

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. 7654



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

In the context of a globalizing world, the Philippines is one of the countries which liberalized identified sectors in its economy in order to reach global market while maintaining its local industries' advantage. The government has participated in different trade and investment agreements with other countries, both as an independent country and as part of trading blocs, in an effort to spur economic development in the country.

As the numbers of our country's trade and investment agreements with other countries continue to grow, the Philippines, however, lacks a dedicated government agency that consolidates and studies the impact of these agreements vis-a-vis our development goals and national interest.

This bill, thus, seeks to create the Office of the Philippine Trade Representative which shall formulate cross-trade strategy that is cohesive with our development goals in order to maximize our country's benefits in agreements that we enter into. This Office will be the central agency responsible for all these trade agreements.

Under this bill, it will be mandated to formulate national and domestic priorities, as well as trade positions in line with country's economic goals; advise the President and the Congress on the impacts of agreements we wish to enter; assert and protect the rights and interests of the Philippines under all bilateral, regional and multilateral trade and investment agreements; and represent the country in all agreements it wish to enter into.

This measure was filed and approved in the House of Representatives during the 15th Congress.

In view of the foregoing, the immediate approval of this bill earnestly recommended.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
CREATING THE PHILIPPINE TRADE REPRESENTATIVE OFFICE AND
APPROPRIATING FUNDS THEREFORE

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 “Charter of the Philippine Trade
2 Representative Office.”
3

4 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to pursue a
5 trade policy that serves the general welfare, create jobs, ensures food security and rural and
6 industrial development, among others, and utilizes all forms and arrangements of exchange on
7 the basis of fair trade. The State recognizes that market access in itself is not the end goal of
8 trade negotiations.
9

10 It is also the declared policy of the State to ensure the right of the people and their
11 organizations to be duly informed on matters of public concern, and the right to effectively and
12 reasonably participate in economic decision making.
13

14 Congress has the power to regulate commerce, including commerce with foreign nations,
15 and the power to reorganize the bureaucracy in order to make it more responsive to the needs of
16 all the stakeholders in the Philippine economy and the exigencies of international economic
17 relations. As any international economic, commercial or trade agreement entered into by the
18 Government constituents’ regulation of commerce and will affect the different stakeholders in
19 our economy, it is essential that any agreement is harmonized with the Philippine Constitution
20 and existing domestic commercial laws. Congress is cognizant of current efforts being
21 undertaken by government in pursuing a unified framework towards an integrated industry and
22 trade strategy. Such efforts need to be supported and institutionalized to ensure continued and
23 consistent execution. Thus, the State shall ensure that a single office shall, with competence and
24 accountability, spearhead all efforts of government agencies in formulating trade policies and
25 measures by institutionalizing stakeholder engagement, strengthening the trade policy research
26 network and enhancing inter-agency coordination and cooperation.
27

28 **SEC. 3. Definition of Terms.** –
29

- 30 a) *Ambassador* – refers to a diplomatic official accredited to a foreign sovereign or
31 government, or to an international organization, to serve as the official representative of
32 the country. In everyday usage, it applies to the ranking plenipotentiary minister stationed
33 in a foreign capital. The host country typically allows the ambassador control over a
34 specific territory called an embassy, whose territory, staff and even vehicles are generally
35 afforded diplomatic immunity from most laws of the host country.

