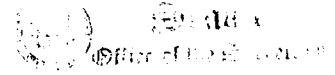


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



23 OCT 18 P4:14

**SENATE**  
S.B. No. 2468

RECEIVED BY

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Introduced by **SENATOR IMEE R. MARCOS**

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**AN ACT**  
**CREATING THE DEPARTMENT OF ECONOMIC PLANNING AND**  
**DEVELOPMENT, DEFINING ITS POWERS AND FUNCTIONS,**  
**APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article XII, Section 9 of the 1987 Constitution provides that:

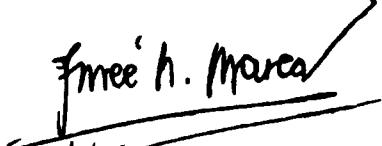
"The Congress may establish an independent economic and planning agency headed by the President, which shall, after consultations with the appropriate public agencies, various private sectors, and local government units, recommend to Congress, and implement continuing integrated and coordinated programs and policies for national development. Until the Congress provides otherwise, the National Economic and Development Authority shall function as the independent planning agency of the government."

The National Economic and Development Authority (NEDA) was established in 1973 by Presidential Decree No. 107, absorbing the powers and functions of the previous National Economic Development Authority as reconstituted under Presidential Decree No. 1-A. The NEDA was reorganized to its current structure by Executive Order No. 230 Series of 1987. This bill acts upon Article XII, Section 9 of the 1987 Constitution by institutionalizing the NEDA to implement long term, integrated, and coordinated programs and policies for national development.

The institutionalization of NEDA seeks to (1) facilitate planning and coordination among relevant government agencies; (2) ensure non-redundancy, effectivity, and efficiency in the alignment of economic resources; (3) improve access to data and information needed for supporting economic research; (4) encourage investments that

improve the competitiveness and job-generating capacity of the country; and (5) alleviate poverty and improve the socioeconomic conditions of the Filipino people.

In view of the foregoing, the passage of this bill is earnestly sought.

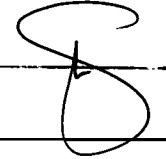
  
**IMEE R. MARCOS**

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**AN ACT  
CREATING THE DEPARTMENT OF ECONOMIC PLANNING AND  
DEVELOPMENT, DEFINING ITS POWERS AND FUNCTIONS,  
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

**CHAPTER I  
CREATION OF THE DEPARTMENT OF ECONOMIC PLANNING AND  
DEVELOPMENT**

**ARTICLE I  
TITLE AND POLICY**

**SECTION 1.** *Short Title.* This Act shall be known as the "Department of Economic Planning and Development."

**SEC. 2.** *Declaration of Policy.* – The State recognizes that, pursuant to Section 9, Article XII of the 1987 Philippine Constitution, the Congress may establish an independent economic and planning agency headed by the President of the Philippines, which shall, after consultations with the appropriate public agencies, various private sectors, and local government units, recommend to Congress, and implement continuing integrated and coordinated programs and policies for national development.

The State recognizes that, pursuant to Section 1, Article XII of the Constitution, the goals of the national economy are a more equitable distribution of opportunities, income and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged.

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**ARTICLE II**  
**DEPARTMENT OF ECONOMIC PLANNING AND DEVELOPMENT**

**SEC. 3.** *Creation of the Department of Economics and Planning.* – There is hereby created a Department of Economic Planning and Development, hereafter referred to as DEPD.

**SEC. 4.** *Mandate.* – DEPD shall be the policy, planning, coordinating, implementing, and administrative entity of the Executive Branch of government on economic planning and development. It shall formulate the country’s continuing, integrated, and coordinated policies, plans, and programs for national development and oversee the country’s public investment program.

**SEC. 5.** *Powers and Functions.* DEPD shall have the following powers and functions:

**I. Policy and Planning**

- a. Formulate the long-term development framework as the basis for overall direction of government policies, programs, and projects;
- b. Formulate the national and regional framework for physical and spatial planning to ensure the sustainable use of land and other physical resources;
- c. Formulate national, inter-regional, regional and provincial development plans that set forth measurable goals, strategies, proposed policies, programs, and projects;
- d. Ensure consistency of national, inter-regional, regional and provincial sectoral, and spatial plans and programs and monitor their respective implementations;
- e. Recommend the priorities for budget expenditure policies including sectoral and regional allocations;
- f. Propose and review policies to achieve economic development goals and foster innovation;
- g. Conduct research, surveys, and related studies for the formulation of policies, plans, programs, and projects; and
- h. Coordinate with autonomous and administrative regions in the conduct of planning activities affecting their respective regions.

