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# "MAPping the Future" column in INQUIRER

# "High Inflation, High Interest Rates: Looming Recession?"

# December 12, 2022

Mr. RAYMOND "Mon" A. ABREA

nflation means a general increase in prices and fall in the purchasing value of money. It involves goods and services becoming more expensive over a certain period of time. Compared to the inflation rate in October 2021 at

4%, it has almost doubled in October 2022 which has been the highest in 14 years.

In effect, inflation operates much like a regressive tax in that it negatively impacts income distribution and imposes a greater burden on the poor and low-income earners. For consumers, it means that with the same amount of income or salary, they would be able to purchase less due to price increases in goods and services. For lowincome earners, they are more vulnerable because they are typically the first to lose their jobs if the government tries to control inflation that will slow down the economic activities. The slowing down of economic activities typically mean less income for companies which, in turn, leads to layoffs or freeze hiring.

Aside from increasing government debt which is (continued on page 2)



"MAP Insights" column in BUSINESSWORLD "3 Life Lessons for the Next-Generation Leaders and Managers"

# December 13, 2022

Mr. ISIDRO "Sid" A. CONSUNJI



hen I learned that I was nominated for the "MAP Management Man of the Year" Award, I asked if I could be withdrawn from consideration.

I didn't think I had done anything extraordinary to deserve the nomination.

You see, Washington SyCip, Cesar Virata, Cesar Buenaventura, and my father, David Consunji, were my real-life heroes.

Growing up, I witnessed their brilliance, passion, and love for our country. I saw how they shaped their professions, championed progress, and made life better for others.

In my mind, they were in a different league altogether.

So, imagine my shock when I received a call from Cesar Buenaventura telling me that I was this year's awardee.

If my father was here today, I'm sure he would laugh and say, "Pano nangyari yan, eh kamote ka?".

(continued on page 4)

## "High Inflation, High Interest Rates: Looming Recession?"...

(from page 1)

seen to hit P14.63 Trillion (\$256.67 Billion) by end of 2023 and depreciating peso which may breach P60 against US dollar as the trade deficit widens, inflation in the country is one of the top priorities of the Marcos Administration as it surged to 7.7 percent in October 2022, the highest in 14 years. The inflation rate is likely to rise further in the last two months of the year according to the Philippine Statistics Authority (PSA).

### What causes inflation?

Over the longer run, economists think the price level is ultimately a function of the amount of money in the economy relative to the items that money can buy. But, over shorter periods, as evidenced by the experience of the past year and a half, supply and demand of goods and services can play a big role.

Supply shocks are those that disrupt production or raise production costs. Examples of these are high oil prices, natural disasters, or other similar factors. This causes what is called a "cost-push" inflation, where the inflation is caused by a disruption to the supply.

Expansionary policies can also affect inflation. Examples of these include the lowering of interest rates, increasing government spending. While these policies tend to improve economic growth, it could put a strain on the country's resources and cause "demand-pull" inflation. Demand shocks, like stock market crashes, may do the same. Finally, of course, is the subjective concept of "expectations." If people expect prices to go higher, they naturally include these expectations whenever they're negotiating their wages, prices, rents, or other factors.

### Why increase interest rates?

We are raising interest rates because inflation is too high. High interest rates means higher borrowing costs. It encourages people to save money to earn higher interest rates and discourages people from borrowing money because of the higher financing costs. In effect, it cools down the economy and eases demand pressures.

In the Philippines, the Bangko Sentral ng Pilipinas (BSP) has the mandate to implement monetary policy, e.g., increasing interest rates, while the government has responsibility to adopt fiscal policy, e.g., cut government spending in addressing inflation and ensuring economic growth. BSP is an independent monetary authority mandated to ensure price and monetary stability while the Department of Finance is part of the economic team of the President that is formulation responsible for the and administration of fiscal policies, and the management of financial resources, including, among others, taxes and debts.

It is important to distinguish monetary policy from fiscal policy, but also to realize how these policies can complement and help each other in addressing economic issues like high inflation. (See Table A)

	MONETARY POLICY	FISCAL POLICY
Authority	Bangko Sentral ng Pilipinas (BSP)	Department of Finance & Congress
Policy Tools	Interest rates and money supply	Taxes and government spending
Objectives	Price stability and maximum employment	Revenue collections and spending decisions
	CONTRACTION	ARY POLICIES
Response to high inflation	Increase interest rates Reduce money supply	Increase taxes Cut government spending
	EXPANSIONARY POLICIES	
Response to recession	Lower interest rates Increase money supply	Lower tax rates Increase government spending
Political influence	Generally low or independent	Extremely high

### TABLE A. MONETARY POLICY VS. FISCAL POLICY

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LET ACG FIX YOUR TAXES FOR GOOD

To address high inflation, the President must focus on fiscal policy as part of his socio-economic agenda starting with rationalizing its government budget to cut unnecessary spending (i.e., confidential and intelligence funds) and prioritize economic stimulus to the agriculture sector to increase productivity, lower food prices and increase exports — which will also improve trade deficit to improve peso valuation against the dollar.

### Are we in a recession?

The government appears to have a positive outlook on the economy. In a press release on October 20, 2022 National Economic and Development Authority (NEDA) chief Arsenio Balisacan has stated that the government has developed a plan to manage "the economic risks brought about by high inflationary pressures, the Russia-Ukraine conflict, global supply disruptions, and recessions."