- 1 b) *Civil Society* – the totality of voluntary civic and social organizations and institutions that
2 form the basis of a functioning society as opposed to the formal institutions and structures
3 of a State.
4
- 5 c) *Commerce* – the entire range of activities connected with the production, manufacturing,
6 accumulation, gathering, mining, raising, harvesting, exchange or buying and selling of
7 something of economic value such as agricultural products, minerals, goods, services,
8 information, debt instruments, shares of stock or equity, derivatives and money. It also
9 includes capital formation, either through debt or equity; savings; and investments.
10 Finally, it likewise includes the obligations, rights, and duties of all economic entities
11 such as natural persons, corporations, partnerships and governmental entities.
12
- 13 d) *Consultation mechanism* – the means by which stakeholders and sectors could participate
14 effectively and meaningfully in the governmental process of drawing up our international
15 trade policy, and in coming up with all other policies and rules affecting all aspects of
16 international trade.
17
- 18 e) *Fair trade* – a trading partnership based on dialogue, transparency and respect that seeks
19 greater equity in international trade. It contributes to sustainable development by securing
20 and offering better trading conditions to the marginalized producers and workers.
21
- 22 f) *Investment* – the act of putting money to a business, either by directly buying or leasing
23 assets, hiring personnel, and entering into a whole gamut of contracts needed to run an
24 ongoing concern, or by buying equity in a business – typically in the form of shares of
25 stock.
26
- 27 g) *Multisectoral* – a grouping of different sectors of the economy.
28
- 29 h) *Nongovernment organizations (NGOs)* – non-stock, non-profit corporations organized
30 under the laws of the Republic of the Philippines doing charitable, educational, religious,
31 social, economic, and other not-for-profit endeavors.
32
- 33 i) *Private sector* – sector of the economy that is owned by or is composed of private
34 individuals, including natural persons doing business in their personal capacity.
35
- 36 j) *Research* – the study of the potential or actual economic implications of a proposed or
37 existing trade agreement and the validation of its findings among the stakeholders;
- 38 k) *Sectors* – the different economic or commercial groups composed of members with
39 substantially common commercial interest, including business, labor, peasants, farmers,
40 fisher folk, consumers, private sector, public sector, service sector and manufacturing
41 sector.
42
- 43 l) *Stakeholders* – persons or groups of persons with legitimate interest in commerce or
44 whose economic well-being will be affected by any government policy or law affecting
45 commerce, either as factors in the production, sale, or distribution of goods and services,
46 or as consumers or beneficiaries thereof.
47
- 48 m) *Trade* – the voluntary exchange of goods, services and all things of economic value,
49 whether nor not across national borders.
50

- 1 n) *Trade and Investment Agreement* or *International Trade and Investment Agreement* –
2 an accord whereby two (2) or more countries bind themselves to a set of rules that govern
3 the commercial and investment transactions of persons originating from any of the parties
4 to the agreement. When it is just between two (2) countries, it is called a *Bilateral*
5 *Agreement*. On the other hand, if it involves more than two (2) countries, then it is called
6 a *Multilateral Agreement*. *Regional Agreements* are those among countries within the
7 same geographical area as contemplated by the agreement. *Plurilateral Agreements* are
8 specialized agreements included in a Multilateral Agreement, and where the parties have
9 the option of acceding.
- 10
- 11 o) *Trade dispute* – a disagreement between two (2) or more countries to a trade agreement
12 that arises when at least one (1) country adopts a trade policy measure or takes some
13 action that one or more fellow members considers to be a breach of agreement, or a
14 failure to live up to the obligations under the agreement.
- 15

16 **SEC. 4. *Establishment*** – The Philippine Trade Representative Office, hereinafter referred
17 to as the Trade Office, shall be under the Department of Trade and Industry (DTI), thereby
18 strengthening its present trade negotiation process.

19

20 The Trade Office shall be headed by the Philippine Trade Representative who shall hold
21 the rank of Undersecretary.

22

23 The Trade Office shall have three (3) Deputy Trade Representatives, each of whom shall
24 hold the rank of Assistant Secretary.

25

26 Within thirty (30) days from the effectivity of this Act, the President shall appoint the
27 Philippine Trade Representative and the Deputy Trade Representatives upon the
28 recommendation of the Secretary with the endorsement of various stakeholders.

29 **SEC. 5. *Qualifications and Limitation on Appointments.*** –

30

31 (a) *Qualifications* – The Philippine Trade Representative and Deputy Trade Representatives
32 must be natural-born citizens of the Philippines; of good moral character; of unquestionable
33 integrity and known probity and patriotism; and must have academic training, experience and
34 competence in business, economics, international trade law, and policy or trade negotiations.

