from GCF in USD.   * *Details of any insurance policies or requirements related to the project/programme.*   Republic Act (RA) No.656 known as the Property Insurance Law, as mandated by PD No.245, requires all government agencies (except municipal governments below first-class level) to insure against any insurance risk their properties, assets and interests with the General Fund as administered with the Government Service Insurance System (GSIS). PAGASA, a government entity, is the lead Executing Entity. As part of the MOA among LANDBANK, PAGASA & Co-EEs, they will be required to comply with RA 656. |