Citing a World Bank report, the press release stated that the Philippines is slated to grow by 6.5% in 2022 and by 5.8% in 2023. It likewise relied on a report by the Asian Development Bank, which stated similar prospects.

The IMF similarly agrees with these figures. In its 2022 World Economic Outlook, the IMF projects that the Philippines would grow its GDP by 6.5% in 2022 and by 5.0% in 2023.

In another World Bank report, Senior Economist Kevin C. Chua stated that the Philippine economy is expected to recover over 2022 to 2023 following the deep recession in 2020. This suggests that the Philippines was in a recession, but its economy is likely to get better in the following years.

Filipinos, however, seem to disagree. In its Consumer Pulse Study, TransUnion noted that most Filipinos (76%) agreed that the Philippines was already in a recession or will enter one by the end of 2023.

Moreover, data from the PSA shows that the unemployment rate has been on a steady decline over the past year (from 8.9% unemployment rate in September 2021 to 5.0% in September 2022). However, the same report also showed that the underemployment rate has increased since June 2022.

Aside from consumers losing purchasing power which hurts the poor more disproportionately, inflation can cause a painful recession due to sustained increase in interest rates resulting in a slow down of the economy — increasing unemployment and job losses. While no policymakers would want to see job losses, the government must address inflation now before it becomes much higher that would need an even more painful recession to tame it. This herculean task of addressing high inflation with the least possible job loss is the main task of the BSP using monetary policy tools.

This caveat on looming recession and stagflation (or inflation with stagnation) is the reason why addressing high inflation requires a whole-ofgovernment approach — with the BSP on monetary policy, and the Department of Finance and Congress on fiscal policy (i.e., whether to increase taxes and/or cut government spending). This issue will be the subject of my policy memo as a final requirement for API 121 course (Recession, Growth and Macroeconomic Policy) at the Harvard Kennedy School under Professor Karen Dynan. The same will be published and forwarded to the Philippine Congress and the economic managers of the Marcos administration for appropriate action before the year ends.

(This article reflects the personal opinion of the author and does not reflect the official stand of the Management Association of the Philippines or MAP. The author is a MPA/Mason Fellow at the Harvard Kennedy School. He is a member of the MAP Tax and EODB Committees, Co-chair of Paying Taxes on Ease of Doing Business Task Force and Chief Tax Advisor of the Asian Consulting Group. Feedback at <map@map.org.ph> and <mon@acg.ph>.)

# **"3 Life Lessons for the Next-Generation Leaders and Managers"...**

(from page 1)

Dad, wherever you are, I hope this kamote made you and Mom proud.

Ladies and Gentlemen!

Some people see life as a series of moments. For me, being an avid reader, I see it as a book with blank chapters.

You pen your own story and hope that in the end, it is one worth reading and retelling.

This is my story.

Engineering comes from the Latin words ingeniare and ingenium, which mean "to devise" and "cleverness".

I'm referencing these terms to give you an idea of how I came to be.

You see, I never set out to become an engineer. Initially, I was an Economics major at Ateneo.

But after seeing the mini skirted ladies in UP Diliman, I devised a way to convince my parents to let me transfer schools.

I told them that I wanted to take up Civil Engineering—just like my father. Elated with my decision, they allowed me to enroll in UP.

Unfortunately, my cleverness did not translate to strong academic performance. It took me six years to finish a five-year course.

I wasn't interested in studying so I stopped for two semesters. To earn some money, I worked in our motor pool division and logging concession.

The time I spent on the field was enlightening and formative for me.

At the age of 18, I learned how to deal with difficult employees, angry suppliers, and tough customers.

Just as crucial, I discovered the importance of productivity, efficiency, and cash flow when running a business.

In millennial parlance, I was hashtag adulting.

Eventually, I went back to UP to finish my degree. I also took the civil engineering board exam to appease my mother.

As the first-born son and second of eight children, I had more than my fair share of tender loving care—may kasama pang palo at sermon.

I was a handful growing up, and my father did his best to instill discipline in me.

Many of you knew my father and his remarkable work ethic.

He was thorough, structured, and extremely hardworking. He lived and breathed construction, and his passion to build made him an industry legend.

Even in his 90s, he would go around our construction sites, meticulously drilling our project managers on their work programs.

I saw construction through a different lens. To me, it was a business tool and not an end in itself.

I was more interested in finding ways to leverage my technical background to identify and maximize commercial opportunities.

That's when I realized that I'm more of a business manager than an engineer. My interest was in value creation and business transformation, not solely construction.

So, I decided to enroll at the Asian Institute of Management to learn more about the "science" of business and management.

Unfortunately, I never completed my management course. I became too busy with our hotel projects for the International Monetary Fund conference in Manila.

However, the time I spent at AIM was invaluable as it cemented my passion for business.

When D.M. Consunji, Inc., or DMCI, was founded in 1954, my father's ultimate objective was to build not only an enterprise but an institution.

By that, he meant a business that could provide stability, service to the community, and protection to its people.

But fast-forward thirty years, and still, we were nowhere near that.

Ironically, after completing the world's biggest palace and royal residence in Brunei, DMCI had to retrench many of its best engineers and workers because there was no work coming in.

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At that time, the Philippine economy was in disarray. Construction demand also dried up almost immediately after the assassination of Senator Ninoy Aquino.

As you all know, laying off people is one of the toughest decisions a company could ever make. It affects the health, livelihood, and well-being of employees, as well as their families.

But being a contractor, we had very limited survival options.