35

36 The Philippine Trade Representative and Deputy Trade Representatives shall not, during
37 their tenure in office, engage in the practice of any profession or intervene, directly or indirectly,
38 in any contract with the government, or in any franchise or special privilege granted by the
39 government or any subdivision, agency or instrumentality thereof, including government-owned
40 or –controlled corporations (GOCCs) or their subsidiaries. They shall strictly avoid conflicts of
41 interest in the conduct of their office.

42

43 (b) *Limitations on Appointments; Disqualifications.* – No person shall be appointed
44 Philippine Trade Representative if the person has directly represented, aided or advised a foreign
45 entity in any trade and/or investment negotiation or trade dispute against the Philippines.

46

47 Likewise, the Philippine Trade Representative, the Deputy Trade Representatives and all
48 the members of the research group and legal team of the Trade Office shall not be allowed to be
49 employed, commissioned, or retained by foreign entities, or render any kind of consultancy
50 service or related work for foreign clients on trade and investment issues within two (2) years
51 after the expiration or termination of their service with the Trade Office. They shall likewise
52 maintain at all times the confidentiality of all matters that they have handled during their service
53 with the Trade Office.

1
2 **SEC. 6. *Functions and Responsibilities of the Trade Office.*** The Trade Office shall:
3

4 (a) Conduct research and legal studies related to trade and investments that will enhance
5 trade policy formulation;
6

7 (b) Obtain, collate and maintain a database that shall include, but not be limited to, trade and
8 investments statistics, trade and investment-related laws, policies, trade and investment
9 agreements and initiatives which have implications on the development of the Philippine
10 negotiating position in trade and investment agreements, and which shall be accessible to
11 stakeholders;
12

13 (c) Undertake consultations with stakeholders in all aspects of trade policy formulation and
14 negotiation. Stakeholders must also be directly involved in formulating positions related to trade
15 and investments negotiations in line with the national development agenda;
16

17 (d) Formulate the Philippine trade position aimed to support the achievement of the
18 economic goals defined in the Constitution that is a product of a regular and meaningful
19 consultation with relevant government agencies and various civil society stakeholders;
20

21 (e) Negotiate trade and investment agreements on the basis of the Philippine Constitution
22 and other laws, and represent the Philippines in all international trade negotiations including any
23 matter considered under the purview of world trade organizations, other regional and bilateral
24 commodity and those pertaining to direct investment negotiations in which the Philippines
25 participates;

26 (f) Advise the President and Congress through the DTI Secretary on international trade and
27 investments policies, its implications on the domestic economy and the impact of domestic
28 policies on international trade and investments commitments;
29

30 (g) Assert and protect the rights and interests of the Philippines under all bilateral, regional
31 and multilateral trade and investment agreements by coordinating quick and decisive inter-
32 agency response including, but not limited to, cases of unfair trade practices, import surges and
33 rules on investment;
34

35 (h) Appoint, employ and fix the compensation, in accordance with existing compensation
36 laws, of such officers and employees as are necessary, and prescribe their authority and duties,
37 subject to Civil Service Commission laws, rules and regulations;
38

39 (i) Employ and compensate experts and consultants in accordance with the relevant laws;
40

41 (j) Promulgate such rules and regulations as may be necessary to carry out the functions,
42 powers and duties vested herein;
43

44 (k) Enter into and perform such contracts, leases, cooperative agreements or other
45 transactions as may be necessary in the conduct of the work of the Trade Office and on such
46 terms as the Philippine Trade Representative may deem appropriate with any agency or
47 instrumentality of the Philippine government or with any public or private person, firm,
48 association, corporation or institution; and
49
50

- 1 (l) Adopt an official seal.
2

3 **SEC. 7. Functions of the Philippine Trade Representative.** – For the purpose of carrying
4 out the functions of the Trade Office. The Philippine Trade Representative shall:
5

