H. No. 6869

BY REPRESENTATIVES ROMUALDEZ (Y.M.), ROMUALDEZ (F.M.), OLIVAREZ, YAP (E.), CASTRO (F.L.), MERCADO, MARCOLETA, SACDALAN, RODRIGUEZ, TAN (S.A.) AND NIETO, PER COMMITTEE REPORT NO. 339

AN ACT
CREATING THE EASTERN VISAYAS DEVELOPMENT AUTHORITY (EVDA), DEFINING ITS POWERS AND FUNCTIONS, AND PROVIDING FUNDS THEREFOR

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

SECTION 1. Short Title. – This Act shall be known as the “Eastern Visayas Development Authority (EVDA) Act”.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to promote and accelerate the sound and balanced industrial, economic and social growth of Eastern Visayas and ensure its speedy rehabilitation in the aftermath of typhoon Haiyan by increasing trade, tourism, and investments, encouraging private enterprise, and advancing efforts towards progress and development within the context of national plans and policies in order to provide jobs to the people, especially those in rural areas, increase their productivity and their individual and family incomes, and thereby improve the quality of their living conditions.

Towards this end, an effective institutional mechanism shall be established in order to address the need for a coordinated and integrated approach in the formulation and implementation of plans, programs, and projects geared towards economic growth and development in the Eastern Visayas region, including the establishment, among others, of special economic zones.

SEC. 3. Creation - The Eastern Visayas Development Authority, hereinafter referred to as the Authority, is hereby created, which shall promote, coordinate and facilitate the active and extensive participation of all sectors in the socioeconomic development of Eastern Visayas.
SEC. 4. Coverage - The Authority shall cover all the provinces of Northern Samar, Eastern Samar, Western Samar, Leyte, Biliran and Southern Leyte, the independent City of Ormoc and the highly urbanized City of Tacloban.

SEC. 5. Main Office.- The Authority shall have its main office in Tacloban City. It may establish other satellite offices in Metro Manila and in other provinces within Eastern Visayas, if necessary, to achieve the objectives of this Act. The Authority shall have a term of fifty (50) years from the effectivity of its Act, renewable for the same period unless otherwise provided by law.

SEC. 6. Purpose.– The Authority shall have the following purposes and objectives:

(a) To promote the development of Eastern Visayas by initiating or undertaking, by itself or otherwise, development and business projects of corporate, economic nature whether in agriculture, power, infrastructure, energy, public utilities, land development, manufacturing, exploration or utilization of natural resources and other fields or projects;

(b) To integrate government and private sector efforts and resources in the pursuit of sustainable development and balanced growth of Eastern Visayas; as proposed in the post-Haiyan rehabilitation plan and other relevant development plans, programs and projects;

(c) To facilitate investments in any field as would enhance the economic development of the region;

(d) To provide a model for the full implementation of a comprehensive regional industrialization and agricultural modernization policy.

SEC. 7. Powers and Functions of the Authority. –The Authority shall have the following powers and functions:

(a) Formulate an integrated development framework for Eastern Visayas that is, as far as practicable, consistent with the peace and development initiatives of the national government;

(b) Provide strategic direction for the long-term economic development of Eastern Visayas;

(c) Integrate, prioritize, program, and implement, whenever allowed and authorized by applicable laws, specific programs, activities and projects within Eastern Visayas, including Official Development Assistance (ODA) projects, subject to such limitations prescribed by existing laws, rules, and regulations;
(d) Recommend to and, whenever necessary, call upon the appropriate agencies of the national government and any of its instrumentalities, to lend the necessary technical support for, assistance and prioritization in the implementation of agricultural, industrial, commercial, infrastructure, environmental, tourism and technological programs and projects;

(e) Advocate to the constituents of Eastern Visayas, their elected representatives in Congress, and the national government, policies that will foster the integrated and balanced development of Eastern Visayas;

(f) Promote and facilitate investments in any field that would enhance the socioeconomic development of Eastern Visayas and uplift the living standards of the people in close coordination with agencies primarily mandated to undertake such functions;

(g) Explore sources for financing priority programs, projects, and activities that are critical to the development of Eastern Visayas;

(h) Coordinate and facilitate the extension of necessary planning, management, and technical assistance to prospective and existing investors, to complement the efforts of agencies primarily mandated to execute such functions;

