

EXECUTIVE ORDER NO. 130

REORGANIZING THE PRESIDENTIAL MANAGEMENT STAFF,
MERGING AND CONSOLIDATING ALL OFFICES AND
AGENCIES WHOSE FUNCTIONS OVERLAP AND/OR ARE INTER-RELATED,
DEFINING ITS POWERS AND FUNCTIONS AND FOR OTHER PURPOSES

RECALLING that the reorganization of the government is mandated expressly in Article II, Section 1 (a), and Article III of the Freedom Constitution;

HAVING IN MIND that, pursuant to Executive Order No. 5 (1986), it is directed that necessary and proper changes in the organizational and functional structures of the government, its agencies and its instrumentalities, be effected in order to promote efficiency and effectiveness in the delivery of public services;

REALIZING that the Presidential Management Staff has the primary function of providing the management and technical staff support to the Office of the President in the task of overseeing, coordinating and managing the development process;

COGNIZANT of the importance of a Presidential support office that will undertake policy and program studies and strong technical support for the Office of the President and a development management office that will initiate, catalyze and demonstrate new programs and projects that must be carried out and sustained as regular national programs and projects by the different line ministries and agencies of government;

REALIZING that it is the avowed policy of the new administration to prevent dissipation of public resources by streamlining government operations;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the sovereign will of the Filipino People and the Freedom Constitution, do hereby order:

SECTION 1. Title. This Executive Order shall otherwise be known as the Reorganization Act of the Presidential Management Staff.

SECTION 2. Reorganization. The Office of Development Management is hereby abolished and all its pertinent functions together with applicable records, equipment and personnel as may be necessary are hereby transferred to the Presidential Management Staff in accordance to the provisions of this Executive Order.

Handwritten signature and date:
11/20/85

SECTION 3. Declaration of Policy. It is hereby declared the policy of the government to strengthen the Office of the President structurally and functionally in the performance of its development management functions particularly with regard the analysis, coordination and monitoring of critical national projects and programs. The Office of the President through a high level support staff shall pioneer, initiate, catalyze and/or demonstrate programs and projects which will be carried out and sustained ultimately as regular national programs and projects by line ministries and agencies.

SECTION 4. Mandate. The Presidential Management Staff (PMS) shall be the primary government agency directly responsible to the Office of the President for providing staff assistance in the Presidential exercise of overall management of the development process.

SECTION 5. Powers and Functions. To accomplish its mandate, the PMS shall have the following powers and functions:

- ✓ (a) Provide technical assistance and advise directly to the President in exercising overall management of the development process;
- (b) Analyze and monitor national programs and projects;
- (c) Formulate and implement development management information systems and programs that will include upgrading and strengthening the Office of the President in terms of computer and communications technology for more effective information management and decision management support;
- d. Conduct continuing analysis and evaluation of economic, social and political trends;
- ✓ (e) Conduct studies on methods for the effective and efficient execution of development programs and projects;
- (f) Conduct review, analysis and evaluation of proposed and existing policies affecting development;
- ✓ (g) Provide centralized feedback mechanism on the implementation of national government projects;
- (h) Identify bottlenecks in project implementation or problem areas and possible sources of delays, and formulate solutions or corrective measures thereto;
- (i) Translate Presidential perspectives/insights, policies and plans on development issues into strategic action programs/projects;
- ✓ (j) Assist in the coordination function for the President with respect to the implementation of the various development programs of the Government;

- (k) Implement initial action on critical areas such as, but not limited to, the National Reconciliation and Development Program, where the President wishes to lead in piloting development initiatives that can subsequently be turned over and directly managed by the line ministries;

Provide a direct feedback mechanism to and from the people and the Office of the President;

Exercise direct control and supervision over such organizations, offices, agencies, programs and projects as may be aligned/assigned/transferred to the Office pursuant to the provisions of Administrative Orders Nos. 9 and 10 (January 5, 1987), or as provided in existing or subsequent promulgations, orders and instructions of the President.

Organize and supervise such task forces as may be necessary to respond to instructions from the President;

- (o) Formulate, implement, and supervise the government's policies, plans and programs pertaining to the technical support and development management requirements of the President; in accordance with Presidential directives and administrative orders.
- (p) Exercise management supervision and control over all bureaus, agencies, corporations, centers, councils, committees placed under the control of the former Office of Development Management and such other agencies placed under its supervision and control by the Office of the President;
- (q) Establish policies and implement programs for the efficient management and operations of its Office and undertake research and such other management measures of efficiency and economy that will redound to the benefit of the Office and the achievement of its development management objectives;
- (r) Exercise such other functions and powers as may be provided by law;

SECTION 6. Structural Organization. The Office shall consist of the Presidential Management Staff proper composed of the Office of the Deputy Executive Secretary and his immediate staff, the Office of the two (2) Assistant Secretaries, and two (2) operations groups:

- (a) The Presidential Policy and Management Group;
- (b) The Development Monitoring and Management Group.