- 6 a) Create the organizational structure of the Trade Office consistent with its mandate and
7 functions provided for in this Act and according to strategic needs, which structure shall
8 be reviewed regularly;
9
10 b) Head the Trade Office and exercise control and supervision over all its functions,
11 activities and its organization;
12
13 c) Serve as the chief trade negotiator of the Philippines in international trade and investment
14 agreements including, but not limited to, the World Trade Organization (WTO), regional,
15 bilateral and plurilateral negotiations, in which the Philippines participates;
16
17 d) Create sectoral and thematic desks that will receive and facilitate referral to appropriate
18 agencies of complaints, information and concerns pertaining to trade and investment
19 matters;
20
21 e) Chair the Inter-Agency Coordinating Committee on international trade and investments;
22
23 f) Monitor and enforce the implementation of Philippine international trade policy,
24 including direct investment matters to the extent that they are related to international
25 trade policy;
26
27 g) Coordinate with national agencies in the performance of functions, including the right to
28 issue compulsory processes pursuant to Section 15 of this Act;
29
30 h) Call upon and deputize, in times of trade policy formulation and negotiations, the
31 national agencies and the deputized agency whose functions are related to or affect
32 international trade policy, including direct investment matters to the extent that these are
33 related to international trade policy;
34
35 i) Act as co-chairperson of the Multi-Sectoral Advisory Committee in its regular and
36 special meetings; and
37
38 j) Perform such other functions inherent to the functions of the Philippine Trade
39 Representative and as the President may direct pursuant to this Act.

40 **SEC. 8. Ex officio Positions and Functions of the Philippine Trade Representative.** –
41 The Philippine Trade Representative shall be entitled to the following ex officio positions and
42 functions:

- 43 a) Senior representative on anybody that the President may establish for the purpose of
44 advising the President on overall economic policies in which international trade
45 matters predominate; and
46
47 b) Participant in all economic summits and other international meetings in which
48 international trade is a major topic.
49

50 **SEC. 9. Functions and Duties of the Deputy Trade Representatives.** – The Deputy
51 Trade Representatives shall, as their principal function, conduct trade negotiations under this
52 Act, and shall have such other functions as the Philippine Trade Representative may direct, to
53 wit:

- 54 a) Lead the negotiations for their respective sectors and/or areas of concern;
55

- 1 b) Convene and chair the Sub-Sectoral Advisory Committee and the Inter-Agency
2 Coordinating Subcommittee for their respective rectors and/or areas of concern;
3
4 c) Ensure proper coordination among the various government agencies involved in their
5 specific sectors of concern and harmonize conflicting negotiating positions;
6
7 d) Prepare sector-specific proposals and negotiating positions and strategies; and
8
9 e) Perform all other functions as may be delegates by the Philippine Trade
10 Representative or as may be require by the nature or exigencies of the functions and
11 responsibilities of the Trade Office.
12

13 **SEC. 10. *Inter-Agency Coordinating Committee and Subcommittees.*** – In connection
14 with the performance of the functions, the Philippine Trade Representative shall, to the extent
15 necessary for the proper administration and execution of the trade and investment agreements of
16 the Philippines, draw upon the expertise of and consult with national agencies.
17

18 The Philippine Trade Representative shall consult with concerned agencies and any other
19 agency on trade and investment policy issues without prejudice to the exercise by the Bangko
20 Sentral ng Pilipinas (BSP) of its authority as an independent central monetary authority under the
21 Constitution and Republic Act No. 7653, otherwise known as the “New Central Bank Act”. All
22 agencies consulted by the Philippine Trade Representative shall participate actively, cooperate
23 fully and promptly provide to the Philippine Trade Representative all documents and information
24 requested.
25

