

[EXECUTIVE ORDER NO. 338, January 10, 2001]

**RESTRUCTURING THE DEPARTMENT OF AGRICULTURE,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

WHEREAS, the Department of Agriculture (DA) is the agency mandated by the Agriculture and Fisheries Modernization Act of 1997 (AFMA, R.A. No. 8435) and the Fisheries Code of 1998 (R.A. No. 8550) to lead in the interdepartmental efforts to modernize Philippine agriculture and fisheries, and thereby improve the quality of life of the majority of the people who are directly or indirectly dependent on agriculture and fisheries for livelihood;

WHEREAS, AFMA calls for prudent governance of the DA bureaucracy, reorientation of its agencies and bureaus to achieve efficiency and improved synergy in the use of scarce government resources, and creation of new offices to address neglected areas and concerns that have hampered sustained growth and development in agriculture and fisheries;

WHEREAS, the Safeguard Measures Act of 2000 (R.A. No. 8800), the Countervailing Act of 1998 (R.A. No. 8751), and the Anti-Dumping Act of 1999 (R.A. No. 8752) call for expanded functions of the DA to address issues concerning unfair foreign competition and trade practices in agriculture and fisheries;

WHEREAS, in compliance with Executive Order No. 162 (1999), the DA has prepared the Agriculture Bureaucracy Restructuring Plan (ABRP) consistent with the intent of AFMA and the abovementioned laws;

WHEREAS, the ABRP streamlines and reorients the structure of the DA along functional lines to achieve efficiency, enhance coordination, improve access of farmers and fishermen to support services, strengthen its partnership with local government units, and reduce the cost of doing business in agriculture and fisheries;

WHEREAS, the immediate implementation of the ABRP is critical to the Government's efforts to sustain the recent major gains in the agriculture and fisheries sector;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

SEC. 1. Mandate. The Department of Agriculture shall be the principal Government agency responsible for the promotion of agricultural and fisheries development and growth. In pursuit of this mandate, the DA shall provide the policy framework, help direct public investments, and in partnership with local government units (LGUs), provide the support services necessary to make agriculture and agri-based enterprises profitable and to help spread the benefits of development to the poor, particularly those in rural areas.

SEC. 2. Powers and Functions. In fulfilling its mandate, the DA shall perform the following functions:

(a) The creation of a policy environment conducive to sustained growth of incomes in the agriculture and fisheries sector. The DA shall actively advocate for the adoption of policies supportive of long-term growth and development in the sector, as well as for the repeal of or amendment of policies which impede such growth;

(b) The provision of agriculture and fishery infrastructure support (i.e., irrigation facilities, farm-to-market roads, fish ports, postharvest facilities, etc.) to encourage private sector investments in agriculture and fisheries;

(c) The generation, verification, and dissemination of information relevant to productivity growth and development. The DA shall undertake research and development programs which strengthen the linkage between research and extension, develop and broaden the adoption of productivity-enhancing production and processing technologies, identify and promote local capabilities for sustainable resource management, and assess market options for various commodities in agriculture and fisheries;

(d) The production, testing, and dissemination of superior plant and animal germplasm. In support of private sector initiatives, the DA shall develop, produce, and distribute superior crop varieties and breeds of livestock and fish suited to Philippine conditions, focusing on the extension, demonstration, and provision of parent stock and fish juveniles;

(e) The facilitation of market access and the promotion of agro-based enterprises. The DA shall assist agricultural producers and business entrepreneurs, particularly low-income farmers, in processing and marketing their produce, establishing links with processors and buyers, forging marketing agreements, facilitating access to the international market, and availing of finance, credit guarantee and insurance facilities;

(f) Regulatory control over particular agriculture-related areas and concerns for the following objectives: protect the health and safety of the population; prevent over-exploitation of resources; prevent and/or contain the spread of plant, fish, and animal pests; protect agricultural producers from the influx of imports made cheap through subsidies by the exporting countries; implement international commodity agreements which the Philippines has acceded to; and ensure the quality of Philippine agricultural exports;

(g) Implementation of empowerment programs to provide access to benefits of development to groups which have been disadvantaged due to inequitable distribution of resources or due to market failures;

(h) Performance of other functions as may be provided by law.

