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REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

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SENATE

S. NO. 343

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

The need for sound expenditure management in the bureaucracy has become more important through the years as government resources have become limited and the needs of society have become almost inexhaustible.

The present set-up of the government made it a significant contributor to the tremendous waste of resources in the Philippine economy. By focusing the government's limited resources on the provision of basic services, the government would effectively reduce poverty and possibly bring about the economic resurgence of the Philippine economy. However, massive trimming down of the bureaucracy is needed to do away with the unnecessary and redundant appendages of the government.

This bill seeks to create the Government Reorganization Commission to undertake studies and propose measures to abolish, merge, integrate, transfer, regroup, or restructure departments, bureaus, offices, government-owned and controlled corporations and other agencies of the Executive Branch in order to eliminate overlapping and/or fragmentation functions of programs and activities.

In view of the foregoing, immediate approval of this measure is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
REORGANIZING THE GOVERNMENT BUREAUCRACY, CREATING A
GOVERNMENT REORGANIZATION COMMISSION, DEFINING ITS
POWERS AND FUNCTIONS AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Government
2 Reorganization Act of 2010."

3
4 **SEC. 2. *Declaration of Policy.*** - It is declared the policy of the State to maintain
5 an efficient, effective, professionalized, and properly compensated bureaucracy with
6 scope and focus of functions, programs and activities that support national development
7 goals and efforts and whose size and organizational structure promote economy,
8 productivity, innovation, responsiveness and service to the general public.

9
10 **SEC. 3. *Creation of the Government Reorganization Commission.*** - Pursuant to
11 the preceding section, a Government Reorganization Commission, hereinafter referred to
12 as the Commission, is hereby created with the following as members thereof:

- 13 1. Chairman of Senate Committee on Civil Service and Government
14 Reorganization, who will be its chairman;
15 2. Chairman of House Committee on Government Reorganization, who will be a
16 co-vice chairman;
17 3. Chairman of the House Committee on Civil Service, who will be a co-vice
18 chairman;

- 1 4. Three(3) majority members of the Senate Committee on Civil Service and
2 Government Reorganization;
- 3 5. One (1) minority member of the Senate Committee on Civil Service and
4 Government Reorganization;
- 5 6. One (1) majority member of House Committee on Government Reorganization;
- 6 7. One (1) majority member of House Committee on Civil Service;
- 7 8. One (1) minority member of the House Committee on Civil Service and/or
8 Government Reorganization;
- 9 9. Chairman and the two (2) members of the Civil Service Commission;
- 10 10. Representative from the private sector to be appointed by the President; and
- 11 11. Representative from a recognized government employees organization to be
12 nominated by members of such organization.

13
14 **SEC. 4. *Mandate.*** - The Commission shall pursue a survey of the government
15 bureaucracy and draft a plan of reorganization of all entities and offices of the Executive
16 branch of government. These shall include all departments and their respective attached
17 agencies, bureaus, offices, commissions, boards, councils, authorities, including
18 government-owned and controlled corporations, state universities and colleges, and all
19 other instrumentalities of the Executive branch.

20
21 **SEC. 5. *Powers and Functions.*** - Pursuant to Section 2 of this Act, and in order
22 to ensure the successful implementation of the reorganization of the Executive branch,
23 the Commission is hereby authorized to:

- 24 1. formulate and administer the necessary guidelines, rules, and procedures to
25 implement and ensure adherence to this Act;
- 26 2. draft a plan to abolish, merge, integrate, transfer, and regroup, or restructure
27 departments, bureaus, offices, government-owned and controlled corporations,
28 and other agencies of the Executive branch only for the purpose of eliminating
29 overlapping and fragmented functions, programs and activities; effects the
30 distribution and transfer to appropriations, assets, liabilities, equipment,
31 records, other properties, transactions, positions, and personnel, all the time
32 giving due regard to pertinent laws and rules and regulations, and the right to
33 security of tenure of civil service officers and employees;
- 34 3. adopt a human resource development strategy, and a government staffing and
35 remuneration policy to include a rewards and incentives scheme that will

1 establish equity, promote morale, productivity, innovativeness,
2 professionalism, and creativity, and attract and retain the best and the brightest
3 within the civil service; and

4 4. adopt and enforce the necessary guidelines, rules and regulations, and processes
5 to fully implement the reorganization herein, provided.

6
7 **SEC. 6. Principles and Parameters.** - The reorganization of the Executive branch
8 herein authorized shall be carried out according to the following principles and
9 guidelines:

10 1.) Government's role and the determination of the scope, level, and prioritization
11 of its activities shall be in accordance with its Constitutional mandate,
12 political and socioeconomic objectives, and available resources, to be guided
13 by the following policies:

14 a.) Government shall prioritize the strengthening its fundamental
15 functions, among which are:

16 i.) effective macro-economic management, including the
17 formulation and implementation of socioeconomic, fiscal,
18 and monetary policies;

19 ii.) the maintenance of peace and order, and national political
20 security;

21 iii.) the conservation of natural resources and ensuring their
22 productive utilization and development for the national
23 welfare;

24 iv.) the maintenance of an effective and reliable system of
25 administering justice, lawmaking, and law enforcement;

26 v.) providing quality basic and secondary education, especially
27 to the poor and disadvantaged population;

28 vi.) providing adequate and appropriate infrastructure;

29 vii.) promoting economic and political diplomacy to achieve
30 sound and mutually productive economic and political
31 relations with other nations and international communities;

32 viii.) the promotion of total human development; and

33 ix.) disaster mitigation and the effective management of state
34 emergencies and calamities.

