

EXECUTIVE ORDER NO. 149

EXECUTIVE ORDER NO. 149 December 28, 1993

STREAMLINING OF THE OFFICE OF THE PRESIDENT

WHEREAS, the government is committed to streamline the bureaucracy, and specifically adopt a homogeneous grouping of functionally related government agencies;

WHEREAS, several agencies now under the Office of the President perform functions that are similar and/or related to those of a certain departments and/or agencies and can therefore be made more effective if transferred thereto for policy and program coordination and integration and/or administrative supervision; and

WHEREAS, Section 31, Chapter 10, Title III, Book III of Executive Order No. 292, otherwise known as the Administrative Code of 1987, provides continuing authority to the President to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Sec. 1. Declaration of Policy. It is hereby declared the policy of government, in general, and of the Office of the President, in particular, to streamline the bureaucracy and effect the homogeneous grouping of functions and agencies to appropriate departments and or agencies. Accordingly, an agency may be placed under the Office of the President subject to the following conditions:

- (a) such agency provides direct staff assistance and support to the President: or
- (b) such agency performs functions that require the immediate attention of the President.

Sec. 2. Streamline of The Office of the President. In accordance with the policies enunciated in this Executive Order, the Office of the President shall be streamlined and re-structured, through the following dispositive actions:

- (a) Transfer and attachment of agencies/government-owned and/or controlled corporations to appropriate departments or agencies for policy and program coordination and integration and/or administrative supervision;
- (b) Integration of agencies/government-owned and/or controlled corporations with departments or agencies;
- (c) Abolition of functions, programs or agencies, subject to pertinent provisions of law; and
- (d) Retention of agencies/government-owned and/or controlled corporations with the Office of the President, subject to the conditions set forth in Section 1 of this Executive Order.

Sec. 3. Dispositive Actions. The transfer or integration of the following agencies/government-owned and/or controlled corporations from the Office of the President to the departments and/or agencies hereunder indicated shall be effected as follows:

3.1 Transfer Of Regular Agencies to Appropriate Departments And/Or Agencies. The following agencies are hereby transferred from the Office of the President to the respective departments and/or agencies indicated thereunder, for policy and program coordination and integration and/or administrative supervision;

- (a) The National Statistical Coordination Board to the National Economic and Development Authority;
- (b) The Commission on Filipino Language to the Department of Education, Culture and Sports;
- (c) The Philippine Center Management Board to the Department of Foreign Affairs;
- (d) National Statistics Office to the National Economic and Development Authority; and
- (e) The Statistical Research and Training Center to the National Economic and Development Authority. *lawphil.net*

3.2 Transfer of Government-Owned And/Or Controlled Corporations To Appropriate Departments And/Or Agencies. The following government-owned and/or controlled corporations are hereby transferred from the Office of the President to the respective departments and/or agencies indicated hereunder, for policy and program coordination and/or administrative supervision, consistent with pertinent provision of Administrative Order No. 59 (s. 1988) and other applicable laws, rules and regulations:

- (a) The Philippine Deposit Insurance Corporation to the Department of Finance;
- (b) The Laguna Lake Development Authority to the Department of Environment and Natural Resources; and
- (c) The Philippine Center for Economic Development to the University of the Philippines System.

3.3 Transfer Of Regular Agencies For Administrative Supervision and Eventual Abolition. The following agencies from the Office of the President are hereby transferred to the departments and/or agencies indicated hereunder, and shall be eventually abolished in accordance with law and the terms of Section 5 of this Executive Order:

- (a) The Economic Support Fund Secretariat To the Department of Public Works and Highways;
- (b) The Board of Liquidators to the National Development Company;
- (c) The Development Coordinating Council for Leyte and Samar to the Department of National Defense;
- (d) The Kalinga Special Development Authority to the Department of National Defense;
- (e) The Sequestered Assets Disposition Authority to the Presidential Commission on Good Government; and

(f) The Philippine Gamefowl Commission of the Games and Amusements Board.

3.4 Integration of An Agency. The Philippine Human Resources Development Center is hereby integrated with the Presidential Management Staff.

Sec. 4. Implementation Procedures. The provisions of this Executive Order shall be implemented in accordance with the following procedure:

(a) Preparation to a Function, Rationalization and Integration Program. Within sixty (60) days upon the effectivity of this Executive Order, affected departments and/or agencies shall prepare and submit to the President, through the Department of Budget and Management, a Function, Rationalization and Integration Program, consistent with Section 48 of Republic Act No. 7645, which shall contain the following:

- a.1. the streamlining and rationalization of the departments and/or agency's functions, programs and activities which may have become duplicative, unnecessary or redundant as a result of the transfer of agencies thereto for supervision, or integration;
- a.2. the policy integration and rationalization plan for the department and/or agency indicating the functions, program and activities affected by the attachment of agencies thereto and setting the mechanism to effect policy and program coordination; and
- a.3. the significant re-focusing, abolition, scaling down or phasing out function, programs, and activities, the corresponding shifts in structure and resource allocations, and such other changes in the staffing as may be necessary to effect the required streamlining and integration.

(b) Authority And Responsibility Of The Secretary of Budget And Management. The Secretary of Budget and Management shall review and make recommendations to the President on the Function, Rationalization and Integration Programs, within sixty (60) days upon receipt thereof; and shall prepare and issue to the agency, within thirty (30) days upon Presidential approval of said Function, Rationalization and Integration Program, the necessary action documents authorizing relevant changes in the functions, program/activity/project structure, internal organization structure, staffing, and budgetary allocations of the departments or agencies concerned.

(c) Implementing Authority and Responsibility of Department Secretaries. Upon approval of their respective Function, Rationalization and Integration Programs, Department Secretaries and/or Heads of Agencies concerned shall, within fifteen (15) days thereof, issue such rules, regulations and other issuances as may be necessary to ensure the effective implementation of the provisions of this Executive Order.

Sec. 5. Transitory Provisions. Prior to the actual transfer or abolition of agencies, the following interim arrangements shall be immediately carried out:

5.1 Interim Arrangements for the Eventual Abolition of Agencies. The Department of Budget and Management is hereby directed to immediately prepare and submit to the Office of the President the necessary documentation to effect the actual abolition of the agencies included under Section 3.3 of this Executive Order.

Until such time that the agencies concerned are actually abolished, the following personnel policies shall be observed in said agencies:

- a. Non-filling or vacant positions; and
- b. Non-renewal of contracts of all contractual employees including casual and temporary employees.

Within thirty (30) days upon the effective of this Executive Order, these agencies shall submit a report to the Department of Budget and Management, thru the Department and/or agency to which they were transferred, an inventory of vacant positions and contracts of all contractual, casual and temporary employees.

5.2 Interim Arrangements For Transferred Agencies and Corporations. All agencies and corporations which are transferred shall upon the effectivity of this Executive Order, immediately confer and coordinate with the departments and agencies to which they are transferred. In the meantime that the Function, Rationalization and Integration Programs are pending evaluation, affected agencies and corporations shall continue to operate on the basis of existing internal operational arrangements.

5.3 Scope of Transfer. Any transfer of an agency or corporation shall include the functions, appropriations, funds, records, equipment, facilities, other properties, choses in action, and assets and liabilities of the transferred agency or corporation, as well as the personnel thereof.

Sec. 6. Notice of Consent Requirements. If any organizational change herein authorized is of such substance or materiality as to prejudice third persons with rights recognized by law or contract, such that notice to or consent of creditors is required to be made or obtained pursuant to any agreement entered into with any such creditors, such notice of consent requirement shall be complied with prior to the implementation of the Function, Rationalization and Integration Program.

Sec. 7. Separability Clause. Any portion or provision of this Executive Order that may be declared unconstitutional other portions or provisions hereof as long as such remaining portions can still subsist and be given effect.

Sec. 8. Repealing Clause. All executive rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Executive Order are hereby revoked or modified accordingly.

Sec. 9. Effectivity. This Executive Order shall take effect fifteen (15) days after the completion of its publication in at least one (1) national newspaper or general circulation.

DONE in the City of Manila, this 28th day of December, in the year of our Lord, Nineteen Hundred and Ninety-Three.