

REORGANIZING THE DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES INTO TWO DEPARTMENTS, NAMELY: DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF NATURAL RESOURCES, AMENDING FOR THIS P...

PRESIDENTIAL DECREE NO. 461, May 17, 1974

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WHEREAS, it is a primary objective of the Government to conserve, revitalize and develop the country's national wealth and manage its utilization for the continued well-being of present and future generations;

WHEREAS, progressively increasing demands for food, agricultural raw materials, mineral, aquatic, and forest products, are being felt throughout the world and predicted to intensify in the immediate future:

WHEREAS, within the Philippines itself, the demands of a growing population exert tremendous pressure on the country's existing food and natural resources;

WHEREAS, in the light of growing domestic and world demands for basic commodities, there is a pressing need to continuously assess the status of all existing food and natural resources of the Philippines with the view to maximizing their utilization, programming their exploitation and, whenever possible, providing for their replacement;

WHEREAS, the development of agriculture and the management of natural resources involve two separate broad and complex programs which are presently being planned and implemented by only one organization; and

WHEREAS, the attainment as soon as possible of the national goal of increased production and self-sufficiency in basic foods and the completion of an up-dated inventory and assessment of the nation's natural resources for the purpose of ensuring conservation, optimal utilization, programmed exploitation and replacement whenever possible can best be achieved if these objectives are prosecuted by two separate departments.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby adopt this amendment to Chapter I, Part VIII of the Integrated Reorganization Plan as part of the law of the land.

SECTION 1. Presidential Decree No. 1, dated September 24, 1972, relative to Chapter I, Part VIII of the Integrated Reorganization Plan is hereby amended by reorganizing the Department of Agriculture and Natural Resources into two Departments, namely: (a) Department of Agriculture and (b) Department of Natural Resources.

SEC. 2. The Department of Agriculture shall be composed of the Department Proper which shall include the Office of the Secretary, the Planning Service, the Financial and Management Service, the Administrative Service, the Computer Service Center, and the Agrarian Reform Unit. The Bureaus under the supervision and control of the Department are the (1) Bureau of Soils, (2) Bureau of Plant Industry, (3) Bureau of Animal Industry, (4) Bureau of Agricultural Extension, and (5) Bureau of Agricultural Economics. The following government-owned and controlled corporations are attached to the Department:

(a) National Grains Authority, (b) Philippine Tobacco Administration, (c) Philippine Virginia Tobacco Administration, (d) Philippine Coconut Authority, (e) Coconut Investment Company, and (f) Philippine Cotton Corporation. The Fertilizer Industry Authority, National Food and Agricultural Council and the National Meat Inspection Commission are placed under the administrative supervision of the Department. The Philippine Council for Agricultural Research shall be attached to the National Science Development Board.

SEC. 3. The organization and functions of the Planning Service, the Financial and Management Service, and the Administrative Services shall be in accordance with Articles III, IV, V, Chapter I, Part II of the Integrated Reorganization Plan.

SEC. 4. The Computer Service shall be responsible for providing the Department and the Bureaus under it, including the corporations and other agencies attached to it with economical, efficient, and effective services relating to electronic data processing.

SEC. 5. The Agrarian Reform Unit shall be responsible for providing advice and assistance to the Office of the Secretary in coordinating the work of the Department on extension service and soil surveys and classification with that of the Department of Agrarian Reform.

SEC. 6. The organizations and functions of the Bureau of Animal Industry, Bureau of Agricultural Extension, and Bureau of Agricultural Economics shall be provided in Paragraphs 7 and 8, Article II and in Article IV, VIII, and IX, respectively, of Chapter I, Part VIII of the Integrated Reorganization Plan and in Letter of Implementation No. 9, dated November 1, 1972.

SEC. 7. There is created a Bureau of Plant Industry which shall be responsible for conducting research on agricultural crops; production of improved seeds and plant materials; protection of agricultural crops from pests and diseases; development and improvement of farm equipment, structures, and practices, and such other functions as may be provided by law. The Bureau of Plant Industry shall have, in addition to a Planning and Management Staff and an Administrative Division, the following divisions: (a) Laboratory Services Division, (b) Research Division, (c) Production Division, (d) Farm Development Division which is renamed Agricultural Engineering Division, and (e) Crop Protection Division. The functions of these divisions shall be as provided in Paragraph 2, Article III, Chapter I, Part VIII of the Integrated Reorganization Plan and in Letter of Implementation No. 9, except that the Laboratory Services Division and the Research Division shall not have the functions on production of soil inoculants and soil research, respectively.