1 b.) Government's role shall be to steer and mobilize the instruments that
2 contribute to achieving sectoral objectives. To this end, Government
3 shall focus its sectoral functions on:

- 4 i.) policy setting, monitoring, and assessment;
- 5 ii.) promotion and advocacy;
- 6 iii.) providing information and linkages or access to markets;
- 7 iv.) providing assistance and incentives;
- 8 v.) enforcement of the appropriate rules and regulations; and,
- 9 vi.) providing safety nets for adversely affected sectors of the
10 population.

11 c.) To the extent possible, government shall limit direct provision and
12 production of public goods and encourage more private sector
13 participation.

14 2.) The National Government shall assist, supervise, and monitor local
15 government units to complement the greater autonomy granted to them. The
16 declination of responsibilities between the National Government and local
17 government units in the provisions and production of public goods shall be
18 clearly defined and agreed upon.

19 3.) The National Government shall adopt a structural framework that will define
20 the vertical as well as horizontal compartmentalization of the Executive
21 Branch, including the basic structural and functional configuration of
22 departments and agencies. It shall likewise adopt a typology of government
23 offices which shall serve to determine the proper organizational
24 configurations and groupings of these offices.

25 4.) The Executive Branch shall streamline its systems and procedures to facilitate
26 and improve the relevance and quality of front-line services, and improve
27 policy formulation, planning and performance, and evaluation and assessment.
28 These systems and procedures shall be designed within the context of
29 decentralizing the decision-making authority within the Executive Branch and
30 its departments, agencies, bureaus, offices and other instrumentalities.

31
32 **SEC. 7. *Submission of Report to the President and Congress.*** – The
33 Commission shall submit the report of its study and reorganization plan, to the President.
34 If the President finds the report or plan satisfactory, the same shall be submitted to both

1 Houses of Congress. The organizational plan shall be effective upon the approval of
2 Congress through a concurrent resolution.

3
4 **Sec. 8. *Re-Tooling, Re-Training, and Re-Development Program.*** – The
5 Government shall adopt and implement a re-tooling, re-training, and re-deployment
6 program for personnel who might be displaced as a result of the reorganization of
7 departments, agencies, bureaus, offices, and other instrumentalities of the Executive
8 Branch. This program shall include the formulation of technical and objective criteria for
9 the identification of redundant positions and the consequent incumbents therein, the
10 establishment and operation of a government manpower pool, and the re-tooling, re-
11 training, and subsequent re-deployment of personnel to appropriate non-redundant
12 positions in the newly reorganized agencies.

13 All personnel whose positions have been declared redundant shall be
14 consequently be deployed to the government pool, which shall be established according
15 to the following guidelines:

- 16 1.) All redundant personnel shall continue to receive their basic salaries
17 for one (1) year from the day their operations are officially declared
18 redundant;
- 19 2.) All allowances, financial and non-financial benefits, and other
20 compensation received by the incumbents prior to their positions being
21 declared redundant shall be terminated upon such declaration;
- 22 3.) If the redundant personnel shall choose to immediately leave the
23 government service, or before the expiration of the one (1) year period
24 provided for, he shall be entitled to receive in cash his basic salary for
25 the remaining period, in addition to any separation pay and other
26 benefits due pursuant to Section 9 of Republic Act No. 6656;
- 27 4.) Redundant personnel who are eligible for retirement under existing
28 laws shall likewise be entitled to encash the basic salary for the
29 remaining period, should they choose to retire before the end of the
30 one (1) year period provided for; and,
- 31 5.) Residence in the manpower pool shall not be considered nor credited
32 as service for purposes of computing retirement and separation
33 benefits.

1 **Sec. 9. *The Judiciary and Constitutional Offices.*** The Judiciary and
2 Constitutional offices may likewise pursue a survey and reorganization of its ranks in
3 accordance with the principles, guidelines, standards, and time frame prescribed in this
4 Act. They may coordinate their respective reorganization efforts with the Executive
5 branch for better coordination and in the interest of public service.
6

7 **Sec. 10. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations and
8 other issuances inconsistent with the provisions of this Act are hereby repealed or
9 amended accordingly.
10

11 **Sec. 11. *Separability Clause.*** – Should any section or provision of this Act be
12 declared unconstitutional or invalid, other sections or provisions not so affected shall
13 continue to be full force and effect.
14

15 **Sec. 12. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
16 publication in the *Official Gazette* and in at least two (2) newspapers of general
17 circulation.

Approved,