

# [ **PRESIDENTIAL DECREE NO. 1765, January 11, 1981** ]

## **ENLARGING THE POWERS AND PURPOSES OF THE METALS INDUSTRY RESEARCH AND DEVELOPMENT CENTER; FURTHER RECONSTITUTING ITS BOARD OF TRUSTEES, AND FOR OTHER PURPOSES**

**WHEREAS**, the Metals Industry Research and Development Center (MIRDC) was created by Republic Act No. 4724 as amended by Republic Act No. 6428 to develop and expand the metals Industry, by providing both the government and the private sector with professional management and technical expertise in such vital activities as training of engineers and technicians, information exchange, trade accreditation service, Quality control and testing of metal products, research and business economics advisory services;

**WHEREAS**, Executive Order No. 602 dated July 10, 1980 transferred the MIRDC to the Ministry of Industry to reorient its program thrust from research and development to direct assistance to the metals industry;

**WHEREAS**, to achieve the above-cited purposes and the reorientation of its program thrust as enunciated in the above-mentioned Executive Order, there is a need to accelerate MIRDC's facilities for testing and inspection to aid in the establishment, review and enforcement of quality standards;

**WHEREAS**, in order that the purposes and objectives of the MIRDC can be effectively and satisfactorily attained, it is necessary to enlarge its purposes and powers and define its operation and structural organization:

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree as part of the law of the land the following:

**SECTION 1.** The Center shall, thru the availment of its Existing personnel, expertise and facilities for testing and inspection assist the Ministry of Industry in the establishment, review and enforcement of quality/ standards provided in P.D. 1520, including safety and performance tests of the metals industry as defined in Section 2 of Republic Act No. 4724 as amended by Republic Act No. 6428.

**SEC. 2.** To enable the Center to effectively fulfill the above cited function and pursuant to other objectives expressly declared in its statutes, it shall:

1. Assist in the organization, maintenance and operation of product testing facilities, whether organized as a separate foundation or not to carry out the activities of the Center related to review and enforcement of quality standards thru testing and inspection of manufactured metal products, machineries, equipment, appliances, and their accessories and parts.
2. Obtain funds from government or private sources in the Philippines or elsewhere or from international public or private lending institutions, to support or carry out its purposes and/or to arrange financing of equipment or other credit facilities, or secure any kind of assistance for its own account or for the account of its clients in such manner and under such terms as the Board of Trustees of the Center may deem reasonable.

3. Apply for, register, purchase or otherwise acquire, use, protect and renew any patents, patent rights, licenses, concessions, trademarks, trade-names, inventions, formulas and processes used or capable of being used in connection with any of the functions/activities of the Center, the acquisition of which may directly or indirectly benefit the Center and to use, exercise, develop, sell, assign, or otherwise dispose of, or grant licenses in respect of the property, rights, trademarks, or other information so acquired, and to disburse money in experimenting upon, testing and improving any patents, inventions or rights which the Center may acquire or propose to acquire. Organize, manage and operate subsidiaries, stock or non-stock, solely or in joint venture with the private-sector, to undertake any of the activities of the Center as authorized by its Charter and this Decree. Provided, that the subsidiaries of the MIRDC, created and registered with the Securities and Exchange Commission shall be entitled to all the incentives and privileges granted by law to private enterprises engaged in business activities.
4. Secure its own obligations and those incurred by its subsidiaries.
5. Contract loans, issue bonds and other obligation as security therefore, and for property purchased or acquired by it, or for any object in or about its business.
6. Compromise, remit or condone claims arising from contract expressed or implied, or from any other source.
7. Invest its Corporate Fund, as it may deem proper and necessary.

**SEC. 3.** The Board of Trustees of the Center is hereby reconstituted and shall be composed of the Minister of Industry as Chairman, and a representative each from the Board of Investments the National Science Development Board, the Ministry of Natural Resources, the National Economic and Development Authority, the Metals Industry Research and Development Center and three representatives from the metals, engineering and allied industries, sub-sector to be appointed by the Minister of Industry as members.

The Chairman shall likewise appoint a Vice-Chairman from among the members. The appointive members from the private sector shall serve as follows or until their successors shall have been appointed and qualified: one shall serve for three (3) years, one for two (2) years and one for one (1) year, respectively.

**SEC. 4.** The Chairman of the Board of Trustees shall appoint, with the approval of the Board, the Executive Directors of the Center.

**SEC. 5.** The Board is hereby authorized to reorganize the internal structure of the Center and to determine the compensation and allowances of its officers and personnel, taking into account the need to attract highly technical men.

**SEC. 6.** For services rendered to its clients, the Center is empowered to charge reasonable fees which together with any contributions received by it, shall be used for its operations.

**SEC. 7.** Any income, fees, donations or contributions received by the Center from the private sector shall form part of its Corporate Fund and the unexpended balance of such receipts at the end of fiscal year shall not revert to the General Fund.

**SEC. 8.** The Commission on Audit shall appoint the Auditor of the Center. The Auditors of the subsidiaries of the Center and any foundation organized by it and under its supervision, shall be appointed by their respective Boards of Directors or Trustees.