

CREATING THE FINANCE DEPARTMENT INTELLIGENCE AND INVESTIGATION BUREAU (FDIIB), PRESCRIBING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS FOR ITS OPERATIONS, AND AMENDING FOR THI...

PRESIDENTIAL DECREE NO. 1458, June 11, 1978

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WHEREAS, it is a declared national objective to establish and maintain continuing, coordinated, and fully integrated social and economic plans and programs (Sec. 1, Art. XIV, Constitution) in order to set up a stable and enduring national economy to uplift the quality of life of the Filipinos;

WHEREAS, adoption and maintenance of sound and enduring social and economic plans and programs depend on, among others, efficient implementation and enforcement of revenue laws and in the gathering, collation and continuing evaluation of intelligence data and information relative to finance and economic functions;

WHEREAS, smuggling, tax evasion and other related illegal activities that undermine revenue and customs laws not only hamper effective economic planning and programming but also are forms of economic subversion which are inimical to national interest and security;

WHEREAS, it is necessary to provide Government authorities continuing intelligence on the nature, methods and extent of smuggling, tax evasion and other related nefarious practices that undermine the national economy, to serve as basis for counter-action and remedial legislations; and

WHEREAS, Presidential Decree No. 1, dated September 23, 1972, reorganizing the Executive Branch of the National Government, provides that changes and modifications in the Integrated Reorganization Plan, adopted and approved pursuant to same decree, shall be made from time to time, as necessity requires.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby order and decree as part of the law of the land that Part IV of the Integrated Reorganization Plan be amended by adding the following provisions:

CHAPTER II—ORGANIZATION OF THE FINANCE DEPARTMENT INTELLIGENCE AND INVESTIGATION BUREAU

ARTICLE I—Declaration of Policy.—Section 1, Article I, Chapter I, Part XIX of the Integrated Reorganization Plan, as amended by P.D. 51, declares that the concept of national security shall be broadened to encompass national strength not only in the politico-military but also in the socio-economic sense, and it is likewise the policy of the State to promote and develop a stable and enduring economy and bring about optimum use of all appropriate agencies of the Government to stamp out and counteract smuggling, tax evasion and other finance schemes and activities that undermine the national interest and security.

ARTICLE II—The Finance Department Intelligence and Investigation Bureau (FDIIB)

SECTION 1. Creation.—There is hereby created the Finance Department Intelligence and Investigation Bureau,

hereinafter referred to as the FDIIB, under the administrative and operation control and direction of the Secretary of Finance.

The FDIIB shall be headed by a Commissioner, to be assisted by a Deputy Commissioner, both of whom shall be appointed by the President.

The Commissioner, and in his absence or incapacity the Deputy Commissioner who shall act as Commissioner, shall have the following specific powers and functions:

- He shall be the principal adviser of the Secretary of Finance on intelligence matters;
- He shall be the technical adviser of the Director General of the NISA on finance intelligence;
- He shall exercise functional supervision over intelligence and investigation matters in the other bureau/agencies under the Department of Finance and shall make appropriate recommendations for the coordination and integration of such activities therein;
- He shall act as liaison/coordinating officer of the Secretary of Finance on matters relating to economic subversion, insofar as they involve other departments/agencies of the Government.
- He shall be responsible for counter-intelligence in the Department of Finance; and
- He shall exercise such other powers and perform such other functions as may be directed by competent authority.

SECTION 2. Functions.—The FDIIB shall be the intelligence and investigation arm of the Department of Finance and shall have the following functions:

- It shall receive, gather, collate and evaluate and disseminate intelligence data and information primarily on the modes, methods, nature and extent of smuggling, tax evasion, and other related illegal activities. It shall cause investigations of such cases to find out the guilty parties;
- It shall monitor the finance and economic activities of persons or entities, whether domestic or foreign, which may adversely affect national interest and security;
- It shall conduct counter-intelligence on smuggling, tax evasion and other related illegal activities;
- It shall coordinate with other Government agencies and law enforcement functionaries for necessary assistance in carrying out any of its functions.
- It shall render reports and submit intelligence assessments to the Secretary of Finance, the Director General, NISA, and to such other officials as may be directed;
- It shall recommend steps or actions as may be appropriate to prevent or suppress smuggling, tax evasion and other related illegal activities; and
- It shall exercise such other functions and perform such other duties as may be directed by competent authority.

SECTION 3. Organization.—The FDIIB shall be organized and composed of the Manpower Division; Intelligence Division; Investigation Division; Liaison and Monitoring Division; General Services Division; Field Inspection Division; Legal Division; Comptrollership Division; Communications Division; and Regional Offices, as may be provided and staffed according to the corresponding Letter of Implementation and Staffing Pattern.

SECTION 4. Abolition of ASAC.—The Anti-Smuggling Action Center (ASAC) and its regional offices (RASAC) created under Executive Order No. 11, dated February 24, 1966, as amended, are hereby abolished and its

applicable appropriations, records, equipment, properties and such personnel as may be necessary are correspondingly transferred to the appropriate divisions or units of the FDIIB. The Intelligence and Investigation Division in the Department of Finance and other sections, units or personnel engaged in intelligence and investigation work in the bureaus and offices under the Department of Finance shall as much as possible be integrated with the Bureau.

SECTION 5. Application of WAPCO and Civil Service Rules.—Personnel of the FDIIB shall be exempt from WAPCO and Civil Service Rules and regulations relative to appointments and other personnel actions: Provided, That they shall be entitled to the benefits and privileges normally accorded to government employees: and Provided, further, That the Secretary of Finance shall, after appropriate consultations with the Director General, NISA, have final authority on matters of appointments.

SECTION 6. Appropriation.—In addition to the transferred appropriations, there is hereby appropriated out of the unappropriated balance in the National Treasury so much amount as may be necessary to carry out the provisions of this decree but subsequent appropriations for the FDIIB shall be included in the annual appropriation act.

SECTION 7. Repealing Clause.—Pertinent provisions of the Integrated Reorganization Plan, Executive Orders, other decrees, and rules and regulations which are in conflict with the provisions of this Decree are hereby rescinded or modified accordingly.

DONE in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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