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1. 他ドナー協力状況一覧

	公共支出管理分野	政府機関の合理化、GOCC改革	債務管理
<p>世界銀行 (WB)</p>	<ul style="list-style-type: none"> ・1999年：MTEFの策定、予算過程におけるパフォーマンス指標の設定、監査・報告の制度強化を目的とし、“The Public Expenditure Management Improvement Project (PEMIP)”と呼ばれるプロジェクトを技術協力により実施 ・2003年：フィリピンの公共支出や調達、財政管理の現状及び課題を抽出し、今後の方策について探ることを目的として、フィリピン政府及びADBと共同で公共支出レビュー(Public Expenditure Review)を実施 ・2006年：新しい公共支出レビュー(Public Expenditure Review)を作成し、今後毎年レビューを行うっていくことを計画 ・フィリピン政府が策定中の予算戦略ペーパー (Budget Strategy Paper) の審議への助言を実施 ・調達プロセスの透明化・効率化に向けた協力を積極的に推進 ・これまで ASEM Fund などの信託基金を利用し、公的調達改革法の実施細則策定への助言や調達政策委員会設立支援、調達プロセスにおける入札資料作成・審査能力向上に係る支援、及び各省庁レベルの調達プロセスの内部監査能力向上、などに資する技術協力に係る支援を実施 	<ul style="list-style-type: none"> ・計画全体のマネジメント、DBM 職員のトレーニング ・①行政機構の整理、②公務員の人事・給与制度改革、③退職公務員の再就職支援、を柱としたローンを使計中 ・人事院 (CSC) に対して、公務員データベースの整備、職階の整備、パフォーマンスマネジメントに関する協力を実施 ・人事院に対して、公務員データベースの整備、職階の整備、パフォーマンスマネジメントに関する協力を実施 	<ul style="list-style-type: none"> ・債務保証先におけるディスクロージャーの徹底 ・債務保証に係るリスクのモニタリング ・上記モニタリング機能の単一組織への集中化 ・公的セクターに対するガバナンスの改善 ・予算書等における偶発債務の存在に関する注記 ・金融システムの安定化(健全な預金保険制度の導入を含む)
<p>アジア開発銀行 (ADB)</p>	<ul style="list-style-type: none"> ・ADBの主眼は、政府の合理化計画、GOCC改革や債務管理 ・DOF に対して債務管理マネジメントに関する TA を実施 ・世界銀行と共に上述の公共支出レビューを実施 ・政府の合理化計画との関連で、組織達成指標枠組み (Organizational Performance Indicator Framework: OPIF) 導入に資する DBCC メンバー組織関係者に対するトレーニングやマニュアルの作成などの TA を実施 	<ul style="list-style-type: none"> ・3～5社の GOCC を選定し (DOF-CAG で選定中)、その財務状況の分析と経営改善、及び主務官庁である DOG-CAG のモニタリング体制強化を組み合わせて実施することを内容とする TA (18 か月間) を計画 ・リスク管理体制強化、データベース構築等を内容とする TA 実施を計画。活動内容は以下のとおり。 <ol style="list-style-type: none"> ① DOF の戦略策定及びリスク管理体制の強化 ② 公共部門の債務・偶発債務の分析 ③ GOCC / GFI プロジェクトの審査体制の分析 ④ 政府年金債務のレビュー ⑤ 債務管理に係る政府各機関の役割・機能の見直し ⑥ 国際的知見の提供 ⑦ 債務データベース構築支援 ⑧ トレーニング実施 ・ODA 関係省庁の政策・手続きの調整及び能力向上に係る TA (Harmonization and Managing Results) の 1 コンポーネントとして、New Government Accounting System (NGAS) と他省庁のシステム (DBM の e-Budget System や Commission on Information and Communication Technology - National Computer Center of e-LGU) の調和、及び NGAS と他国の会計制度との比較分析に係る協力を計画 	<ul style="list-style-type: none"> ・債務管理に関する TA を、DOF を実施機関として実施予定 (期間 12 か月、支援額 72 万ドル)。活動内容は次のとおり。 <ol style="list-style-type: none"> ① DOF の戦略策定及びリスク管理体制の強化 ② 公共部門の債務・偶発債務の分析 ③ GOCC / GFI プロジェクトの審査体制の分析 ④ 政府年金債務のレビュー ⑤ 債務管理に係る政府各機関の役割・機能の見直し ⑥ 国際的知見の提供 ⑦ 債務データベース構築支援 ⑧ トレーニング実施 ・DOF 長官の下に債務管理機能を担う役職者 (次官より上位) を設置する提案を検討中

	公共支出管理分野	政府機関の合理化、GOCC改革	債務管理
オーストラリア	<ul style="list-style-type: none"> ・ パフォーマンス導入に係る TA を開始 (対 DBM) ・ 2005 年以降、Partnership for Economic Governance Reforms (PEGR) と呼ばれるプロジェクトによる技術協力が進展中 ・ PEGR においては、計画と予算の調和化を目的として、予算戦略ペーパーの作成の必要性が述べられている。 	<p>上記の ADB の計画と歩調を合わせ、同じく GOCC の財務分析と経営改善を目的とした TA を開始する予定。ただし、DOF-CAG に対する支援は行わず、GOCC のみを対象に実施することになっている。既に対象となる 4 社の GOCC の選定を終えている (NFA, NPC, NEA, Quedancor)。</p>	
ドイツ	<ul style="list-style-type: none"> ・ 「経済改革及び市場システムの発展 (Economic Reform and Development of the Market System)」を掲げ、その枠組みのなかで、NEDA の計画能力強化に係るプロジェクト (Strengthening the Planning Capacity of NEDA) を 1996 年から 2003 年まで実施。同プロジェクトは、NEDA のマクロ経済予測能力の強化、セクター効果・効率性レビュー (Sector Effectiveness and Efficiency Review; SEER) の円滑な導入に資する各種技術協力を通じ、計画と予算配分とのリンクを強化し、MTEF 導入を円滑に進めることを目的に実施 		
アメリカ		<ul style="list-style-type: none"> ・ 合理化案のガイドライン策定、DBM 職員のトレーニング ・ DOF の Privatization Office を中心に、民営化プロセス促進に係る協力を実施している。2005 年、Privatization Office にアドバイザー 2 名を派遣し (2 か月間程度)、民営化計画の再活性化を目的とした TA を実施し、現状調査、アドバイザリー、戦略構築やデータベース整備に関する提言等 ・ 合理化案作成のためのコンサルタント雇用 (金額が小さいため各省とも未利用) 	

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**THIRTEENTH CONGRESS
First Regular Session**

House Bill No. 289

Introduced by the Honorable Jesli A. Lapus

EXPLANATORY NOTE

This bill seeks to establish the Government Asset Management authority as an independent body responsible for the privatization and disposition of non-performing government assets and the recovery of ill-gotten wealth of government officials.


The privatization and disposition of the larger non-performing assets of the government and the prevention of graft and corruption are part of the economic recovery programs of the government. In the pursuit of these programs, it is essential to centralize such responsibilities in a special separate entity.