26 Further, the Inter-Agency Subcommittees shall provide inputs and support to the Deputy
27 Trade Representatives.
28

29 **SEC. 11. *Membership in the National Economic and Development Authority (NEDA)***
30 ***Board.*** – The Philippine Trade Representative shall be a member of the National Economic and
31 Development Authority (NEDA) Board which was reorganized under Executive Order No. 230.
32 The Philippine Trade Representative shall have the same rights and obligations as all the other
33 members of the Board.
34

35 **SEC. 12. *Organization of the Trade Office.*** – Pursuant to the provisions of this Act and
36 to function effectively, the Philippine Trade Representative shall be internally supported by a
37 Trade Research, Data Collection, Analysis and Dissemination Service, and a Legal Service. Both
38 Services shall comprise the Trade Office.
39

40 **SEC. 13. *The Trade Research, Data Collection, Analysis and Dissemination Service.*** –
41 The Trade Research, Data Collection, Analysis and Dissemination Service under the Trade
42 Office shall have the following specific functions and responsibilities:
43

- 44 a) Improve and strengthen the capacity of the Trade Office on research, data collection,
45 analysis and dissemination of trade and investments statistics, laws and policies,
46 agreements and other related information;
47
48 b) Generate, maintain and update records/files of comprehensive national and
49 international trade statistics, tariff and non-tariff measures, and investment-related
50 data;
51
52 c) Conduct sectoral and macro level impact assessment and/or potential effects of the
53 country’s trade negotiating positions or an eventual trade agreement and validate such
54 studies;

- d) Provide the general public access to trade data and information and other relevant documents through online databases, journals, publications, and other media;
- e) Collaborate with government and nongovernment research institutions on trade and investment policies and programs in relation to the national development program;
- f) Tap the foreign trade service corps to acquire market intelligence information with regard to commercial, industrial and general economic conditions as well as noneconomic conditions affecting Philippine products both in the export and domestic markets;
- g) Perform other functions as may be provided by law or assigned by the Trade Representative or the Deputy Trade Representatives; and
- h) Conduct or facilitate the conduct of trainings and courses for the benefit of the technical staff of the Trade Office and other government personnel directly or indirectly engages in trade and investment policy work in order to build, improve and enhance their capacity and competence in trade and investment negotiations.

SEC. 14. *The Legal Service.* – The Legal Service shall have the following functions and responsibilities:

- a) Provide legal advice to the Trade Office including legal advice on trade and investment negotiations;
- b) Interpret laws and rules affecting the operations of the Trade Office;
- c) Prepare contracts and instruments to which the Trade Office is a party, and interpret provisions of contracts covering work performed for the Trade Office by private entities;
- d) Assist in the promulgation of rules governing the activities of the Trade Office;
- e) Prepare comments on proposed legislation concerning the Trade Office;
- f) Assist the Solicitor General in suits or cases involving the Trade Office or its officers or employees, or act as their principal counsel in all actions taken in their official capacity before judicial or administrative bodies;
- g) Assist the Trade Office in ensuring that the rights and interests of the Republic of the Philippines are protected in the WTO agreements, other multilateral trade, regional, plurilateral and bilateral trade and investment agreements; and ensure that the counterpart countries comply with their obligations in the agreements;
- h) Represent the Republic of the Philippines in any dispute settlement before the WTO, other multilateral trade agreements, bilateral trade agreements or in any other suit involving international trade; and

- 1 i) Perform such other functions as may be directed by the Philippine Trade
2 Representative.
3

4 **SEC. 15. Issuance of Compulsory Processes.** – Pursuant to Section 7 of this Act, the
5 Trade Office, in aid of trade policy formulation and negotiations, shall have the power and
6 authority to invite or summon by *subpoena ad testificandum* any public official, private citizen
7 or any other person to testify before it, or require any person by *subpoena duces tecum* to
8 produce before it such records, reports, documents or other materials as it may require. There
9 shall be complied within thirty (30) days from receipt of the subpoena issued; otherwise any
10 failure to comply is punishable under Section 22 of this Act.
11