(i) Establish a comprehensive and integrated database on Eastern Visayas to support planning and decision making;

(j) Perform prior screening functions, as a condition precedent to the approval by any national, provincial, or municipal government agency, of any permit, license, lease, franchise, or concession for the operation of any business or the exploitation, development, or utilization of natural resources within Eastern Visayas;

(k) Negotiate and enter into management or consulting contracts with local or foreign management consulting firms for the management of the Authority or the planning and implementation of agricultural, tourism, and industrial development projects in Eastern Visayas;

(l) Avail of the expertise of any particular employee, technician, or group of persons in any bureau, office, or department of the national government whose services are deemed urgently needed for the attainment of the goals of the Authority, with the consent and approval of the department head concerned;
(m) Conduct scientific experiments, investigation, and research to discover economical and practical methods of increasing agricultural and industrial production and other related endeavors;

(n) Encourage, and organize cooperative ventures in agriculture, agri-business, industry, tourism and commerce and assist them by arranging appropriate financing schemes, for their plans and projects;

(o) Monitor, evaluate, and formulate recommendations in the implementation of Eastern Visayas-wide development programs, activities and projects;

(p) Establish appropriate mechanisms to ensure the timely implementation of Eastern Visayas-wide projects, whenever necessary, including public-private partnership;

(q) Review and recommend for approval by the National Economic and Development Authority (NEDA) Board programs, projects, and plans by the national government and donor agencies for implementation in Eastern Visayas, subject to existing laws, rules and regulations;

(r) Recommend the creation and supervise the development and operation of special economic zones according to the principles and provisions set forth in this Act and Republic Act No. 7916, or the Special Economic Zone Act of 1995, as amended;

(s) Interface with foreign assistance agencies and international aid organizations, in coordination with the NEDA and other relevant national government agencies, for the purposes of obtaining financing support, grants and donations for its programs and projects;

(t) Receive and administer donations, contributions, grants, bequests or gifts, in cash or in kind, from foreign governments, international agencies, private entities and other sources, including ODA, to be used in the development of Eastern Visayas, subject to existing laws, rules and regulations;

(u) To sue and be sued, enter into contracts, acquire, purchase, hold, lease, transfer, and dispose of property of any kind or nature to carry out the purposes of this Act; and

(v) Discharge other functions that may be deemed necessary or as may be provided by law.

In the discharge of its functions, the Authority shall ensure appropriate consultation and coordination with the Regional Development Council Eastern Visayas (RDC-EV) and other local development councils as well as with national
government agencies, local government units, accredited people's organizations, non-government organizations and the private sector operating in Eastern Visayas.

The Authority, through the EVDA Chairperson, shall submit to the President of the Philippines and both Houses of Congress annual reports on its accomplishments and activities.

SEC. 8. Board of Directors. — The Authority's overall directions and thrusts shall be provided and approved, unless provided otherwise in this Act, by the EVDA Board of Directors, hereinafter referred to as the Board. It shall be composed of the following members:

(a) The EVDA Chairperson as head;

(b) The Chairperson of the Regional Development Council of Eastern Visayas (RDC-EV) as ex officio member;

(c) A member of the Senate, upon designation by the Senate President, who shall be an ex officio member;

(d) A member of the House of Representatives, chosen by the District Representatives of the legislative districts comprising Eastern Visayas, who shall be an ex officio member;

(e) The Regional President of the League of Municipalities-Eastern Visayas Chapter;

(f) Three (3) private sector representatives to be appointed by the President, upon the recommendation of the Board comprising of one (1) representative each from the:
   1. Eastern Visayas business sector;
   2. Eastern Visayas academic sector; and

The term of office of the three (3) representatives from the private sector shall be six (6) years: Provided, That at the initial appointment of such members, the second member to be appointed shall only serve a term of four (4) years and the third member to be appointed shall only serve a term of two (2) years: Provided, further, That they shall continue to hold office until their successors shall have been appointed. All vacancies, prior to the expiration of the term, shall be filled for the unexpired term only.

The members of the Board shall be entitled to reimbursements for actual and necessary expenses incurred, either for their attendance in the meetings of
the Board or in connection with other official business authorized by resolution of
the Board, subject to existing laws and regulations.

The term of the *ex officio* members including the Senator and the Member
of the House of Representatives shall correspond to their term as elected officials.

