

PROVIDING FOR A PHILIPPINE FOREIGN TRADE SERVICE CORPS IN THE MINISTRY OF TRADE AND FOR OTHER PURPOSES

EXECUTIVE ORDER NO. 540, June 19, 1979

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WHEREAS, it is the policy and objective of the Philippine Government to encourage the growth of markets for Philippine products abroad;

WHEREAS, the task of a foreign trade service differs in focus from that of the general run of a diplomatic service in that the mission of the foreign trade service, particularly for a developing country, is to get more of its exports sold to the rest of the world, while the usual mission of its diplomatic service is to get the country esteemed abroad; and

WHEREAS, Executive Order No. 523 prescribes guidelines in the restructuring of the Foreign Service of the Philippines and in particular the definition of goals and objectives of diplomatic missions abroad on the promotion and expansion of Philippine exports, the attraction of foreign tourists to visit the Philippines and the promotion of investments in Philippine enterprises;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President and Prime Minister of the Philippines do hereby order the following:

SECTION 1. Foreign Trade Service Corps. – There shall be a Foreign Trade Service Corps in the Ministry of Trade, which shall be career in nature and where the appointments shall be made in the manner prescribed in this Order.

SECTION 2. Functions and Duties. – The Corps shall have the following duties and functions:

- a) Explore and develop the potentials of Philippine products in different export markets.
- b) Extend to Philippine businessmen, producers and exporters, assistance in establishing business connections with importers and the business communities of different export markets.
- c) Monitor the commercial, industrial, and general economic conditions, as well as non-economic conditions, affecting Philippine products in the various export markets.
- d) Encourage the inflow of foreign investments into priority investment areas of the Philippine Government.
- e) Make representation for the reduction and/or elimination of tariff and non-tariff barriers, affecting the entry of Philippine products of a particular export market.
- f) Participate in such international forum having to do with international trade and trade policies.
- g) Facilitate the export of Philippine products in particular markets abroad.

SECTION 3. Foreign Trade Service Board. – There is hereby created a Foreign Trade Service Board, hereinafter referred to as the Board, to be composed of the Deputy Minister of Trade as Chairman, a representative from the Civil Service Commission to be designated by the Chairman and the Director-General for Administration of the

Ministry of Foreign Affairs, as members.

SECTION 4. Functions of the Board. – The Board shall have the following functions.

- a) Prescribe and implement such guidelines for the recruitment of Foreign Trade Service Officers, including the receipt and certification of applications for the foreign trade examinations based on the qualifications provided herein, and the preparation, conduct and grading of written, oral and such other examinations as may be required;
- b) Recommend the appointment and promotion of competent qualified persons in the Foreign Trade Service Corps;
- c) Evaluate the performance of members of the Corps, according to set standards; and
- d) Prescribe such policies and procedures to govern the administration, career development and personnel management of the Corps.

SECTION 5. Categories of Personnel. – The Foreign Trade Service Corps shall be composed of the following categories of personnel:

Class

Designation

Grades

I

Special Trade Representative

II

Trade Service Officer

1, 2, 3, 4

III

Trade Service Staff Officer

1, 2, 3

The basis for classification of the Foreign Trade Service Officers in the foregoing categories shall be according to guidelines that shall be prescribed by the Board and approved by the Civil Service Commission.

SECTION 6. Salaries and Other Compensation. – The salary and compensation scheme for the Foreign Trade Service Corps shall be equivalent to the rates fixed for Foreign Service personnel under PD 905 and Letter of Implementation 63 and such other orders and rules applicable to the Foreign Service, provided, that the assimilated ranks of the Corps shall be as follows:

Designation

Assimilated Ranks

Class I

Special Trade Representative

Career Counselor

Class II

Trade Service Officer 1

Foreign Service Officer, Class I

Trade Service Officer 2

Foreign Service Officer, Class II

Trade Service Officer 3

Foreign Service Officer, Class III

Trade Service Officer 4

Foreign Service Officer, Class IV

Class III

Trade Service Staff Officer 1

Foreign Service Staff Officer I

Trade Service Staff Officer 2

Foreign Service Staff Officer II

Trade Service Staff Officer 3

Foreign Service Staff Officer III

Provided, further, that the assimilated rank of the Foreign Trade Service Officers shall confer upon said officers the corresponding diplomatic rank for purposes of protocol, and, provided finally, that no members of the Foreign Trade Service Corps shall serve as acting principal officer of any consulate, consulate general or embassy, or precede in rank any Foreign Service Officer performing such functions irrespective of their respective rank.

SECTION 7. Admission into the Corps. – No person shall be eligible for appointment as a Foreign Trade Service Officer unless he possesses the required qualifications specified herein.

SECTION 8. Qualifications for Admission into the Foreign Trade Service Corps. – Any person is eligible for appointment into the Foreign Trade Service Corps provided that he has the following qualifications:

- a) A citizen of the Philippines, who is not less than 21 years and not more than 35 years, of age;
- b) Holder of a Bachelor's degree from a College or University of recognized standing, at least;
- c) Willing and physically able to accept assignments anywhere in the world;
- d) Knowledgeable in the cultural, political, and economic realities of the Philippines; and
- e) Possesses the required eligibility, prescribed by the Civil Service Commission.

Provided, that any person who, prior to the approval of this Order, is already performing official commercial representation abroad, shall be considered eligible for admission into the Corps subject to such rules and regulations promulgated by the Board.

SECTION 9. Appointments and Promotions. – The Minister shall recommend to the President, upon Certification of the Board, appointments to the positions of Special Trade Representative and Trade Service Officer. All other

officers of the Corps shall be appointed by the Minister of Trade, upon recommendation of the Board.

Promotions shall be based on merit, performance, length of service, and such other criteria as may be prescribed by the Board.

SECTION 10. Assignment Abroad of Members of the Foreign Trade Service Corps. – Assignment abroad of members of the Foreign Trade Service Corps shall be made by the Minister of Trade with the concurrence of the Minister of Foreign Affairs and shall be based on the qualifications of the officer to be assigned and such criteria as volume of trade potential, presence of international organization, availability of export financing, center for technology transfer, transshipment center, trade policy center, new export market and a center for strategic imports: Provided, that the said officer shall serve in a post of assignment for a period of not less than two years and more than six years.

Whenever a Foreign Trade Service Officer is given an assignment abroad, he shall be given the appropriate designation by the Ministry of Foreign Affairs to enable him to perform his duties and functions effectively, provided, that while they are abroad, they shall be under the supervision of the Head of Mission as provided under Ministry of Foreign Affairs Order No. 22-68 and Ministry of Trade Administrative Order No. 2.

SECTION 11. Supplementary Rules and Regulations. – The Minister, with the approval of the President/Prime Minister, shall issue such rules and regulations as may be necessary to implement the provisions of this Order.

SECTION 12. Repeal Clause. – All Acts, Decrees, Executive Orders, rules and regulations or part thereof which are inconsistent with any of the provisions of this Order are hereby repealed or amended accordingly.

SECTION 13. Effectivity Clause. – This Order shall take effect immediately.

DONE in the City of Manila, this 19th day of June, in the year of Our Lord, nineteen hundred and seventy-nine.

(SGD.) FERDINAND E. MARCOS

President of the Philippines

By the President:

(SGD.) JACOBO C. CLAVE

Presidential Executive Assistant

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