

[EXECUTIVE ORDER NO. 227, January 05, 1957]

**PROVIDING FOR THE IMPLEMENTING DETAILS FOR
REORGANIZATION PLANS NOS. 15-A AND 27-A RELATIVE TO
COMMERCE AND INDUSTRY**

Pursuant to the powers vested in me by Republic Act Numbered Nine hundred and ninety-seven, as amended by Republic Act Numbered One thousand two hundred and forty-one, and upon the recommendation of the Government Survey and Reorganization Commission, the following Implementing Details of Reorganization Plans Nos. 15-A and 27-A which relate to Commerce and Industry, are hereby promulgated to govern the organization, powers, duties, and functions of the Department of Commerce and Industry and its subordinate entities:

ORGANIZATION OF THE DEPARTMENT OF COMMERCE AND INDUSTRY

SECTION 1. The organization, functions, and operation of the Department of Commerce and Industry, hereinafter referred to as the "Department," shall be in accordance with the provisions of Reorganization Plans Nos. 15-A and 27-A, hereinafter referred to collectively as the "Plans," and these Implementing Details.

SEC. 2. The Department, as graphically depicted in the following organization charts, shall consist of the Office of the Secretary, Bureau of Domestic Trade, Bureau of Foreign Trade, Bureau of Industrial Promotion, Bureau of Cooperative Administration, Bureau of the Census and Statistics, Philippine Patent Office, Securities and Exchange Commission, and Office of the Coordinator of Field Services.

All the entities aforementioned are hereinafter referred to collectively, as the "central offices."

SEC. 3. The Secretary of the Department, hereinafter referred to as the "Secretary," is authorized to make such changes in organization, definition of functions, and distribution of work among entities in the Department as may be necessary to reflect changes in legislation, conditions, needs, workloads: *Provided*, That no such changes may be made during fiscal year 1957 without specific approval of the President: *And provided, further*, That any such changes must be in conformity with the general pattern of organization set forth in the Plans and these Implementing Details.

SEC. 4. Pursuant to section 11 of: Reorganization Plan No. 45-A on the Presidency, the National Marketing Corporation shall be attached to the Department for executive supervision by the Secretary of the Department, who is *ex officio* chairman of the Board of Directors of this Corporation, in accordance with section 7 of Republic Act Numbered Thirteen hundred and forty-five. For purposes of these Implementing Details, this Corporation shall not be considered as part of the Department. The functions of this Corporation shall include those transferred to it

and shall exclude those transferred from it pursuant, respectively, to sections 13 and 24 of Reorganization Plan No. 27-A.

SEC. 5. Pursuant to section 26 of Reorganization Plan No. 30-A on Agriculture and Natural Resources, the functions of the Fiber Inspection Service relating to the setting and maintenance of commercial standards, including collection of inspection fees and fiber testing for classification purposes are transferred to the Department together with applicable appropriations, equipment, property, records, and such personnel as are required by the Staffing Pattern of these Implementing Details. The portions of the Fiber Inspection Service Division, thus transferred, are reorganized as the Fiber Inspection Service Division of the Bureau of Foreign Trade: *Provided, however,* That personnel performing fiber inspection and related field activities shall be subject to the administrative supervision of the field organization of the Department.

SEC. 6. In accordance with the provision of sections 1795 and 1796-B of the Revised Administrative Code, and section 5 above of these Implementing Details, the collections from fiber inspection fees shall be deposited in the National Treasury to the credit of the Director of Foreign Trade and shall constitute a special fund to be expended for the salaries and other expenses of the Department in performing its functions of providing fiber inspection services, including functions relating to the setting and maintenance of commercial standards and fiber testing for classification purposes. Any surplus thereof, shall be transferred to the credit of the Secretary of Agriculture and Natural Resources and shall constitute a special fund to be expended for the purposes and in the manner provided by sub-section (b) of section 1796-B of the Revised Administrative Code.

FUNCTIONAL STATEMENTS OF THE DEPARTMENT OF COMMERCE AND INDUSTRY

Office of the Secretary

SEC. 7. The Office of the Secretary shall consist of the Secretary of Commerce and Industry, the Undersecretary of Commerce and Industry and their staffs, technical assistants and clerical staff, an Assistant to the Secretary for Administration, and administrative services staff divisions. The existing No-Dollar Import Office and the Philippine Committee on ECAFE Matters shall remain under the Office of the Secretary.

Functions of the Secretary of Commerce and Industry

SEC. 8. Authority and responsibility for the operation of the Department, shall be vested in the Secretary of Commerce and Industry, who is authorized to delegate his authority as he sees fit, in whole or in part, to the Undersecretary of Commerce and Industry, hereinafter referred to as the "Undersecretary," Assistant to the Secretary for Administration, office, or bureau heads. The functions, powers, and duties of the Secretary (and the Undersecretary in the former's absence and/or upon proper designation or delegation) shall consist of those provided in pertinent provisions of the Revised Administrative Code and other pertinent laws, and those provided in the Plans and these Implementing Details.

Functions of the Undersecretary of Commerce and Industry

SEC. 9. The Undersecretary of Commerce and Industry shall have the following functions, among others:

- (a) serve as deputy to the Secretary in all activities and functions as they relate to commerce and industry;
- (b) administer the day-to-day activities of the Department, coordinate their programs and projects, and assume responsibility for the efficient and economical operation of the Department;
- (c) advise and assist the Secretary in the formulation, determination, and implementation of policies as they relate to commerce and industry; and
- (d) upon proper designation, act as the Secretary in his absence or when the position is vacant.

