



HOUSE OF REPRESENTATIVES

House Bill No. 301

Introduced by Representative Susan A. Yap

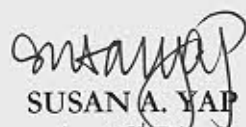
EXPLANATORY NOTE

The Subic- Clark Alliance for Development Council (SCADC) created by Executive Order No. 504, series of 2006, renamed the Subic-Clark Alliance for Development (SCAD) by Executive Order No. 876, series of 2010, is the body tasked to exercise oversight functions over its member agencies, namely, the Bases Conversion and Development Authority, Clark Development Corporation, Subic Bay Metropolitan Authority, Clark International Airport Corporation and later, the North Luzon Railways Corporation pursuant to Executive Order No. 733, Series of 2008, in relation to policies, plans and programs geared towards the development of Subic Bay Freeport Zone and Clark Freeport Zone as a globally competitive service and logistics center in the Asia Pacific Region.

The SCAD plays an important role in harmonizing the policies and plans for Subic and Clark, especially in relation to business practices and the enhancement of the capacity of the Subic port and Clark airport. For instance, the SCAD has been successful in harmonizing and automating the Customs, Immigration, and Quarantine systems in Subic and Clark. Even the tourism planning for Subic, Clark and all the local government units within the economic corridor (Corridor) that was created by the construction of the Subic-Clark-Tarlac Expressway (SCTex) has been undertaken by the SCAD.

Considering that Subic and Clark continue to be major economic centers of the country that serve as the anchor Freeport zones within the Corridor, it may be timely to include in the efforts of the SCAD plans which will later prove to be beneficial, not only to the areas of jurisdiction of the SCAD, but also in the entire Province of Tarlac. The planning/undertakings of SCAD can also serve the needs of the affected LGUs in the Corridor, even the newly formed Authority of the Freeport Area of Bataan (AFAB). The integrated development of these affected areas will enhance the economic potentials of the entire Region III.

To sustain the direction of the development of Subic and Clark, expand the development to its contiguous areas in the Corridor created by the SCTex, and to supplement the two major ports of Central Luzon, there is a need to strengthen and enhance the powers of the SCAD Council as the single body with a full-time head to rationalize resources and harmonize strategies that will ensure an integrated and coordinated approach to the development of the SCAD corridor as a world-class mega-logistics hub and a global gateway to the Asia Pacific Region. The powers and functions of the SCAD as well as the Office of the SCAD Chairman must be clearly defined to enable it to effectively deal with its member-agencies.


SUSANA. YAP
Representative, 2nd District, Tarlac

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**AN ACT PROVIDING FOR
THE COMPREHENSIVE SUBIC-CLARK DEVELOPMENT PROGRAM,
ESTABLISH THE MECHANISM FOR ITS IMPLEMENTATION, AND FOR OTHER
PURPOSES**

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

1 **SECTION 1. TITLE.** – This Act shall be known as the “Subic-Clark Development Act of 2013.”

2 **SECTION 2. DECLARATION OF POLICY.** – It is the declared policy of the State to pursue
3 growth in regional areas as a means to achieve sustainable economic development. Likewise, the
4 State recognizes the need to rationalize, harmonize, consolidate and integrate government efforts to
5 maximize impact to achieve long-term and sustainable development.

6 **SECTION 3. COMPREHENSIVE SUBIC-CLARK DEVELOPMENT PROGRAM.** – The
7 Subic-Clark Alliance for Development (SCAD) Council in coordination with the Bases Conversion
8 Development Authority (BCDA), Subic Bay Metropolitan Authority (SBMA), Clark Development
9 Corporation (CDC) and Clark International Airport Corporation (CIAC), the Authority of the
10 Freeport Area of Bataan (AFAB), the seventeen (17) concerned Local Government Units (LGUs)
11 including the Municipalities of Mabalacat, Porac and Floridablanca shall formulate the
12 Comprehensive Subic-Clark-Tarlac Development Program which will take into account the Subic-
13 Clark Corridor Framework Plan, Central Luzon Land Use Plan and the land use plans of the LGUs.

14 **SECTION 4. SUBIC-CLARK ALLIANCE FOR DEVELOPMENT (SCAD) COUNCIL,**
15 **IMPLEMENTING MECHANISM.** – The SCAD Council is hereby tasked as the implementing
16 institution of this Act.