**SEC. 9. Functions of the Board of Directors.** – The Board shall have the
following functions:

(a) Provide direction and guidance for the Authority’s work and thrusts for
Eastern Visayas;

(b) Ensure that the goals and policies of the Authority are consistent with the
overall national development goals and objectives;

(c) Ensure that the programs of the Authority are consistent with regional and
local development plans, programs and projects and vice versa;

(d) Explore sources for financing of priority Eastern Visayas-wide development;

(e) Create committees or task forces as may be deemed necessary in for the
accomplishment of the plans, programs, projects and activities of the
Authority;

(f) Determine schedules, establish voting procedures, criteria for the
constitution of a quorum and other rules and regulations in the conduct of
Board meetings; and

(g) Perform such functions as may be necessary to carry out the purposes of
this Act.

**SEC. 10. Executive Committee.** – The Board shall constitute an Executive
Committee from among its membership to act, for and on its behalf when the Board
is not in session, on urgent matters as may be deemed necessary by the
Chairperson.

The following shall comprise the Executive Committee:

(a) The EVDA Chairperson as head;

(b) The Eastern Visayas Regional Development Council (RDC) Chairperson;

(c) The Private Sector Representative from the business sector;

(d) The Private Sector Representative from the academic sector; and
(e) The Private Sector Representative from the non-government sector.

SEC. 11. Chairperson and Chief Executive Officer.— The EVDA Chairperson shall be appointed by the President of the Philippines with the rank of Undersecretary and shall act as Chief Executive Officer of the Authority. The Chairperson and Chief Executive Officer shall serve a term of six (6) years from the date of appointment unless removed for cause: Provided, That the person who shall be appointed as Chairperson must be a Filipino citizen, of good moral character, of proven probity and integrity and a holder of a degree in economics, business, public administration, law, management or related fields, and with at least five (5) years relevant experience preferably in the field of management or public administration: Provided, further, That the appointee for Chairperson shall have been a resident of Eastern Visayas for at least (5) years before the appointment.

The Chairperson shall have the following duties and functions:

(a) Call and preside over meetings of the Board and see to it that the policies, programs and rules and regulations are implemented properly;

(b) Call on technical experts in the formulation and implementation of a comprehensive and integrated development plan for Eastern Visayas, investment programs and the preparation of investment programming priorities, annual reports and other pertinent documents approved by the Authority;

(c) Identify solutions to key issues and concerns, taking into account related risks, relative impact, and affected parties in coordination with the Board and key stakeholders;

(d) Advocate the Authority’s work among the various concerned sectors and stakeholders;

(e) Call on any agency, group, individual member of the Board, local government unit, and host community to address issues and concerns relating to implementation of major programs, projects and activities;

(f) Supervise the monitoring and timely implementation of Eastern Visayas-wide programs, projects and activities;

(g) Endorse to the Board all policy recommendations, plans and programs for approval;

(h) Accept, on behalf of the Authority, donations, contributions, grants and bequests or gifts, in cash or in kind, from members, foreign governments,
international agencies, private entities or any individual for purpose that will
realize the functions of the Authority;

(i) Supervise administrative operations including disbursement of any fund of
the Authority, subject to the usual accounting and auditing procedures, and
submit reports thereon;

(j) Execute and administer the policies and measures approved by the Board;

(k) Appoint, remove, dismiss or otherwise discipline for cause, all employees of
the Authority in accordance with the standard guidelines for recruitment,
employment, and discipline in the Civil Service Code;

(l) Represent the Authority in all dealings with other offices, agencies, and
instrumentalities of the government and with all persons and entities, public
or private;

(m) Sign agreements and/or contracts on behalf of the Authority, including those
for expert and consultancy services and other reports of accountabilities
emanating from the Authority;

(n) Serve as ex officio member of the Board of Directors of the NEDA and the
TIEZA; and

(o) Perform such other functions that the Board may direct to carry out the
provisions of this Act.

SEC. 12. Deputy Chairperson. – The EVDA Chairperson shall be assisted
by one Deputy Chairperson, who shall be appointed by the President of the
Philippines with the rank of Assistant Secretary upon the recommendation of the
EVDA Chairperson. The Deputy Chairperson shall have the same qualifications as
the Chairperson and shall perform such duties and functions as may be assigned
by the Chairperson or as provided for by law.

