

REPUBLIC ACT NO. 8989

AN ACT STREAMLINING THE ORGANIZATION OF THE PARTIDO DEVELOPMENT ADMINISTRATION, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7820, OTHERWISE KNOWN AS THE "PARTIDO DEVELOPMENT ADMINISTRATION ACT OF 1994"

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

SECTION 1. Section 7 of Republic Act No. 7820 is hereby amended to read as follows:

"SEC. 7. *The Board of Directors.* – The affairs and business of the Administration shall be directed and its properties managed and preserved unless otherwise provided by this Act by a Board of Directors hereinafter referred to as the 'Board'.

(a) Composition of the Board. -

The Board shall have twenty-two (22) members:

(1) The ten (10) mayors of the member-municipalities, as *ex officio* members;

(2) One (1) private sector representative from each of the member-municipalities selected from among duly organized nongovernmental organizations (NGOs) and sectoral associations, such as, but not limited to farmers, fishermen, businessmen, youth, women, etc., whose terms of office shall be two (2) years; and

(3) The incumbent member of the House of Representatives representing the third congressional district of the Province of Camarines Sur, and the Administrator as *ex officio* members.

(b) Quorum and voting. -

The chairman of the Board who shall have a term of two (2) years shall be elected by the Board from among themselves. The members of the Board shall have one (1) vote each. A majority of the members shall constitute a quorum. A decision shall, as far as practicable, be reached by consensus. If no consensus is reached, a decision shall be arrived at upon a vote of the majority of all members of the Board constituting the quorum.

(c) Powers and functions of the Board. -

The Board shall:

(1) Formulate policies, develop programs, and promulgate rules and regulations to carry out the powers and functions of the Administration;

(2) Approve each year a budget to cover the operations of the Administration based upon the:

(i) Income from the Administration's investments and projects in member-municipalities; and

(ii) Paid-up capital and additional paid-up subscriptions.

(3) Fix compensations, emoluments and allowances of the Administrator and other officers and personnel of the Administration;

(4) Approve appointment of all heads of departments and divisions of the Administration, upon the recommendation of the Administrator subject to existing Civil Service Law, rules and regulations; and

(5) Perform such other functions as may be necessary to carry out the purposes of this Act or as may be provided in other sections of this Act."

SEC. 2. Section 8 of Republic Act No. 7820 is hereby amended to read as follows:

"SEC. 8. *Duties and Functions of the Chairman of the Board.* – The chairman shall:

(a) Call and preside at the meetings of the Board and shall see to it that the policies, programs, and rules and regulations developed and promulgated by it are implemented properly;

(b) Present for approval by the Board:

(1) The annual budget of the Administration;

(2) The rules and regulations needed to carry out the provisions of this Act and the amendments thereto;

(3) Other matters which he deems necessary or proper for the effective implementation of this Act; and

(4) The annual report on the activities and finances of the Administration, copies of which upon approval by the Board, shall be furnished the office of the Director-General of the National Economic and Development Authority (NEDA) and the NEDA Regional Director of Regional Office No. V, and such other agencies as the Board may deem necessary.

(c) Perform such other functions which the Board may direct to carry out the provisions of this Act."

SEC. 3. Section 10 of Republic Act No. 7820 is hereby amended to read as follows:

"SEC. 10. *The Administration.* – The Administration shall have an administrator who shall be appointed by the Board.

He shall be the chief executive officer of the Administration and automatically vice chairman of the Board.

The Administrator shall have the following powers, duties and responsibilities:

(a) To submit to the Board, through the chairman, policies and measures which, in his judgment, are necessary to carry out the purposes and provisions of this Act;

(b) To prepare the budget of the Administration for approval by the Board;

(c) To execute and administer policies and measures approved by the Board;

(d) To direct and supervise the operations and internal administration of the Administration. He may delegate certain administrative responsibilities to other officers of the Administration subject to the rules and regulations of the Board;

(e) To appoint all employees of the Administration except the heads of departments and divisions whose appointment shall be made by the Board upon his recommendation; and to remove, dismiss or otherwise discipline for cause, such employees in accordance with Civil Service Law, rules and regulations;

(f) To represent the Administration in all its dealings with other officers, agencies, and instrumentalities of the government and with other persons and entities, public or private;

(g) Subject to the approval of the Board, to determine the rates of compensation, allowances, *honoraria* and such other additional compensation which the Administration is hereby authorized to grant its officers, technical staff and consultants including the necessary detailed personnel; and

(h) To exercise such other powers as may be granted to him by the Board.

The Administrator shall have the following qualifications:

(1) He must at least possess a master's degree in management or other such equivalent educational qualification;

(2) He must have had at least three (3) years management experience involving not less than fifty (50) subordinates;

(3) He must have had at least (3) years experience in development planning; and

(4) He must not have been convicted of any crime in any court of law.

SEC. 4. Section 15 of Republic Act No. 7820 is hereby deleted and the subsequent sections are hereby renumbered accordingly.

SEC. 5. *Separability Clause.* – Should any provision of this Act be declared invalid or unconstitutional, any provision not affected thereby shall remain in full force and effect.

SEC. 6. *Repealing Clause.* – All other laws, decrees, orders, rules and regulations, and other issuances or parts thereof inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 7. *Effectivity Clause.* – This Act shall take effect upon the completion of its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation in the Bicol Region and the entire country.

Approved, December 31, 2000.