17 **SECTION 5. POWERS AND FUNCTIONS OF THE SUBIC-CLARK ALLIANCE FOR**
18 **DEVELOPMENT (SCAD) COUNCIL.** –

- 19 a. Act as the institutional mechanism mandated to implement the Comprehensive Subic-
20 Clark-Tarlac Development Program;
- 21 b. Formulate and harmonize programs, policies, laws, rules and regulations affecting
22 business, investments and tourism in Subic -Clark and the Corridor connecting them;
- 23 c. Evaluate the processes and systems which have undergone the study and approval of
24 SCAD, formulate and adopt the processes and systems of international standards which
25 can be applied to all the areas covered by the Corridor;

- d. Define the scope and extent of the Corridor, and the areas over which the Council shall exercise jurisdiction in accordance herewith, through the conduct of extensive planning and/or master planning in consultation and coordination with the stakeholders, including the LGUs in the Corridor;
- e. Study the tourism potential of all the areas in the Corridor and recommend to the President appropriate course of action in regard thereto;
- f. Formulate common plans and engage in activities geared towards the promotion of investments in the Corridor, as well as programs to strengthen the symbiotic relationship of the ports of Subic Bay and Clark International Airport and integrate the resources of Tarlac and the AFAB;
- g. Review, identify and recommend priority infrastructure projects, in coordination with the Regional Development Council of Region III and Department of Tourism;
- h. Ensure that all policies and plans concluded by the Council are adopted and implemented by all concerned agencies, including LGUs affected thereby;
- i. Perform such other functions as may be authorized.

SECTION 6. COMPOSITION. – The Council shall be composed of eighteen (18) members as follows:

- a. SCAD Chairman - to be appointed by the President , with Cabinet rank and who shall be a member of the National Economic and Development Authority;
- b. Secretary of Trade and Industry - Vice Chairman
- c. Secretary of Department of Tourism
- d. Chairman, BCDA
- e. Chairman, SBMA
- f. Chairman, CDC
- g. Chairman, CIAC
- h. Chairman, Northrail
- i. President, BCDA
- j. Administrator and CEO, SBMA
- k. President, CDC
- l. President, CIAC
- m. President, Northrail
- n. Chairman, AFAB
- o. Governor of Tarlac
- p. Governor of Pampanga
- q. Governor Zambales
- r. Governor of Bataan

SECTION 7. POWERS AND FUNCTIONS OF THE SCAD COUNCIL CHAIRMAN –

The SCAD Chairman shall be a full-time head of the Council to rationalize resources and harmonize strategies that will ensure an integrated and coordinated approach to the development of the Subic-Clark corridor and achieve its objectives. The office of the SCAD Council Chairman shall have the following duties and functions:

- a. Act as Chief Executive Officer of the SCAD Council;

- 1 b. Obtain the participation of strategic partners, domestic and/or foreign, from the public
2 or private sector, to spur the growth and development of Subic-Clark and the Corridor;
3
4 c. Obtain the participation, support and assistance of all relevant government agencies and
5 entities, as well as concerned local government units (LGUs) in the formulation and
6 implementation of the development plans and strategies for the Corridor;
7
8 d. Represent the Office of the President in any and all matters relating to the development
9 of Subic-Clark-Tarlac and the Corridor into a globally competitive international service,
10 logistics and tourism center;
11
12 e. Exercise such other powers and functions as may be required by the President for the
13 development of Subic -Clark-Tarlac and the Corridor.
14

15 **SECTION 8. POLICY OVERSIGHT.** – In matters relating to the development and positioning
16 of Subic-Tarlac and the Corridor as a globally competitive logistics and tourism center, the Office of
17 the President, through the Office of the Chairman, shall exercise policy oversight over all the
18 member-agencies of the Corridor Development Council to attain the objectives for which it was
19 created.

20 The agencies shall retain their jurisdiction over their respective areas as defined in their enabling laws
21 and/or charters.

22 **SECTION 9. SCAD COUNCIL STAFF.** – The SCAD Council shall have staff support to fulfill
23 its mandate and implement the provisions of this Act. For this purpose, the SCAD Council shall
24 prepare its own staffing pattern subject to the approval of the Department of Budget and
25 Management.

26 **SECTION 10. ROLE OF LOCAL GOVERNMENT UNITS, DEPARTMENT,**
27 **BUREAUS, OFFICES, AGENCIES, AND INSTRUMENTALITIES.** – All heads of Local
28 Government Units within the coverage of SCAD Corridor, departments, bureaus, offices, agencies,
29 and instrumentalities of the government are hereby directed to give full support to the SCAD
30 Council to expedite the implementation of the various programs and projects towards the
31 attainment of the SCAD vision.

32 **SECTION 11. FUNDING.** – The 5 agencies (SBMA, BCDA, CDC, Northrail and CIAC) shall
33 allocate from their respective yearly budgets the amount of Php10, 000,000.00 each to the Council as
34 their yearly contribution, subject to government accounting rules, regulations and procedures, to be
35 remitted on the first week of January to which it corresponds; Provided That, additional budget may
36 be allocated in the course of the implementation of any or all of the SCAD projects duly approved
37 by the Council, subject to government accounting rules and regulations.

38 **SECTION 12. APPLICABILITY AND REPEALING CLAUSE.** – All laws, presidential
39 decrees, executive orders, issuances, rules and regulations or parts thereof contrary or inconsistent
40 with the provisions of this Act are hereby repealed or modified accordingly.

41 **SECTION 13. EFFECTIVITY.** – This Act shall take effect fifteen (15) days after its publication
42 in the Official Gazette or in at least two (2) newspapers of general circulation immediately.

Approved,