At present, we have the Presidential Commission on Good Government (PCGG) which is charged with the responsibility of recovering ill-gotten wealth, while the Privatization Council (PC) and the Privatization Management Office (PMO) are tasked to privatize, conserve, rehabilitate, and dispose of non-performing assets.

The proposed government agency, is envisioned to take over and continue the powers, functions and duties of the PCGG, the PC, and the PMO and to deter graft and corruption. Consolidating the aforementioned agencies into a special body would

promote efficiency and effectiveness in the recovery of ill-gotten wealth and the privatization and disposition of government assets.

In view of the foregoing, the approval of this bill is earnestly recommended.



JESLI A. LAPUS

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 289

Introduced by the Honorable Jesli A. Lapus

AN ACT
CREATING THE GOVERNMENT ASSET MANAGEMENT
AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, AND
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. Title. - This Act shall be known as the "Government Asset Management Act of 2003".

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to promote an orderly, coordinated and efficient program for the prompt disposition and liquidation of non-relevant and non-performing assets of government agencies and government owned or controlled corporations, including surrendered assets and idle properties which have been found unnecessary or inappropriate for the government sector to maintain.

SEC. 3. Definition of Terms. - As used in this Act, the following terms shall mean:

(a) "*Disposition*" which shall also be known as "*Privatization*", refers to the transfer of government corporations, activities, or assets of government or its

agencies to private ownership. It could also include sale of shares of stock, sale of physical assets, leasing, concession, joint venture schemes, management or maintenance contracts, or securitization.

(b) "*Assets*", refer to: (1) receivables and other obligations due to the Government or its agencies under credit, lease, indemnity and other agreements together with all collateral security and other rights (including but not limited to rights in relation to shares of stock in corporations such as voting rights as well as rights to appoint directors of a corporation or otherwise engage in the management thereof) granted to the Government or its agencies by contract or operation of law to secure or enforce the right of the payment of such obligations; (2) real and personal property of any kind owned or held by the Government, including shares of stock in corporation, obtained by the Government or its agencies, whether directly or indirectly, through foreclosure or other means, in settlement of such obligations and surrendered assets within the purview of Executive Order Nos. 1 and 2, series of 1986; (3) shares of stocks and other investments held by the Government or its agencies; (4) government corporations whether as parent or subsidiary corporations; and (5) such other items as may be identified by law.

(c) "*Surrendered Assets*", refer to any asset, property, business enterprise or material possession of persons ceded to the National Government by virtue of compromise agreements entered into by the Presidential Commission on Good Government (PCGG) pursuant to Executive Order Nos. 1 and 2, series of 1986. It

shall also include such similar assets that may be surrendered to the National Government in the future.

(d) "*Idle Properties*", refer to all real properties such as land, buildings, and other improvements located in the Philippines and abroad owned by the National Government through its departments, bureaus, offices or agencies which have not been substantially developed, improved or cultivated for a period of more than five (5) years as of the effectivity of this Act or thereafter.

(e) "*Board*", refers to the Governing Board of the Government Asset Management Authority constituted under this Act.

(d) "*Government-owned or Controlled Corporation (GOCC)*", refers to a corporation which is created by special law or incorporated and organized under the Corporation Code and in which the government, directly or indirectly, has ownership of the majority of the capital or has voting control: *Provided*, That any subsidiary of a GOCC is also a GOCC, *Provided further*, That a corporation either created by special law or where the government has majority control and which is explicitly intended under that law and government policy for ultimate transfer to private ownership under certain specified conditions shall be considered a GOCC, until it is transferred to private ownership and control: *Provided however*, That an acquired asset corporation which is either (1) under private ownership, the voting or outstanding shares of which (i) were conveyed to the government or to a government agency, instrumentality or corporation in satisfaction of debts whether by foreclosure or otherwise, or (ii) were duly acquired by government through final judgment in a sequestration proceeding; or

(2) a subsidiary of a government corporation organized exclusively to own and manage, or lease, or operate specific physical assets acquired by a government financial institution in satisfaction of debts incurred therewith, and which in any case by law or by enunciated policy is required to be disposed of to private ownership within a specified period of time shall not be considered as GOCC or government corporation.

SEC. 4. *Creation of the Government Asset Management Authority.* - For the purpose of carrying out the above-stated policy, there is hereby created a body corporate to be known as the "Government Asset Management Authority", hereinafter referred to as the "Authority", which shall have its principal office in Metropolitan Manila. The Authority may establish such branches and offices as it may deem necessary for the attainment of the objectives of this Act.

The Authority shall be attached to the Department of Finance.

SEC. 5. *Powers and Functions.* - The Authority, in addition to the regular powers and functions provided under the Corporation Code of the Philippines, shall have the following powers and functions:

(a) To develop and implement a comprehensive plan in identifying non-relevant and non-performing assets of government agencies and government owned or controlled corporations, government corporations whether parent or subsidiary, surrendered assets, and idle properties for privatization;

(b) To establish guidelines for the conversion, rehabilitation and disposition of government assets and corporations;

(c) To approve or disapprove, on behalf of the National

Government, the sale or disposition of government assets;

(d) To exercise on behalf of the National Government rights of ownership and/or administration with respect to such assets, including the right to vote, whether directly or through duly authorized nominees, shares of stocks held in the name of the National Government;

(e) To enter into contracts, acquire, purchase, hold, lease, transfer, dispose of property of any kind or nature necessary to carry out the purpose of this Act;

(f) To establish, operate, manage, control and supervise all activities connected with the effective and efficient management and disposition of government assets and corporations;

(g) To receive, and hold by bequest devise, donation or by any gratuitous title and to manage or administer, or dispose any asset, grant or property, real or personal, from foreign or domestic sources, subject to such limitations as are provided in existing laws and regulations;

(h) To investigate and file cases in relation to conservation, rehabilitation, disposition, and liquidation of non-relevant and non-performing assets of the government;

(i) To undertake the conservation, rehabilitation, and disposition of non-relevant or non-performing government assets: *Provided*, That the budget for each rehabilitation project shall be subject to prior approval of the Board;

(j) To seek and secure the assistance of any office, agency, or instrumentality of the government.

(k) To issue such regulations as may be necessary for the proper use by private parties of any or all of the Authority's properties and to impose fees or tolls for the use of such properties;

(l) To issue necessary guidelines to all government agencies to govern activities on the disposal of government corporate assets;

(m) To consult, deputize or request the assistance of appropriate government agencies or instrumentalities for the purpose of enforcing this Act and its implementing rules and regulations, as well as the orders and decisions of the Authority;

(n) To adopt, prescribe and promulgate such rules and regulations as maybe necessary for the proper implementation of this Act;

(o) To exercise the right of eminent domain as may be necessary for the purposes for which the Authority is created; and

(p) To do any and all acts and things and to exercise all powers which may be necessary or convenient to the accomplishment or furtherance of its purposes and objectives, or which a natural person can do and exercise and which may now be or hereafter be authorized by law.

