

PROVIDING FOR A SYSTEM OF ESTABLISHING EXPORT INDUSTRY AUTHORITIES, DEFINING THE FUNCTIONS OF SUCH AUTHORITIES, AND FOR OTHER PURPOSES

PRESIDENTIAL DECREE NO. 160, March 28, 1973

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I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines and pursuant to Proclamation No. 1081, dated September 21, 1972 and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree, to be part of the laws of the land, the following:

SECTION 1. Declaration of Policy. — It is hereby declared to be the policy of the State to enhance and encourage the diversification and development of export industries, business and trade, provide policy design as would create a wholesome sphere in their operations, mobilize all resources in manner consistent with rationalized free enterprise for the attainment and maintenance of a favorable balance of trade and, to maximize the utilization of the consequential benefits for the over-all national economic, social and political development.

SEC. 2. Mode of Creating Export Industry Authorities. — For the implementation of the policy set forth herein, export industry authorities shall be established, upon recommendation of the National Economic and Development Authority, hereinafter called the 'NEDA,' to regulate the operations of particular export industry or industries. Such authorities shall come into existence upon approval by the President. Unless the President prescribes the contrary, the authorities shall be established along the organizational lines and with the powers herein provided.

SEC. 3. Membership of the Authorities. — The authorities to be established pursuant to this Decree shall be composed of the Chairman of the Board of Investments, Secretary of the Department of Trade and Tourism, and the Governor of the Central Bank as permanent members and two (2) other members who shall come from other government offices concerned with the industry or industries to be regulated as recommended by the NEDA. The authority shall have a Chairman to be designated by the President from among the said five (5) members.

SEC. 4. Term of the Authorities. — The authorities to be established under the provisions of this Decree shall have a term of three (3) years from its organization unless otherwise earlier abolished or extended at the instance of the NEDA.

SEC. 5. The Secretariat. — Upon organization of the desired authority, the Office or agency represented by the Chairman designated by the President shall provide the core Secretariat. Such technical assistance as would be required by the Chairman may be requested from other government offices or agencies which are hereby directed to provide the same as and when necessary.

SEC. 6. Powers and Functions of the Authorities. — The powers, functions, duties and responsibilities of the different authorities authorized to be established under this Decree shall include the following:

- Regulate all exports, business or trade involving exports of goods or products as may be specified by the NEDA;

- Ascertain from actual and potential producers, manufacturers and traders of such specified export products the types of problems that impede their program of export development and expansion;
- Determine ways and means to rationalize the production and marketing operations of the exports of the specified products in order to facilitate effective and competitive marketing of said products in the overseas markets;
- Coordinate government efforts to solve problems and obstacles faced by the producers, manufacturers and traders of the specified products;
- Negotiate and enter into contracts or agreements with local or foreign entities, private or public, as would enhance and protect the exports of such products;
- Establish and maintain such facilities and services, in such areas wherever necessary, for the promotion and development of the export of said products;
- Make arrangements with public or private sectors to provide for logistical supports in meeting and fulfilling export commitments;
- Establish a scheme among producers, manufacturers, and exporters as would coordinate their efforts and avoid wastes, insure equitable distribution of benefits and their corresponding burden and responsibilities, with the end in view of developing and maintaining an operation of economies of scale;
- Take steps as to afford the producers, manufacturers and traders such incentive and/or assistance from any source;
- Promulgate such rules and regulations as are necessary for the effective implementation of this Decree;
- Establish and enforce a system of business discipline as will insure effective compliance with the rules and regulations insured by the authority; and
- Do such other acts as may be necessary to attain the objectives declared in this Decree.

All government offices and agencies performing functions relative to exports shall coordinate and abide by the applicable orders, rules and regulations issued by the authorities organized pursuant to this Decree.

SEC. 7. Delegation of Powers. — The export industry authorities herein authorized to be established may delegate such powers granted herein to such association or organization of the particular industry or industries for which the authority was created.

SEC. 8. Effectivity. — This Decree shall take effect immediately.

Done in the City of Manila, this 28th day of March, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

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