SEC. 8. There is created a Bureau of Soils which shall be responsible for the assessment, development and conservation of existing and potential soil resources of the Philippines; conducting research on different aspects of soil utilization, management, and conservation; and such other functions as may be provided by law. The Bureau of Soils shall have, in addition to a Planning and Management Staff and an Administrative Division, the following divisions:

- Laboratory Services Division which shall provide technical supervision in the effective operation and maintenance of the Bureau's soil laboratories, including the maintenance of precision laboratory equipment; prescribe standards in the physical and/or chemical analysis of soils for researches and farmlands as the bases for formulation of fertilizer and lime recommendation and for soil characterization; prepare the program for the production and distribution of soil inoculants; coordinate with the Soil Research Division in the study of new and effective methods of analysis and with Soil Fertility Division in updating soil correlation values and fertilizer requirements of crops; and perform such other functions as may be provided by law.
- Soil Conservation Division which shall formulate policies, standards and measures for soil and water

conservation and utilization; develop a program of field demonstrations on soil and water land-use program for agriculture areas on the control of soil erosion, floods, and siltation; exercise technical supervision over all soil and water conservation stations of the Bureaus; and perform such other functions as may be provided by law.

- Soil Fertility Division which shall develop plans and procedures for field studies and surveys on soil fertility; prescribe procedures and techniques on the use of fertilizers, soil amendments and fertility maintenance practices compile and analyze results of field fertilizer and fertility maintenance practices; compile and analyze results of field fertilizer and fertility maintenance studies for purpose of preparing and issuing periodic soil fertility status and fertilizer recommendations for major economic crops; and perform such other functions as may be provided by law.

- Soil Research Division which shall design a program of researches on soil chemistry, soil physics, soil biology and mineral nutrition as they relate to agricultural and non-agricultural application; provide standards and establish criteria for research on soil utilization, conservation and soil, water, and plant relationship; exercise technical supervision in the operation of the Bureau's research stations; maintain liason with other research institutions in both government and private sectors, including foreign institutions; provide technical assistance to other agencies in conducting training programs on soil research and other related subjects; and perform such other functions as may be provided by law.

- Soil Surveys Division which shall prepare the plans and programs on basic soil surveys at all levels of generalization throughout the Philippines to provide sufficient soil resources data needed by the government and the private sector; interpret basic soil survey data to provide information on land classification, land capability and land-use; provide standards and guidelines in the conduct of soil surveys and other related activities; consolidate, review, and summarize reports on soil surveys for dissemination; prepare and maintain thematic maps, charts, tables, photo mosaics, diagrams and other related materials; and perform such other functions as may be provided by law.

SEC. 9. The Department of Natural Resources shall be composed of the Department Proper which shall include the Office of the Secretary, the Planning Service, the Financial and Management Service, and the Administrative Service. In addition, there are created in the Department Proper a Legal Service, Computer Service Unit and an Agrarian Reform Unit. The bureaus under the supervision and control of the Department are: (a) Bureau of Forest Development, (b) Bureau of Lands, (c) Bureau of Fisheries, which is renamed Bureau of Fisheries and Aquatic Resources, and (d) Bureau of Mines. The following agencies are attached to the Department: (a) Presidential Committee on Wood Industries Development, (b) National Committee for Mineral Exploration and Survey Operations, (c) Fishery Industry Development Council, (d) Surigao Mineral Reservation Board, (e) Presidential Action Committee on Land Problems.

The National Committee for Mineral Exploration and Survey Operations is reconstituted as follows: Secretary of Natural Resources, as Chairman, Director of Mines, as Vice-Chairman, and representative of the Office of the Executive Secretary, Budget Commission, Philippine Air Force, Philippine Navy, Bureau of Coast and Geodetic Survey, Bureau of Fisheries and Aquatic Resources, Bureau of Mines, Bureau of Forest Development, Bureau of Lands, Bureau of Plant Industry, and Bureau of Soils, as members.

SEC. 10. The organizations and functions of the Planning Service, the Financial and Management Service, and the Administrative Service shall be in accordance with Articles III, IV, and V, Chapter I, Part II of the Integrated Reorganization Plan, except that the Administrative Service shall not have a Legal Division;

SEC. 11. The Legal Service shall have following functions: Prepare decisions and orders on cases involving the disposition, utilization, exploitation, and development of public lands, forests, mines, aquatic resources and other

natural resources brought on appeal from action taken by the bureaus under the Department, review patents, licenses, concessions, permits, deeds of conveyance, sales and other transfer of rights, affecting public lands, mines, forest, aquatic resources and other natural resources initiated and/ or processed by the bureaus under the Department; appear as counsel for the Secretary, Undersecretary, bureau directors, and other subordinate employees under the Department, review patents, licenses, concessions, permit, deeds of conveyance, sales and other transfer of rights, affecting public lands, mines, forest, aquatic resources and other natural resources initiated and/or processed by the bureaus under the Department; appear as counsel for the Secretary, Undersecretary, bureau directors, and other subordinate employees under the Department in court cases Where such officials or employees are parties thereto in their Official capacities and upon authorization of the Solicitor General; conduct administrative investigation, including the review of administrative charges against employees of the Department; and perform such other functions as may be provided by law.

