

AN ACT CREATING THE GOVERNMENT SURVEY AND REORGANIZATION COMMISSION AND APPROPRIATING FUNDS THEREFOR.

REPUBLIC ACT No. 997, June 09, 1954

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. This Act shall be known as the "Reorganization Act of Nineteen hundred and fifty-four".

SEC. 2.

- The reorganization to be carried out under this Act shall have the following objectives:
- To promote the better execution of the laws, and the more effective management of the government and expeditious administration of public business;
- To promote economy to the fullest extent consistent with the efficient operations of the government; and
- To increase the efficiency of the operations of the government to the fullest extent possible.
- The Congress declares that the public interest demands the carrying out of the objectives specified in subsection (a) of this section and that such objectives may be accomplished in great measure and more speedily by proceeding under the provisions of this Act, than by the enactment of specific legislation.

SEC. 3. To carry out the purposes of this Act, there is hereby created the Government Survey and Reorganization Commission, hereinafter known as the "Commission", which shall conduct a study and investigation of the present organization and methods of operation of all departments, offices, bureaus, agencies, and instrumentalities of the Executive Branch of the Government and determine what change or changes are necessary to accomplish the objectives set forth in subsection (a) section two of this Act.

The Commission shall be composed of twelve members as follows:

- Four appointed by the President of the Philippines who may or may not be officials of the government;
- Four members of the Senate appointed by the President thereof, one of whom shall not be of the majority party;
- Four members of the House of Representatives appointed by the Speaker thereof, one of whom shall not be of the majority party.

The Commission shall elect a chairman and a vice-chairman from among its members. It shall have the power to appoint and fix compensations of such personnel as it deems advisable in accordance with the provisions of the Civil Service laws.

Seven members of the Commission shall constitute a quorum.

Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

Members of the Commission who are officials in the government shall receive no additional compensation for their services as members of the Commission. Members of the Commission who are not officials in the government shall receive a per diem of twenty-five pesos when engaged in the performance of duties vested in the Commission. Traveling and other necessary expenses shall, however, be allowed.

SEC. 4. To accomplish the objectives set forth in subsection (a), section two of this Act, the Commission is authorized:

- to group, coordinate or consolidate departments, bureaus, offices, agencies, instrumentalities and functions of government;
- to abolish departments, offices agencies or functions which may not be necessary for the efficient conduct of the government service, activities and functions;
- to eliminate overlapping and duplication of services, and function of the government:
- to transfer functions, appropriations, equipment, property, records, and personnel, from one department, bureau, office, agency, or instrumentality to another;
- to create, classify, combine, split or abolish positions;
- to standardize salaries, materials and equipment and
- to do whatever is necessary and desirable to effect economy and promote efficiency in the government: Provided, however, That in the reorganization to be effected by this Act, no office or agency or function of the government shall be made to continue beyond the period authorized by law or beyond the time when it would have terminated if the reorganization had not been made.

SEC. 5.

- Whenever the Commission, after study and investigation finds that there is a necessity to accomplish one or more of the purposes of subsection 2(a), it shall prepare and submit to the President of the Philippines who may submit the same to the Congress, an organization plan or plans (bearing an identifying number) together with a declaration .that, with respect to each reorganization included m the plan or plans, it has found that such reorganization is necessary to accomplish one or more of the purposes of subsection 2 (a): Provided, That such reorganization shall be within the limits of current appropriations.
- No provision contained in the reorganization plan shall take effect unless the plan is transmitted to Congress on or before March fifteen, nineteen hundred and fifty-five.

SEC. 6.

- The provisions of the reorganization plan or plans .shall take effect after the expiration, of the thirty calendar days of session of the Congress following the date on which the plan is transmitted to it, unless between the date of transmittal and the expiration of such thirty days period, either House by simple resolution disapproves the reorganization plan. The said plan of reorganization shall likewise, be in full force and effect, if Congress approves it in a Concurrent Resolution within such period of thirty days.
- For the purposes of subsection (a) hereof, adjournment of the Congress shall suspend the running of the thirty day period, and the same shall commence to run again on the day the Congress next meets either in regular or in special session, when specifically authorized case of a special session to act on said plan or plans of reorganization.

SEC. 7. For the purpose of carrying out the of this Act, the Commission, or any member thereof, or division thereof, may hold such hearing and sit and act at such times and places, and take such testimony, as the Commission may, by internal rule, provide. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member, or division.

The Commission is authorized to secure directly from any executive department, bureau, office, agency or instrumentality, suggestions, estimates and statistics for the purposes of this Act; and each such department, bureau, office, agency or instrumentality is authorized and directed to furnish such information, suggestions, estimates and statistics directly to the Commission, upon request made by the chairman or vice-chairman of said Commission or of any division thereof.

