


9 OCT 14 P4:10

SENATE

S. No. 3496

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Prepared jointly by the Committee on Economic Affairs (upon the recommendation of the Subcommittee on Mindanao Economic Development Authority) and the Committees on Local Government and Finance, with Senators Zubiri, Defensor Santiago, Villar, Lapid, Estrada, Gordon, Revilla, Roxas, Legarda and Angara as authors

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AN ACT  
CREATING THE MINDANAO ECONOMIC DEVELOPMENT AUTHORITY (MEDA),  
DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR  
AND FOR OTHER PURPOSES

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

1           **SECTION 1. Title.** - This Act shall be known as the "Mindanao Economic  
2 Development Authority (MEDA) Act of 2009".  
3

4           **SEC. 2. Declaration of Policy.** - It is hereby declared a policy of the State to accelerate  
5 the socio-economic growth of Mindanao, increasing its trade, tourism and investments.  
6 encouraging private enterprise and advancing efforts towards peace and development. Towards  
7 this end, an effective institutional mechanisms shall be established to address the need for a  
8 coordinated and integrated approach in the formulation and implementation of various  
9 Mindanao-wide inter-regional development plans, programs and projects. The government shall  
10 further undertake efforts to promote the active participation of Mindanao and Palawan in the  
11 Brunei Darussalam-Indonesia-Malaysia-the Philippines – East Asia Growth Area (BIMP-  
12 EAGA).  
13

14           **SEC. 3. Creation of the Mindanao Economic Development Authority.** – The Mindanao  
15 Economic Development Authority, hereinafter referred to as the Authority, is hereby created  
16 which shall promote, coordinate and facilitate the active and extensive participation of all sectors  
17 to effect the socio-economic development of Mindanao. It shall also act as an implementing  
18 agency for specific Mindanao inter-regional and Mindanao-wide programs and projects when  
19 necessary.  
20

1           **SEC. 4 Coverage.** – The Authority shall cover all the provinces and cities of Regions IX,  
2 X, XI, XII, CARAGA and the Autonomous Region in Muslim Mindanao (ARMM).

3  
4           **SEC. 5. Principal Office and Term.** – The Authority shall have its main office in Davao  
5 City. It may establish area management offices (AMOS), if necessary, to achieve the objectives  
6 of this Act. The Authority shall also have a term of fifty (50) years from the effectivity of this  
7 Act and renewable for the same period unless otherwise provided by law.

8  
9           **SEC. 6. Powers and Functions of MEDA.** – In the exercise of those activities which are  
10 Mindanao-wide and/or Mindanao-specific in character, the Authority shall have the following  
11 powers and functions:

- 12
- 13           (a) Formulate an integrated development framework for Mindanao that is consistent with  
14           the peace initiatives of the national government, as far as practicable;
  - 15           (b) Integrate, prioritize and program Mindanao-wide, inter-regional and region-specific  
16           programs, activities and projects with Mindanao-wide impact;
  - 17           (c) Advocate to the constituents of Mindanao their elected representatives in Congress  
18           and the national government, national policies that will foster the integrated and  
19           balanced development of Mindanao;
  - 20           (d) Promote and facilitate investments in any field that would enhance the socio-  
21           economic development of Mindanao and uplift the living standards of the people and  
22           their socio-political activities in close coordination with agencies primarily mandated  
23           to undertake such functions;
  - 24           (e) Explore sources for financing priority Mindanao-wide and/or Mindanao-specific  
25           inter-regional programs, projects and activities;
  - 26           (f) Coordinate and facilitate the extension of necessary planning, management and  
27           technical assistance to prospective and existing investors, complementary and in  
28           support of agencies primarily mandated to execute such functions;
  - 29           (g) Establish a comprehensive and integrated databases on Mindanao and BIMP-EAGA  
30           needed for planning and decision-making;
  - 31           (h) Monitor, evaluate and formulate recommendations in the implementation of  
32           Mindanao-wide and/or Mindanao-specific inter-regional development programs,  
33           activities and projects;
  - 34           (i) Act as the implementing agency, whenever necessary, for the accomplishment of  
35           Mindanao-specific inter-regional or Mindanao-wide programs and projects, including  
36           Official Development Assistance (ODA) projects, subject to such limitations  
37           prescribed by existing laws, rules and regulations;
  - 38           (j) Provide strategic direction for Mindanao;