We couldn't formulate a corporate plan or strategy because we were always dependent on the kind of projects our clients will do or won't do.

And so, from being a contractor, I convinced my father to become an investor as well.

In 1995, we listed DMCI Holdings and raised enough funds to expand and diversify into other industries.

We acquired assets and invested in projects that could generate revenues and growth for DMCI.

That decision brought us closer to building an institution.

Today, the DMCI Group has a total workforce of over 35,000.

We have engineers and foremen who have been with us for more than twenty, thirty years. Some of their children have even found employment in our companies.

Our business portfolio currently includes energy, real estate, mining, and water distribution—all of which draw from our engineering and construction background.

I must admit that luck played a big role in our expansion.

In certain cases, we were delivered from failure and financial ruin by commodity rallies, financial downturns, and wise advice from good friends.

It also took us decades to get to this point. And the process—while fulfilling—was many times daunting, painful, and draining.

Looking back, I can think of three galvanizing moments for the DMCI group:

A year into our listing, the Asian Financial Crisis happened. The whole country had no liquidity, and banks did not renew our short-term credit lines. To generate liquidity, we formed DMCI Homes to turn our idle land into residential condominiums.

It took us eight iterations before we got the twobedroom format right because we knew little about the real estate market.

We were a bunch of engineers who tried very hard to become developers, marketers, and salespeople.

I credit Freddie Austria and his team for making DMCI Homes a viable business and a market leader in its main product segment.

In the late 1990s, we invested in what others then considered a zombie company.

Semirara Coal Corporation was not only heavily indebted and hemorrhaging money, its product was also rejected by the market. It was even referred to as Semirara clay.

To transform the company, we focused on raising production and improving coal quality.

We changed our mining method from continuous mining to selective mining, and put up a coal washing plant on the island.

These initiatives allowed us to create new domestic and foreign markets for Semirara coal.

It was my brother Victor and his trusted lieutenant George San Pedro who spearheaded the transformation and rallied our people to embrace these changes.

Because of their collective effort, Semirara Mining and Power Corporation is now the most modern coal mine in the country, accounting for over 96 percent of domestic coal production.

Another galvanizing moment was our acquisition of Maynilad, in partnership with Metro Pacific Investments Corporation of Manny Pangilinan.

In 2006, it was our single biggest investment and most dramatic fund-raising activity. Wala kasi kaming pera nun.

Herby Consunji moved mountains to raise the PhP3 Billion we needed for the Maynilad bid. He borrowed money from multiple sources and mortgaged our Semirara shares and DMCI Homes' contracts-to-sell.

Knowing that we would lose our shirts if our joint venture failed, Herby agreed to be the sole DMCI management representative in Maynilad.

Together with Babes Singson and Randy Estrellado of Metro Pacific, they did much of the heavy lifting to turn Maynilad around.

In the Book of Proverbs, King Solomon wrote that iron sharpens iron, so likewise, one person sharpens another.

I have been very fortunate to be surrounded by these exceptional people who sharpened me into becoming the manager and leader I am today.

I will always be grateful for the roles they played in my life.

At this point, I would like to acknowledge a few more people who were instrumental in redefining the future of the DMCI Group.

I proudly share this honor with them-

My siblings, who support and work together with me in our public and private companies: Ate Jing, Jorge, Lucy, Cristina, and Dinky.

Dad was correct when he said, "none of us is as good as all of us".

He knew we had different strengths and weaknesses, so he insisted that we all work together.

I'm glad we followed his advice.

My parents and siblings, Victor and Nene. I wish they were here to share this moment with the rest of our family.

Our board of directors—both past and present for their invaluable time and wisdom.

Their guidance over the years has made our family better stewards and managers.

I would particularly like to thank Cesar A. Buenaventura (CAB), the first civil engineer of DMCI.

As my mentor and vice chairman at DMCI Holdings, CAB showed me that engineers can be great managers in whatever industry they choose to be.

Our professional managers whose determination and hard work allowed our companies to survive many challenging times.

Know that I appreciate you all immensely.

The thousands of DMCI workers who—day in and day out—perform difficult, demanding, and sometimes dirty work so we can deliver quality products and services on time (well, at least most of the time).

Thank you for everything!

Our creditors, clients, and other business partners—particularly, Tessie Sy-Coson and the team of Nestor Tan in BDO—Ed Francisco and Walter Wassmer.

Thank you for not pulling the rug from under us when the going got tough, and for always giving us the financial backing we needed to grow our businesses.

And to the countless, nameless others who trusted and supported our companies all these years—

Maraming, maraming salamat sa inyong lahat.

My story is nowhere near done.

I think I have enough gas in the tank to start a second career. In a few years, I may just surprise all of you.

With more idle time, I hope to foray into agriculture and create sustainable value in the countryside.

But I think I've taken enough of your time.

So, I'd like to end my speech by sharing some life lessons from my 50 years as a management professional.

I hope that these lessons will find their way into the consciousness of our next-generation leaders and managers.

First, play to your team's strengths.

When we were building our business portfolio, we didn't have much financial strength.

I had to be cautious in our investments. I would always ask myself: Do we have the organizational competence to make up for our small balance sheet?

As leaders and business managers, we need to have a clear understanding of our organization and what our people can do.

I firmly believe self-knowledge and humility lead to better decision-making.

That's pretty much the reason why we're not in the hospitality or entertainment business. Hindi namin kaya ngumiti buong araw. Second, strive for a win-win outcome.