SECTION 7. The Office of the Deputy Executive Secretary. The Office of the Deputy Executive Secretary shall consist of the Deputy Executive Secretary and his immediate staff. The Deputy Executive Secretary shall be appointed by the President.

SECTION 8. Assistant Secretaries. The Deputy Executive Secretary shall be assisted by two (2) Assistant Secretaries, who shall be appointed by the President upon the recommendation of the Deputy Executive Secretary. The Deputy Executive Secretary is hereby authorized to delineate and assign the respective functional areas of responsibilities of the Two (2) Assistant Secretaries.

SECTION 9. Staff Support. The Office of the Deputy Executive Secretary shall be assisted by five (5) staff support services, namely:

- (a) Administrative Service;
- (b) Financial Service;
- (c) Legal Service;
- (d) External Relations Service;
- (e) Communication and Information Service.

SECTION 10. The Presidential Policy and Management Group. This Office shall be composed of the existing organization of the Presidential Management Staff and shall be internally reorganized structurally and functionally in accordance with the provisions of this Executive Order by the head of office of the Presidential Management Staff.

SECTION 11. The Development Monitoring and Management Group. This Office shall be created from the existing organization and original offices of the Office of Development Management and shall be internally reorganized structurally and functionally in accordance with this Executive Order by the head of office of the PMS. All regional offices and area coordinators of the existing ODM shall be under this Office.

SECTION 12. Attached Agencies. All agencies formerly attached to the Office of Development Management shall now be attached to the Presidential Management Staff. The PMS shall undertake management studies and prepare recommendations for the proper dispositive actions on these agencies and corporations, for submission to the President. All dispositive actions will require Presidential approval.

SECTION 13. Membership in Councils. The head of the PMS, in the performance of the functions for overseeing government development plans and programs, shall sit as a member of the following councils:

- (a) National Reconciliation and Development Council.
- (b) Housing and Urban Development Coordinating Council.

SECTION 14. Transitory Provisions. In accomplishing the acts of reorganization herein prescribed, the following transitory provisions shall be complied with, unless otherwise provided elsewhere in this Executive Order:

- (a) The transfer of a government unit shall include the functions, appropriations, funds, records, equipment, facilities, choses in action, rights, other assets, and liabilities, if any, of the transferred unit as well as the personnel thereof, as may be necessary, who shall, in a hold-over capacity, continue to perform

respective duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime are separated from government service pursuant to Executive Order No. 17 (1986) or Article III of the Freedom Constitution. Those personnel from the transferred unit whose positions are not included in the Office's new position structure and staffing pattern approved and prescribed by the Deputy Executive Secretary or who are not reappointed shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of Section 15 hereof.

- b) The transfer of functions which results in the abolition of the government unit that exercised them shall include the appropriations, funds, records, equipment, facilities, choses in action, rights, other assets and personnel as may be necessary to the proper discharge of the transferred functions. The abolished unit's remaining appropriations and funds, if any, shall revert to the General Fund and its remaining assets, if any, shall be allocated to such appropriate units as the Deputy Executive Secretary shall determine or shall otherwise be disposed in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. Its liabilities, if any, shall likewise be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. Its personnel shall, in a hold-over capacity, continue to perform their duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from the service pursuant to Executive Order No. 17 (1986) or Article III of the Freedom Constitution. Its personnel whose positions are not included in the Office's structure and staffing pattern approved and prescribed by the Deputy Executive Secretary under Section 15 hereof or who is not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 15.
- (c) Any transfer of functions which does not result in the abolition of the government unit that has exercised them shall include the appropriations, funds, records, equipment, facilities, choses in action, rights, and assets and personnel as may be necessary to the proper discharge of the transferred functions. The liabilities, if any, that may have been incurred in connection with the discharge of the transferred functions, shall be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. Such personnel shall, in a hold-over capacity, continue to perform their duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from the service pursuant to Executive Order No. 17 (1986) or Article III of the Freedom Constitution. Any personnel, whose position is not included in the Office's new position structure and staffing pattern approved and prescribed by the Deputy Executive Secretary under Section 15 hereof or who is not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 15.

function, whose positions are not included in the Office's new position structure and staffing pattern approved and prescribed by the Deputy Executive Secretary under Section 15 hereof or who have not been reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 15 hereof.