SEC. 3. Organizational Structure. The DA shall consist of the Office of the Secretary, Department Services and Bureaus, Regional Offices, and attached agencies and corporations.

The Office of the Secretary shall consist of the following:

(a) The Secretary and his immediate staff as determined by him;

- (b) Office of Inspectorate General;
- (c) Corporate Affairs Office;
- (d) Office of the Department Spokesperson; and
- (e) Office of Regional Executive Directors

The Department Services and Bureaus shall be grouped along functional lines, as follows:

- (a) Extension, LGU Support, and Infrastructure;
- (b) Research and Development;
- (c) Fisheries and Regulation;
- (d) Policy, Planning, and Project Development; and
- (e) Finance and Administration.

The organizational structure of the DA, as defined in this Executive Order, is presented in Annex "A" hereof.

SEC. 4. Office of the Secretary. The Secretary shall be assisted by five (5) Undersecretaries, six (6) Assistant Secretaries, the Inspectorate General, and the Department Spokesperson.

SEC. 5. Undersecretaries. The Undersecretaries shall assist the Secretary in the exercise of the mandate and in the discharge of the powers and functions of the DA.

The five (5) Undersecretaries shall be assigned the following functions:

(a) The Undersecretary assigned to Extension, LGU Support and Infrastructure shall oversee the implementation of the plans, policies, programs, and projects relating to extension and marketing assistance, infrastructure, and support to LGUs, especially for devolved agricultural services. He shall have direct supervision of the Assistant Secretary for Extension and LGU Support and of the National Irrigation Administration (NIA);

(b) The Undersecretary assigned to Research and Development shall take the lead in formulating and implementing the R&D programs of the DA and shall coordinate the R&D plans, programs, and projects of the various bureaus and agencies of the DA, as well as with other entities such as state universities and colleges, to ensure that these are in conformity with the thrusts and priorities of the DA as mandated by AFMA. He shall have supervision of the Bureau of Agricultural Research (BAR), Bureau of Postharvest Research and Extension (BPRE), Bureau of Soils and Water Management (BSWM), Philippine Carabao Center (PCC), Cotton Development Authority (CODA), and the Philippine Rice Research Institute (PhilRice);

(c) The Undersecretary assigned to Fisheries and Regulation shall oversee the implementation of plans, programs, and projects relating to fisheries and shall have direct supervision of all the fishery agencies and bureaus attached to the DA. In addition, he shall lead the development and enforcement of products standards and food-safety rules consistent with internationally accepted practices. He shall have supervision of the Assistant Secretary for Regulation and of the Bureau of Fisheries

and Aquatic Resources (BFAR), National Fishery Research and Development Institute (NFRDI), and the Philippine Fisheries Development Authority (PFDA);

(d) The Undersecretary assigned to Policy, Planning, and Project Development shall provide policy advice to the Secretary, as well as policy and planning support services to the various DA offices, bureaus, and agencies, particularly in policy-formulation, planning, and project development. He shall also supervise the collection, monitoring, and publication of agricultural statistics for the DA and its clientele. He shall have supervision of the Assistant Secretary for Policy, Planning, and Project Development and of the Bureau of Agricultural Statistics (BAS), and Agricultural Credit and Policy Council (ACPC), Trade Remedies Office (TRO);

(e) The Undersecretary assigned to Finance and Administration shall oversee the provision of staff support services, particularly in administration and finance management, to all DA offices and agencies. In addition, he shall be responsible for providing services relating to legal and legislative concerns of the DA. He shall serve as the liaison of the DA with the Congress of the Philippines and concerned offices in the Executive Branch. He shall have supervision of the Legal and Legislative Affairs Service (LLAS), Financial and Management Service (FMS), and the Administrative Service (AS) through the Assistant Secretary for Finance and Administration.

