

AMENDING EXECUTIVE ORDERS NO. 537 AND NO. 823, AND FOR OTHER PURPOSES

EXECUTIVE ORDER NO. 952, May 04, 1984

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

WHEREAS, as a result of its increased role, functions and responsibilities, the Secretariat of the Garments and Textile Export Board (GTEB) has to be revitalized and given incentives;

WHEREAS, under Section 7 of Executive Order No. 823, the GTEB has been declared a critical government agency pursuant to P.D. No. 985;

WHEREAS, there is a need to amend Section 7 of Executive Order No. 823 in order to strengthen the intent of said Section and to implement the same without the need of any other act or order;

WHEREAS, the powers and functions of the GTEB have to be clarified with respect to imports of goods and exports of garments;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitutions, do hereby order and direct:

SECTION 1. – Section 3 subparagraphs (a), (h), & (i) of Executive Order No. 537 is hereby amended to read as follows:

“a. Negotiate, conclude and implement garments and textile agreements, whether bilateral or multilateral, between the Republic of the Philippines, and other countries, approve quota allocations, export authorizations and issue export licenses and similar authorizations for all exports of textile and garments from the Philippines;

“h. In case of violations of its rules and regulations, cancel or suspend quota allocations, export authorizations and licenses for the operations of bonded garment manufacturing warehouses and or disqualify the firm and/or its principal stockholders and officers from engaging in garment exports and from doing business with the Board;

“i. In case of violations of its rules and regulations, imposed fines, in an amount not exceeding fifty (P0.50) centavos per square yard equivalent of the quantity unshipped in cases of unutilized allocation as defined by its rules and regulations, and not more than ten percent of the gross F.O.B. value of the goods exported/to be exported/imported/to be imported;”

SEC. 2. – Section 4 of Executive Order No. 537 is hereby amended to read as follows:

“Section 4. Secretariat. – The Board is hereby authorized to create a Secretariat to be composed of Technical as well as administrative staff as may be necessary to assist the Board in the accomplishment of its responsibilities and functions under this Order.

The Secretariat shall be headed by an Executive Director who shall be assisted by two Deputy Executive

Directors. The Executive Director shall be appointed by the President of the Philippines upon recommendation of the Chairman.

The regular professional and the technical personnel of the Secretariat shall be primarily confidential or highly technical in nature. The Secretariat shall be exempt from OCPC rules and regulations pursuant to Section 6 of Executive Order No. 756 and Section 28 of Presidential Decrees No. 1071.”

SEC. 3. Section 5 of Executive Order No. 537 is hereby amended to read as follows:

“Section 5. Powers and Functions of the Chairman. The Executive Director, the Deputy Executive Directors and the Secretariat shall be responsible to the Board. Provided, however, that the Chairman shall, in behalf of the Board, exercise direct supervision and control over them. He shall also have the power to appoint and discipline personnel of the Secretariat in accordance with law subject to confirmation by the Board.

The Chairman shall also approve the agenda for Board meetings, convene and preside over meetings and exercise such other functions as may be delegated to him by the Board.”

SEC. 4. – Section 7 of Executive Order No. 823 is hereby amended to read as follows:

“GTEB is hereby declared a critical government agency pursuant to P.D. No. 985. All income from fees, fines, penalties, and other charges imposed and/or collected by it are deemed corporate income of GTEB as a critical government agency. The GTEB is hereby authorized to deposit and maintain this corporate income in a separate account or fund which may be directly used and disbursed by the Board with the approval of the President of the Philippines without need of a separate approval from any government agency in order to provide additional financial incentives to all its employees according to criteria to be determined by the Board, to defray expenses of bilateral and multilateral textile negotiations as well as to defray other expenses that the Board may authorize to be incurred.”

SEC. 5. – Repealing Clause. – All laws, Executive Orders, Letter of Instructions, other issuances, administrative rules and regulations or parts thereof that are in conflict with this Executive Order are hereby repealed or modified accordingly.

SEC. 6. – Separability Clause. – If any provision of this Executive Order is declared invalid, such declaration shall not have the effect of nullifying the other provisions of this Executive Order; provided that such remaining provisions can still be given effect in their entirety to accomplish the objectives of this Executive Order.

SEC. 7. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 4th day of May in the year of Our Lord, nineteen hundred and eighty-four.

(SGD.) FERDINAND E. MARCOS

President of the Philippines

By the President:

(SGD.) JUAN C. TUVERA

Presidential Executive Assistant

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