NATIONAL ADMINISTRATIVE REGISTER · [EXECUTIVE ORDER NO. 223, MARCH 29, 2000] · DECEMBER 1, 1999

SUPPLEMENTING EXECUTIVE ORDER NO. 191 ON THE DEACTIVATION OF THE ECONOMIC INTELLIGENCE AND INVESTIGATION BUREAU AND FOR OTHER MATTERS

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WHEREAS, Executive Order No. 191 directs the deactivation of the Economic Intelligence and Investigation Bureau (EIIB), including the termination or integration of its employees, the transfer of its assets and liabilities and the performance of its functions by other agencies, due to redundancy and duplication of functions;

WHEREAS, Republic Act No. 8760 mandates the winding up of the activities and operations of the EIA and appropriates P44,922,000.00 for this specific purpose;

WHEREAS, Republic Act No. 6656 recognizes the need to protect the security of tenure of civil service officers and employees in the reorganization process without sacrificing the promotion of morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service pursuant to Article IX, B, Section 3 of the Constitution;

WHEREAS, there is a need to maintain and coordinate certain economic intelligence operations in the Department of Finance and its attached bureaus and agencies;

WHEREAS, the deactivation of EIA and the final disposition of its personnel, assets and liabilities require inter-agency coordination for its smooth and orderly implementation;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

> SECTION 1. Creation of Task Force. — A Task Force is hereby created to be chaired by the Executive Secretary, with the Secretary of Finance, the Secretary of Budget and Management and the Secretary of Justice as members, that shall provide policy guidelines for, and oversee, the final disposition of personnel, functions, assets and liabilities of the EIA.
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> SECTION 2. Transfer or Re-Employment of EIA Personnel . — (a) EIA personnel shall be given priority in hiring for existing vacant positions in other government agencies, subject to compliance with established qualification standards set by the receiving agencies. The transfer to or re-employment of EIA personnel with other agencies shall be exempt from the prohibition on new hiring under Administrative Order No. 100 dated 01 December 1999. All accrued leave credits of EIA personnel shall be paid within the period given in the next succeeding section.
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> (b) Transfer of functions under Section 4 hereof may, where necessary, carry with it transfer of the corresponding position/s that are not abolished or deemed redundant under Section 3 hereof from EIA to the absorbing agency; Provided, that, functions inherent to DOF but have been exercised by EIA and relevant positions shall be transferred or reverted to DOF. In all cases, the transfer of EIA personnel shall be subject to qualification standards and the sound discretion of the appointing authority concerned.

SECTION 3. Separation or Retirement of EIA Personnel . — All EIA personnel occupying positions listed in Annex "A" hereof shall be deemed separated from the service effective 30 April 2000, pursuant to a bona fide

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reorganization resulting to abolition, redundancy, merger, division, or consolidation of positions in order to meet the exigencies of the service. EIA personnel qualified for retirement may elect optional retirement as they may deem proper. All benefits, including payment of accrued leave credits, that may lawfully be given to EIA employees by virtue of their transfer, retirement or separation from service shall be paid within one month from the filing of the necessary clearances and other pertinent documents.

SECTION 4. Transfer of Functions to Other Agencies. — Law enforcement, intelligence and other functions previously performed by EIA that relate to other agencies, such as the Department of Finance, National Bureau of Investigation (NBI), Bureau of Internal Revenue (BIR), and the Bureau of Customs (BOC), shall be transferred to or performed by the appropriate agency; Provided, that, anti-smuggling activities shall remain with the Presidential Anti-Smuggling Task Force "Aduana" until otherwise ordered by the President.

SECTION 5. Cases and Seized Goods . — The EIA skeletal force shall continue to prosecute and defend all pending judicial and administrative cases for or against the government, the EIA and its officers and employees filed by reason of or in connection with the regular performance of its functions. All seized goods in the custody of EIA shall remain in its safekeeping and shall not be released without the authority of the Secretary of Finance.

SECTION 6. Transfer of Assets and Liabilities. — All assets and liabilities of EIA are hereby transferred without cost to the DOF pending appropriate, final disposition.

SECTION 7. Extension of Period . — The Task Force, in coordination with other concerned agencies, is hereby given until 30 June 2000 within which to fully implement the deactivation of EIA. The Special Task Force shall be assisted by a skeletal force consisting of personnel occupying positions listed in Annex "B" hereof, for the task of winding-up EIA operations and the safekeeping of its resources. Unless otherwise transferred to other agencies, members of the skeletal force will be deemed separated from the service due to abolition of position pursuant to bona fide reorganization effective 30 June 2000.

SECTION 8. Support of Other Agencies. — The Task Force may request assistance from the Civil Service Commission and the Commission on Audit and such other agencies as may be necessary, to assist in the smooth implementation of this Order.

SECTION 9. Funding Requirements. — Funds for existing vacant positions in other agencies to be filled up by EIA personnel, positions to be transferred to other agencies, for the extension until 30 April 2000, and for the skeletal force shall be sourced from agency savings or, upon request, augmented by the Department of Budget and Management (DBM). The DBM shall give preference to the payment of accrued leave credits, separation and retirement benefits to EIA personnel from the Miscellaneous Personnel Benefits Fund. The DBM shall also augment the DOF budget to service amortization payments and maintenance expenses for the EIA Building/s and other capital assets.

SECTION 10. Final Report . — The Task Force shall submit its final report and recommendation on the deactivation of EIA to the President not later than 30 September 2000.

SECTION 11. Separability Clause . — Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of the Order for as long as such remaining portions can still subsist and be given effect.

SECTION 12. Repealing Clause . — All executive orders, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

SECTION 13. Effectivity . — This Executive Order shall take effect immediately.

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Adopted: 29 March 2000

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

(SGD.) RONALDO B. ZAMORA
Executive Secretary

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