In 1997, we issued preferred shares to raise PhP2.4 Billion for our expansion plans. Unfortunately, the coal, construction, and real estate markets took a nosedive, and so did our profitability.

We struggled to meet our payment obligations, and this caused an uproar among our shareholders.

It was Bobbit Panlilio, then PCIBank COO, who got us through that difficult period.

Following his personal advice, we formulated different repayment options for our shareholders. In doing so, we did right by them and escaped corporate bankruptcy.

To this day, I remind our people at the DMCI Group: When you invite others to a party, make sure that everyone eats.

Whether in business or in social gatherings, wala dapat nagugutom.

Third, spread the sunshine.

I thank Dr. Bernie Villegas for teaching me this lesson.

He was responsible for instilling a spiritual character into my work. Through him, I realized that making a profit is not the sole objective of business.

Instead, business should be a catalyst for shared prosperity. We should do what we can to bring sunshine into the lives of our fellow Filipinos.

I don't consider myself a religious man, but I believe that your work can be your prayer.

Ladies and gentlemen, that is my story, so far.

With the urging of Dr. Villegas, I hope to pen new chapters about my second career and agricultural initiatives.

I look forward to sharing these with you someday soon.

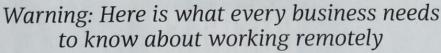
Thank you for listening.

And to the Board of Governors led by President Babes Singson, as well as the members of the MAP Management Man of the Year Search and Judging committees, my sincerest gratitude for this distinct privilege.

I believe that this is the highest recognition that a Filipino management professional could ever receive, and I am humbled to be this year's awardee.

(This was lifted from the author's Acceptance Speech as the MAP "Management Man of the Year 2022" Awardee. He is Chair and President of DMCI Holdings, Inc. Feedback at <map@map.org.ph>.)

# PHILIPPINE DAILY INQUIRER RAARD T



Business Features Edito

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MONDAY / DECEMBER 12, 2022 WWW.INQUIRER.NET



High Inflation, high interest rates: looming recession?

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## Three life lessons for the next-generation leaders and managers

(This piece comes from the au-or's Acceptance Speech as the inagement Association of the ilippines' Management Man of Year 2022 Awardee.)

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MAP INSIGHTS

Ten economic issues to watch Marriages, births, deaths, and Top causes of deaths

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Second, strive for a win-win outcome. In 1997, we issued preferred shares to raise Pet Abillion for our expansion plans. Unfortunately, the coal, construction, and real estate markets took a noodive.

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# **UPDATED SURVEY on Ease of Doing Business**



Ramon V. Del Rosario Sr. Center for Management Excellence Unit 608, Ayala Tower One Ayala Triangle, Ayala Avenue 1226 Makati City, Philippines (632) 7751-1151 to 52 map@map.org.ph; map.philippines@map.org.ph Website: map.org.ph

December 13, 2022

Circular No. 080- 2022

Subject: UPDATED SURVEY on Ease of Doing Business

Dear MAP Members:

The MAP, through its MAP Ease of Doing Business (EODB) Committee, and PwC Philippines have updated the EODB SURVEY to help identify the areas where improvement has been observed or where it is still needed. The MAP EODB Committee will use the results of this UPDATED SURVEY in its discussions with the Anti-Red Tape Authority (ARTA), other relevant authorities and private sector partners, so we can work together in finding possible solutions.

The MAP EODB Committee will present the findings to the ARTA, under the leadership of newly confirmed Director-General ERNESTO PEREZ, to agree on the areas that MAP and ARTA could work on together to improve the EODB and thus provide better service to the citizenry.

In this regard, may we request you to give a few minutes of your time to respond to the UPDATED SURVEY, not later than December 20, 2022, thru the following link:

https://docs.google.com/forms/d/e/1FAIpQLSdGagQB8zzjP2PmkrT36IZ\_cfw8EMRLnF9YoiSIc2KTOFrrxw/viewform

Thank you in advance for your cooperation.

Sincerely,

ROGELIÓ L. SINGSON President

RUY Y. MORENO

Chair, MAP EODB Committee

JADE T. ROXAS-DIVINAGRACIA Vice Chair, MAP EODB Committee

## ANNUAL CHRISTMAS BREAK of MAP Secretariat from December 20, 2022 to January 3, 2023

December 12, 2022

Circular No. 079-2022

Subject: ANNUAL CHRISTMAS BREAK of MAP Secretariat from December 20, 2022 to January 3, 2023

MMA)

Dear MAP Member:

In the observance of the Season, we in the MAP Secretariat will be taking our ANNUAL CHRISTMAS BREAK starting December 20, Tuesday.

The MAP Office will be closed from December 20, 2022 to January 3, 2023.

We will be back on January 4, 2023, Wednesday

Happy holidays to you and your family!

Sincerely,

ARNOLD P. SALVADOR MAP Executive Director

### 1. "Pricey onions and neglected farms" from MAP Governor CIELITO "Ciel" F. HABITO's "No Free Lunch" Column in the PHILIPPINE DAILY INQUIRER on December 13, 2022

Former senator Kiko Pangilinan hit the news recently when he tweeted on prices he witnessed in Thailand in late September. "Last week sa Bangkok, 50 baht o 85 pesos 1 kilo ng bawang (garlic). 35 baht o 60 pesos naman ang 1 kilo sibuyas (onions). Dito sa atin (here at home) 400 pesos 1 kilo ng sibuyas at 300 pesos naman ang bawang... Murang pagkain (cheap food). Walang gutom (no one is hungry)."