12 **SEC. 16. Filing of Cases Against Violators.** – The Trade Office shall have the authority
13 to file cases and other appropriate legal actions to further its mandate under Section 7(f) and (g)
14 and collaborate, if necessary, with relevant government agencies and stakeholders in order to
15 protect the rights and interests of the Philippines in relation to trade and trade-related
16 investments.
17

18 **SEC. 17. The Multi-Sectoral Advisory Committee (MSAC).** – There is hereby created a
19 Multi-Sectoral Advisory Committee hereinafter referred to as the MSAC.
20

21 The MSAC shall be composed of representatives of industries, agriculture, labor, small
22 business, service industries, retailers and consumers and shall be broadly representative of key
23 economic sectors and groups affected by trade.
24

25 Members of the MSAC and the Subcommittees shall be appointed by the Philippine
26 Trade Representative upon the endorsement of various NGOs and stakeholders. Members of the
27 MSAC shall serve without either compensation or reimbursement of expenses.
28

29 The MSAC will meet as needed at the call of the MSAC Chairperson or the Philippine
30 Trade Representative depending on various factors such as the level of activity of trade
31 negotiations.
32

33 **SEC. 18. Duties and Functions of the MSAC.** –

- 34 a) The MSAC shall provide information and advice to the Philippine Trade
35 Representative on trade and trade-related matters towards the achievement of the
36 economic goals defined in the Constitution that are aimed at balancing the interest of
37 these various stakeholders with respect to:
38
39 1. Negotiating objectives and bargaining positions before entering into a trade
40 and investment agreement;
41
42 2. The operation, implementation and monitoring of any trade and investment
43 agreement once entered into;
44
45 3. Dispute settlements, noncompliance and/or violations to any trade and
46 investment agreement; and
47
48 4. Other matters arising in connection with the development, implementation and
49 administration of the trade and investment policy.
50
51 b) The MSAC shall provide technical support to the Philippine Trade Representative by
52 drawing upon the knowledge and expertise of its members;
53
54 c) Prior to any trade negotiations, the MSAC shall participate in the development of the
55 negotiation objectives and bargaining positions of the country and at the conclusion
56 of negotiation for its trade agreement entered into, provide a report to the Philippine

1 Trade Representative to form part of the latter's report to the President and Congress,
2 pursuant to Section 6(f) of this Act. The report of the MSAC shall include an
3 assessment and evaluation of whether and to what extent the agreement promotes
4 Philippine economic interests and achieves the applicable overall and principal
5 negotiation objectives set forth;
6

7 d) The MSAC shall accompany and advice the Philippine delegation in trade and
8 investment negotiation missions; and
9

10 e) The MSAC shall likewise recommend to the Philippine Trade Representative the
11 participation of a private sector representative to accompany the Philippine delegation
12 in an observer capacity in trade negotiations.
13

14 **SEC. 19. Meetings and Staff Support of the MSAC.** – The Philippine Trade
15 Representative shall:
16

17 a) Preside over the MSAC which shall meet as needed depending on various factors
18 such as the level of activity of trade negotiations;
19

20 b) Call for regular meeting of the MSAC during the first and third quarters of the year,
21 and may call for special meetings as may be necessary depending on various factors
22 such as the level of activity of trade negotiations;
23

24 c) Approve and set the agenda for all MSAC meetings; and
25

26 d) Provide the secretariat and other necessary staff support for the MSAC meetings.
27
28

29 **SEC. 20. Sub-Sectoral Advisory Committee (SSAC).** – There is hereby created a
30 Sub-Sectoral Advisory Committee, hereinafter referred to as the "SSAC", to be organized by the
31 Philippine Trade Representative for trade and investment policy formulation and negotiations.
32

33 The SSAC shall be broadly representative of the key sectors and groups of the
34 economy, particularly with respect to those sectors and groups which are affected by trade, and
35 shall consist of representatives of industry, the academe, agriculture, fisheries, labor, small
36 business, service industries, retailers, consumer interest and other stakeholder groups.
37

