

DBM RATIONALIZING THE PRIVATIZATION AND MANAGEMENT OFFICE, May 07, 2012

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WHEREAS, the President is vested the power of control over the Executive Branch pursuant to Section 17, Article VII of the 1987 Philippine Constitution;

WHEREAS, Executive Order (E.O.) No. 366, s. 2004, directed the strategic review of the operations and organizations of the Executive Branch and provided options and incentives for government employees who may be affected by the rationalization of the functions and agencies of the Executive Branch;

WHEREAS, the President, through Memorandum Order No. 190, s. 2005, authorized the Secretary of Budget and Management to approve the Rationalization Plans submitted by the Departments and Agencies of the Executive Branch, including Government-Owned and/or - Controlled Corporations, in order to ensure the effective implementation of E.O. No. 366;

WHEREAS, E.O. No. 471 dated 17 November 2005 merged the Board of Liquidators (BOL) with the Privatization and Management Office (PMO) and provided that the PMO shall be the surviving entity in the merger;

WHEREAS, on 06 December 2006, the Privatization Council (PrC) issued the 'Implementing Guidelines for Executive Order No. 471, "Directing the Merger of the Board of Liquidators (BOL) and the Privatization and Management Office (PMO)"', which, among others, merged all BOL personnel with the PMO pending the implementation of the rationalized PMO pursuant to E.O. No. 366, and transferred all BOL transactions to the PMO;

WHEREAS, Republic Act (R.A.) No. 10149, otherwise known as the "GOCC Governance Act of 2011" dated 06 June 2011, created the Governance Commission for Government-Owned or - Controlled Corporations (GCG), a central advisory, monitoring, and oversight body attached to the Office of the President in order to promote financial viability and fiscal discipline in Government-Owned or - Controlled Corporations (GOCCs) and make them more responsive to the needs of public interest;

WHEREAS, under Section 31 of R.A. No. 10149, the PrC and the PMO are mandated to continue to implement and finish the privatization of GOCCs that have been identified by the PrC and approved for privatization by the President prior to the effectivity of said Act; Provided, however, That the privatization of said GOCCs that remain unfinished at the end of two (2) years after the effectivity of said Act shall be automatically transferred to the GCG which shall continue the privatization of the GOCCs;

WHEREAS, under Section 74 of the General Provisions of R.A. No. 10155 or the FY 2012 General Appropriations Act, no organizational units or changes in key positions in any department or agency shall be authorized in their respective organizational structures and staffing patterns and funded from appropriations provided under said Act unless otherwise provided by law or directed by the President of the Philippines;

WHEREAS, under Section 75 of the same Act, the government is mandated to adopt institutional strengthening measures to improve service delivery and enhance productivity;

NOW, THEREFORE, I, FLORENCIO B. ABAD, Secretary of the Department of Budget and Management, by authority of the President of the Republic of the Philippines, and by virtue of the powers vested in me by law, do hereby approve the Rationalization Plan (RP) of the Privatization and Management Office specified herein, and order:

SECTION 1. Rationalization. — The Privatization and Management Office, hereinafter referred to as the PMO, is hereby rationalized in accordance with the provisions of E.O. No. 471 and E.O. No. 366 and their respective Implementing Guidelines/Rules and Regulations.

SEC. 2. Functional Shifts. — The PMO shall exercise the same core functions under Section 2, Article III, E.O. No. 323, s. 2000 and Section 12, Article III, Proclamation No. 50, s. 1986, as amended. In addition, it shall undertake all businesses and other matters relative to the exercise of the BOL's mandate following the provisions of E.O. No. 471 and its Implementing Guidelines.

SEC. 3. Structural Shifts. —The following structural changes are hereby authorized:

- Abolition of the BOL pursuant to E.O. No. 471, s. 2005, which merged the BOL with the PMO, wherein the PMO shall be the surviving entity;
- Renaming of the Office of the Deputy Executive Director for Administrative and Financial Management into an Office of the Deputy Executive Director for Administration, Financial and Management Services;
- Renaming of the Financial Management Division under the Office of the Deputy Executive Director for Administration, Financial and Management Services into a Financial and Management Division;
- Renaming of the Office of the Deputy Executive Director for Legal into an Office of the Deputy Executive Director for Legal Services;
- Merger of the Litigation Division and Legal Services with the Office of the Deputy Executive Director for Legal Services;
- Renaming of the Sales and Promotion Division and Planning and Development Division under the Office of the Deputy Executive Director for Marketing into Marketing Division I - Institutional, and Marketing Division II - Mining, Equity and Special Assets, respectively;
- Creation of a Marketing Division III - Retail under the Office of the Deputy Executive Director for Marketing;
- Renaming of the Asset Management Appraisal and Insurance Division and Property Maintenance and Security Division under the Office of the Deputy Executive Director for Asset Management into a Disposition Support Services Division and Custodianship Services Division, respectively;
- Creation of a Davao City Field Office for a period of two (2) years to complete the winding-up of liquidation/disposition activities in Davao, Koronadal, Sultan Kudarat and General Santos City, but to be abolished thereafter; and
- Abolition of the Management Staff under the Office of the Executive Director.

SEC. 4. Staffing Shifts.—The rationalized staffing pattern shall consist of seventy-six (76) contractual positions.

SEC. 5. Separability Clause.—If any provision of this Rationalization Plan or the application of such provision to any circumstance is declared invalid or unconstitutional, the other provisions not affected thereby shall remain

valid and subsisting.

SEC. 6. Repealing Clause.—All laws, executive issuances, rules and regulations, or parts thereof which are inconsistent with the Rationalization Plan approved herein, are hereby repealed, amended, or modified accordingly.

SEC. 7. Effectivity—The Rationalization Plan provided herein shall be effective for implementation upon approval hereof. Approved this 7th day of May, in the year of our Lord, Two Thousand and Twelve, in the City of Manila, Philippines.

By Authority of the President:

(Sgd.) FLORENCIO B. ABAD
Secretary

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