**II. Investment Programming**

- a. Formulate and review the national and regional public investment program that identifies priority programs, activities, and projects;
- b. Adopt and implement appropriate evaluation measures and criteria to determine viability of programs and projects;
- c. Appraise and recommend programs and projects that are found viable;

1 d. Monitor and assess the progress of implementation of priority  
2 programs and projects; and

3 e. Assess the impacts and outcomes of priority programs and  
4 projects.

5 **III. Capacity Building of Development Planners**

6 a. Establish and implement a capacity building program on  
7 development planning for national, regional, and local planners; and

8 b. Provide technical assistance on the localization of national  
9 development strategies.

10  
11 **IV. Secretariat Support**

12 a. Provide technical and secretariat support to the Economics and  
13 Planning Council and its Committees, Regional Development Councils, National  
14 Innovation Council, and Legislative-Executive Development Advisory Council.

15  
16 **SEC. 6. *Composition of DEPD.*** – DEPD shall be headed by a Secretary. The  
17 Department Proper shall be composed of the Office of the Secretary, the Offices of the  
18 Undersecretaries and Assistant Secretaries, technical and sectoral staffs, operations  
19 support staffs, and regional offices.

20  
21 **SEC. 7. *Secretary of Economics and Planning.*** – The Secretary of Economics  
22 and Planning, hereafter referred to as the Secretary, shall be appointed by the  
23 President, subject to the confirmation of the Commission on Appointments. The  
24 Secretary, who shall be the country’s Chief Economist, shall have the following minimum  
25 qualifications: a natural-born citizen and resident of the Philippines: of good moral  
26 character; must have distinguished himself/herself professionally in public, civic, or  
27 academic service in the field of economics; must have been in the active practice of  
28 his/her profession for at least ten (10) years; and must not have been a candidate for  
29 any elective national or local office in the immediately preceding elections, whether  
30 regular or special.

31  
32 **SEC. 8. *Powers and Functions of the Secretary.*** – The Secretary shall have the  
33 following powers and functions:

34 (a) Advise the President on matters of national economic and social  
35 development;

36 (b) Provide executive direction and supervision over the entire operations of  
37 DEPD;

38 (c) Establish policies and standards for the efficient and effective operations  
39 of DEPD;

40 (d) Exercise disciplinary powers over officers and employees of DEPD in  
41 accordance with law;

42 (e) Promulgate such rules and regulations, and exercise such other powers  
43 as may be required to implement the objectives of this Act; and

44 (f) Perform such other functions as may be provided by law.

1  
2       **SEC. 9. *Undersecretaries and Assistant Secretaries.*** – The Secretary shall be  
3 assisted by four (4) Undersecretaries and eight (8) Assistant Secretaries, who shall be  
4 appointed by the President upon recommendation of the Secretary.

5       The Secretary shall have the flexibility to determine the respective assignments  
6 of the Undersecretaries and Assistant Secretaries depending on DEPD’s strategic  
7 directions and/or on emerging development trends affecting the country’s economy.  
8

9       **SEC. 10. *Groups and Offices.*** – DEPD shall have four (4) major Groups headed  
10 by Undersecretaries, to be supported by Offices and Staffs in the discharge of their  
11 functions, to wit:

12       (a) The Policy and Planning Group which shall be responsible for preparing  
13 and updating the integrated long-term development frameworks and plans, and  
14 physical planning frameworks; harmonizing national and sub-national, sectoral,  
15 and spatial plans and programs and monitoring their respective implementations;  
16 conducting research and related studies for plan formulation and policy  
17 recommendations; and preparing the annual economic reports;

18       (b) The Investment Programming Group which shall be responsible for  
19 translating plans and policies into programs and projects for sectoral and regional  
20 development; and formulating the public investment program;

