

CREATING A MINISTRY OF TRADE AND INDUSTRY

EXECUTIVE ORDER NO. 709, July 27, 1981

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WHEREAS, under the New Republic, national economic development shall be pursued with renewed dedication and determination;

WHEREAS, as a means of achieving this goal, there is need to correlate industrial promotion more closely to the expanding trade markets of the Philippines, particularly in the international economic field;

WHEREAS, there is need to mesh together under a unified direction the efforts of the government in developing a more balanced and integrated program of industry and commerce to enable the economy to respond more effectively to the industrial requirements of the domestic market as well as the increasing number of export outlets for Philippine products; and

WHEREAS, under Presidential Decree No. 1416 as amended, the President is empowered to undertake such organizational and related improvements as may be appropriate in the light of changing circumstances and new developments;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution and the authority vested in me by Presidential Decree No. 1416 as amended, do hereby order and ordain:

SECTION 1. There is hereby created a Ministry of Trade and Industry, hereinafter referred to as the Ministry. The existing Ministry of Trade established pursuant to Presidential Decree No. 721 as amended, and the existing Ministry of Industry established pursuant to Presidential Decree No. 488 as amended, are abolished together with their services, bureaus and similar agencies, regional offices, and all other entities under their supervision and control. Their functions, applicable appropriations, records, equipment, property, and such personnel as may be necessary are transferred to the new Ministry, except as hereinafter provided.

SECTION 2. The authority and responsibility for the exercise of the powers and the discharge of the functions of the Ministry shall be vested in the Minister of Trade and Industry, hereinafter referred to as the Minister, who shall be appointed by the President. He shall be assisted by such Deputy Ministers as may be appointed by the President. The Minister is authorized to determine and assign the respective functional areas of responsibility of the Deputy Ministers, should there be more than one; provided, that such delineation of responsibilities shall cover the substantive functions and operations of the Ministry; and provided further, that no Deputy Minister shall be assigned primarily administrative matters.

SECTION 3. The Ministry Proper of the Ministry shall be composed of an Office of the Minister, a Planning Service, a Financial and Management Service, an Administrative Service, and a Legal Service. The Deputy Minister or Ministers shall form part of the Office of the Minister.

SECTION 4. The Ministry shall exercise supervision and control over the following bureaus and offices which are hereby created in the Ministry:

- (1) Bureau of Domestic Trade, which shall assume the functions of the abolished Bureau of Domestic Trade Promotion and the abolished Bureau of Consumer Affairs;
- (2) Bureau of Foreign Trade, which shall assume the functions of the abolished Bureaus of Export Promotion and of International Trade Relations;
- (3) Bureau of Industrial Development, which shall assume the functions of the abolished Bureaus of Industrial Coordination and of Industrial Information and Programs;
- (4) Bureau of Small and Medium Industries, which shall assume the functions of the abolished entity of the same name;
- (5) Philippine Patent Office, which shall assume the functions of the abolished Philippine Patent Office; and
- (6) Product Standards Agency, which shall assume the functions of the abolished Philippine Bureau of Products Standards and the Metric System Board which is abolished under Section 7 hereof.

SECTION 5. The Ministry shall exercise administrative supervision over the following entities:

- (1) Board of Investments (2) Cement Industry Authority (3) Commission for Heavy Engineering Industries (4) Construction Industry Authority of the Philippines (5) Design Center Philippines (6) Garments and Textile Export Board (7) Iron and Steel Authority (8) Philippine Textile Research Institute (9) Presidential Advisory Committee on the Copper Industry (10) Price Stabilization Council (11) Technology Transfer Board

The Board of Investments shall continue to be responsible for the evaluation and registration as well as the granting of incentives to individual companies in accordance with national policies and priorities, while the Bureau of Industrial Development and the Bureau of Small and Medium Industries shall be responsible for primarily promotional and industry-wide activities for the large-scale and small-scale industrial subsectors respectively. The functions and staffing patterns of the Board of Investments, the Bureau of Industrial Development, and the Bureau of Small and Medium Industries shall be aligned accordingly.

