



HOUSE OF REPRESENTATIVES

H. No. 6430

BY REPRESENTATIVES GARIN (S.), RODRIGUEZ, BARBERS,
GATCHALIAN, AGLIPAY AND NOGRALES (J.J.), PER COMMITTEE
REPORT NO. 250

AN ACT PROVIDING FOR A REINVESTMENT FRAMEWORK FOR
REAL ESTATE INVESTMENT TRUST (REIT) SPONSORS,
AMENDING SECTIONS 3, 8, AND 9 OF REPUBLIC ACT NO.
9856, OTHERWISE KNOWN AS "THE REAL ESTATE
INVESTMENT TRUST (REIT) ACT OF 2009"

*Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:*

1 SECTION 1. Section 3 of Republic Act No. 9856, otherwise
2 known as "The Real Estate Investment Trust (REIT) Act of 2009", is
3 hereby amended to read as follows:

4 "SEC. 3. *Definition of Terms.* – For the purposes
5 of this Act, the term:

6 "x x x

7 "(FF-1) 'REINVESTMENT PLAN' REFERS TO A
8 SWORN STATEMENT, DULY RECEIVED BY THE EXCHANGE
9 AND THE COMMISSION, SIGNED BY THE SPONSOR OR
10 PROMOTER AND THE PRINCIPAL SHAREHOLDER OF A
11 REIT WITH A FIRM COMMITMENT TO REINVEST: (1) ANY
12 PROCEEDS REALIZED BY THE SPONSOR OR PROMOTER
13 FROM THE SALE OF REIT SHARES OR OTHER
14 SECURITIES ISSUED TO REPLACE INCOME-GENERATING

1 REAL ESTATE TRANSFERRED TO THE REIT; AND (II)
2 ANY MONEY RAISED BY THE SPONSOR OR PROMOTER
3 FROM THE SALE OF ANY OF ITS INCOME-GENERATING
4 REAL ESTATE TO THE REIT, IN ANY REAL ESTATE,
5 INCLUDING ANY REDEVELOPMENT THEREOF, OR
6 INFRASTRUCTURE PROJECTS IN THE PHILIPPINES,
7 WITHIN ONE (1) YEAR FROM THE DATE OF RECEIPT OF
8 PROCEEDS OR MONEY BY THE SPONSOR OR PROMOTER.

9 "x x x."

10 SEC. 2. Section 8 of Republic Act No. 9856 is hereby amended
11 to read as follows:

12 "SEC. 8. *Requirements.* – Unless the Commission
13 provides otherwise and after public hearing, taking into
14 account public interest, the need to protect investors
15 and develop the country's real estate investment
16 industry to make it globally competitive, the following
17 requirements shall apply:

18 "x x x

19 "8.19 REINVESTMENT IN THE PHILIPPINES –
20 ANY PROCEEDS REALIZED BY THE SPONSOR OR
21 PROMOTER FROM THE SALE OF REIT SHARES OR
22 OTHER SECURITIES ISSUED TO REPLACE INCOME-
23 GENERATING REAL ESTATE TRANSFERRED TO THE
24 REIT AND ANY MONEY RAISED BY THE SPONSOR OR
25 PROMOTER FROM THE SALE OF ANY OF ITS INCOME-
26 GENERATING REAL ESTATE TO THE REIT, IN ANY REAL
27 ESTATE, INCLUDING ANY REDEVELOPMENT THEREOF,
28 OR INFRASTRUCTURE PROJECTS IN THE PHILIPPINES,
29 MUST BE REINVESTED IN THE PHILIPPINES WITHIN ONE

1 (1) YEAR FROM THE DATE OF RECEIPT OF PROCEEDS OR
2 MONEY BY THE SPONSOR OR PROMOTER.”

3 SEC. 3. Section 9 of Republic Act No. 9856 is hereby amended
4 to read as follows:

5 “SEC. 9. *Reportorial and Disclosure Requirements.* -

6 “x x x

7 “9.3-A REINVESTMENT PLAN - THE REIT
8 SHALL SUBMIT A REINVESTMENT PLAN TO THE
9 EXCHANGE AND THE COMMISSION UPON REGISTRATION.
10 FURTHER, THE REIT MUST ANNUALLY SECURE A
11 CERTIFICATION FROM THE COMMISSION THAT IT IS
12 COMPLIANT WITH ITS REINVESTMENT PLAN.

13 “x x x.”

14 SEC. 4. *Separability Clause.* - If any provision of this Act
15 shall be held unconstitutional or invalid, the other provisions not
16 otherwise affected shall remain in full force and effect.

17 SEC. 5. *Repealing Clause.* - All laws, decrees, executive
18 orders, rules and regulations or parts thereof which are contrary to
19 or inconsistent with this Act are hereby repealed, amended or
20 modified accordingly.

21 SEC. 6. *Effectivity.* - This Act shall take effect fifteen (15)
22 days after its complete publication either in the *Official Gazette* or
23 in a newspaper of general circulation.

Approved,