21       (c) The Regional Development Group which shall be responsible for  
22 promoting and undertaking regional planning and development; and

23       (d) The Corporate Affairs Group which shall be responsible for providing  
24 support services relating to budget, finance and management; human resources;  
25 legal assistance; information, communications and technology; records; supplies  
26 and equipment; collection and disbursement; security; sanitation; and custodial  
27 work.  
28

29       The Secretary shall have the flexibility to reorganize the groups, offices, and  
30 staffs, and to recommend to DBM for approval, the creation of additional offices,  
31 positions, or staffing modifications as may be necessary.  
32

33       **SEC. 11. *Structure and Staffing.*** – The organizational structure and staffing  
34 shall be determined by DEPD and shall be submitted to DBM for approval as necessary.  
35

36       **SEC. 12. *DEPD Regional Offices.*** – The DEPD shall establish, operate and  
37 maintain a regional office in all the different regions of the country. Each regional office  
38 shall be headed by a Regional Director, who shall be assisted by an Assistant Director.  
39 The regional offices shall discharge the functions of DEP, as applicable, at the regional  
40 level.  
41

42       **SEC. 13. *Attached Agencies.*** – The agencies currently attached to the National  
43 Economic and Development Authority (NEDA) shall hereafter be attached to DEPD and

1 shall continue to operate and function in accordance with their respective charters,  
2 laws, or orders creating them, except as otherwise provided in this Act.  
3

4 The Philippine Institute for Development Studies (PIDS) as the government's  
5 primary socioeconomic policy think tank; and the Philippine Statistics Authority (PSA)  
6 as the government's central statistical authority shall be organizationally linked to the  
7 Office of the Secretary for policy and program coordination.  
8

9 The Public-Private Partnership Center of the Philippines (PPPC) as the agency  
10 responsible for the promotion and facilitation of PPP programs and projects shall be  
11 organizationally linked to the Investment Programming Group for policy and program  
12 coordination.  
13

14 The Philippine Statistical Research and Training Institute (PSRTI) as the agency  
15 mandated to conduct high quality, objective and responsive statistical research and  
16 training; the Commission on Population and Development (POPDEVCOM) as the agency  
17 responsible for the government's national program on population and family planning;  
18 and the Philippine National Volunteer Service Coordinating Agency (PNVSCA) as the  
19 agency mandated to promote and coordinate volunteer programs and services shall be  
20 organizationally linked to the Policy and Planning Group for policy and program  
21 coordination.  
22

23 The Tariff Commission (TC) as the agency that provides independent analysis,  
24 information, and technical support on matters related to tariff and non-tariff measures  
25 shall be organizationally linked to the Policy and Planning Group for administrative  
26 purposes.  
27

28 **SEC. 14.** *Legislative-Executive Development Advisory Council.* – DEPD shall  
29 serve as the principal secretariat of the Legislative-Executive Development Advisory  
30 Council (LEDAC), pursuant to Republic Act No. 7640, otherwise known as "An Act  
31 Constituting the Legislative-Executive Development Advisory Council." The LEDAC  
32 Secretariat shall hereafter be integrated in the organizational structure of DEP. The  
33 necessary appropriations for operating and capital expenditure of the LEDAC Secretariat  
34 shall be included in DEPD's budget in the General Appropriations Act.  
35

## 36 **CHAPTER II**

### 37 **THE ECONOMICS AND PLANNING COUNCIL AND ITS COMMITTEES**

38

39 **SEC. 15.** *The Economics and Planning Council.* – There shall be established an  
40 Economics and Planning Council, hereafter referred to as the Council, as the executive  
41 collegial body responsible for directing and providing overall policy direction on  
42 economic, financial, social and environmental matters to achieve inclusive and sustained  
43 economic growth. The Council shall be headed by the President of the Philippines.  
44

1           **SEC. 16.** Composition of the Council. – The Council shall be composed of the  
2 following:

- 3           (a) The President of the Philippines as Chairperson;
- 4           (b) Secretary of Economics and Planning;
- 5           (c) Secretary of Finance;
- 6           (d) Secretary of Budget and Management;
- 7           (e) Secretary of Interior and Local Government
- 8           (f) Secretary of Trade and Industry
- 9           (g) Secretary of Public Works and Highways
- 10          (h) Chairperson of the Union of Local Authorities of the Philippines; and
- 11          (i) Governor of the Bangko Sentral ng Pilipinas (BSP), as a resource  
12 institution.