SEC. 6. Governing Board. - The affairs and business of the Authority shall be directed and its properties managed and preserved by a Governing Board, hereinafter referred to as the "Board", which shall be composed of the Secretary of the Department of Finance as the *ex-officio* Chairman, and the following as members:

(a) The Secretary of the Department of Justice;

(b) The Director General of the National Economic and Development Authority;

(c) The Secretary of the Department of Trade and Industry;

(d) The Secretary of the Department of Budget and Management; and

(e) Two representatives from the private sector to be appointed by the President of the Philippines for a term of three (3) years: *Provided*, That the person appointed shall be of good moral character, of unquestionable integrity, of known probity and patriotism, and with experience of at least ten (10) years in business or finance: *Provided, further*, That in the event of a vacancy, the successor appointed to fill the same shall serve only the unexpired portion of the term of the member he succeeds to.

SEC. 7. Meetings. – The Board shall meet as frequently as is necessary to discharge its responsibilities: *Provided*, That it shall meet at least once every month. The presence of a majority of the members of the Board shall constitute a quorum, and the concurrence of a majority of the members present at a meeting at which a quorum exists shall be adequate for any decision by the Board.

Whenever any member of the Board is unable to attend a particular meeting, he may designate any of his immediate subordinate with the rank of undersecretary or its equivalent to attend in his stead.

SEC. 8. Per Diems. – The members of the Board shall be entitled to receive per diem for every meeting actually attended at rates to be approved by the President of the Philippines upon the recommendation of the Department of Budget and Management.

SEC. 9. Powers and Functions of the Board - The Board shall have the following powers and functions:

(a) To adopt the by-laws of the Authority and to revise the same as may be expedient;

(b) To direct the management, operations and administration of the Authority;

(c) To approve the annual budget to cover the operations of the Authority based on the following: (1) fees and charges imposed by the Authority; (2) payment for the utilization of the projects of the Authority; and (3) annual appropriations and other funds which Congress may approve for the Authority;

(d) To formulate, revise or adjust periodically all policies, plans and programs, and to promulgate the necessary rules and regulations to carry out the purposes and objectives of this Act;

(e) To create the organizational structure and staffing pattern necessary for the efficient management, operation and administration of the Authority, subject to the Civil Service laws, rules and regulations;

(f) To fix the compensation, emoluments and allowances of the officers and employees of the Authority, subject to existing laws, rules and regulations; and

(g) To perform such other functions as may be necessary and proper for the effective enforcement of this Act and to accomplish the purposes for which the Authority was organized.

SEC. 10. Administrator. - The Authority shall have an Administrator to be appointed by the President of the Philippines for a term of five (5) years unless sooner removed for cause. He shall be a person of good moral character, of unquestionable integrity, of known probity and patriotism, and with expertise and experience of at least ten (10) years in professional management with a strong background in the legal profession, business, or finance. He shall receive such compensation, allowances and other emoluments as may be approved by the President of the Philippines upon the recommendation of the Board.

SEC. 11. Powers and Duties of the Administrator. - The Administrator shall have the following powers, duties and responsibilities:

(a) To submit to the Board, through the Chairman, policies and measures which, in his judgment, are necessary to carry out the purposes and provisions of this Act;

(b) To implement and execute the policies and measures approved by the Board;

(c) To prepare the budget of the Authority for approval by the Board;

(d) To appoint all employees of the Authority, except the heads of departments and divisions whose appointments shall be made by the Board upon his recommendation, and to remove, dismiss or otherwise discipline for cause such employees in accordance with the Civil Service laws, rules and regulations;

(e) To represent the Authority in all dealings with other offices, agencies, and instrumentalities of the Government and with all persons and entities, public or private, domestic or foreign; and

(f) To exercise such other powers as may be granted to him by the Board.

SEC. 12. *Legal Counsel.* - The Office of the Government Corporate Counsel shall be the General Counsel of the Authority.

SEC. 13. *Utilization of Proceeds from Sale of Assets.* - Any or all proceeds from the sale or any disposition of assets net of fees, related liabilities, and other reimbursable expenses of the Authority shall be remitted to the National Treasury in the following proportion: sixty percent (60%) to the special account of the Agrarian Reform Fund and forty percent (40%) to the general fund.

With respect to the sale or other disposition of government owned or controlled corporations, all government owned or controlled corporations except for the Government Service Insurance System and the Social Security System, shall remit to the National Treasury at least fifty percent (50%) of the net proceeds derived from the sale or disposition of assets. For this purpose, net proceeds shall mean gross proceeds less related liabilities and selling expenses.

SEC. 14. *Exemption from Taxes, Fees and Other Charges.* - The Authority, as well as the corporations and assets held by it, shall be exempt from all taxes, fees, charges, imposts and assessments arising from or occasioned by the passing of title over such corporations or assets from the government institutions to the Authority and/or from the Authority to a private acquirer or buyer imposed by the National Government or any subdivision thereof including but not limited to stock transfer taxes, capital gains tax, documentary stamps, registration fees and the like: *Provided*, That in case the said government institutions acquired the said assets by foreclosure, non-payment of similar taxes,

fees, charges, imposts, and assessments shall not be a bar to the consolidation of title in the foreclosing institutions and the subsequent passing of title to the Authority or the corporations held by the Authority.

SEC. 15. *Publication.* – The sale or disposition of assets shall be published in at least three (3) newspapers of general circulation for three (3) consecutive days: *Provided*, That the last publication shall occur at least ten (10) days prior to the scheduled bidding or date of negotiation.

SEC. 16. *Restraining Order.* – No court or administrative agency in the Philippines, except the Court of Appeals, shall issue any restraining order or writ of preliminary injunction against the Authority in connection with the acquisition, sale or disposition of assets in accordance with this Act, nor shall such order or writ be issued against the purchaser of assets sold or disposed of by the Authority to prevent such purchaser from taking possession of such assets.

SEC. 17. *Public Accountability.* – To ensure public accountability, the Authority shall be subject to the audit of the Commission on Audit and shall comply with all accounting and auditing rules and regulations and those which it may hereafter promulgate in pursuance of its constitutional mandate.

SEC. 18. *Merit System.* - All officials and employees of the Authority shall be selected and appointed on the basis of merit and fitness in accordance with Civil Service laws, rules and regulations.

SEC. 19. *Transitory Provisions.* - The Privatization Council, the Privatization and Management Office and the Board of Liquidators are hereby abolished, and their powers and functions, including their applicable funds and

appropriations, records, equipment, facilities, rights, other assets and personnel shall thereafter immediately be transferred to the Authority. All contracts and liabilities, if any, are hereby also transferred to and assumed by the Authority and shall be acted upon in accordance with the Auditing Code and other pertinent laws, rules, and regulations: *Provided*, That the officers and employees of said agencies who will be needed for the continuity of the programs shall continue in a holdover capacity until such time as the new officers and employees of the Authority shall have been duly appointed pursuant to the provisions of this Act.

The management and disposition of surrendered assets of the Presidential Commission on Good Government are hereby transferred to the Authority.

Upon approval of this Act, the Commission on Audit shall undertake an examination of all assets and liabilities remaining with the Privatization Council, the Privatization and Management Office, and the Board of Liquidators. The Commission on Audit shall complete such examination within one hundred eighty (180) days from the effectivity of this Act.