SECTION 6. The following corporations are attached to the Ministry for policy and program coordination:

- (1) Export processing Zone Authority (2) Metals Industry Research and Development Center (3) National Cottage Industries Development Authority (4) National Development Company (5) Philippine International Trading Corporation (6) Philippine Shippers' Council

SECTION 7. The following entities are hereby abolished, and their functions, together with applicable appropriations, records, equipment, property, and such personnel as may be necessary are hereby transferred to such appropriate units of the Ministry as may be deemed suitable by the Minister:

- (1) Accreditation Boards for Service and Repair Enterprises (2) Metric System Board (3) Foreign Trade Service Board (4) Philippine Export Advisory Council (5) Small and Medium Industries Council

SECTION 8. There is created a Fiber Development Authority, which will absorb the functions of the abolished Bureau of Fiber and Inspection Service and of the Abaca Industry Development Authority, which is also hereby abolished. The new Authority shall be under the administrative supervision of the Minister of Agriculture, who shall undertake the integration of the functions, applicable appropriations, records, equipment, property, and such personnel as may be necessary, of the two abolished entities.

SECTION 9. The President is authorized to appoint a Special Presidential Representative for Trade Negotiations who shall have Cabinet rank, and who shall be provided with such organizational support, including funding, personnel and equipment, as may be deemed necessary for the proper and effective performance of his duties.

SECTION 10. The Minister of Trade and Industry shall assume the position of Chairman or member, as appropriate, of all boards or other bodies previously held by either the Minister of Industry or the Minister of Trade in an ex-officio capacity.

SECTION 11. The Ministry shall have such ministry-wide regional offices as may be necessary, under the supervision and control of the Office of the Minister, in accordance with Article I, Chapter III, Part II of the Integrated Reorganization Plan as amended. The Ministry may also have such offices and representatives abroad as may be necessary.

SECTION 12. The Minister is hereby authorized to issue such orders, rules, and regulations as may be necessary to implement the provisions of this Executive Order; provided, that approval of the Ministry of the Budget is obtained relative to the new staffing pattern including appropriate salary rates, the organizational structure at divisional and lower levels, and the realignment of existing appropriations. The Minister may appoint qualified personnel of the abolished Ministries to appropriate positions in the new Ministry, and those not so appointed are deemed laid off.

SECTION 13. All Presidential appointees of the abolished Ministries and their respective bureaus, offices, and other entities under the supervision and control of, or under the administrative supervision of, or attached to the abolished Ministries are laid off, unless otherwise reappointed by the President; provided, that those who are Career Executive Service Officers shall either be reappointed or reassigned by the President upon the recommendation of the Minister to appropriate positions in the new Ministry, or assigned to the Career Executive Service Board which shall endeavor to find appropriate placement for them in other ministries or agencies; provided, further, that those Career Executive Service Officers who have been assigned to the Career Executive Service Board shall continue to receive their salaries from any available and applicable funds; and provided, finally, that those who are not placed in appropriate positions within six months after their assignment to the Career Executive Service Board shall be similarly laid off.

SECTION 14. All those who are laid off under the provisions of this Executive Order shall be entitled to all benefits and gratuities provided for under existing laws.

SECTION 15. Except as may otherwise be determined by the Minister, all present incumbents of positions in the abolished ministries shall continue to exercise their usual functions, duties and responsibilities, pending the issuance of the appropriate implementing orders.

SECTION 16. All laws, decrees, orders, proclamations, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 17. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying the other provisions thereof; provided, that such remaining portions can still stand and be given effect in their entirety to accomplish the objectives of the Executive Order.

SECTION 18. This Executive Order shall take effect immediately.

Done in the City of Manila, this twenty-seventh day of July, in the year of Our Lord, nineteen hundred and eighty one.

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

By the President:

(SGD.) JUAN C. TUVERA

Presidential Executive Assistant

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