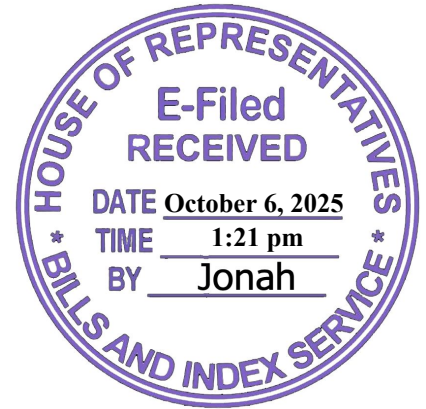




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 5150



Introduced by Representative Yedda Marie K. Romualdez

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

EXPLANATORY NOTE

Natural disasters regularly cause widespread damage in the Philippines, destroying homes, infrastructure, and crops through intense winds, heavy rains and flooding, leading to loss of life, displacement, and severe economic setbacks. When Typhoon Yolanda hit the Philippines in 2013, it caused unimaginable destruction in the Eastern Visayas, which hindered the economic growth and development of the region. As it recovered from the devastating event, the region is still heavily impacted with the vicious cycle of poverty.

Considering these circumstances, there is a need to address the region's persistent underdevelopment, disaster vulnerability and governance challenges through focused leadership and integrated planning that will transform Eastern Visayas into a more resilient and prosperous region.

Thus, this bill seeks to create the Eastern Visayas Development Authority (EVDA), tasked to formulate the Eastern Visayas Development Master Plan, which will serve as the framework for the accelerated and balanced development in the region. Further, the EVDA will promote and facilitate the active participation of all sectors in the socio-economic development of Eastern Visayas.

Through this bill, it is hoped that the EVDA will be able to provide strategic direction for the long-term economic development of the region.

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

A handwritten signature in black ink, appearing to be 'YMK', written over the printed name.

YEDDA MARIE K. ROMUALDEZ



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FUNDS THEREFOR

*Be it enacted by the Senate and House of 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 also establish satellite offices in Metro Manila and in the other provinces within Eastern Visayas, if necessary, to achieve the objectives of this Act.

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 provide 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 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 in Eastern Visayas 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 purpose 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 Eastern Visayas Regional Development

Council 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 overall directions and thrusts of the Authority shall be provided and approved, unless provided otherwise in this Act, by a Board of Directors, hereinafter referred to as the Board. It shall be composed of the following members:

- (a) The Chairperson who shall be appointed by the President of the Philippines;
- (b) The Chairperson of the Eastern Visayas Regional Development Council 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
3. Eastern Visayas non-government sector.

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 of Directors shall have the following functions:

- (a) Provide direction and guidance for the work and thrusts of the Authority 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 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 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 to assist 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 goals, objectives, and programs of the Authority 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 the 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 its 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 before other offices, agencies, and instrumentalities of the government and with all persons and entities, public or private;

- (m) Sign agreements and ~~for~~ contracts on behalf of the Authority, including those for services of experts and consultants, and other reports of accountabilities of 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 Chairperson shall be assisted by one Deputy Chairperson, who shall be appointed by the President of the Philippines upon the recommendation of the Chairperson, with the rank of Assistant Secretary. 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 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. *The Advisory Council.* – There is hereby constituted an EVDA Advisory Committee to be composed of the following:

- (a) The 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 Advisory Council shall convene at least once every six (6) months or as often as necessary upon the call of the EVDA Chairperson, for advice or consultation 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 and staffing pattern of the Authority, in accordance with the existing compensation and position classification system and civil service laws, rules and regulations. The Chairperson may reorganize the Authority and may create or abolish divisions, units, or branches therein as the exigency of the affairs of the Authority may require.

SEC. 16. *Merit System.* – All officials and employees of the Authority 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 Authority 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.

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. Thereafter, the Authority shall exercise the sole power of control and disposition 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 the 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 Authority shall promulgate the 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,