Lawsuits initiated by the Privatization Council, the Privatization and Management Office, the Board of Liquidators, and the Presidential Commission on Good Government in so far as surrendered assets are concerned, which are still pending before appropriate courts upon the abolition of the said agencies, shall be pursued by the Office of the Government Corporate Counsel until their proper termination in the name of or on behalf of the Government.

SEC. 20. *Structure and Staffing Pattern* - Within thirty (30) days from the effectivity of this Act, the Board of Directors, pursuant to Section 9(e) hereof

shall create the organizational structure and staffing pattern for the approval by the Department of Budget and Management within ninety (90) days.

SEC. 21. *Separation and Retirement Benefits*. - The personnel of the herein abolished agencies who are not absorbed in the new staffing pattern of the Authority shall be deemed separated from the service and shall receive separation benefits in accordance with existing laws. Those who are eligible and/or opt to retire shall be entitled to receive such benefits as authorized under existing laws, rules and regulations.

SEC. 22. *Appropriations*. - The amount necessary for the initial implementation of this Act shall be taken from the existing appropriations under the current year's General Appropriations Act of the Privatization Council, the Privatization and Management Office, and the approved budget of the Board of Liquidators for the current year by the Office of the President. Thereafter, such sums as may be necessary for the continued operation of the Authority shall be included in the annual General Appropriations Act.

SEC. 23. *Congressional Review*. - Every three (3) years after the effectivity of this Act, Congress shall conduct a systematic evaluation of the Authority to determine whether or not its performance, impact or accomplishment with respect to its mandates merit its continued existence. Such evaluation shall be undertaken by the Committee on Government Corporations and Public Enterprises of the Senate and the Committee on Government Enterprises and Privatization of the House of Representatives which have legislative jurisdiction over the Authority.

SEC. 24. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, the Authority, with the Department of Finance, shall promulgate the necessary rules and regulations for the efficient and effective implementation of this Act: *Provided*, That the rules and regulations shall be published in two (2) newspapers of general circulation.

SEC. 25. *Separability Clause.* - If for any reason, any provision of this Act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC. 26. *Repealing Clause.* – Executive Order No. 372 (s. 1950), Executive Order No. 323 (s. 2000), Republic Act No. 8758, Executive Order No. 12 (s. 1998), Republic Act No. 7886, Republic Act No. 7661, Executive Order No. 37 (s. 1992), Executive Order No. 11 (s.1992), Republic Act No. 7181, Administrative Order No. 14 (s. 1987) and Proclamation No. 50 are hereby repealed. All other laws, decrees, orders, proclamations, rules and regulations, or parts thereof, inconsistent with or contrary to the provisions of this Act or its purposes are hereby repealed, amended or modified accordingly.

SEC. 27. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,

フィリピンの電力事情

1. NPC の分割民営化

フィリピンの電気事業改革は、全国の発電、送変電設備を保有するフィリピン電力公社（National Power Corporation）を民営分割し、電気事業を発電、送電、配電、小売の4つの市場に分離して、発電と小売りの分野に競争を導入するというものである。

電力産業改革法（Electric Power Industry Reform Act of 2001, Republic Act No.9136）及びその施行規則・基準（Rule and Regulation to Implement Republic Act No.9136）には、以下の内容が示されている。

- ・ NPC の既存の全発電資産、負債、IPP 契約、不動産などの可処分資産の所有権は、新たに設立する電力部門資産・負債会社（PSALM）に移管する。
- ・ NPC の送電部門は新設する送電公社（TRANSCO）に移管する。
- ・ PSALM は、資産を管理・維持するとともに、売却、処分を行う（本法成立後3年以内に70%、8年後には全設備を売却、PSALM は25年間存続、その後は政府に引き継ぐ）
- ・ NPC は、分割民営化後は、小規模電力会社（SPUG (Small Power Utilities Group)）を所有し、採算性のとれないところで、ミショナリー電化を実施する。

2. 発電資産の民営化

PSALM は当初、売却資産、地理的条件などを考慮するとともに、市場化の高い発電所と低い発電所をパッケージ化し、発電所を7つのグループに分割して、6つのグループについて入札を通じて売却する予定であった。売却しない残る1つのグループはミンダナオ島のアグス、プランギ水力発電所、ルソン島のカラヤーン揚水発電所、カラヤ、ボトコン水力発電所であり、これらの発電所は10年後の民営化の対象となっている。

しかしながら、売却規模が1グループ約3,000kWと大きくなり、売却がスムーズに進まないことから、グループ化の見直しが行われ、大半が個別の発電所ごとに入札することとなった。

PSALM が売却を予定している31発電所のうち、これまでに5つの水力発電所と1つの石炭火力発電所が落札された。水力発電所の合計出力8.5MW、価格は5,208US\$M（約7.35万円/kW）、石炭火力は出力600MW、価格は561,740 US\$M（約11.2万円/kW）である。

Profile of Privatized Genco Assets			
Power Plant	Rated Capacity (MW)	Winning Bidder	Winning Bid Price (US\$ Thousands)
1 Talomo Hydro (Mindanao)	3.5	Hydro Electric Development Corp.	1,370
2 Agusan Hydro (Mindanao)	1.6	First Generation Holdings	1,528
3 Barit Hydro (Luzon)	1.8	Atty. Ramon I. Constancio	480
4 Cawayan Hydro (Luzon)	0.4	Sorsogon II Electric Cooperative, Inc	410
5 Loboc Hydro (Visayas)	1.2	Sta. Clara International Corp	1,420
6 Masinloc Coal (Luzon)	600	YNN Pacific Consortium	561,740
TOTAL	608.5		566,948

落札された発電所の出力 608.5MW は、売却を予定している発電所の出力合計の 14 %に相当する。

今後の売却スケジュールは下記に示すとおりであり、売却スケジュールは何度も延期されてきており、これまで 2006 年上期を目標としてきたが、2008 年上半に延期している。

Generation Assets – Operating Plants

2006		2007		2008
January-June	July-December	January-June	July-December	January-June
<ul style="list-style-type: none"> 600 MW Calaca Coal 275 MW Tiwi/ 410 MW Makban Geothermal 100 MW Pantabangan/ 12 MW Masiway Hydro 	<ul style="list-style-type: none"> 360 MW Magat Hydro 210 MW Navotas I/ 100 MW Navotas II Diesel 114 MW Iligan I & II Diesel/ Bunker 	<ul style="list-style-type: none"> 22 MW Bohol Diesel/Bunker 246 MW Angat Hydro 192.5 MW Palimpinon Geothermal 	<ul style="list-style-type: none"> 112.5 MW Tongonan Geothermal 75 MW Ambuklao/ 100 MW Binga Hydro 0.8 MW Amlan Hydro 	<ul style="list-style-type: none"> 150 MW Bacman Geothermal 620 MW Limay Bunker/ Bataan Thermal Site 146.5 MW Dingle (110 MW Pinamucan/ 36.5 MW Panay I) Diesel/Bunker