SEC. 6. Functions of the Undersecretaries. With respect to his area of responsibility, an Undersecretary shall have the following functions:

(a) Advise the Secretary in the promulgation of orders and other issuances, with respect to his area of responsibility;

(b) Exercise supervision and control over the offices, services, operating units, and officers and employees under his responsibility;

(c) Promulgate rules and regulations, consistent with the policies of the DA, that will efficiently and effectively govern the activities of the units under his responsibility;

(d) Coordinate the functions and activities of the units under his responsibility with those of other units under the responsibility of the other Undersecretaries;

(e) Exercise delegated authority on matters related to the functions and activities of the units under his responsibility to the extent granted by the Secretary; and

(f) Perform such other functions as may be provided by law or assigned by the Secretary.

SEC. 7. Functions of the Assistant Secretaries. Each of the six (6) Assistant Secretaries shall head any of the following: Office of Corporate Affairs; Office of Regional Executive Directors; Extension and LGU Support; Regulation; Policy, Planning, and Project Development; and Finance and Administration. The Assistant Secretaries shall have the following functions:

(a) The Assistant Secretary assigned to the Office of Corporate Affairs shall oversee the following government corporations that have been attached to the DA by order of the President: Strategic Investments and Development Corporation (SIDCOR) and its subsidiaries; and Livelihood Corporation (LIVECOR) and its subsidiaries. In addition, he shall oversee the operations of the Countertrade Unit, created by virtue of this Executive Order to expand export opportunities for Philippine agricultural

products, as well as the Philippine Crop Insurance Corporation (PCIC) and the Quedan and Rural Credit Guarantee Corporation (QuedanCor);

(b) The Assistant Secretary assigned to the Office of Regional Executive Directors shall coordinate and provide technical support to the operations of the Regional Executive Directors. He shall oversee the Field Operations Service of the DA;

(c) The Assistant Secretary assigned to Extension and LGU Support shall assist the Undersecretary for Extension, LGU Support, and Infrastructure in the implementation of plans, programs, and projects relating to agricultural extension and support services to LGUs, including infrastructure development. He shall also oversee the Agricultural Training Institute (ATI) and the Agribusiness and Marketing Assistance Service (AMAS) and supervise the implementation at the LGU level of special projects supported by official development assistance;

(d) The Assistant Secretary assigned to Regulation shall assist the Undersecretary for Fisheries and Regulation in the development and enforcement of products standards and food-safety rules consistent with internationally accepted practices. He shall have supervision of the Bureau of Agriculture and Fisheries Product Standards (BAFPS), National Meat Inspection Commission (NMIC), and Fertilizer and Pesticide Authority (FPA);

(e) The Assistant Secretary assigned to Policy, Planning and Project Development shall assist the Undersecretary for Policy, Planning, and Project Development in developing, integrating, monitoring and evaluating all plans and programs of the Department. He shall have supervision of the Policy Research Service (PRS), the Planning Service (PS), and the Project Development Service (PDS);

(f) The Assistant Secretary assigned to Finance and Administration shall assist the Undersecretary for Finance and Administration. He shall directly oversee the Legal and Legislative Affairs Service, the Financial and Management Service, and the Administrative Service.

The six (6) Assistant Secretaries shall, in addition to the abovementioned duties, perform such other functions as may be assigned by the Secretary.

SEC. 8. Legal and Legislative Affairs Service. The Legal and Legislative Affairs Service, hereby created by this Order in view of the expanded functions of the DA, shall handle the legal requirements of the DA, including those pertaining to the quasi-judicial and regulatory functions of the DA, its Bureaus, and Attached Agencies/Corporations. The Service shall also liaise with Congress of the Philippines and concerned offices in the Executive Branch for the advocacy and legislation of laws required to modernize agriculture and fisheries.

The Service shall report to the Undersecretary for Finance and Administration through the Assistant Secretary for Finance and Administration.

SEC. 9. Corporate Affairs Office. The Corporate Affairs Office, hereby created by this Order, shall ensure appropriate monitoring of selected government-owned and controlled corporations that have been attached to the DA by order of the President. These corporations include SIDCOR and its subsidiaries and LIVECOR and its subsidiaries. The Office shall also oversee the PCIC, QuedanCor, and the Countertrade Unit of the DA.