13  
14           All members of the Council, except the Governor of BSP, are voting members.  
15 The presence of a majority of all members of the Council shall constitute a quorum. The  
16 Council may request inputs from the private sector.

17  
18           The President shall assign the Vice-Chairperson from among the members of the  
19 Council. The President may revise the membership of the Council as deemed necessary  
20 for the effective performance of the Council's functions.

21  
22           **SEC. 17.** *Powers and Functions of the Council.* – The Council shall have the  
23 following powers and functions:

- 24           (a) Direct the formulation and implementation of policies, plans, and  
25 programs that promote economic development and address development  
26 concerns of national importance;
- 27           (b) Approve policies, plans, programs, and projects, as endorsed by the  
28 Committees;
- 29           (c) Approve proposed cost threshold and other criteria for priority programs  
30 and projects, unless already provided by existing laws, rules and regulations;
- 31           (d) Approve the level of annual government expenditures, as well as  
32 projections, forecast, resource requirement, and the ceiling of government  
33 spending; and
- 34           (e) Issue rules and regulations necessary for the effective discharge of the  
35 powers and functions vested on the Council.

36  
37           **SEC. 18.** *Meetings.* – The Council shall meet quarterly. A special meeting of the  
38 Council may be convened by the President to address urgent concerns, emergencies,  
39 and other extraordinary circumstances. All decisions of the Council shall require the  
40 concurrence of the President of the Philippines. DEPD shall maintain and preserve a  
41 complete record of the proceedings and deliberations of the Council, including the  
42 recording and transcripts, either in their original form, or in any secure format made  
43 available by existing technology.



1           **SEC. 19. Full Disclosure Rule.** – In addition to the requirements of Republic Act  
2 No. 6713, otherwise known as the Code of Conduct and Ethical Standards for Public  
3 Officials and Employees, any member of the Council with personal and pecuniary  
4 interest in any matter in the agenda of the Council shall disclose the interest to the  
5 Council and shall withdraw from the meeting when the matter is taken up. The minutes  
6 shall reflect the disclosure made and the retirement of the member concerned from the  
7 meeting.

8  
9           **SEC. 20. Committees of the Council.** – The Council shall have committees that  
10 shall act as its primary advisory bodies. These Committees shall be the main  
11 coordinating mechanism that ensures that the policy environment is conducive to the  
12 promotion of rapid, inclusive, and sustained economic growth.  
13 The President shall designate the respective Chairpersons of the Committees. DEPD  
14 shall serve as the Secretariat for all Committees, unless otherwise provided in this Act.  
15 The President may revise the membership and reorganize the structures and functions  
16 of the Committees, and establish new committees, as deemed necessary.

17  
18           **SEC. 21. Development Budget Coordination Committee (BudgetCom).** –  
19 BudgetCom shall be composed of the Secretaries of the Department of Budget and  
20 Management, Department of Economics and Planning, and Department of Finance, the  
21 Executive Secretary, and the Governor of BSP.

22  
23 A technical committee of BudgetCom, composed of duly designated Undersecretaries  
24 of the same member agencies, is hereby established to conduct a technical review of  
25 matters that require appropriate action by BudgetCom. The Department of Budget and  
26 Management shall serve as the Secretariat for BudgetCom.

27  
28           BudgetCom shall recommend for final approval of the Council:

- 29           (a) The level of annual government expenditures and the ceiling of  
30 government spending for economic and social development, national defense,  
31 and government debt service;  
32           (b) The budget to be allocated for current operating expenditures and capital  
33 outlays of government programs and projects;  
34           (c) A strategic multi-year fiscal program which supports the long-term and  
35 medium-term development objectives of the country; and  
36           (d) A domestic and foreign borrowing program.