Generation Assets - Decommissioned Plants

2006		2007		2008
January-June	July-December	January-June	July-December	January-June
<ul style="list-style-type: none"> 225 MW Bataan Thermal 	<ul style="list-style-type: none"> 200 MW Manila Thermal 	<ul style="list-style-type: none"> 54 MW Cebu II Diesel/Bunker 	<ul style="list-style-type: none"> 22.3 MW Gen. Santos Diesel/ Bunker 	<ul style="list-style-type: none"> 108 MW Aplaya Diesel/Bunker

延期の原因としては、債権者の同意取り付けや、例えば下記に示すように、投資家にとって魅力のある物件とはなっていないことなどが考えられる。

- 売却を予定している発電所は、90 年代に建設された IPP に比べて発電コストが高く、電力需給に余裕があるときには発電指令されず、稼働率が低い発電所がある。
- スーカット (Scout) やリマイ (Limay) はガス転換が必要であるにもかかわらず、Bat-Man I、Bat-Man II パイプライン敷設やガス購入価格などの不確実が大きい。
- 売却される発電資産は、最長 5 年間の短期買取保証 (TSC: Transition Supply Contract) がついているが不十分である。

2006年3月に、Jパワー・住友商事は、CBK（カラヤ、ボトカン発電所、カラヤーン揚水発電所：728MW）を所有するシービーケー・パワー社および運転管理を行っているカラヤン・パワー・マネジメント社を買収した（買収総額230億円（約3.16万円/kW）、融資の内約100億円は国際協力銀行他、海外IPP権益取得をプロジェクトファイナンスで支援する最初のケース、NPCへの25年間の売電契約あり）。

なお、フィリピン国の発電容量は約15,500MW（発電可能容量：約13,500MW）で、この内訳は下記のとおりであり、PSALMが売却を予定している発電設備容量はPSALMが保有している発電所のうち、ミンダナオ島の水力を除いた約3,800MWとなる。

PSALM	約 4,700MW (30%)	このうちミンダナオ島の水力約 900MW
PSALM - IPP	約 7,200MW (47%)	
NON-PSALM	約 3,600MW (23%)	

3. TRANSCOの民営化

TRANSCOの民営化は、オープンな競争入札により、送電資産に係わるコンセッション契約（期間25年間）を締結する形で行われる。

契約を締結した事業者（コンセッショネア）は、排他的な営業エリアと設備の運営を認めるかわりに、系統運用、TDP(Transmission Development Plan)に盛り込まれた設備拡充計画の遂行などの義務を負うことになる。

TRANSCO民営化による競争入札は、応札事業者が少なく、失敗に終わっている。

コンセッショネアとなる事業者がでてこない場合、TRANSCOによる設備投資が十分実施できないようになることが懸念される。

4. WESM (Wholesale Electricity Spot Market)

WESMの設立準備と当初の運用を行うために、DOEにより、PEMC(Philippines Electric Market Corp.)がAGMO (Autonomous Group Market Operator)として設立された。最終的には、独立市場管理者IMO(Independent Market Operator)に移管される。

WESMでの電力取引量は、配電会社購入量の10%以上となっている。

Market Management System(MMS)の開発が行われ、ソフトおよびハード面でのテストを行うため、下記のとおり、試験運用を実施してきており、実運用の準備が整ってきている。

- ・ 2005年4月 ルソンでの試験運用開始
- ・ 2005年10月 ビサヤスでの試験運用開始

今後、ERCが電力卸市場の価格決定方法について承認すれば、ルソン、ビサヤスで実運用するになる。

小売競争とオープンアクセスについては、WESMの運営、ルソンおよびビサヤスにおけるNPCの発電設備の70%の民営化することが条件となっている。初期段階は1MW以上の需要家が供給元を選択できるようにし、その2年後には750kWまで引き下げられることになっている。

DOEは2006年7月に小売競争とオープンアクセスの実施を考えている。

5. 電力需要と新規電源開発

2005年の最大電力は8,779MW、1995年が5,328MWであるので、10年間で約1.6倍、3,451MWの増と堅調な伸びを示している。この10年間最大電力の平均的な伸びはルソンが5.1%、ビサヤスが5.0%、ミンダナオ4.7%である。

電源設備は1995年の9,564MW（設備率：1.79）、2005年には15,500MW（設備率：1.76）であり、需要に対応して、IPPを中心に電源設備も建設し、10年間で約6,000MWの電源の増強を図られ、現状では、全体の需要の約8割を占めるルソンでは電源に余裕のある状況である。

今後の最大電力、必要な追加電源を試算は下記に示すとおりであり、追加電源の必要時期はビサヤ、ミンダナオも若干の見直しをすると、ルソン2010年、ビサヤス2010年、ミンダナオ2006年となります。なお、需要の伸びを約4.5%と下方修正した（2005PDPでは約8%）、なお、2005PDPに基づく、追加電源の必要時期はルソン2008年、ビサヤス2008年、ミンダナオ2005年となります。

(1) 最大電力

	ルソン	ビサヤス	ミンダナオ (MW)
2004年	6,323	1,034	1,177
2005年	6,443	1,096	1,240
2010年	7,878 (11,171)	1,448(1,463)	1,730(1,784)
2014年	9,394(14,959)	1,850(1,849)	2,216(2,256)

(2) 新規追加電源

ルソン	2010 - 2014 : 1950MW	(2008 - 2014 : 7200MW)
ビサヤス	2010 - 2014 : 600MW	(2008 - 2014 : 600MW)
ミンダナオ	2006 - 2014 : 800MW	(2005 - 2014 : 850MW)

注) ・ ()2005PDP (Dec 2004)

・既に計画されているプロジェクトを除く

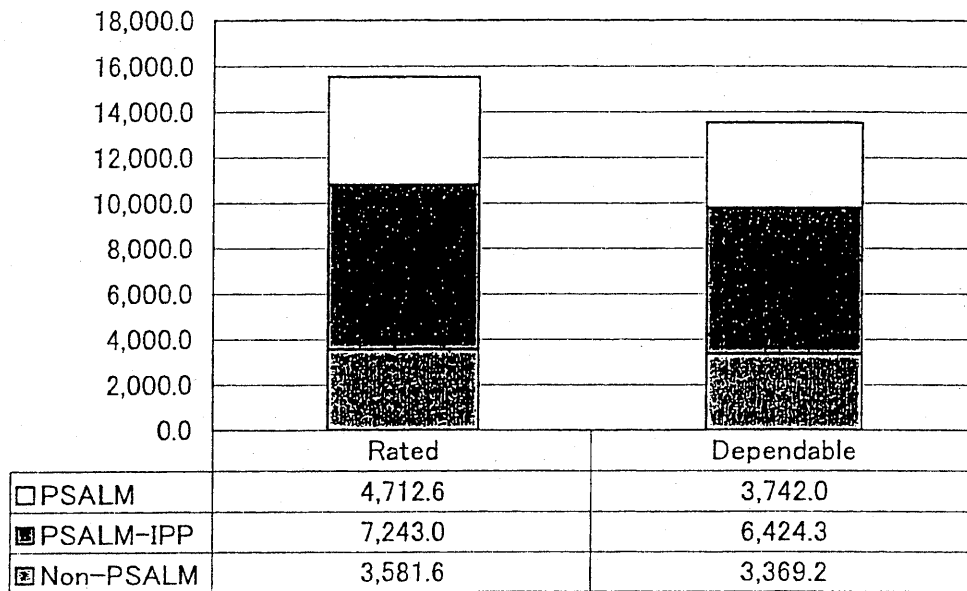
(ルソン：66MW, ビサヤス：225MW, ミンダナオ：285MW)