SECTION 15. New Structure and Pattern. Upon approval of this Executive Order, the officers and employees of the Office shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from government service pursuant to Executive Order No. 17 (1986) or Article III of the Freedom Constitution.

The new position structure and staffing pattern of the Office shall be approved and prescribed by the Deputy Executive Secretary within one hundred and twenty (120) days from the approval of this Executive Order and the authorized positions created inhereunder shall be filled with regular appointments by him or by the President as the case may be. Those incumbents whose positions are not included therein or who are not reappointed shall be deemed separated from the service. Those separated from the service shall receive the retirement benefits to which they may be entitled under existing laws, rules and regulations. Otherwise, they shall be paid the equivalent of one (1) month basic salary for every year of service in the government, or a fraction thereof, computed on the basis of the highest salary received, but in no case such shall payment exceed the equivalent of twelve (12) months salary.

No court or administrative body shall issue any writ or preliminary injunction or restraining order to enjoin the separation/replacement of any officer or employee effected under this Executive Order.

SECTION 16. Periodic Performance Evaluation. The Office is hereby required to formulate and enforce a system of measuring and evaluating periodically and objectively the performance of the Office and submit the same annually to the President.

SECTION 17. Notice or Consent Requirement. If any reorganizational change herein authorized is of such substance of 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 of such creditors, such notice or consent requirement shall be complied with prior to the implementation of such reorganizational change.

SECTION 18. Prohibition Against Structural Changes. No change in the reorganization herein prescribed shall be valid except upon prior approval of the President for the purpose of promoting efficiency and effectiveness in the delivery of public services.

- (d) In case of the abolition of the government unit which does not result in the transfer of its functions to another unit, the appropriations and funds of the abolished entity shall revert to the General Fund, while the records, equipment, facilities, choses in action, rights, and other assets thereof shall be allocated to such appropriate entities as the Deputy Executive Secretary shall determine or shall otherwise be disposed in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. The liabilities of the abolished units shall be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations, while the personnel thereof, whose position, is not included in the Office's new position structure and staffing pattern approved and prescribed by the Deputy Executive Secretary under Section 15 hereof or who has not been reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 15.
- (e) In case of merger or consolidation of government units, the new or surviving unit shall exercise the functions subject to the reorganization herein prescribed and the laws, rules and regulations pertinent to the exercise of such functions, and shall acquire the appropriations, funds, records, equipment, facilities, choses in action, rights, other assets, liabilities, if any, and personnel, as may be necessary, of the units that compose the merged unit shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from the service pursuant to Executive Order No. 17 (1986) or Article III of the Freedom Constitution. Any such personnel, whose position is not included in the Office's new position structure and staffing pattern approved and prescribed by the Deputy Executive Secretary under Section 15 hereof or who are not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 15.
- (f) In case of termination of a function which does not result in the abolition of the government unit which perform such function, the appropriations and funds intended to finance the discharge of such function shall revert to the General Fund while the records, equipment, facilities, choses in action, rights and other assets used in connection with the discharge of such function shall be allocated to the appropriate units as the Office shall determine or shall otherwise be disposed in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. The liabilities, if any, that may have been incurred in connection with the discharge of such function shall likewise be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. The personnel who have performed such

SECTION 19. Funding. In addition to the existing appropriations of the Presidential Management Staff, transitional funding to the Presidential Management Staff is hereby authorized in the amount of TWO HUNDRED AND THIRTY TWO MILLION PESOS (P232,000,000.00) to carry out the provisions of this Executive Order, to be taken from the Compensation and Organizational Adjustment Fund (COAF) of the General Appropriations Act (1987).

SECTION 20. Implementing Authority of the Deputy Executive Secretary. The Deputy Executive Secretary shall issue such orders, rules and regulations and other issuances as may be necessary to ensure the effective implementation of the provisions of this Executive Order.

SECTION 21. Separability. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SECTION 22. Repealing Clause. All laws, ordinances, rules, regulations and other issuances or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SECTION 23. Effectivity. This Executive Order shall take effect immediately upon approval.

APPROVED in the City of Manila, Philippines, this 30th day of January _____, in the Year of Our Lord, Nineteen Hundred and Eighty-Seven.

Corason B. Aquino

By the President:

[Signature]
ROKER P. ARROYO
Executive Secretary