37  
38           **SEC. 22. Investment Coordination Committee (InvestmentCom).** –  
39 InvestmentCom shall be composed of the Secretaries of the Department of Finance,  
40 Department of Economics and Planning, Department of Budget and Management,  
41 Department of the Interior and Local Government, and Department of Trade and  
42 Industry, the Executive Secretary, and the Governor of BSP.

1 A technical committee of InvestmentCom, composed of duly designated  
2 Undersecretaries of the same member agencies, is hereby established to conduct a  
3 technical review of matters that require appropriate action by InvestmentCom.  
4

5 InvestmentCom shall discharge the following functions:

6 (a) Ensure the efficient and effective evaluation of major capital programs  
7 and projects of the country by determining levels of acceptability and viability  
8 relative to overall economic and fiscal conditions of the country;

9 (b) Recommend for the final approval of the Council:

10  
11 i. The timetable of the implementation of major capital programs and  
12 projects on a regular basis;

13 ii. Public-private partnerships, privatization, and other funding  
14 options to augment government's financing capacity;

15 iii. Modalities of development financing and capital market  
16 development in support of long-term programs and projects for  
17 both national and local government, and GOCCs; and

18 iv. Specific major programs and projects found viable in terms of  
19 economic and social benefits, and viability.

20 (c) Submit to the President of the Philippines a status of the fiscal, monetary  
21 and balance of payment (BOP) implications of major capital programs and  
22 projects.  
23

24 **SEC. 23. Economic Development Committee (EconDevCom).** – EconDevCom  
25 shall be composed of the Secretaries of the Department of Economics and Planning,  
26 Department of Finance, Department of Trade and Industry, Department of Budget and  
27 Management, Department of Public Works and Highways, Department of  
28 Transportation, Department of Information and Communications Technology,  
29 Department of Energy, Department of Science and Technology, Department of Tourism,  
30 Department of Agriculture, and Department of the Interior and Local Government, the  
31 Executive Secretary, and the Governor of BSP.  
32

33 A technical committee of EconDevCom, composed of duly designated  
34 Undersecretaries of the same member agencies, is hereby established to conduct a  
35 technical review of matters that require appropriate action by EconDevCom.  
36

37 EconDevCom shall recommend for final approval of the Council:

38 (a) Policies that ensure equitable and sustainable distribution of economic  
39 opportunities and benefits to Filipinos;

40 (b) Policies towards the development of agriculture, industry, and services  
41 that are vital to food security, and equitable and sustainable growth; and

1 (c) Policies and measures to promote national productivity, competition and  
2 competitiveness.  
3

4 **SEC. 24. *Infrastructure Committee (InfraCom).*** – InfraCom shall be composed  
5 of the Secretaries of the Department of Public Works and Highways, Department of  
6 Economics and Planning, Department of Budget and Management, Department of  
7 Finance, Department of Information and Communications Technology, Department of  
8 Transportation, Department of Trade and Industry, Department of Energy, Department  
9 of Agriculture, and Department of Tourism, and the Executive Secretary.

10  
11 A technical committee of InfraCom, composed of duly designated  
12 Undersecretaries of the same member agencies, is hereby established to conduct a  
13 technical review of matters that require appropriate action by InfraCom.  
14

15 InfraCom shall discharge the following functions:

- 16 (a) Recommend for the final approval of the Council a national infrastructure  
17 development strategy;  
18 (b) Advise the Council on all matters concerning infrastructure development;  
19 and  
20 (c) Coordinate the activities of agencies, including government-owned and  
21 controlled corporations involved in infrastructure development.  
22

23 **SEC. 25. *Social Development Committee (SocialDevCom).*** – SocialDevCom shall  
24 be composed of the Secretaries of Department of Social Welfare and Development,  
25 Department of Economics and Planning, Department of Budget and Management,  
26 Department of Education, Department of Agrarian Reform, Department of Agriculture,  
27 Department of Health, Department of the Interior and Local Government, and  
28 Department of Labor and Employment, and the Executive Secretary.  
29

30 A technical committee of SocialDevCom, composed of duly designated  
31 Undersecretaries of the same member agencies, is hereby established to conduct a  
32 technical review of matters that require appropriate action by SocialDevCom.  
33