電力需要想定、廃止計画をどう織り込むかにより、電力供給超過の解消のタイミングは変化するが、ルソンについては今まで言ってきたより、上記のとおり若干遅くなるかと思えます。

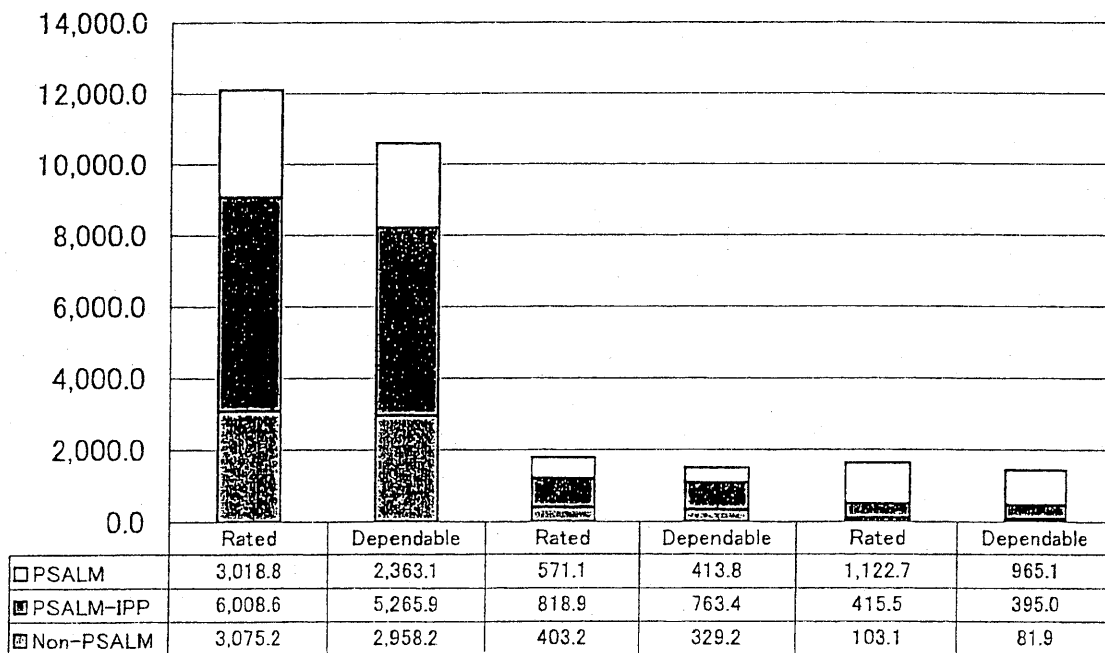
一方でこのままの状況で、新たな電源開発が進まないと、また、電力危機がおきてもおかしくない状況となることが懸念されるため、大規模電源や地熱・水力建設など長期の建設期間が必要であること考慮し、早めに電力開発を促進する条件整備が必要かと思えます。