- 1 (k) Oversee mega infrastructure programs and projects with Mindanao-wide impact such  
2 as the Mindanao Super Region Program;
- 3 (l) Establish appropriate mechanisms to ensure the timely implementation of Mindanao-  
4 wide and Mindanao-specific inter-regional projects, whenever necessary, as far as  
5 practicable, including, but not limited to public-private partnership;
- 6 (m) Review and recommend for approval by the NEDA Board such Mindanao-wide and  
7 Mindanao-specific inter-regional programs, projects and plans by the national  
8 government and donor agencies subject to existing laws, rules and regulations;
- 9 (n) Act as the official and permanent Philippine Coordinating Office for BIMP-EAGA  
10 (PCOBE) as a lead agency of the government in coordinating the formulation and  
11 implementation of policies and programs including the monitoring of all activities  
12 related thereto;
- 13 (o) Represent and strengthen the participation of the Philippine-focus areas for BIMP-  
14 EAGA which are Mindanao and Palawan;
- 15 (p) Closely coordinate with the private sector in all policy deliberations concerning  
16 BIMP-EAGA;
- 17 (q) Act as a databank for BIMP-EAGA and other related matters by collecting,  
18 consolidating and processing them for dissemination to various groups;
- 19 (r) Initiate and coordinate the establishment of the BIMP-EAGA desks in concerned  
20 national agencies, local government units and private enterprises;
- 21 (s) Undertake advocacy for the adoption/approval of new policies or policy changes and  
22 the promotion of initiatives for the growth of the BIMP-EAGA;
- 23 (t) Formulate and develop new plans and/or programs for the Philippine participation in  
24 the BIMP-EAGA based on the consensus of the BIMP-EAGA Clusters and Working  
25 Groups and /or Heads of State, Signing Ministers and Senior Officials;
- 26 (u) Initiate and facilitate sourcing of technical and other forms of assistance to BIMP-  
27 EAGA projects/initiatives;
- 28 (v) Monitor developments in the BIMP-EAGA and follow-through agreements entered  
29 into by the Philippine parties;
- 30 (w) Ensure efficient and effective technical and administrative support services for the  
31 Philippines' BIMP-EAGA operations and coordinate budgetary requirements for this  
32 purpose;
- 33 (x) Engage or invest on or enter into joint venture with Filipino and foreign investors in  
34 such Mindanao-wide and/or inter-regional projects as it may deem necessary and  
35 contributing to the economic development of Mindanao;
- 36 (y) Receive and administer donations, contributions, grants, bequest or gifts in cash or in  
37 kind, from foreign governments, international agencies, private entities and other

- 1 sources, including Official Development Assistance (ODA), to be used in the  
2 development of Mindanao, subject to existing laws, rules and regulations;
- 3 (z) To sue and be sued, enter into contracts, acquire, purchase, hold, lease, transfer,  
4 *dispose of property of any kind or nature to carry out the purposes of this Act;*
- 5 (aa) Discharge other functions that may be deemed necessary or as may be provided by  
6 law.

7

8 The Authority, through the MEDA Chairperson, shall submit to the President and both  
9 Houses of Congress annual reports of its accomplishments and activities.

10

11 **SEC. 7. Chairperson.** – The MEDA Chairperson shall be appointed by the President of  
12 the Philippines with a Cabinet rank and shall act as the Head of Office. He/She shall serve a  
13 term of six (6) years from the date of his/her appointment unless removed for cause. He/she  
14 shall also be the Philippine Senior Official for BIMP-EAGA and member of the National  
15 Economic Development Authority (NEDA) Board.

16

17 The Chairperson shall have the following duties and functions:

- 18 (a) Call and preside meetings of the MEDA Advisory Board and see to it that the  
19 policies, programs and rules and regulations are implemented properly;
- 20 (b) Call on formidable players in the formulation and implementation of a  
21 comprehensive and integrated development plan for Mindanao, investment  
22 programs and the preparation of investment programming priorities, annual  
23 reports and other pertinent documents approved by MEDA;
- 24 (c) Identify solutions to key issues and concerns, taking into account related risks,  
25 affected parties and impact, in coordination with the Board and key stakeholders;
- 26 (d) Advocate the Authority's work for Mindanao among the various concerned  
27 sectors and stakeholders;
- 28 (e) Call on any agency, group, individual member of the Board, local government  
29 unit and host community to address issues and concerns relating to the  
30 implementation of major programs, projects and activities;
- 31 (f) Supervise the monitoring and timely implementation of Mindanao-wide and/or  
32 Mindanao-specific inter-regional programs, projects and activities;
- 33 (g) Endorse to the MEDA Advisory Board all policy recommendations, plans,  
34 programs and for approval;
- 35 (h) Represent the MEDA Advisory Board in regular and special Cabinet meetings;
- 36 (i) Convene the BIMP-EAGA Advisory Board to discuss issues and concerns and  
37 recommend policies and programs to ensure the widest participation of Mindanao  
38 and Palawan in BIMP-EAGA;

