

SEC warns public, moves to cut access to Binance

By **Revin Mikhael D. Ochave**
Reporter

THE Securities and Exchange Commission (SEC) warned the public against investing in Binance as it moved to have the world's largest cryptocurrency exchange blocked in the country.

In a statement on Wednesday, the SEC said it issued an advisory dated Nov. 28 saying Binance was "not authorized to sell or offer securities to the public in the Philippines, pursuant to Republic Act No. 8799, or the Securities Regulation Code (SRC)."

The corporate regulator described Binance as a facility for trading financial instruments that also offers investment products such as spot trading using leverage, futures contracts, option contracts, cryptocurrency savings accounts, cryptocurrency staking services, and a platform for initial coin offerings.

The SEC said Binance had been "actively employing" promotional campaigns on social media enticing Filipinos to invest and trade using its platforms. The platform's app version is available for download on Google Play Store and Apple App Store.

"Based on the commission's database, the operator of the

platform Binance is not registered as a corporation in the Philippines and operates without the necessary license and/or authority to sell or offer any form of securities," the SEC said.

Aside from the advisory, the SEC said that it would seek assistance from the National Telecommunications Commission and the Department of Information and Communication Technology to block access to Binance in the Philippines within three months after the issuance of the advisory.

The regulator expects the removal of access in the Philippines to take effect within three months after the issuance of the advisory, giving time for Filipino

investors who have holdings in Binance to take out their investments and close their positions.

"This will prohibit users from accessing the website and its applications while inside the country," the SEC said.

It added that it sought the help of Google and Meta to prohibit online advertisements of Binance in the Philippines.

Sought for further comment, SEC Commissioner Kelvin Lester K. Lee said the advisory on Binance is part of the regulator's efforts to protect the investing public from unregistered trading platforms.

"Binance, among other platforms, has been the subject of extensive SEC investigations and

the findings are quite clear, it is unregistered and yet is operating in the Philippine jurisdiction without the appropriate licenses and registrations," Mr. Lee said in a Viber message.

"Moving forward, we intend to flag even more unregistered online platforms, with the intention to remove them from the Philippines and keep our investing public safe," he added.

Under the SRC, a secondary license with the SEC is needed for entities seeking to conduct the business of buying or selling securities, or as a broker-dealer, or seeking to form or create an exchange for the buying and selling of securities

The SEC said that those who act as salesmen, brokers, dealers, agents, representatives, promoters, recruiters, influencers, endorsers, and enablers of Binance might be criminally liable under the SEC and could be penalized up to P5 million or face imprisonment of up to 21 years or both.

Recently, former Binance chief executive officer Changpeng Zhao was ordered by a federal judge to stay in the United States for the time being when he stepped down as the top official of the cryptocurrency exchange after pleading guilty to willfully causing the exchange to fail to maintain an effective anti-money laundering program.

Alsons raises P1.149B from third tranche debt issue

ALSONS Consolidated Resources, Inc. (ACR) has raised P1.149 billion from the third tranche of its commercial paper (CP) program, the company said on Wednesday.

"The proceeds derived from this will primarily be used for ACR's general working capital, showcasing the company's unwavering commitment to steering economic progress in Mindanao," the listed energy firm said in a stock exchange disclosure.

The latest tranche, which is part of ACR's P3-billion CP program, has been listed on the Philippine Dealing and Exchange Corp.

The company listed its first tranche at P620 million in December last year while the second tranche at P1.38 billion was listed in June.

ACR, the Alcantara group's publicly listed company, had its first commercial paper issuance in 2018.

In March, the company received an issuer credit rating of PRS Aa minus with a stable outlook from the Philippine Rating Services Corp. for its P3-billion commercial paper program.

A PRS Aa minus rating suggests that a company "has a strong capacity to meet its financial commit-

ments relative to other Philippine corporates." The rating agency assigns a stable outlook when a rating is likely to be maintained or to remain unchanged in the next 12 months.

"ACR is committed to strengthening its renewable energy projects, aiming for at least 50% of its energy mix to come from renewable sources," the company said.

The company is targeting to complete its 14.5-megawatt (MW) Siguil hydropower plant in Sarangani by the end of the year.

It has also begun the development of a hybrid hydro and solar project in Zamboanga del Norte and a hydropower project in Ne-

gros Occidental with capacities of up to 37.8 MW and up to 42 MW, respectively.

ACR, which is said to be Mindanao's first privately owned power generator, currently has a portfolio of four power plants with a combined capacity of 468 MW.

In the third quarter, the company's attributable net income declined by 41.4% to P158.5 million from P270.43 million in the same quarter last year.