SEC. 13. Executive Director. – An Executive Director shall be appointed
by the President of the Philippines upon recommendation by the Chairperson:
Provided, That no person shall be appointed as Executive Director unless one is
a Filipino citizen, of good moral character, of proven probity and integrity and a
holder of a degree in economics, business, public administration, law,
management or other related fields, and have at least five (5) years relevant
experience in said fields: Provided, further, That the appointee to the position of
Executive Director shall have been a resident of Eastern Visayas for five (5) years
prior to appointment, and has the requisite eligibilities for third level career service
position, pursuant to the career executive rank system: Provided, finally, that the
appointee shall reside in Eastern Visayas during while serving in such office.
The Executive Director shall assist the Chairperson in carrying out the functions of the Authority and shall, likewise, serve as the Secretary of the Board.

SEC. 14. EVDA Advisory Council. – There is hereby constituted an EVDA Advisory Committee to be composed of the following:

(a) EVDA Chairperson as head;

(b) The Eastern Visayas RDC Chairperson;

(c) The District Representatives of the legislative districts comprising Eastern Visayas;

(d) The Provincial Governors of the provinces comprising Eastern Visayas;

(e) The City Mayors of the independent cities in Eastern Visayas;

(f) The Regional Directors of the national line agencies with regional offices in Eastern Visayas.

The EVDA Advisory Council shall convene at least once every six (6) months, or as often as necessary, upon the call of the EVDA Chairperson, advise or be consulted by the Authority on important matters related to Eastern Visayas.

SEC. 15. Organizational Structure. – The Board of Directors, upon the recommendation of the Chairperson shall determine the organizational structure, staffing pattern and compensation of the Authority subject to Civil Service laws, rules and regulations and Republic Act No. 11466, otherwise known as “Salary Standardization Law of 2019”, and the Position Classification and Compensation System. The Chairperson may reorganize the Authority and may create or abolish divisions, units or branches therein as the exigencies of the affairs of the Authority may require.

SEC. 16. Merit System. – All officials and employees of the EVDA shall be selected and appointed on the basis of merit and fitness in accordance with civil service law, rules and regulations. The recruitment, transfer, promotion, and dismissal of all its personnel including temporary workers shall be governed by a merit system that will be established by the EVDA in compliance with existing laws, rules and regulations.

SEC. 17. Appropriations. – The amount necessary for the implementation of this Act shall be included in the annual General Appropriations Act: Provided, That the operating expenses of the Authority should not exceed fourteen percent (14%) of the annual appropriation: Provided further, That at least eight-six percent (86%) of said annual appropriation shall be disbursed for the programs, projects, and activities of the Authority.
SEC. 18. Transfer of Post-Haiyan Rehabilitation Funds.- The authority, control and administration of funds, equipment and properties donated by foreign governments, foreign and local non-profit agencies and foundations and private entities to the National Government for the purpose of the rehabilitation of areas in Eastern Visayas that were affected by Typhoon Haiyan, as well as all other funds received or appropriated by the National Government for the same purpose are hereby transferred to the Authority. Hereafter, the Authority shall exercise the sole power of disposition and control of the rehabilitation funds, in accordance with the provisions of this Act or until the purposes for which the said funds had been donated are accomplished.

SEC. 19. Formulation of the Eastern Visayas Development Master Plan.- Upon its organization, the Authority shall formulate and submit its development master plan to NEDA for integration into the Medium-Term Philippine Development Plan and public investment program. The Eastern Visayas Development Master Plan shall serve as the framework for the accelerated and balanced development of Eastern Visayas in accordance with the aims and purposes of this Act.

SEC. 20. Administrative Supervision.- The Authority shall be under the direct supervision of the President of the Philippines.

SEC. 21. Interpretation.- The powers, authorities and functions that are vested in the Authority are intended to decentralize governmental functions and authority and promote an efficient and effective working relationship between the EVDA, the national government, and the local government units.

SEC. 22. Implementing Rules and Regulations. – The EVDA shall adopt rules and regulations to implement the provisions of this Act within sixty (60) days from the date of its approval.

SEC. 23. Separability Clause. – If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions hereof which are not affected shall continue to remain in full force and effect.

SEC. 24. Repealing Clause. – All laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or modified accordingly.

SEC. 25. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,