34 SocialDevCom shall discharge the following functions:

- 35 (a) Recommend for final approval of the Council policies and programs that  
36 enhance the welfare and reduce risks of Overseas Filipino Workers, older  
37 persons, differently-abled persons, children, women, indigenous peoples,  
38 marginalized farmers and fisher folk, and informal urban and upland settlers;  
39 and  
40 (b) Advise the Council on matters concerning social development and delivery  
41 of social services.  
42

1           **SEC. 26. *Committee on Trade and Related Matters (TradeCom)*.** – TradeCom  
2 shall be composed of the Secretaries of the Department of Trade and Industry,  
3 Department Economics and Planning, Department of Agriculture, Department of Budget  
4 and Management, Department of Environment and Natural Resources, Department of  
5 Finance, Department of Foreign Affairs, Department of Information and  
6 Communications Technology, and Department of Transportation, the Executive  
7 Secretary, the Governor of BSP, and the Chairperson of the Tariff Commission.

8           A technical committee of TradeCom, composed of duly designated  
9 Undersecretaries of the same member agencies, is hereby established to conduct a  
10 technical review of matters that require appropriate action by TradeCom.  
11

12           TradeCom shall discharge the following functions:

- 13           (a) Recommend for final approval of the Council a continuous rationalization  
14 policy and program for the country's tariff structure;  
15           (b) Advise the Council on trade and related matters, as well as the effects of  
16 various international developments on the country; and  
17           (c) Coordinate government agency positions and recommend national  
18 positions for international economic negotiations.  
19

20           **SEC. 27. *Regional Development Committee (RDCom)*.** – RDCom shall be  
21 composed of the Secretaries of the Department of Economics and Planning, Department  
22 of the Interior and Local Government, Department of Budget and Management, and  
23 Department of Trade and Industry, three (3) Regional Development Council  
24 Chairpersons representing Luzon, Visayas and Mindanao, and one (1) representative  
25 from the Union of Local Authorities of the Philippines.  
26

27           A technical committee of RDCom, composed of duly designated Undersecretaries  
28 of the same member agencies, is hereby established to conduct a technical review of  
29 matters that require appropriate action by RDCom.  
30

31           RDCom shall discharge the following functions:

- 32           (a) Formulate and monitor the implementation of policies that reduce regional  
33 development disparities;  
34           (b) Promote equitable allocation of resources among regions by providing  
35 recommendations to DBCC on the guidelines for the regional allocation of  
36 budgetary resources; and  
37           (c) Periodically review the viability of the regional configuration of the  
38 country, and recommend to the Council the re-delineation of regions, as may be  
39 necessary.  
40

41           **SEC. 28. *Marine Resource and Land Use Committee (MaRLUCom)*.** – MaRLUCom  
42 shall be composed of the Secretaries of the Department of Economics and Planning,  
43 Department of Agrarian Reform, Department of Agriculture, Department of Energy,

1 Department of Environment and Natural Resources, Department of the Interior and  
2 Local Government, Department of Science and Technology, Department of Tourism,  
3 and Department of Human Settlements and Urban Development, the Chairperson of  
4 the National Commission on Indigenous Peoples, the Chairperson of the National Coast  
5 Watch Council, and the presidents of leagues of provinces, municipalities and cities.

6 A technical committee of MarLUCom, composed of duly designated  
7 Undersecretaries of the same member agencies, is hereby established to conduct a  
8 technical review of matters that require appropriate action by MarLUCom.

9  
10 MaRLUCom shall discharge the following functions:

11 (a) Advise the Council on matters concerning marine resource use planning  
12 and land use physical planning;

13 (b) Recommend for final approval of the Council the national and sub-national  
14 framework for physical planning;

15 (c) Recommend for final approval of the Council resolutions concerning  
16 marine resource use and land use policy conflicts among national government  
17 agencies; and

18 (d) Ensure the integration of marine resource use, land use and physical  
19 planning, including disaster risk management, into national development  
20 policies, plans and programs.

21  
22 **SEC. 29. *Regional Development Council (RDC).*** – The Regional Development  
23 Councils are the regional counterparts of the Council. Each RDC shall be composed of  
24 provincial governors, city mayors, mayors of municipalities designated as provincial  
25 capitals, presidents of the provincial league of mayors, mayors of municipalities  
26 designated as the regional centers, regional directors of the agencies represented in  
27 the Council, regional directors of the Department of Education, Department of Social  
28 Welfare and Development, and Department of Tourism, and private sector  
29 representatives who shall comprise one-fourth of the members of the fully constituted  
30 RDC.

