

FURTHER AMENDING PART IX OF THE INTEGRATED REORGANIZATION PLAN BY RECONSTITUTING THE DEPARTMENT OF TRADE.

PRESIDENTIAL DECREE NO. 721, June 02, 1975

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WHEREAS, it is the declared policy of the government to strengthen the socio-economic development in the field of commercial activities by vigorous export promotion to generate foreign exchange and by effective domestic trade and marketing program;

WHEREAS, with the creation of a separate Department of Tourism and a Department of Industry, the role and scope of activities of the Department of Trade necessitate a redefinition; and

WHEREAS, there is an urgent need to realign government efforts toward export and trade promotion for greater effectiveness.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby adopt, approve and make as part of the law of the land the amendment to the provisions of Part IX of the Integrated Reorganization Plan by reconstituting the Department of Trade.

Accordingly, Part IX of the Integrated Reorganization Plan is hereby amended to read as follows:

SECTION 1. Department Proper.—The Department of Trade, hereinafter referred to in this Decree as the Department, shall be responsible for the promotion, development, expansion, regulation and control of foreign and domestic trade and in pursuance of this responsibility shall be empowered and authorized to issue such rules and regulations and adopt such measures as to:

- consolidate and/or coordinate all functions and efforts pertaining to the promotion of exports in particular and development of foreign trade in general;
- maintain reasonable allocation/distribution as between domestic and export market through export retention, export allocation, export subsidy, pricing, export ban and other schemes and measures to ensure price stability and supply availabilities of essential commodities in the local market;
- regulate the import of essential consumers and producers' items with a view to enhancing availability at fair and competitive prices to end-producers; and
- promote and regulate domestic trade, marketing and distribution to ensure the rational, economical and steady flow of commodities from producing and/or marketing centers to areas in short-supply through the support of centralized buying operations, terminal markets and large-scale and economical distribution systems organized by the public or private sector.

Authority and responsibility for the Department is vested in the Secretary of Trade, hereinafter referred to as the Secretary. He shall be assisted by only one Undersecretary.

The following are created in the Department Proper: (1) Planning Service; (2) Financial and Management Service;

(3) Administrative Service; and (4) Legal Service.

SEC. 2. Bureau of Domestic Trade.—The Bureau of Domestic Trade shall, among others, consolidate functions pertaining to local commerce and the protection of the consuming public.

There are created the following divisions in the Bureau of Domestic Trade:

- Trade Nationalization Division which shall implement the provisions of Republic Act Numbered One Thousand Three Hundred Eighteen, Republic Act Numbered One Thousand One Hundred Eighty and all such laws relating to the regulation of retail trade and other business of Filipino citizens;
- Domestic Trade Promotion Division which shall stimulate domestic commerce, establish trade relationship among businessmen and encourage the organization of merchant groups among Filipinos engaged in different lines of business;
- Brokers Division which shall administer the licensing of commercial brokers and real estate brokers and appraisers, excluding brokers for stocks and securities;
- Consumer Protection Division which shall administer the registration of business names, private merchants, and bulk sales documents; and enforce laws on monopolies and trade practices in restraint of trade, mislabeling and product misrepresentation, other unfair trade practices and consumer protection in general, in this last regard for which it shall coordinate with the Food and Drug Administration of the Department of Health; and
- Field Operations Division which shall extend the services and functions of the Bureau to the different regions, provinces and district of the country.

SEC. 3. Bureau of Foreign Trade.—The Bureau of Foreign Trade shall, among others, consolidate all functions and efforts pertaining to the promotion of exports in Particular and development of foreign trade in general.

The following divisions are created in the Bureau:

- Foreign Trade Promotion Division which shall, among others, conduct researches and studies on the promotion and expansion of Philippine exports. It shall also provide necessary information to interested persons and businessmen on foreign trade development and prospects.
- Export Service Coordination Division which shall, among others, coordinate all activities and functions of government agencies involved in the processing of export papers. It shall also update, improve or simplify the administrative procedures involved in the processing of export papers.
- Foreign Trade Relations Division which shall, among others, deal with Philippine commercial relations with other countries. It shall gather information on other countries' economies and economic and commercial policies and shall encourage Philippine participation in international trade fairs and expositions.

All commercial attaches shall be appointed by, and placed under the control of the Secretary and under the supervision of the Director of the Bureau of Foreign Trade, except when actually assigned to missions abroad, in which case the provisions of Paragraph 3, Article IV, Part XVIII of the Integrated Reorganization Plan shall prevail.

SEC. 4. Securities and Exchange Commission.—The Securities and Exchange Commission shall, among others, encourage the formation of partnership and corporate ventures with widely and publicly held equity, and protect the investing public from deceptions and frauds in securities marketing.

The following divisions are retained in the Securities and Exchange Commission:

- Stock Brokers and Exchange Division which shall, among others, handle the regulation of activities of securities, exchanges, brokers, dealers and their salesmen; and
- Examiners and Appraisers Division which shall, among others, handle the financial and accounting phase of the visitorial functions of the Commission.