Over a week ago, I was in Jakarta, Indonesia, for official functions, and took time from my hectic schedule to visit the nearest supermarket with one objective: check the prices of common farm products. Of particular interest were onions. Even in the "high-end" supermarket I visited, onions sold at 35,900 Indonesian rupiah per kilo, or about P130. A few days ago, local red onions in the Robinsons supermarket in Los Baños (no white onions were in sight) sold for P425 per kilo; last week it was P375. Potatoes in Jakarta were 27,900 rupiah per kilo, or about P100; the Robinsons price was P250. Eggplant was 33,900 rupiah or P122 per kilo; here it's P225. Iceberg lettuce was 65,900 rupiah or P238 a kilo; here it's P445. I could keep going (and I have photos to show for it).

A meme going around social media compares median monthly salaries and prices of food commodities in the Philippines and in the United Kingdom. That table shows UK prices of P32.76 per kilo for onions, P34.70 per kilo for potatoes (even lower than in Thailand and Indonesia!). I will not repeat the other numbers here, but comparisons for other basic commodities showed that UK prices also tended to be much lower than ours, with the exception of canned sardines and pork steak. And yet the UK median monthly salary is supposedly equivalent to P138,319, vs only P48,308 in the Philippines.

The message is obvious. Food is much more expensive here in the Philippines than in our Southeast Asian neighbors, and even in a rich country like the UK. Yet, our average incomes are also lower—a double blow to our average consumer. Think about what this means for the common Filipino family and for the Filipino poor. No wonder malnutrition here is so high, especially in young children who will grow up damaged for life with much lower mental and physical capacities. This underlying condition of high food production costs translating to high prices has been the factor often traditionally missed by public health and nutrition analysts, who tend to focus on inadequate nutrition interventions. But the problem is more deeply rooted in our government's failure to help farmers become as productive and cost-efficient as their counterparts elsewhere.

"Kawawa naman ang Pinoy" (pity the Filipinos), we often hear. One can't avoid asking how we got into this sorry state. Why has Philippine agriculture been so messed up that our people must now face undue food insecurity and all its consequences that will extend long into our future?

What we have is a massive failure in the governance of our agricultural sector over so many years. Some trace it to the way we allowed the fragmentation of our farms into uneconomic sizes, with agrarian reform seen as the culprit. Add to that the failure to make financing accessible to our small farmers, weak research and extension support, and more. But Thailand and Vietnam have similarly small average farm sizes but have shown that this need not be a hurdle to achieving a dynamic agriculture and agribusiness sector.

I have long argued that our problem is rooted in the traditional belief that the way to help our farmers is to "protect" them from foreign competition, rather than support them so that foreign competition is not a threat (and smuggling is pointless) because our costs can match theirs. That's clearly the case in Thailand and Indonesia now.

Moving forward, we must open up, not because we love and prefer imports and want to kill our farmers—but because we need the discipline of the market to force government to help producers finally shape up and attain true strength. We must stop the failed and misguided policy of "protecting" several million farmers at great collateral damage to 110 million consumers who, in the end, include farmers themselves.

cielito.habito@gmail.com

### 2. "IRRs should implement the law as it is" from MAP Governor PETER WALLACE's "Like it is" Column in the PHILIPPINE DAILY INQUIRER on December 12, 2022

Last July, I wrote an article appealing to thenincoming President Marcos Jr. to sign, or allow to lapse into law, four bills not acted upon by outgoing President Rodrigo Duterte. Three bills lapsed into law namely Republic Act No. 11900 or the vape law, RA 11909 or the Permanent Validity of the Certificates of Live Birth, Death, and Marriage Act, and RA 11930 or the Anti-Online Sexual Abuse and Exploitation of Children and Anti-Child Sexual Abuse or Exploitation Materials Act. The President vetoed the bill on the creation of a National Transportation Safety Board.

Four months have passed and the implementing rules and regulations of these laws have not been completed and published by those department agencies tasked to do so. The issuance of implementing rules and regulations (IRRs) has always been a thorny issue between the legislative and executive branches of government. While the Philippine Constitution vests the legislative branch with the exclusive power to enact laws, this power is sometimes negated by the act of executive agencies when they issue IRRs that contain provisions inconsistent with the law it seeks to implement.

What triggered this was a recent example of what-not-to-do was a revised IRR for the BOT law made at the end of the last administration. It distorted the intent of the law in a number of completely unacceptable ways. Incredibly it said the government could make changes that would affect a contract with impunity. Even more incredibly the IRR said the government wouldn't accept international arbitration—the venue must be in the Philippines. What a great way to stop all foreign investment. There was more, equally unbelievable.

Outspoken opposition by the business sector led to a review by the National Economic and Development Authority under this administration. They agreed to remove the onerous conditions, and make the amendments the likely users of the law recommended.

That raises a critical point. When an IRR is being prepared, it must be discussed with those likely to be affected by it, both directly and indirectly. In a number of instances in the past, this has not been done.

Disagreements like this have led to Congress placing safeguard provisions in new laws that the non-issuance of the IRR doesn't stop the law from taking effect, and that officials who draft IRRs that are inconsistent with the law it is implementing will be held liable. But they didn't put in place what I think is an equally important requirement: to do it with alacrity. The Real Estate Investment Trust Act was approved by Congress in 2009. Its IRR was released in 2020 — 11 incredible years when the law couldn't be implemented. I'd like to suggest that Congress pass a new law that requires the IRR to be completed, and issued within two months. If the agency can't decide how to do something within two months that it is supposed to be fully knowledgeable about, then maybe new personnel are required.