38 Members of the MSAC and the SSAC shall be appointed by the Philippine Trade
39 Representative upon the endorsement of various NGOs and stakeholders. Members of the
40 committees shall serve without either compensation or reimbursement of expenses.
41

42 The Chairpersons of the MSAC and the SSAC shall be elected by their respective
43 members.
44

45 **SEC. 21. Confidentiality Agreement.** – To protect the Trade Office from the
46 unauthorized disclosure of classified information and information relating to trade policy, the
47 members of the MSAC and its Subcommittees shall enter into a confidentiality agreement with
48 the Trade Office and comply with other requirements established with the Trade Office.
49

50 **SEC. 22. Penalties.** –
51

52 a) Non-compliance on the Issuance of Compulsory Processes. – Any person or entity
53 who fails to comply to the *subpoena* issued by the Trade Office within the thirty (30)
54 day deadline shall suffer the penalty of imprisonment for a period of not less than six
55 (6) months but not more than one (1) year or shall be imposed a fine of not less than
56 One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand
pesos (P500,000.00), at the discretion of the court.

1 b) Violation of Confidentiality of Agreement. – Any person or entity who shall violate
2 the confidentiality of agreement under this Act shall suffer the penalty of
3 imprisonment for a period of not less than six (6) months but not more than one (1)
4 year or shall be imposed a fine of not less than Two hundred fifty thousand pesos
5 (P250,000.00) but not more than Five hundred thousand pesos (P500,000.00), at the
6 discretion of the court.

7
8 c) Other Violations. – After due notice and hearing, the Philippine Trade Representative
9 shall, upon findings of culpability, impose administrative fines against any person,
10 organization or any other entity in such amount as it may deem reasonable which is
11 no case shall be less than Fifty thousand pesos (P50,000.00) for any violation of any
12 provision under this Act.

13
14 **SEC. 23. Transfer of Functions.** – The functions of the Bureau of International Trade
15 Relations under the DTI, Attaches and Permanent Mission to the WTO, the Association of
16 Southeast Asian Nations (ASEAN) and the United Nations International Organization (UNIO),
17 and the trade negotiating and policy-making functions of the Tariff and Related Matters
18 Committee (TRMC) are hereby transferred to the Trade Office.

19
20 The foregoing transfer of powers and functions shall include all applicable funds and
21 appropriations, records, equipment, property and personnel as may be necessary.

22
23 **SEC. 24. Implementing Rules and Regulations.** – The Trade Office under DTI in
24 consultation with the Department of Agriculture, the Department of Foreign Affairs and the
25 NEDA, shall issue the rules and regulations necessary to implement the provisions of this Act
26 sixty (60) days from the date of appointment of the Philippine Trade Representative.

27
28 **SEC. 25. Appropriations.** – The amount necessary to implement the provisions of this
29 Act shall be charged against the current year's appropriations of the Bureau of International
30 Trade Relations under the DTI, Attaches and Permanent Mission to the WTO, the ASEAN, the
31 UNIO, the TRMC and other concerned agencies. Thereafter, such sums as may be necessary for
32 its continued implementation shall be included in the annual General Appropriations Act.

33
34 **SEC. 26. Separability Clause.** – If any section or provision of this Act shall be declared
35 unconstitutional or invalid, the other sections or provisions not affected thereby shall continue to
36 be in full force and effect.

37
38 **SEC. 27. Repealing Clause.** – All laws, rules and regulations and other issuances
39 inconsistent with the provisions of this Act, including Section 6 of Executive Order No. 230,
40 Series of 1987 and relevant provisions of Executive Order No. 133, Series of 1987, are deemed
41 modifies, revoked or repealed accordingly.

42
43 **SEC. 28. Effectivity.** – This Act shall take effect fifteen (15) days following its complete
44 publication in the Official Gazette or in a newspaper of general circulation.

Approved,