At the local bourse on Wednesday, shares of the company went down by four centavos or 6.78% to close at P0.55 apiece. — **Shelden Joy Talavera**

Mary Mediatrix Medical Center taps EEI Power in shift to renewables

LISTED construction firm EEI Corp. said its energy arm had partnered with Mary Mediatrix Medical Center (MMMC) for the installation of solar photovoltaic (PV) systems.

In a stock exchange disclosure, EEI said EEI Power Corp. signed the contract with MMMC for the installation of a 376.2-kilowatt-peak solar PV rooftop system. MMMC is part of Mount Grace Hospitals, Inc.

The installation is in line with MMMC's sustainability goals as the capacity is part of the company's energy consumption, EEI said, adding that construction works for the project will start immediately.

As the healthcare facility taps renewable energy, the move will help reduce the hospital's reliance on traditional

fossil fuel and allow long-term cost savings, EEI said.

The renewable energy capacity is expected to produce about 509,000 kilowatt-hours of clean energy per year, which will help reduce MMMC's carbon footprint by 4,988 metric tons, EEI said. The reduction is equivalent to 86,751 liters of gasoline reduction, it added.

Established in 1931, EEI has business interests in construction services and distribution of industrial and machinery systems. Its energy arm offers power solutions for electrical equipment and services.

At the stock exchange on Wednesday, shares in the company closed seven centavos lower or 1.22% to end at P5.69 apiece. — **Ashley Erika O. Jose**

Globe blocks almost 155,000 SIM cards related to spam and fraud

GLOBE Telecom, Inc. has blocked nearly 155,000 SIM (subscriber identity module) cards linked to fraud as of September this year, the telecommunications company said in a media release on Wednesday.

"With our proactive efforts via our Stop Spam portal bolstered by the SIM Registration Law, we were able to block a new record high in SIMs linked to fraud. Through col-

laboration and use of technology, we are gaining headway against these criminals," Anton Bonifacio, chief information security officer at Globe, said on Wednesday.

Globe said it had terminated a total of 154,569 SIMs through its reporting portal.

The company described the number as record-high as SIMs related to spam and other fraud-

related activities have been increasing during the period.

It said blacklisted SIMs, which also include those from other networks, surged to 148,515 as of September.

Globe also noted that it had deactivated about 16,215 Globe SIMs so far this year.

The telecommunications company said it had invested around

\$20 million in its spam blocking and detecting system, which functions continuously and can filter unwanted messages. The system includes app-to-person and person-to-person SMS from international and domestic sources.

At the stock exchange on Wednesday, shares in the company fell by P1 or 0.06% to end at P1.718 per share. — **Ashley Erika O. Jose**

More business chambers to advise regulator on ease of doing business

THE Anti-Red Tape Authority (ARTA) signed an agreement with three more business chambers on Wednesday, which agreed to advise the regulator on how to best implement Republic Act 11302, otherwise known as the Ease of Doing Business and Efficient Government Services Delivery act.

On the first day of the Ease of Doing Business Convention on Wednesday, ARTA signed a memorandum of understanding (MoU) with the Philippine Chamber of Commerce and Industry (PCCI), the German-Philippine Chamber of Commerce and Industry (GPCCI), and the Nordic Chamber of Commerce of the Philippines (NordCham).

GPCCI President Stefan Schmitz said the partnership with ARTA will help in simplifying business processes, reducing red tape and ultimately enhancing the overall investment climate in the Philippines.

"GPCCI is committed to bridging the business community and the government aiming to streamline processes and reduce bureaucratic challenges," Mr. Schmitz said.

"Our involvement will extend to organizing informative events and actively participating in policy discussions, ensuring that the business sector's voice is an integral part of this transformative tool," he said.

He added that the signing of the MoU is a "proactive" step towards creating a more dynamic and competitive business landscape in the Philippines.

"By combining German expertise and innovation with Filipino resilience and ingenuity, we are set to make significant strides in making the Philippines a more attractive destination for investors," he said.

German Ambassador to the Philippines Andreas Michael

Pfaffernoschke, who was also present at the event, welcomed the partnership and said that it has the potential to ease business operations for German companies in the Philippines and to strengthen public-private sector collaboration.

"As you know, Germany is a very important trading partner of the Philippines ... I am convinced that this MoU will help to make business easier for Ger-

man companies in the Philippines that will help develop the bilateral economic relations, improve the local investment climate, and promote welfare for the Filipinos," Mr. Pfaffernoschke said.

PCCI President George E. Barcelon said that the partnership will allow the organization to communicate the needs of the private sector at the regional level to ARTA.