<参考>

- ・発電設備
- ・これまでの電力需要予測



Rated Dependable
 Total 15,537.1 13,535.5



Luzon

Visayas

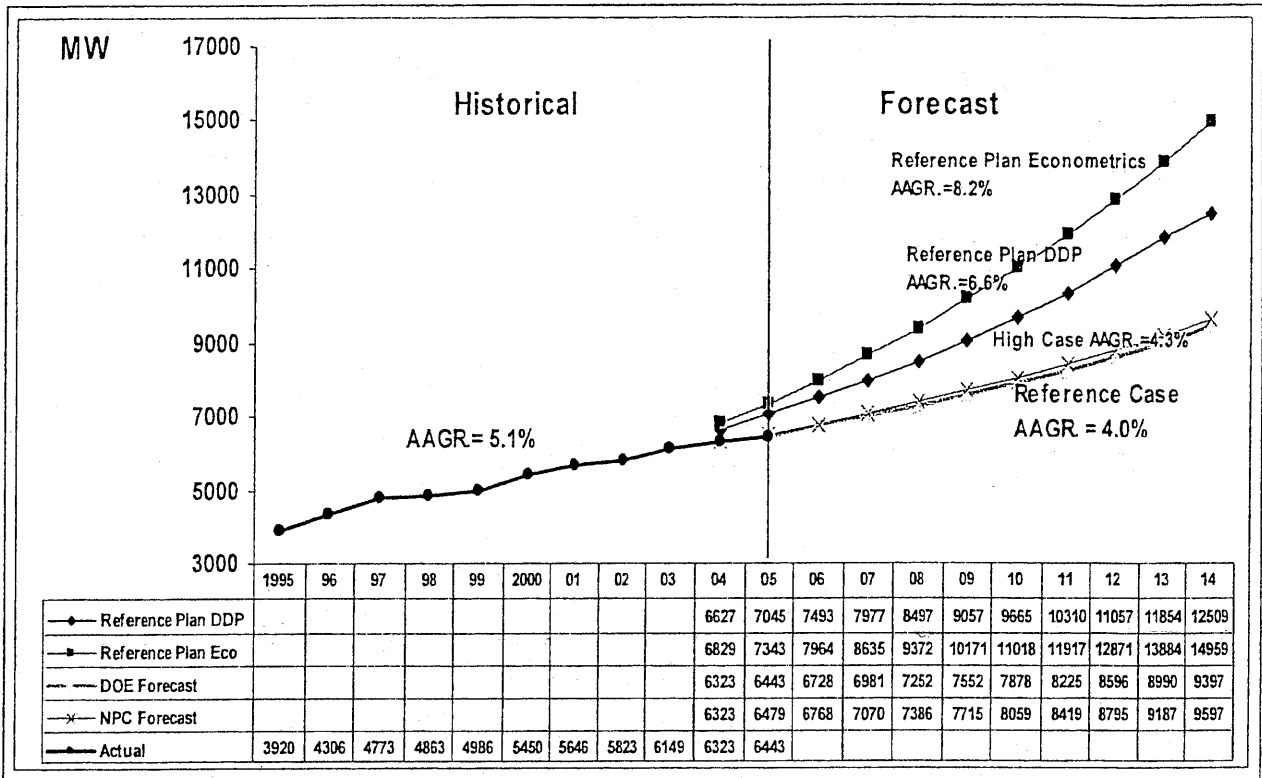
Mindanao

	Luzon					Visayas					Mindanao				
	Fuel Type	PLANT	MW(Rated)	MW(Dependable)		Fuel Type	PLANT	MW(Rated)	MW(Dependable)		Fuel Type	PLANT	MW(Rated)	MW(Dependable)	
Non PSALM	Coal	Masinloc I	300.00	290.32	Privetized	Coal	Toledo Power Corp. (Sangil Site)	88.80	40.00		Diesel	Mindanao Energy Systems	18.90	18.90	
	Coal	Masinloc II	300.00	290.32	Privetized	Diesel	Panay Power Corp.	74.88	72.00		Diesel	Cotabato Light	10.00	7.50	
	Coal	Quezon Power	511.00	500.00		Diesel	PECO	19.85	14.50		Diesel	Davao Light	58.69	42.00	
	Diesel	Duracom	133.38	113.00		Diesel	Toledo Power Corp. (Carmen Site)	45.80	35.00		Hydro	Mini-Hydro	3.25	3.25	
	Diesel	East Asia Diesel	109.00	109.00		Diesel	Cebu Private Power	70.00	70.00		Hydro	Agusan	1.60	1.60	Privetized
	Diesel	Angeles PI DPP	30.00	30.00		Diesel	East Asia Utilities (MEPZA)	49.70	46.00		Hydro	Bubunawan	7.00	7.00	
	Diesel	FCVC DPP	32.00	32.00		Diesel	Mirant	40.00	37.50		Hydro	Talomo HEPP	3.70	1.60	Privetized
	Diesel	Tarlac Electric	18.90	12.60		Diesel	Guimaras Power Project	3.40	3.40						
	Diesel	Trans Asia Power	52.00	52.00		Hydro	Janopol	5.00	5.00						
	Natural Gas	San Antonio	3.00	3.00		Hydro	Mini-Hydro	4.61	4.61						
	Natural Gas	Sta. Rita Natural Gas	1,060.00	1,000.00		Hydro	Loboc HEP	1.20	1.20	Privetized					
	Natural Gas	First Gas B (San Lorenzo)	500.00	500.00											
	Geothermal	Manito	1.50	1.50											
	Hydro	Mini-Hydro	16.21	16.21											
	Hydro	NIA-Baligatan	6.00	6.00											
Hydro	Buhi-Barit	1.80	1.80	Privetized											
Hydro	Cawayan	0.40	0.40	Privetized											
Total			3,075.19	2,958.15				403.24	329.21				103.14	81.85	
PSALM-IPP	Coal	Pagbilao Unit 1	382.00	364.00		Coal	Cebu TPP1 (Salcon)	52.50	50.00		Diesel	Gen Santos (SPPC)	56.00	50.00	
	Coal	Pagbilao Unit 2	382.00	364.00		Coal	Cebu TPP2 (Salcon)	56.80	55.00		Diesel	Aplaya DPP	0.00		
	Coal	Sual I	647.00	576.00		Diesel	Cebu DPP1 (Salcon)	43.80	30.00		Diesel	Power Barge 117	100.00	100.00	
	Coal	Sual II	647.00	576.00		Gas Turbine	Cebu Land-based GT 1	27.50	25.00		Diesel	Mindanao PB Dal II (Power Barge 118)	100.00	95.00	
	Diesel	Enron Subic 2	116.00	100.00		Gas Turbine	Cebu Land-based GT 2	27.50	25.00		Diesel	Western Mindanao Power Corp.	107.00	100.00	
	Diesel	Edison Global (BEPZA)	64.20	50.00		Geothermal	Tongonan II & III (Leyte A)	610.80	578.40		Geothermal	Mindanao I (Mt. Apo)	54.24	50.00	
	Diesel	FPPC- Bauang Dsl	235.20	210.00							Geothermal	Mindanao II (Mt. Apo)	54.24	50.00	
	Diesel	Magellan Cogen (CEPZA)	63.00	60.00											
	Natural Gas	Ilijan	1,200.00	1,200.00											
	Gas Turbine	Hopewell GT	310.00	100.00											
	Geothermal	MakBan Ormat	15.73	6.00											
	Hydro	San Roque	345.00	85.00											
	Hydro	HEDCOR	25.35	25.35											
	Hydro	NMHC	12.10	6.00											
	Hydro	Kalayaan	300.00	300.00											
	Hydro	Caliraya	32.00	23.50											
	Hydro	Botocan	22.00	10.00											
	Hydro	Bakun	70.00	70.00											
	Hydro	Casecnan	140.00	140.00											
	Hydro	Kalayaan 3&4	350.00	350.00											
Oil Thermal	Malaya 1	300.00	300.00												
Oil Thermal	Malaya 2	350.00	350.00												
Total			6,008.58	5,265.85				818.90	763.40				415.48	395.00	
PSALM	Coal	Calaca 1	300.00	174.10	2006 1-6	Diesel	PB 103	32.00	24.00		Diesel	PB 104	32.00	18.00	
	Coal	Calaca 2	300.00	152.58	2006 1-6	Diesel	Panay DPP1	36.50	25.00	2008 1-7	Diesel	NMPC I (Iligan Diesel Plant)	63.80	20.00	2006 7-12
	Gas Turbine	Limay CCGT	590.00	540.00	2008 1-7	Diesel	PB 101	32.00	24.00		Diesel	NMPC II	44.80	40.00	2006 7-12
	Geothermal	MakBan Unit 1-10	442.80	403.89	2006 1-6	Diesel	PB 102	32.00	24.00		Hydro	Agus 1 Unit 1	40.00	40.00	
	Geothermal	Bac Man I-1,2,II-1,II (Bolong)	150.00	78.32	2008 1-7	Diesel	Bohol DPP	22.00	18.00	2007 1-6	Hydro	Agus 1 Unit 2	40.00	40.00	
	Geothermal	Tiwi 1-6	344.00	237.22	2006 1-6	Diesel	PMDP	0.00	0.00		Hydro	Agus 2	180.00	120.00	
	Hydro	Magal	360.00	360.00	2006 7-12	Diesel	PDPP III (Pinamucan)	110.80	20.00	2008 1-7	Hydro	Agus 4	158.10	158.10	
	Hydro	Masiway	12.00	11.00	2006 1-6	Geothermal	Negros GPP1 (Palinpinon)	112.50	99.00	2007 1-6	Hydro	Agus 5	55.00	55.00	
	Hydro	Angat	245.00	226.00	2007 1-6	Geothermal	Negros GPP2	80.00	80.00	2007 1-6	Hydro	Agus 6	200.00	165.00	
	Hydro	Pantabangan	100.00	80.00	2006 1-6	Geothermal	Leyte GPP	112.50	99.00	2007 7-12	Hydro	Agus 7	54.00	54.00	
	Hydro	Ambuklao	75.00	0.00	2007 7-12	Hydro	Amlan HEP	0.80	0.80	2007 7-12	Hydro	Pulangi 4	255.00	255.00	
	Hydro	Binga	100.00	100.00	2007 7-12	Diesel/Gas	Cebu II - Talavera	0.00	0.00	2007 1-6					
	Bunker	Bataan Thermal			2006 1-6										
	Bunker	Manila Thermal(Tegen)			2006 7-12										
	Diesel	Navostas I			2006 7-12										
	Oil Thermal	Sucal			2007 7-12										
	Total			3,018.80	2,363.11				571.10	413.80				1,122.70	965.10

