

13<sup>TH</sup> CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
1<sup>ST</sup> REGULAR SESSION }

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RECEIVED BY: SENATE  
S.B. No 1167**INTRODUCED BY SENATOR RAMON B. MAGSAYSAY, JR.****EXPLANATORY NOTE**

The national government has been pursuing the policy of streamlining the bureaucracy by promoting effective governance and simplifying governmental procedures. Under the said policy, public entities performing similar functions are either abolished, or being studied for merger or consolidated as one unified body for purposes of economy and better public service.

This legislation is in accord with the said policy. Through fiat (Executive Order No. 565, as amended by EO 133), the Bonded Export Marketing Board (BEMB) of the Department of Trade and Industry (DTI) is accorded the power to adopt appropriate approaches and services in line with the national export strategy by encouraging and promoting investments directed at expanding local manufacturing base through the bonded export manufacturing facilities. On the other hand, the Board of Investments (BOI) is mandated under EO 226, the Omnibus Investments Act, to regulate and promote investments in the Philippines. With this legislative measure, the BEMB is hereby merged with the BOI for purposes of streamlining governmental functions is hereby merged with the BOI for purposes of streamlining governmental function and of evolving a single body to undertake export and investments promotions.

The restructuring shall be effected within the realm of Civil Service Law, particularly the recognition of security of tenure. Under the proposed merger, the BOI shall assume the regular functions of the BEMB including the formulation of investments promotion strategies through a focused and integrated approach to promote sector specific, country specific investments and the provision for assistance and support through joint venture matching and identify possible sites for the project and bonded warehouse. Likewise, it shall establish networking system with different government agencies, industry organizations, and the private sector to better implement export and trade strategy.

Early cognizance of this bill is earnestly sought.

  
**RAMON B. MAGSAYSAY, JR.**

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S.B. No. 1167

**INTRODUCED BY SENATOR RAMON B. MAGSAYSAY, JR.**

**AN ACT**  
**MERGING THE BONDED EXPORT MARKETING BOARD OF THE**  
**DEPARTMENT OF TRADE AND INDUSTRY WITH THE BOARD OF**  
**INVESTMENTS, APPROPRIATING FUNDS THEREFOR AND FOR**  
**OTHER PURPOSES**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

**Section 1. Declaration of Purpose**--The Department of Trade and Industry (DTI) pursues the government the policy of promoting effective bureaucracy by reorganizing the Department through the merger of the functions of several agencies attached to it. Agencies of DTI performing similar functions of promoting investments and export promotions are merged in one unified body for purposes of economy and better public service.

**Section 2. Merger of the Bonded Export Marketing Board and the Board of Investments**--Subject to the provisions of the Civil Service Law, rules and regulations, the Bonded Export Marketing Board (BEMB), an attached agency of the DTI is hereby merged with the Board of Investments (BOI) for purposes of streamlining government functions and of evolving unified body to undertake export and investments promotions.

**Section 3. Transfer of Functions**--Under the merger, BOI shall assume the regular functions of the BEMB, including but not limited to the following:

- a) Formulate investment promotion strategies through a focused and integrated approach to promote sector specific, country specific investments;
- b) Provide assistance and support through joint venture matching and identify possible sites for the project and bonded warehouse;
- c) Provide technical assistance and logistic support to organized missions in coordination with the BOI Industry Planning Group;
- d) Conduct investment promotion activities such as outbound/inbound missions, seminars, participation in fairs and other similar activities; and
- e) Establish networking with different government agencies, industry organizations, embassies, private sector institutions and other similar bodies.

**Section 4. *Transfer of Assets, Liabilities, Properties and Functions***---All functions, assets, liabilities, record, appropriations, properties, facilities and equipment of the BEMB are hereby transferred to the BOI.

**Section 5. *Transfer, Absorption and/or Separation of BEMB Personnel***---BEMB personnel shall, in a holdover capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits; Provided, That any personnel, whose position is not included in BOI's new position structure and staffing pattern approved and prescribed by the DTI Secretary and who is not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided under existing laws, rules and regulations.

**Section 6. *New Structure and Functions***---The new position structures and staffing pattern of the Board of Investments carrying out the functions of BEMB shall be approved and prescribed by the DTI Secretary within one hundred twenty (120) days from the enactment of this law, and the authorized positions created shall be filled with regular appointments made by the BOI Governing Board or the President, as the case may be.

**Section 7. *Appropriations***---Pending the effectivity of this Act, the amount necessary to carry out this merger shall be charged against the current fiscal year appropriations of the Department of Trade and Industry. Thereafter, such sums as may be necessary in the BOI operation and the performance of the additional functions provided herein shall be included as augmentation top the regular budget of the Board of Investment under the General Appropriations Act.

**Section 8. *Separability Clause***---If, for any reason, any section or provision of this Act shall be declared unconstitutional, other provisions hereof shall not be affected and shall remain in full force and effect.

**Section 9. *Repealing Clause***--- All laws, issuances, decrees or parts thereof inconsistent with the provisions of this Act are hereby repealed.

**Section 10. *Effectivity Clause***--- This Act shall take effect upon its approval.

**APPROVED,**