

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. **2791**

EXPLANATORY NOTE

This bill was originally introduced as House Bill No. during the 15th Congress where it was approved by the Committee on Veterans Affairs and Welfare. It was subsequently approved by the House of Representatives and was transmitted to the Senate where it was not acted upon. It was re-filed during the 16th Congress and the 17th Congress.

It is the policy of the State to encourage, promote and sustain the economic and social growth of the country. One way of achieving this goal is the provision of well-planned areas with the appropriate infrastructure facilities. It is also the policy of the State to harness the full potentials and capabilities of veterans and AFP retirees so that they could participate fully in the enhancement of the economic development of the country. Hence, Philippine Veterans Investment Development Company (PHIVIDEC) was created by Presidential Decree No. 243 for the purpose of pooling the economic resource potentials of these veterans and retirees. Furthermore, it is also the policy of the State to give representation to the local government units where economic enterprises are located. LGUs should be part of the policy-making body of the enterprise so that the interests of the local communities will be protected.

Under Presidential Decree No. 243, as amended by Presidential Decree No. 353, and further amended by Presidential Decree No. 918, PHIVIDEC shall be governed and its activities shall be directed, controlled and managed by a Board of Directors which shall be composed of seven members to be appointed by the President of the Philippines from a list of nominees who should preferably be qualified veterans and retirees in good standing to be submitted by the Secretary of National Defense.

The first areas developed by PHIVIDEC are those located in the municipalities of Tagoloan and Villanueva in the Province of Misamis Oriental. Being the pilot areas, the composition of the Board of Directors of the PHIVIDEC should include representatives from their respective Local Government Units to fully achieve the objectives of PHIVIDEC. Hence, this bill.

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


RUFUS B. RODRIGUEZ

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AN ACT

ADDING TWO (2) REPRESENTATIVES FROM THE LOCAL GOVERNMENT UNITS OF THE MUNICIPALITIES OF VILLANUEVA AND TAGOLOAN IN MISAMIS ORIENTAL AS MEMBERS OF BOARD OF DIRECTORS OF THE PHILIPPINE VETERANS INVESTMENT DEVELOPMENT COMPANY (PHIVIDEC) INDUSTRIAL AUTHORITY, AMENDING FOR THE PURPOSE AMENDING PRESIDENTIAL DECREE NO. 538, CREATING THE PHIVIDEC INDUSTRIAL AUTHORITY AS AMENDED BY EXECUTIVE ORDER NO. 1031

Section 1. *Declaration of Policy* – It is the policy of the State to encourage, promote and sustain the economic and social growth of the country through the provision of well-planned areas with the appropriate infrastructure facilities. It is also the policy of the State to harness the full potentials and capabilities of veterans and Armed Forces of the Philippines retirees so that they could participate fully in the enhancement of the economic development of the country. Furthermore, it is also the policy of the State to give representation to the local government units where economic enterprises are located.

SEC. 2. *Amendment* – Section 6 of Presidential Decree No. 538, as amended by Executive Order No. 1031 is hereby further amended to read as follows:

"SEC. 6. *Exercise of Corporate Powers.* – The affairs and business of the Authority shall be directed, and its properties managed, controlled and preserved, by [a] THE Board of Directors, hereinafter referred to as the Board, which shall be composed of the following: the [Minister] SECRETARY of Finance or his duly designated representative as *ex-officio* member, the [Minister] SECRETARY of Trade and Industry or his duly designated representative as *ex officio* member and [seven (7)] NINE (9) other members to be appointed by the President of the Philippines upon the recommendation of the [Minister] SECRETARY of National Defense, for a term of three (3) years, SEVEN OF WHOM SHALL COME from among qualified veterans and retirees of good standing [,] OR their dependents AND TWO MEMBERS, ONE REPRESENTING THE MUNICIPALITY OF TAGOLOAN AND ANOTHER REPRESENTING THE MUNICIPALITY OF VILLANUEVA, BOTH IN MISAMIS ORIENTAL AS NOMINATED BY THEIR RESPECTIVE SANGGUNIANG BAYAN [, or persons who are in active military service]: *Provided,* That no person shall be appointed member of the Board, unless he is of unquestioned integrity and has experience and expertise in finance, management, economics, law or government administration. Should there be any vacancy by reason of death, permanent incapacity, removal or resignation of nay appointive member, the person appointed to fill the vacancy shall serve only for the unexpired portion of the term of his predecessor.

"The President of the Philippines shall designate the Chairman of the Board from among the appointive members. In case of absence or temporary incapacity of the Chairman, the Vice-Chairman shall act as Chairman. In case of absence or temporary incapacity of the Chairman and

the Vice-Chairman, the Board by a majority vote, shall designate an acting Chairman from among its members.

"The chief executive officer of the Authority and *ex-officio* Vice-Chairman of the Board shall be the Administrator appointed by the President of the Philippines from among the members of the Board. The Board shall determine the other executives and officers of the Authority.

"The Board shall meet regularly at least once a month, and as often as the exigencies demand. The presence of at least [~~five (5)~~] **SIX (6)** members shall constitute a quorum, and the majority vote of the members present, there being a quorum, shall be necessary for the adoption of any resolution, decision, rule, regulation, or any act of the Board.

"For every meeting actually attended, each member of the Board shall receive a per diem of [~~P300.00~~] **FIVE THOUSAND PESOS (P5,000)**, unless the board shall fix a higher amount therefore."

SEC. 3. *Separability Clause.* – If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 4. *Repealing Clause.* – All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 5. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,