The Legal Enforcement Division is renamed Corporate Division. It shall, among others, handle the processing of corporation papers and by-laws, articles of association and partnership agreements, the registration and licensing of securities, and the investigation of corporations.

The Securities and Exchange Commission shall be converted into a collegial body composed of a full-time Chairman and two full-time members who shall serve for a term of six years for which the corresponding positions are created. In the initial appointments of Chairman and members, one shall be appointed to service for six years, one for four years, and one for two years. The positions of Commissioner and Deputy Commissioner are hereby abolished: Provided, That the incumbent Commissioner shall continue to serve the Commission in accordance with Paragraph 13, Article 1, Chapter 1, Part XXIII of the Integrated Reorganization Plan.

SEC. 5. Philippines Bureau of Products Standards.—The Bureau of Standards is renamed Philippines Bureau of Products Standards which shall, among others, be responsible for establishing standards for commodities, inspection and certification of products for exports and local distribution, and inspection and certification of products imported by the country.

SEC. 6. Philippines Patent Office.—The Philippines Patent Office shall, among others, be responsible for the promotion of scientific research and inventions; and for the protection of owners of industrial property rights.

In addition to the General Organic Chemistry Division; Chemical Technology Division; Mechanical Division; Electrical, Design and Utility Model Examining Division; and the Trademark Examining Division, the following divisions are created:

- Legal Service Division which shall, among others, render legal advise to the Director of Patents and to hear and decide interparte cases, oppositions, cancellations, interferences, public use proceedings and matters dealing with compulsory licensing.
- Research and Information Division which shall, among others, be responsible for the conduct of researches on various subjects, act as custodian of all scientific and legal books of the Office and shall perform library service functions, and product and disseminate information pertaining to office and court decisions on patent and trademark case.

SECTION 7. Bureau of Fiber Inspection Service.—The Bureau of Fiber Inspection Service is renamed Bureau of Fiber Development and Inspection Service, which shall, among others, be responsible for the maintenance and enforcement of a uniform standard classification of abaca and other Philippine fibers intended for export and for domestic consumption.

SEC. 8. ECAFE Unit.—The ECAFE Unit is renamed ESCAP (Economic and Social Commission for Asia and the Pacific) Unit. The ESCAP Unit of the Philippine Committee on ESCAP matters is retained in the Department and its functions shall include, among others, to act as liaison agency for securing quick exchange of information between the ESCAP Secretariat and the Philippine Government and the various governments in the ESCAP region and to work for the implementation of resolution or studies approved or undertaken by the Commission and ESCAP Secretariat, respectively.

SEC. 9. UNCTAD Unit.—The UNCTAD Unit of the Philippine Committee on UNCTAD matters is maintained in

the Department and its functions, shall include, among others, to act as liason agency in the various areas of economic and trade development between the United Nations Conference on Trade and Development (UNCTAD) and the Philippine Government in the various trade aspects of international economic cooperation and to undertake the implementation of resolution and studies recommended and approved by the inter-agency committee involved.

SEC. 10. Government-Owned or Controlled Corporation and Agencies attached to the Department of Trade.— The following agencies are attached to the Department: (a) Philippine Export Credit Insurance and Guarantee Corporation; (b) Permanent Committee for the Implementation of the Philippine Indonesian Agreement on Economic and Technical Cooperation; (c) Philippine International Trading Corporation; (d) Design Center Philippines; (e) Metric System Board; (f) Philippine Shippers' Council; (g) Cottage Industry Development Council (CIDC); (h) Cottage Industry Development Enterprise (CIDE); (i) National Cottage Industries Development Authority (NACIDA); and (3) Nacida Bank.

SEC. 11. Price Control Council.—The Price Control Council is renamed Price Stabilization Council and placed under the administrative supervision of the Department.

SEC. 12. Trade Assistance Centers.—The putting up of trade assistance centers with an appropriation of four million five hundred thousand pesos (P4,500,000) under the current Annual General Appropriation Decree is hereby transferred from the Bureau of Domestic Trade to the Office of the Secretary. To carry out the purposes of the trade assistance centers, the sum of two million two hundred fifty thousand pesos (P2,250,000) is hereby appropriated for the remainder of Fiscal year nineteen hundred and seventy-four to nineteen hundred and seventy five (1974-1975).

SEC. 13. Personnel.—Except for such technical positions as the Secretary may recommend to and be approved by the President, all positions in the Department shall be subject to the provisions of the Civil Service Law and the rules and regulations of the Wage and Position Classification Office (WAPCO).

SEC. 14. Repeal.—Any and all existing statutes, decree, rules and regulations, or parts thereof inconsistent herewith are repealed or modified accordingly.

SEC. 15. Effectivity.—This Decree shall take effect immediately.

Done in the City of Manila, this 2nd day of June, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.)

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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