An IRR can only "implement" the provisions of the law, it cannot change, expand or limit the provisions of that law. To be absolutely clear, the power of Congress to enact laws is absolute except where otherwise provided by the Constitution. Thus, what the law allows, an IRR cannot prohibit. The reverse is also true. What the law prohibits, an IRR cannot allow. Similarly, if the law provides for specific requirements, an IRR cannot expand or limit those requirements. State policies are determined by Congress and not by the executive branch.

Also, power delegated by Congress cannot be further delegated. Once the power to delegate is exercised by Congress, it cannot be further delegated. For example, if a law mandates that a specific executive agency is the exclusive regulator or implementer of a law, that agency cannot give another executive agency jurisdiction or power to act as the regulator. If the law mandates several executive agencies, through an inter-agency committee, to regulate a specific activity under a law, no single executive agency can claim that it has exclusive power or jurisdiction to enforce the law.

If our executive agencies, including the lawyers within these agencies, can follow these basic legal principles in drafting an IRR, I think we can limit the clash between the legislative and executive branches of government on this otherwise simple matter. To reiterate, the role of the executive branch in our system of government is to implement the laws passed by the legislative branch, as detailed by Congress. And do so in a timely fashion.

Email: wallace\_likeitis@wbf.ph

### **MAP Talks on Youtube**

November 22, 2022 MAP Annual General Membership Meeting and "MAP Management Man of the Year 2022" Awarding Ceremony



November 11, 2022 3rd MAP NextGen Conference 2022



October 13, 2022 MAP GMM



#### September 13, 2022 MAP International CEO Hybrid Conference



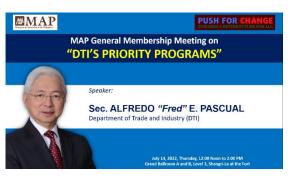
August 19, 2022 MAP GMM



September 8, e2022 MAP – PMAP Joint GMM



July 14, 2022 MAP GMM



July 1, 2022 MAP Webinar



May 19, 2022 MAP GMM



#### April 29, 2022 MAP Webinar



#### April 27, 2022 MAP Lecture



June 23, 2022 MAP GMM



#### May 2, 2022 MAP Webinar







#### April 22, 2022 MAP Webinar



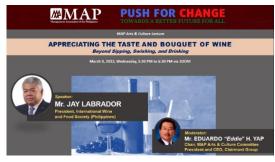
March 24, 2022 MAP General Membership Meeting



February 10, 2022 MAP Economic Briefing and General Membership Meeting



March 9, 2022 MAP Lecture



January 13, 2022 MAP Inaugural Meeting and Induction of MAP 2022 Board of Governors



# Happy Birthday to the following MAP Members who are celebrating their birthdays within December 1 to 31, 2022

#### **DECEMBER 1**

- 1. Mr. WINSTON "Winnie" A. CHAN
- 2. Mr. VENJOSEF "Ven" M. SIO

President, Sanitary Care Products Asia, Inc. (SCPA)

#### DECEMBER 2

- Atty. ENGELBERT "Jojo" C. CARONAN JR. President and CEO, Development Academy of the Philippines (DAP)
- 4. Dr. CHITO B. SALAZAR President and COO, PHINMA Corporation

#### **DECEMBER 3**

- 5. Mr. NOEL E. BONGAT
- President & CEO, Corinthians Integrated Security, Inc.6. Mr. RONALD FRANCIS *"Ron"* M. DOMPOR
  - CEO, Fast Distribution Corporation
- 7. Ms. EMMA IMPERIAL President and CEO, Imperial Homes Corporation

#### **DECEMBER 4**

- 8. Ms. PAMELA "Pam" M. DONATO Vice President for HR-PHANZ, Sitel Philippines Corporation
- Mr. BENJAMIN "Ben" V. RAMOS President and CEO, Eternal Gardens Memorial Park Corporation

#### **DECEMBER 5**

- 10. Ms. MARIA CORAZON "Corrie" D. PURISIMA
  - Treasurer and Head of Global Markets, HSBC Philippines

#### **DECEMBER 6**

- 11. Mr. EDMUNDO "Ed" S. ISIDRO
- President, El Operations Management Group, Inc.
  12. Mr. ROBERT "Bob" C. MEILY LEHMANN
   President and CEO, Amalgamated Investment
   Bancorporation
- Ms. MARIA AZALEA "Lea"S. PACIS Marketing Communications Director, Sanitary Care Products Asia, Inc. (SCPA)
- 14. Mr. DANIEL RODRIGO "Danny" D. REYES VP for Business Development, University of Asia and the Pacific (UA&P)
- Mr. ANTHONY JOSE "Anthony" M. TAMAYO President, University of Perpetual Help System DALTA

#### **DECEMBER 7**

 Mr. ERIC NG MENDOZA President and CEO, Mastercraft Philippines, Inc.

#### **DECEMBER 8**

- 17. Mr. JOEY A. BERMUDEZ
- Chair, Maybridge Finance and Leasing, Inc. 18. Mr. LAWRENCE *"Law"* Y. FERRER
- President and CEO, CIS Bayad Center, Inc. 19. Atty. FELIPE *"Henry"* L. GOZON
  - Chair and CEO, GMA Network, Inc.