ARTA says upgrades to regional operations will require more funding

THE Anti-Red Tape Authority (ARTA) said on Wednesday that it is hoping the Senate approves the P200 million enhancement in funding that the House has agreed to, which will allow it to upgrade the agency's regional operations.

ARTA Secretary Ernesto V. Perez told reporters on the sidelines of the Ease of Doing Business Convention on Wednesday that the funding allocated for ARTA by the Department of Budget and Management was only P280 million, much lower than its P800 million request.

"When it went through the deliberations in the House, our budget was increased by P200 million," Mr. Perez said.

"Right now, it is currently with the Senate and we hope the Senate will also endorse the recommendation of the House to increase our budget by P200 million," he said.

On Tuesday, the Senate approved on final reading its version of the proposed P5.768-trillion national budget bill.

In the report issued by the Senate Finance Committee, ARTA's budget was retained at the P490 million agreed to by the House of Representatives

in the House Bill 8980 or the proposed General Appropriations Act.

"We will use the additional budget to expand our regional operations because at the moment, we only have eight regional operations," Mr. Perez said.

"With that increase, we will increase the number of our employees and increase our regional offices so that we will be present in all the regions," he added.

Currently, ARTA is present in Northern Luzon, Central Luzon, Southern Luzon, the Eastern Visayas, the Western Visayas, Northern Mindanao, Eastern Mindanao, and Western Mindanao.

"You know, even if the budget of ARTA is small, we are still able to (operate) because we get the support of the chambers of commerce, US Agency for International Development (USAID), and foreign governments such as Australia, New Zealand, Malaysia, and Canada," said Mr. Perez.

"(As such), we will be launching the Philippine Business Regulation Information System (PBRIS)... together with the

Anti-Red Tape Electronic Management Information System (ARTEMIS)," he added.

PBRIS will serve as a central repository of all the regulations issued and implemented by all government agencies to ensure harmonization in regulatory procedures.

ARTEMIS will help in streamlining the submission and management of Citizen's Charters through allowing government agencies to submit and update their charters and enabling the public to view, download, and comment on them.

"What is good about these two systems is that they were developed at practically no financial cost to the government because these were created through the technical assistance of the USAID," said Mr. Perez.

Meanwhile, Mr. Perez said ARTA is still waiting on the private sector's recommendation or proposal on the proposed storage fee increases of the Philippine Ports Authority (PPA).

The Philippine Exporters Confederation, Inc. (Philexport) recommended in a position letter addressed to the

port regulator that the fee hikes undergo a regulatory impact assessment.

"Of course, with that recommendation, what we always say is that if there is a proposed increase by way of a regulation, it should undergo the regulatory impact assessment," said Mr. Perez.

"It is the mandate of ARTA to require the PPA to subject any proposed regulation to increase fees to conduct regulatory impact assessment," he added.

In its proposal, the PPA is planning to increase the storage charges by 32% for import, export, and transshipment containers and to add a 150% surcharge on the corresponding storage rates for refrigerated containers.

According to Philexport, the proposed increase in fees was presented in an online public consultation held on Oct. 18.

"We are yet to receive any formal request about it, but once we receive it, we will immediately act on it ... We can write to the PPA to express the concern and to request them to submit to us the regulatory impact," Mr. Perez said. — **Justine Irish D. Tabile**

ment, especially from the Nordic countries.

"At least for the Nordics, we are used to things being smooth and fast. The improvements that are already done by ARTA are very significant. Thus, we see more interest in foreign investment in the Philippines from the Nordics," Mr. Svenningsen said.

He said that the MoU will help in taking ARTA's initiatives to the next level and guide it towards the next steps that will make doing business in the Philippines smoother.

"We were looking forward to signing this, but we are really looking forward to taking the next steps and making sure that our points of view are being heard and that all the companies that we represent are also being heard," he said.

"I am sure ARTA will help us with whatever bumps on the road, to smoothen it out so business will be even better in the Philippines," he added.

ARTA Secretary Ernesto V. Perez said that the three MoUs signed on Wednesday followed the MoUs the agency signed with the Korean Chamber of Commerce Philippines and the Malaysia Chamber of Commerce and Industries Philippines in the past few weeks.

"In the future, we will also be signing with the European Chamber of Commerce of the Philippines and the American Chamber of Commerce of the Philippines," Mr. Perez said.

"By entering these MoUs, we will make them our champions so that they and their members who know and experience red tape will be able to let us know ... Through the MoUs that we have signed, we will capacitate them to refer any complaints by any of their members so that ARTA can act accordingly," he added. — **Justine Irish D. Tabile**