



APPROVING THE AUTHORITY OF THE GOVERNMENT PROCUREMENT POLICY BOARD – TECHNICAL SUPPORT OFFICE DIRECTOR GENERAL AND DEPUTY DIRECTORS GENERAL AND THE PROCUREMENT SERVICE - DEPARTMENT OF BUDGET AND MANAGEMENT’S EXECUTIVE DIRECTOR AND DEPUTY EXECUTIVE DIRECTORS TO NEGOTIATE THE GOVERNMENT PROCUREMENT CHAPTER OF THE PHILIPPINES – EUROPEAN UNION FREE TRADE AGREEMENT, INCLUDING MARKET ACCESS ON GOVERNMENT PROCUREMENT

WHEREAS, Republic Act (RA) No. 12009, otherwise known as the “New Government Procurement Act,” took effect on 13 August 2024, while its Implementing Rules and Regulations (IRR) took effect on 25 February 2025;

WHEREAS, Section 91 of RA No. 12009 mandates that the Government Procurement Policy Board (GPPB) shall be the central body that sets strategic direction and makes policy decisions regarding all matters affecting public procurement, having due regard to the country’s regional and international obligations, and is tasked to lead the nation’s efforts in advancing public procurement reforms in accordance with the Act;

WHEREAS, Section 91 of RA No. 12009 further provides that, in the performance of its functions, the GPPB shall be supported by a Technical Support Office (TSO), an agency attached to the Department of Budget and Management (DBM);

WHEREAS, pursuant to Sections 20.1.1 of the IRR of RA No. 12009, the Philippine Government Electronic Procurement System (PhilGEPS) shall be the single electronic procurement portal that shall serve as the primary source of information and channel in the conduct of procurement activities of the government. The PhilGEPS shall be managed by the Procurement Service – DBM (PS-DBM);

WHEREAS, on 25 November 2025, during the 1st Joint GPPB and Inter-Agency Technical Working Group (IATWG) Meeting, the GPPB approved the designation of the DG and any of the DDGs as may be identified by the DG of the GPPB-TSO, as Principal and Alternate Negotiators and Representatives, respectively, to bilateral and multilateral free trade negotiations involving government procurement (GP), as well as the designation of the Executive Director (ED) and any of the Deputy Executive Directors (DEDs) as may be identified by the ED of the PS-DBM, as Principal and Alternate Negotiators and Representatives, respectively, to the negotiating panel on matters related to electronic procurement and the use of PhilGEPS, upon the invitation of the Department of Trade and Industry (DTI) or other lead government agencies;

WHEREAS, during the same meeting, the GPPB likewise designated the said officials to undertake negotiations on matters covering provisions on transparency and cooperation, guided by existing treaties or international agreements, or executive agreements to which the Philippine Government is a signatory, and in accordance with the procedures, requirements and principles of RA No. 12009 and its IRR, as well as other pertinent laws, rules and regulations;

WHEREAS, on 03 February 2026, during the 1st Joint GPPB and IATWG Meeting, the GPPB-TSO presented an overview of the GP Chapter of the Philippines - European Union Free Trade Agreement (PH-EU FTA), which is targeted to be concluded by June 2026. It includes proposed negotiations on market access in GP, matters that go beyond the provisions typically covered in GP chapters of FTAs, which are generally limited to: (i) transparency; (ii) cooperation; and (iii) other elements aligned with the existing procedures, requirements, and governing principles under the prevailing procurement law and its IRR;

WHEREAS, during the meeting, the GPPB-TSO also presented the proposed market access modalities for GP as discussed during the last round of negotiations, as follows: (i) Substantive coverage of central government entities with its regional offices and attached agencies and state-owned enterprises (SOEs), including hospitals and universities; (ii) Sub-central government entities are not covered. However, procurement by central government entities for the benefit of sub-central government entities is covered; (iii) Access to procurement by SOEs in utilities' sector and public services, subject to constitutional restrictions; (iv) Substantive coverage of goods, except for defense sector where only non-sensitive and non-warlike materials are to be covered; and (v) Substantive and meaningful coverage of service; (v) Substantive coverage of construction services/works.¹ Further, it was noted during the discussion that the coverage that will be finally agreed should be meaningful, taking into account certain thresholds that may be agreed upon and cannot be undermined by general notes/exceptions;

WHEREAS, during the same meeting, it was emphasized that the PH-EU FTA covers two (2) key subject matters: (i) the rules governing covered procurement which are expected to remain aligned with the existing procurement law and its implementing rules and regulations; and (ii) the scope of covered procurement, including the covered entities (e.g., central government entities, sub-central government entities, and other entities), covered goods and services, and construction services, as well as the corresponding thresholds, all of which are subject to stakeholder consultation under the market access modalities;

WHEREAS, after thorough deliberation and inputs from the GPPB IATWG and Members of the Board, the GPPB agreed to approve the subject proposal;

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law and other executive issuances, hereby **RESOLVE** to confirm, adopt, and approve, as **WE** hereby confirm, adopt, and approve to **AUTHORIZE** the DG and DDGs of GPPB-TSO, and the ED and DEDs of PS-DBM to continue to participate, under the lead of the DTI, in intersessional meetings and negotiations for the PH-EU FTA, including discussions on rules and market access in GP, subject to the general welfare and national interest, and the constitutional principles of equality and reciprocity.

APPROVED this 3rd day of February 2026 at Quezon City, Philippines.

¹ Enumerated in Central Product Classification, Provision-Code 51.

SGD.

GPPB, Chairperson
DEPARTMENT OF BUDGET AND MANAGEMENT

SGD.

**DEPARTMENT OF ECONOMY, PLANNING,
AND DEVELOPMENT**

SGD.

**DEPARTMENT OF PUBLIC WORKS AND
HIGHWAYS**

SGD.

**DEPARTMENT OF NATIONAL
DEFENSE**

SGD.

DEPARTMENT OF EDUCATION

SGD.

**DEPARTMENT OF THE INTERIOR AND
LOCAL GOVERNMENT**

SGD.

DEPARTMENT OF TRANSPORTATION

SGD.

PROCUREMENT SERVICE - DBM

SGD.

PRIVATE SECTOR REPRESENTATIVE