#### **DECEMBER 9**

- 20. Mr. TOMAS "Tim" S. CHUIDIAN SVP and Head of BPI Private Banking, Bank of the Philippine Islands (BPI)
- 21. Mr. RICHARD ANTONIO "Richard" MORAN TAMAYO President, University of Perpetual Help System DALTA Medical Center
- 22. Atty. EDGAR S. TORDESILLAS Corporate Counsel, Sun Life of Canada (Philippines), Inc.

#### **DECEMBER 10**

#### 23. Ms. NINA DATU AGUAS

- Executive Chair of the Board of Trustees, InLife 24. Ms. LEAH Z. CARINGAL
- President and CEO, Green Bulb Public Relations, Inc. 25. Ms. MHARICAR *"Cai"* CASTILLO REYES
- President and CEO, Asticom Technology Inc.

#### DECEMBER 11

#### 26. Cong. JANETTE LORETO GARIN

- Representative, 1st District of Iloilo, House of Representatives
- 27. Ms. MARIA CRISTINA "Cristy" C. GOTIANUN President and COO, Semirara Mining and Power Corporation
- 28. Mr. RICHARD S. LIM President, Sun Life Grepa Financial, Inc.
- 29. Mr. ALEXANDER "Alex" S. NARCISO President, Sun Life of Canada (Philippines), Inc.

### DECEMBER 12

- 30. Mr. HERBERT "Herby" M. CONSUNJI Chief Finance Officer, DMCI Holdings, Inc.
- Dr. ARTURO *"Art"* S. DE LA PEÑA President and CEO, St. Luke's Medical Center
   Mr. FERDINAND *"Perry"* A. FERRER
- Chair and CEO, Gruppo EMS, Inc.
- **33. Dr. ANDREAS** *"Andi"* **KLIPPE** President and CEO, FLOOD CONTROL Asia RS Corporation
- 34. Mr. AVIN CO ONG CEO, Fredley Group of Companies
- Cong. ROMERO "Miro" F.S. QUIMBO Representative - 2nd District of Marikina City, House of Representatives
- 36. Ms. CHRISTINA *"Tina"* CHUA TAN President, Suy Sing Commercial Corporation
- **37. PM CESAR E.A. VIRATA** Corporate Vice Chair, Rizal Commercial Banking Corporation (RCBC)

#### DECEMBER 13

### 38. Mr. SHIJU VARGHESE

President and Country Head, Tata Consultancy Services (Philippines) Inc.

- Sen. MANUEL "Manny" B. VILLAR JR. Chair, Vista Land and Lifescapes, Inc.
- **40. Mr. ROBERT L. YUPANGCO** President, Zoomanity Group

#### **DECEMBER 14**

- **41. Mr. FRANCISCO** *"Frank"* **R. BILLANO** CEO, President and General Manager, Interphil Laboratories, Inc.
- Ms. VICTORIA "Viksi" Z. EGAN
  Dr. JESUS "Jess" P. ESTANISLAO Chair Emeritus, Institute of Corporate Directors (ICD)
- 44. Mr. EUSEBIO "Bimbo" M. GARCIA JR. Director, Chemphil Group of Companies
- 45. Mr. ZDENEK "Z" JANKOVSKY Executive Director and Corporate Treasurer, HC Consumer Finance Philippines, Inc. – Home Credit
- Dr. PHILIP "Popoy" E. JUICO Chair, Kennedy Energy and Development Corporation

### **DECEMBER 15**

### 47. Mr. RAMON "Mon" F. GARCIA

Managing Partner, Ramon F. Garcia and Company, CPAs

- Mr. GIL B. GENIO Chief Technology and Information Officer, Globe Telecom, Inc.
   Mr. WILSON P. NG
- President and CEO, Ng Khai Development Corporation
- 50. Mr. ELFREN ANTONIO "Boyie" S. SARTE President and CEO, Robinsons Bank Corporation

#### **DECEMBER 16**

- Mr. VINCE LAWRENCE "Vince" L. ABEJO Chief Sales and Marketing Officer, Filinvest Land, Inc.
   Mr. JAMES PATRICK "James" A. ALBA
- CEO, Vendo Corporation
- 53. Mr. MICHAEL "Mike" L. ESCALER CEO, All Asian Countertrade, Inc.
- 54. Mr. PHILLIP "Phil" L. ONG Chair, Santeh Feeds Corporation
- 55. Ms. SUSAN GRACE "Susan" C. RIVERA Managing Consultant, Talent, Leadership and Change (TLC)

#### DECEMBER 17

- 56. Mr. CHRISTIAN DANIEL "Chris" S. FERRERAS COO, Manila Uni Capital Group of Companies
- 57. Mr. RAUL L. IGNACIO President and General Manager, MPTC / MPT Mobility
   58. Atty. MARIA PURISIMA *"Mimi"* Q. SISON

Board Director, Caleb Motor Corporation

#### **DECEMBER 18**

- 59. Mr. CESAR A. BUENAVENTURA Senior Partner, Buenaventura, Echauz and Partners
   60. Ms. MA. RHODORA "Ayhee" L. CAMPOS
- Country Head, Infosys BPO Limited

#### **DECEMBER 19**

- Ms. GINA MARIE "Gina" G. ANGANGCO Deputy CEO, Armscor Global Defense, Inc.
- 62. Dr. ELFREN S. CRUZ Chair, Lockton Philippines Insurance and Reinsurance Brokers, Inc.
- **63.** Atty. JOHN PETER FERDINAND *"Ferdi"* S. ECHIVERRI Head of Stakeholder Relations, Global Communications, PMFTC, Inc.