31 The President of the Philippines shall appoint the Chairperson and Vice  
32 Chairperson of the RDC. The DEPD Regional Offices shall serve as secretariat of the  
33 RDCs.

34  
35  
36 **CHAPTER III**  
37 **TRANSITORY AND OTHER MISCELLANEOUS PROVISIONS**  
38

39 **SEC. 30. *Transitory Provision.*** – NEDA is hereby abolished. DEPD shall, by virtue  
40 of this Act, be subrogated to all the rights and assume all the liabilities of NEDA, and all  
41 of its funds, records, property, assets, equipment, and such personnel as necessary,  
42 including unexpended appropriations and/or allocations. All contracts and liabilities of  
43 NEDA are hereby transferred to and assumed by DEPD and shall be acted upon in

1 accordance with the Auditing Code and other pertinent laws, rules, and regulations. All  
2 current officials and employees of NEDA shall be retained under and absorbed by DEPD.  
3

4 Any reference to NEDA or to the Secretary of NEDA in any existing law, Executive  
5 Order, Administrative Order, or Presidential Proclamation, rules and regulations, and  
6 other issuances with respect to any duty or function assumed by DEPD created in this  
7 Act, shall be deemed hereafter to be referenced to DEPD or to the Secretary of  
8 Economics and Planning, respectively.  
9

10 All programs and projects submitted to NEDA for appraisal and/or those  
11 endorsed by the current Investment Coordination Committee for NEDA Board approval  
12 prior to the effectivity of this Act shall be processed by DEPD and the Council,  
13 respectively, subject to the prevailing laws, rules and regulations, guidelines, and  
14 issuances at the time they were submitted or endorsed.  
15

16 **SEC. 31. *Separation and Retirement from Service.*** – NEDA employees who are  
17 separated from service as a result of the consolidation and/or reorganization under the  
18 provisions of this Act, shall receive separation benefits to which they may be entitled  
19 under existing laws: Provided, That those who are qualified to retire under existing  
20 retirement laws shall be allowed to retire and receive retirement benefits to which they  
21 may be entitled under applicable laws and issuances.  
22

23 **SEC. 32. *Appropriations.*** – The amount necessary to cover the initial  
24 implementation of this Act shall be charged against the current year's appropriations of  
25 NEDA. Thereafter, such sums as may be necessary for the effective and continuous  
26 implementation of this Act shall be included in the annual General Appropriations Act.  
27

28 **SEC. 33. *Implementing Rules and Regulations.*** – Within ninety days (90) days  
29 from the effectivity of this Act, DEPD shall promulgate the rules and regulations, as well  
30 as the necessary issuances required for the proper implementation of the provisions of  
31 this Act. The implementing rules and regulations shall take effect fifteen (15) days after  
32 the completion of its publication in two (2) newspapers of general circulation. Within  
33 three (3) days from its effectivity date, three (3) certified copies of the published  
34 implementing rules and regulations shall be furnished to the University of the Philippines  
35 Office of the Law Center pursuant to Book VII, Chapter 2, Section 3 of the Administrative  
36 Code of 1987.  
37

38 **SEC. 34. *Separability Clause.*** – If any provision or portion of this Act is declared  
39 unconstitutional, the remainder of this Act or any provision not thereby affected shall  
40 remain in full force and effect.  
41

42 **SEC. 35. *Repealing Clause.*** – Executive Order No. 230, series of 1987, and  
43 Chapters 1, 2, 3, and 4, Subtitle C, Title II, Book V of Executive Order No. 292, Series  
44 of 1987, are hereby repealed. All laws, decrees, executive orders, ordinances, rules,

1 regulations, and other issuances, or parts thereof, which are inconsistent with any  
2 provision of this Act, are hereby repealed, amended, and/ or modified accordingly.

3

4 **SEC. 36. Effectivity.** – This Act shall take effect fifteen (15) days after its  
5 publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*