Functions of the Technical Assistants

SEC. 10. The Secretary shall be provided with a staff consisting of three technical assistants: *Provided, however,* That pursuant to section 3 of Reorganization Plan No. 19-A on Management Practices, he shall have among them a management assistant who shall be responsible for assisting him in continuously promoting good management within the Department and providing technical advice and assistance on the application of effective good management practices to and in the operation of the Department.

SEC. 11. The functions, duties, and responsibilities of the technical assistants shall be exclusively of a planning, research or consultative character, and shall include, among others, the following:

- (a) study or investigate for the Secretary basic matters for the formulation of policies, programs, and procedures to be adopted by the Department.
- (b) assist the Secretary in supervising the formulation and execution of department-wide policies and programs;
- (c) provide staff assistance to intra-departmental committee dealing with program or policy matters affecting the Department; and
- (d) study and review for the Secretary and recommend action on specified matters originating from other entities of the Department or on commercial and industrial matters which are referred to the Department by other government agencies.

Functions of the Assistant to the Secretary for Administration

SEC. 12. As chief administrative aide to the Secretary, the Assistant to the Secretary for Administration shall have the following functions, among others:

- (a) be responsible for the performance of all administrative services needed by the Secretary and the Undersecretary, and the bureaus and offices of the Department; and
- (b) supervise, direct, and coordinate the work of the administrative services staff divisions under the Office of the Secretary, except when otherwise provided for in these Implementing Details.

Functions of the Administrative Services Staff Divisions

SEC. 13. The administrative services staff divisions shall provide the Secretary with necessary administrative staff support, perform administrative services, staff work for entities of the Department, and provide functional supervision over administrative services staff activities within the entities of the Department. In accordance with the preceding section, the Assistant to the Secretary for Administration shall supervise, direct, and coordinate the work of the staff divisions for the Secretary, except when otherwise provided for in these Implementing Details. Each staff division shall be supervised by a staff officer, who shall advise the Secretary on matters within his specialty.

SEC. 14. As provided for in Article I of Reorganization Plan No. 27-A, the administrative services staff divisions under the Assistant to the Secretary for Administration, shall consist of the following divisions, namely: Legal Division, Public Information Division, Budget and Statistics Division, Personnel Division, and General Services Division.

Functions of the Legal Division

SEC. 15. The Legal Division shall provide the Secretary with legal counsel and assistance on statutory and contractual interpretations, drafting of contracts and agreements, drafting and reviewing proposed legislation and providing other required legal services for entities of the Department. The Legal Division shall, among others:

- (a) advise the Department on statutory and contractual interpretations and other legal matters affecting the functions of the Department;
- (b) draft the Department's proposed legislation to be submitted to the Congress; and prepare comments and recommendations for the Secretary on proposed legislation referred to the Department;
- (c) assist the Department in prescribing discretionary or interpretative administrative rules and regulations supplementing statutory enactments affecting the Department, its offices and bureaus;
- (d) handle all legal matters relating to administrative adjudication under the Department, its bureaus and offices, except when otherwise provided for; and prepare replies to queries on legal questions affecting trade and commerce, inclusive of the scope of the Department; and
- (e) assist the Solicitor in handling litigation of cases of the Department, its offices and bureaus, including those in which the Secretary or any other official or employee of the Department is involved in his official capacity, and including also cases beyond the prescribed jurisdiction of the quasi-judicial entities in the Department.

Functions of the Public Information Division

SEC. 16. The Public Information Division shall develop an appropriate press relations program and prepare special information materials relating to commerce and industry. Its functions shall include those transferred to it pursuant to section 1 of Reorganization Plan No. 27-A. This Division shall maintain liaison with the Office of the Press Secretary and shall have three sections as indicated below, with their respective duties and responsibilities as follows:

(a) The Press Publication Section shall have the following functions, among others:

- (1) take charge of gathering, preparing, and publicizing commercial and industrial information;
- (2) prepare press releases of the Department;
- (3) gather, analyze, and issue informative materials pertinent to the activities of the Department;
- (4) publish pamphlets, articles, and monographs pertaining to the Department;
- (5) prepare written reports for the Secretary and other officials of the Department; and
- (6) do mimeographing and other reproduction jobs for the central offices of the Department, and for the regional offices insofar as may be practicable.

(b) The Radio-Visual Section shall have the following functions, among others:

- (1) prepare scripts, playlets, and spot news for radio or television broadcasts of the commercial activities of the Department;
- (2) prepare scripts and supervise the filming of movie pictures, film strip, and slides; and
- (3) attend to all photographic works, art and display jobs, and other informational-illustrations such as posters, signs, and economic maps.

(c) The Distribution and Library Section shall have the following functions, among others:

- (1) take charge of the distribution of all the Department's publications in accordance with established distribution lists or systems. Preparation or formulation of such distribution lists or systems shall be a responsibility of the staff officer supervising the Public Information Division; and
- (2) take charge of the central library of the Department, including work pertaining to the use of library books and periodicals.

Functions of the Budget and Statistics Division

SEC. 17. The Budget and Statistics Division shall provide the Secretary with advice and assistance on fiscal problems, and with a management-control-aid system using the technique of internal operational statistics. The functions of this Division shall include those transferred to it pursuant to section 6 of Reorganization Plan No. 27-A. This Division shall have two sections as indicated below, with their respective duties and responsibilities as follows: