

[PRESIDENTIAL DECREE No. 1832, January 16, 1981]

CREATING THE NATIONAL KIDNEY FOUNDATION OF THE PHILIPPINES.

WHEREAS, the Constitution mandates that the States shall establish, maintain and ensure adequate social services in the field of health, among others, to guarantee the well-being of the Filipino people;

WHEREAS, kidney and allied diseases have become prevalent, afflicting an increasingly greater number of people throughout the country;

WHEREAS, the Government recognizes the need to provide specialized medical services for people suffering from kidney and allied diseases;

WHEREAS, Government initiative in medical and scientific research and study on kidney and allied diseases, shall positively contribute to the prevention and treatment of kidney and allied diseases, thereby uplifting the physical and mental fitness of the people;

WHEREAS, there exists a concomitant need to educate and train medical specialists and other medical and technical personnel in the field of kidney and allied diseases;

WHEREAS, the promotion of the general health of the Filipino people shall ultimately enhance socio-economic conditions in the country;

WHEREAS, the noble undertaking of the Government in the study, prevention and treatment of kidney and allied diseases, can best be achieved by creating, supporting, maintaining and operating an integrated medical institution which shall specialize in kidney and allied diseases;

NOW, THEREFORE, I FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree:

SECTION 1. Creation of the National Kidney Foundation of the Philippines. There is hereby created a body corporate and politic to be known as the National Kidney Foundation of the Philippines, hereinafter referred to as the Foundation, which shall implement the intent and spirit of this Decree. The Foundation shall have its principal office in Metro Manila, and may have such branch offices, hospitals, clinics or subsidiaries in other areas in the Philippines as it may deem proper and necessary. The FOUNDATION shall be under the Office of the President of the Philippines.

SECTION 2. Purpose and Objectives. The FOUNDATION shall have the following purposes and objectives:

(a) To construct, establish, equip, maintain, administer and operate such integrated medical institution or institutions as shall specialize in the prevention, diagnosis, treatment, care, rehabilitation and/or relief of kidney and allied diseases, in line with the concern of the Government to provide material and financial support in the establishment, maintenance and operation of a kidney center primarily for the benefit of the Filipino people, and in pursuance of the policy of the State to secure the well-being of the people by providing them with specialized health and medical

services and by minimizing the incidence of kidney and allied diseases in the country;

(b) To promote medical and scientific research relative to the prevention and treatment of kidney and allied diseases, and to encourage planning, invention and development of artificial means of kidney support and transplantation;

(c) To conduct fact-finding investigations on kidney diseases, and related field throughout the country or elsewhere, and to report, publish and disseminate information on kidney and allied diseases;

(d) To finance, sponsor, hold or participate in congresses, conventions, conferences, seminars, work-shops and training programs on kidney diseases and/or related field in the Philippines or abroad;

(e) To encourage and assist in the education and training of physicians, nurses, health officers, social workers and medical and technical personnel in the practical and scientific implementation of services to kidney patients;

(f) To assist universities, hospitals and research institutions in their studies on kidney and allied diseases and other related fields, to encourage and grant scholarships for advanced training and specialization in renal and related fields, and to support educational programs of value to general public health; and

(g) To stimulate the formation of other organizations on the national, provincial, city and/or local levels, and to coordinate the various efforts and activities of such organization for the purpose of achieving a more effective approach to the common problem relative to the purposes and objectives enumerated herein.

SECTION 3. Powers and Functions. For the attainment and/or furtherance of the above-enumerated purposes and objectives, the FOUNDATION as a body corporate acting through its Board of Trustees, shall have the following powers and functions in addition to those provided for in the other sections of this Decree:

(a) To adopt and use a corporate seal;

(b) To sue and be sued in its corporate name;

(c) To adopt its by-laws, rules and regulations as it may deem proper and necessary for implementation of the purposes and objectives of this Decree;

(d) To succeed by its corporate name, and to acquire and possess properties, rights and interests of whatever kind and nature, and mortgage, pledge, alienate, encumber or otherwise dispose of the same;

(e) To award, enter into, make, execute, perform and carry out domestic or foreign contracts of whatever kind and nature, and for this purpose the FOUNDATION is hereby exempted from the requirements of public bidding, any provision of law rule, or regulation to the contrary notwithstanding;

(f) To invest in, and purchase or otherwise acquire, own, hold, use, lease, grant, mortgage, pledge, sell, assign, convey, transfer, exchange or otherwise deal with, real and/or personal properties of every kind and nature, including shares of stock, bonds, debentures, notes, securities and other evidences of indebtedness or

obligations of other corporations, whether domestic or foreign, and whether government or private;

(g) To act as general or operating managers, representatives, or agents of commercial and/or industrial concerns of whatever kind and nature and to engage in the promotion, assistance, encouragement, development and expansion of any lawful business in the Philippines or abroad;

(h) To obtain loans, borrow funds and/or arrange financing or credit assistance of whatever kind and nature from all sources, whether domestic or foreign and whether government or private, and to mortgage, pledge or otherwise encumber any of its properties and assets for the purpose of securing or guaranteeing the performance or fulfillment of any obligation it may undertake for itself or for other entities in which it may be interested;

(i) To levy, assess and collect such fees, charges and assessments as may be necessary or proper to support, finance and maintain its operations; and

(j) To exercise such other powers and functions as may be incidental or necessary to carry out the purposes and objectives of this Decree.

SECTION 4. The Board of Trustees; Composition; Term and Compensation. THE FOUNDATION shall be governed, and its activities and properties shall be directed, controlled and managed, by a Board of Trustees, hereinafter referred to as the Board, which shall be composed of a Chairman and ten (10) members, all of whom shall be appointed by the President of the Philippines. The President of the FOUNDATION, who shall be appointed from among the members of the Board in accordance with Section 7 hereof, shall be the ex-officio Vice-Chairman of the Board.

Except the President of the FOUNDATION, the members of the Board shall serve for a term of three (3) years, with a right to hold-over until their respective successors shall have been duly appointed and qualified. The President of the Philippines may, however, remove any member of the Board for cause. Whenever a vacancy shall occur in the Board, the person appointed to fill the vacancy shall hold office for the unexpired term of the member replaced.

Except the President of the FOUNDATION, each member of the Board shall receive a per diem of at least FIVE HUNDRED PESOS (P500.00) per meeting actually attended: Provided, That no member shall receive a per diem of more than TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) per month.

SECTION 5. Power and Functions of the Board. The Board shall have the following powers and functions:

(a) To formulate policies, guidelines and programs to effectively implement and carry out the purposes and objectives of this Decree;

(b) To prescribe, review and revise the amount of the fees, charges, and assessments levied and collected for the support and maintenance of the operations of the FOUNDATION;

(c) To control the management, operation and administration of the FOUNDATION;

(d) To promulgate such rules and regulations as may be necessary or proper for the effective exercise of power and functions as well as the discharge of the duties,