SEC. 12. The Agrarian Reform Unit of the Department shall be responsible for providing the Office of the Secretary with advice and assistance in coordinating the work of the Department, on land surveys, release of lands of the public domain for resettlement purposes, and other related activities with that of the Department of Agrarian Reform.

SEC. 13. The organizations and functions of the Bureau of Lands, Bureau of Forest Development, Bureau of Fisheries and Aquatic Resources, and Bureau of Mines shall be as provided in Paragraphs 7 and 8, Article II and in Articles V, VI, VII, and X, respectively, of Chapter I, Part VIII of the Integrated Reorganization Plan and in Letter of Implementation No. 9, Paragraph 4, Article X, Chapter I, Part VIII of the Integrated Reorganization Plan is amended by creating the Petroleum Division which shall be responsible for the administration and development of the petroleum resources of the country. The Mineral Resources Administration of mineral lands.

SEC. 14. The Regional Offices of the Bureau of Soils, the Bureau of Plant Industry, the Bureau of Animal Industry, the Bureau of Agricultural Extension and those of the Bureau of Forest Development, the Bureau of Fisheries and Aquatic Resources, and the Bureau of Lands shall established in accordance with Article 1, Chapter III, Part II of the Integrated Reorganization Plan, as amended, and with Letter of Implementation No. 9. The Bureau of Mines shall establish its regional offices in accordance with its requirements, subject to the approval of the President upon the recommendation of the Secretary of Natural Resources.

SEC. 15. Section 1 of Presidential Decree No. 107, dated January 24, 1973, is hereby amended by removing the Secretary of Agriculture and Natural Resources from membership in the National Economic and Development Authority and providing for the membership in that body of the Secretary of Agriculture and the Secretary of Natural Resources.

The Secretary of Agriculture shall be ex-officio

- Chairman of the Council of the National Grains Authority; Fertilizer Industry Authority, National Food and Agriculture Council, National Artificial Rain Stimulating Committee;
- Vice-Chairman of the Philippine Council for Agricultural Research and the Board of Directors of the Greater Manila Terminal Food Market; and
- Member of the Metric System Board, Board of Directors of the Philippine International Trading Corporation, Board of Trustees of the Tarlac College of Technology, National Economic and Development Authority, Board of Directors of the National Irrigation Administration, National Manpower and Youth Council, Price Control, Executive Committee of the National Security Council and the Agrarian Reform Coordinating Council.

The Secretary of Natural Resources shall be ex-officio

- Chairman of the Petroleum Board, Presidential Committee on Wood Industries Development, Presidential Action Committee on Land Problems, National Committee for Mineral Exploration and Survey Operation, Fishery Industry Development Council and Surigao Mineral Reservation Board.

- Co-Chairman of the National Minorities Assistance Council, and

- Member of the Metric System Board, Board of Directors of the Philippine International Trading Corporation, Committee to Study the Financing Scheme for Nationwide River Control and Reforestation Projects, National Economic and Development Authority, Executive Committee of the National Security Council, Agrarian Reform Coordinating Council, Philippine Council for Agricultural Research, Board of Directors of the National Irrigation Administration and Water Resource Council.

SEC. 16. All provisions of Chapter I, Part VIII of the Integrated Reorganization Plan and of the Letter of Implementation No. 9 which are not amended or not inconsistent with the foregoing provisions shall remain in full force and effect and shall be correspondingly applied in accordance with the intents and purposes of this Decree.

SEC. 17. The functions of the Department of Agriculture and National Resources pertaining to agricultural development and those relating to the administration of natural resources shall be respectively transferred to the Department of Agriculture and the Department of Natural Resources. Such transfer shall include the corresponding balance of appropriations, records, equipment, property and such personnel as may be necessary. Additional funds, if necessary, shall be appropriated from the funds in the National Treasury not otherwise appropriated for personal services in the two Departments. The appropriations for the Agricultural Guarantee and Loan Fund and for the procurement and distribution of fertilizers and certified seeds shall be transferred to the Department of Agriculture. The transfer of the bureaus to the two Departments shall include their respective balance of appropriations, records, equipment, property and personnel. The duly appointed Secretaries of each of the departments created hereby, shall promulgate the necessary administrative orders that will provide the implementing details of the provisions of this Section, and shall be responsible for carrying into immediate effect the intents and purposes of this Decree.

SEC. 18. This Decree shall take effect upon its approval.

Done in the City of Manila, this 17th day of May, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.)

FERDINAND E. MARCOS

President of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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