SEC. 8. One year after the approval of this Act the Commission shall cease to exist.

SEC. 9. The term "government", "agency", "instrumentality", or "office", used in this Act means the executive department, bureau, commission, council, board, office, division, service, administration, government owned or controlled corporation, authority, or any establishment of the government.

SEC. 10. (a)

- Any statute enacted, or any regulation or other action made, prescribed, issued, granted, or performed in respect of or by any agency or function affected by the reorganization under the provisions of this Act, before the effective date of such reorganization, shall, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, have the same effect as if such reorganization had not been made; but where any such statute, regulation, or other action has vested a certain function in an agency from which such function is already removed under the plan, such function shall, insofar as it is to be exercised after the plan becomes effective, be considered as vested in the agency under which the function is placed by the plan.

- As used in paragraph (1) of this subsection the term "regulation or other action" means any regulation, rule, order, policy, determination, directive, authorization, permit, privileges, requirement, designation or other action.

SEC. 11.

- Officers and employees whose positions are abolished or who may be separated or removed from the service as a consequence of the reorganization provided in this Act shall not lose their civil service eligibility for a period of ten years from the date of their separation or removal from the service, nor their right to any existing gratuity or to any gratuity that the Congress may provide. In the event that any government office needs the services of additional personnel, preference in the appointment shall be given to the officers or employees who may be separated or removed from the service as a result of this reorganization and in accordance with the recommendation of the Commission on Civil Service.

- Whenever the Commission, after study and investigation finds that it is necessary to reduce personnel, it shall, in laying off employees, observe the following:

- Assign the duties performed by any employee laid off to any other employee or employees in the office involved holding positions in appropriate classes;

- Consider the relative seniority of the employees in the designated organization and occupational units where a reduction of personnel is to be made. Except as otherwise provided in this Act, in determining seniority, one point shall be allowed for each complete month of full time service with the government. The Commission shall provide by rule: (a) the extent to which seniority credits may be granted for less than full time service; (b) the

basis for determining the sequence of layoff whenever the class and subdivision of layoff includes employees whose service is less than full time; (c) the basis on which seniority credit may be combined for employees who have served in the National Government, the government corporations, the provincial governments, municipalities, and cities; (d) the method by which ties in seniority credit shall be broken; and (e) such other matters as are necessary or advisable for the operation of the provisions of this Act.

- Whenever some positions and/or offices of a group of similar positions and/or offices, are to be abolished those occupied by non-civil service eligibles shall be first abolished. Where an office or position now occupied by a civil service eligible is abolished or consolidated with another office or position, the occupant thereof shall be given preference in the appointment to any new office or position created under the reorganization plan contemplated in this Act. This must be adhered to whenever the eligibility and previous training of said occupant qualifies him for appointment to the new position or office created.

- An employee compensated on a monthly basis shall be notified that he is to be laid off thirty days prior to the effective date of the layoff. An employee compensated on a per diem basis shall be notified that he is to be laid off fifteen days prior to the effective date of the layoff.

- When notices of layoff have been issued, the Commission shall immediately render to the Bureau of Civil Service a report containing the names and seniority credits of all employees in the unit affected by the layoff, with a designation of the names of those laid off. The names of employees laid off shall be placed upon a reemployment list for the appropriate occupational and organization unit in which such layoff occurred. The list shall be arranged in the order of the employees' seniority. All employees who were holding permanent positions at the time they were laid off shall be ranked ahead of employees whose status was temporary.

- An employee whose name appears on the reemployment list shall have a prior right to appointment to any vacancy which occurs and for which he may be justified in the organizational unit in which he was employed at the time the layoff occurred. Appointments shall be made from the reemployment list in the order in which names appear on the list. When in the judgment of the Commission, or the Commissioner of Civil Service when the Commission had completed its work and is therefore no longer existing, no person on the reemployment list possesses the necessary training, experience, or professional qualifications for the vacancy to be filled, an exception may be made and an appointment made from among persons who are not on the reemployment list.

- The salary of a person reappointed from the reemployment list shall be the same as that he was paid prior to his layoff: Provided, That if there has been a general adjustment of salaries of government employees during the period of his layoff, he may receive a salary corresponding to what he would have received had he not been laid off: And provided further, That if he accepts a kind of position other than that from which he was; laid off, he shall receive the salary appropriate for entrance to the new position.

SEC. 12. To carry out the provisions of this Act, the sum of two hundred thousand pesos or so much thereof as may be necessary is hereby appropriated out of any funds in the National Treasury not otherwise appropriated.

SEC. 13. This Act shall take effect upon its approval.

Approved, June 9, 1954.

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