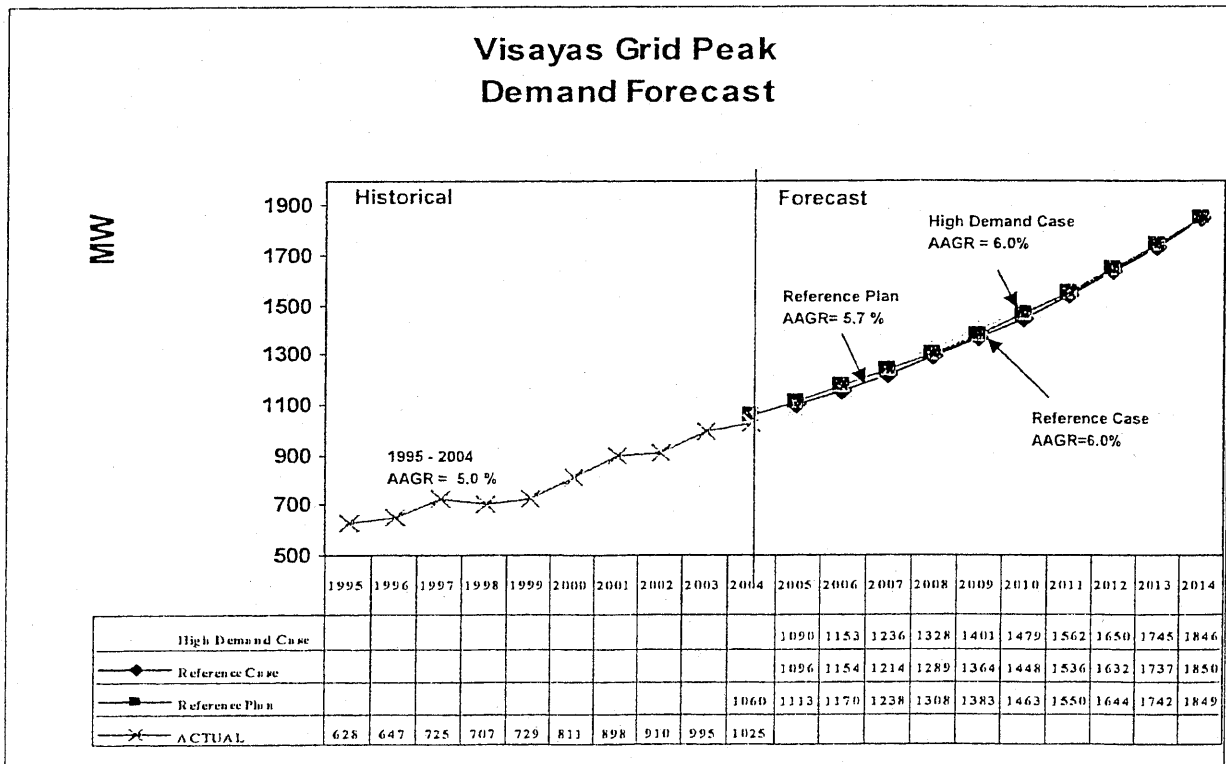
Gen Santos, Aplaya

	Luzon	Rated	Dependable	Visayas	Rated	Dependable	Mindanao	Rated	Dependable
Non-PSALM	3,075.2	2,958.2		403.2	329.2		103.1	81.9	
PSALM-IPP	6,008.6	5,265.9		818.9	763.4		415.5	395.0	
PSALM	3,018.8	2,363.1		571.1	413.8		1,122.7	965.1	
Total	12,102.6	10,587.1		1,793.2	1,506.4		1,641.3	1,442.0	
Total	Rated	Dependable							
Non-PSALM	3,581.6	3,369.2							
PSALM-IPP	7,243.0	6,424.3							
PSALM	4,712.6	3,742.0							
Total	15,537.1	13,535.5							

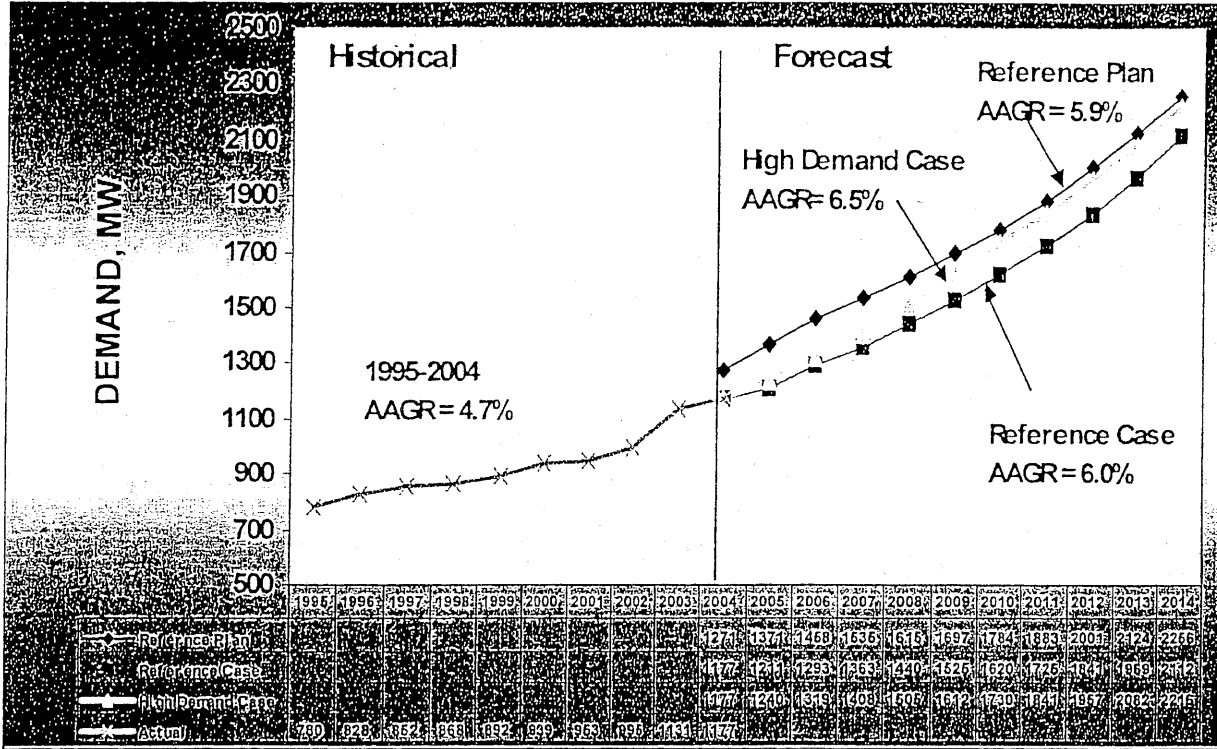
Luzon Grid Peak Demand Forecast



Visayas Grid Peak Demand Forecast



Mindanao Grid Peak
Demand Forecast



4. 収集資料リスト

(法案、フィリピン政府資料)

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3. House Bill 129, “An Act Creating the Subsidy Oversight Council and Providing the Rules for a Rational Management of the Government Subsidy System” (The Subsidy Oversight Council Act of 2004)
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13. USAID, (Terms of Reference) Technical Assistance for the Philippine Privatization Program: Inventory and Guidelines for Privatization
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以上