- 1 (j) Accept, on behalf of MEDA, donations, contributions, grants and bequests or  
2 gifts, in cash or in kind, from members, foreign governments, international  
3 agencies, private entities or any individual for purposes that will realize the  
4 functions of the Authority;
- 5 (k) Supervise administrative operations including disbursement of any fund of the  
6 MEDA, subject to the usual accounting and auditing procedures and submit  
7 reports thereon;
- 8 (l) Execute and administer the policies and measures approved by the MEDA  
9 Advisory Board;
- 10 (m) Appoint all employees of the Authority and remove, dismiss or otherwise  
11 discipline for cause, such employees in accordance with the standard guidelines  
12 for recruitment, employment and discipline of the Civil Service Code;
- 13 (n) Represent the Authority in all dealings with other offices, agencies and  
14 instrumentalities of the Government and with all persons and entities, public or  
15 private;
- 16 (o) Sign agreements and/or contracts on behalf of the Authority, including those for  
17 expert and consultant services and other reports of accountabilities emanating  
18 from the Authority;
- 19 (p) Perform such other functions that the MEDA Advisory Board may direct to carry  
20 out the provisions of this Act;

21  
22 **SEC. 8. *Executive Director.*** – The Executive Director shall be appointed by the  
23 President of the Philippines upon recommendation by the Chairperson. He/she shall possess the  
24 requisite eligibilities for third level career service position. He/she shall assist the Chairperson in  
25 carrying out the functions of the Authority and shall, likewise, serve as the Secretary of MEDA  
26 Advisory Board.

27  
28 **SEC. 9. *MEDA Advisory Board.*** – The Authority’s overall directions and thrusts shall  
29 be provided and approved, unless provided otherwise in this Act, by the MEDA Advisory Board,  
30 hereinafter referred to as the Board. It shall be composed of the following members:

- 31  
32 (a) The MEDA Chairperson;
- 33 (b) The Chairperson of the Regional Development Councils (RDCs) of Region IX, X,  
34 XI, XII and XIII and the Regional Economic Development and Planning Board  
35 (REDPB) of the ARMM;
- 36 (c) The Chairperson of the House Committee on Mindanao Affairs;
- 37 (d) The Chairperson of the House Committee on BIMP-EAGA Affairs;

- 1 (e) The Vice President for Mindanao of the Union of Local Authorities of the Philippines  
2 (ULAP);
- 3 (f) The President of the Mindanao Confederation of Governors, City Mayors and  
4 Municipal Mayors League of Presidents;
- 5 (g) The Administrator of the Southern Philippines Development Authority (SPDA) and  
6 (h) The three (3) representatives from the private sector to be appointed by the President,  
7 upon the recommendation of the Chairperson and Board members comprising of one  
8 representative each from the:
- 9
- 10 i. Mindanao Business Sector  
11 ii. Mindanao Academic Sector  
12 iii. Mindanao Non-Government Organization (NGO) Sector  
13

14 Members of the Board shall receive a *per diem* of not more than Five Thousand Pesos  
15 (P5,000) for every board meeting; *Provided, however,* that the per diem collected per month does  
16 not exceed the equivalent of four (4) meetings; *Provided, further,* that the amount of *per diem* for  
17 every board meeting may be increased by the President but such amount shall not be increased  
18 within two (2) years after its last increase.  
19