#### **DECEMBER 20**

64. Engr. LIBERITO "Levy" V. ESPIRITU President, Datem, Inc.

### 65. Mr. GENARO VISARRA "Genju" LAPEZ

Independent Director, China Banking Corporation (Chinabank)

66. Ms. ROWENA LIZA "Rowena" D. SAQUIN VP and General Manager, Fisher Rosemount Systems Inc. - Philippine Branch (FRSI-PB)

#### **DECEMBER 21**

- 67. Ms. OLIVIA "Olive" LIMPE AW President and CEO, Destileria Limtuaco and Company, Inc.
- 68. Mr. LEONARDO *"Jun"* D. CUARESMA JR. Managing Partner and COO, P&A Grant Thornton
- Ms. TOMASA *"Tammy"* H. LIPANA Independent Director, SM Investments Corporation
   Mr. GERARDO *"Gerry"* A. PLANA
- President and CEO, Investors in People Philippines 71. Mr. GLICERIO *"Glicer"* V. SICAT
- Consultant, Inter Pacific Capital Corp. 72. Amb. JESUS *"Chuching"* P. TAMBUNTING
- Chair and President, Capital Shares Investment Corporation

#### DECEMBER 22

- 73. Atty. JOSE *"Joey"* D. LINA JR. President, Manila Hotel
- 74. Ms. SYLVIA STOLK VP - Operations, Maxicare

#### **DECEMBER 23**

- 75. Mr. VICTORIO "Vic" M. AMANTE
- 76. Ms. MARIA VICTORIA "Marivic" E. AÑONUEVO Chair and President, Mejora Ferro Corporation
- 77. Mr. EMMANUEL "Noel" A. RAPADAS SVP and CFO, Torre Lorenzo Development Corporation
- 78. Mr. CESAR N. SARINO

#### DECEMBER 24

79. Prof. EMMANUEL "Noel" A. LEYCO President, Pamantasan ng Lungsod ng Maynila (PLM)

#### **DECEMBER 25**

- 80. Mr. HANS VOLTAIRE "Hans" R. BAYABORDA President and CEO, Asia Select, Inc.
- Mr. EMMANUEL "Sonny" V. HALILI CEO and Founder, Intellection Corp. Philippines / Singapore
- 82. Mr. ERNESTO "Esto" E. LICHAUCO VP, Resins Incorporated

#### DECEMBER 26

- **83.** Amb. CARLOS CHAN Chair, Liwayway Group
- 84. Mr. ANTOLIN *"Len"* M. ORETA JR. Director, Intra Strata Assurance Corporation
- 85. Mr. JOLLY L. TING Chair, Jolliville Holdings Corporation

#### DECEMBER 27

### 86. Mr. JUSTINO JUAN "Justin" R. OCAMPO

Managing Director and Head - Macquarie Capital Philippines, Macquarie Group of Companies (Manila Office)

### DECEMBER 28

87. Ms. ELIZABETH "Liz" S.P. LIETZ CEO, Rudolf Lietz, Inc.

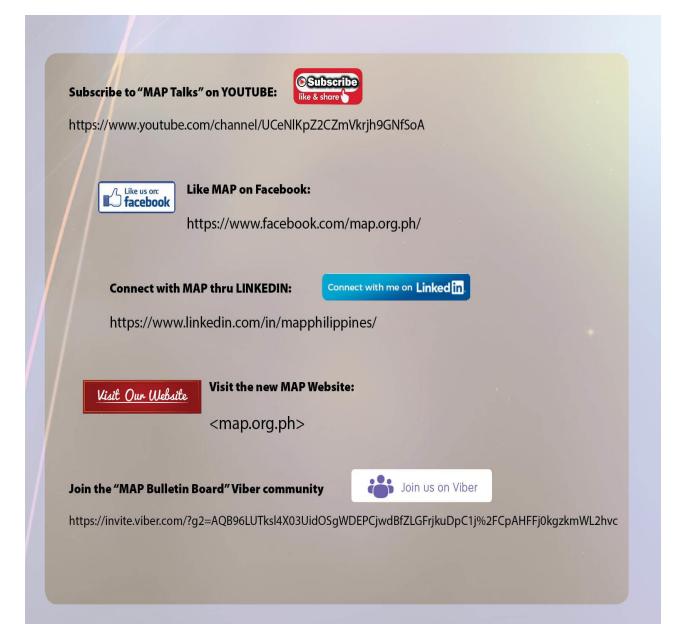
#### **DECEMBER 29**

- 88. Mr. RAUL *"Ronnie"* T. CONCEPCION Chair and CEO, Concepcion Industries, Inc.
- **89.** Mr. JOSE *"Joe"* S. CONCEPCION JR. Chair, RFM Corporation
- 90. Ms. ROSSANA "Rossan" LLENADO President, AHEAD Education Group
- 91. Mr. RICARDO "*Ric*" S. PASCUA Chair, Caelum Developers Inc.
- 92. Mr. REMY "Rem" T. TIGULO Chair, Chemitron Enterprises, Inc.
- 93. Ms. IMELDA "Ida" C. TIONGSON President and CEO, OPAL Portfolio Investments (SPV-AMC) Inc.

### **DECEMBER 30**

### 94. Mr. EXEQUIEL "Jun" P. VILLACORTA JR.

Chair and President, Financial Advisers and Strategic Thinkers, Inc.



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