20 The Board shall have the following functions:

- 21 (a) Provide direction and guidance for the Authority's work and thrusts for Mindanao;  
22 (b) Ensure that the goals and policies of the Authority are consistent with the overall  
23 national development goals and objectives;
- 24 (c) Ensure that the programs of the Authority are consistent with regional and local  
25 development plans, program and projects and vice versa for purposes of  
26 harmonization;
- 27 (d) Explore sources for financing of priority Mindanao-wide and/or Mindanao-specific  
28 inter-regional plans, programs, projects and activities;
- 29 (e) Create committees/task forces as may be deemed necessary in the accomplishment of  
30 duties and functions;
- 31 (f) Determine schedules, establish voting procedures, criteria for the constitution of a  
32 quorum and other rules and regulations in the conduct of Board meetings; and  
33 (g) Perform such other functions as may be necessary to carry out the purposes of this  
34 Act.  
35

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

1 Chairperson. To ensure inter-regional representation and participation, the following shall  
2 comprise the Execom:

- 3
- 4 (a) The MEDA Chairperson
  - 5 (b) The Chairpersons of the RDCs and REDPB
  - 6 (c) The Representative from the Mindanao Business Sector
  - 7 (d) The Representative from the Mindanao Non-Government Organization (NGO) Sector
- 8

9 The unexpected appropriations of the above-mentioned agencies are hereby transferred to  
10 the Authority including its existing records, properties, equipment, facilities and other assets.

11

12 **SEC. 11. *BIMP-EAGA Advisory Board.*** - There is hereby constituted a BIMP-EAGA  
13 Advisory Board to be composed of the following:

14

- 15 (a) MEDA Chairperson as Head;
  - 16 (b) Chairpersons of the RDCs of Regions IX, X, XI, XII and XIII and REDPB of  
17 ARMM;
  - 18 (c) Mayor of Zamboanga City;
  - 19 (d) Provincial Governor of Palawan and
  - 20 (e) Two Philippine Country Representatives to the BIMP-EAGA Business Council  
21 (BEBC).
- 22

23 The BIMP-EAGA Board shall convene, from time to time, to discuss issues and  
24 recommend policies and programs to ensure the widest participation of Mindanao and Palawan  
25 in the activities of BIMP-EAGA. It shall make recommendations to the Chairperson, being the  
26 Head of the PCOBE. The PCOBE, in consultation with the BIMP-EAGA Board, will draw up its  
27 own procedures for making recommendations, finalizing decisions and overseeing  
28 implementation of BIMP-EAGA activities in Mindanao and Palawan.

29

30 **SEC. 12. *Organizational Structure.*** - The Chairperson shall determine the  
31 organizational structure, staffing pattern and pay scales of the Authority subject to existing civil  
32 service and compensation laws. The Chairperson may reorganize the Authority and may create  
33 or abolish divisions, units or branches therein as the exigencies of the affairs of the Authority  
34 may require.

35

36 **SEC. 13. *Transitory Provision.*** - The Mindanao Economic Development Council  
37 (MEDCo), created under Executive Order No. 512 (s. 1992), and as amended by Executive  
38 Order No. 244 (s. 2000), Executive Order No. 354 (s. 2004), Executive Order No. 357 (s. 2004),

1 and Executive Order No. 757 (s. 2008) is hereby abolished. All its budgetary appropriations,  
2 finances, properties, records, equipment, rights, and other assets as well as liabilities, are hereby  
3 transferred to the Authority.

4  
5 The Authority shall absorb the existing plantilla positions and incumbent staff of  
6 MEDCo who shall continue to perform their respective duties and responsibilities and receive  
7 the corresponding salaries and benefits, in the fulfillment of the powers and functions of the  
8 Authority.

9  
10 **SEC. 14. Appropriations.** – The amount necessary to finance the initial implementation  
11 of this Act shall be charged against the current year’s appropriations of the Mindanao Economic  
12 Development Council (MEDCo). Thereafter, the current budget shall be increased by one  
13 hundred percent (100%), which amount shall be included in the Annual General Appropriations  
14 Act (GAA) for its continued implementation.

15  
16 The current appropriations of MEDCo shall be transferred to the Mindanao Economic  
17 Development Authority to commence its activities.

18  
19 **SEC. 15. Repealing Clause.** - All laws, decrees, executive orders, rules and regulations,  
20 or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or  
21 modified accordingly.

22  
23 **SEC. 16. Separability Clause.** - If any part or provision of this Act is held  
24 unconstitutional or invalid, other parts or provisions thereof, which are not affected, shall  
25 continue to remain in full force and effect.

26  
27 **SEC. 17. Effectivity.** - This Act shall take effect fifteen (15) days following completion  
28 of its publication in at least two (2) newspapers of general circulation.

29  
30 Approved,