

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 216

**AMENDING EXECUTIVE ORDER NO. 159 S. 1999 AND FURTHER
STRENGTHENING THE HOUSING AND URBAN DEVELOPMENT
COORDINATING COUNCIL**

WHEREAS, the President, through the issuance of Executive Order No. 159 dated 12 October 1999 has identified mass housing as the centerpiece program of his Administration,

WHEREAS, EO No. 159 created the Presidential Commission on Mass Housing (PCMH), with the President as the Chairman and to be co-chaired by both the Presidential Adviser on Low Cost and Open Market Housing and the Presidential Adviser on Socialized Housing;

WHEREAS, EO 159 provided that the Secretariat of the PCMH shall be composed of personnel from the Housing and Urban Development Coordinating Council (HUDCC) and Presidential Management Staff (PMS);

WHEREAS, HUDCC is the lead agency in the implementation of the government's housing program;

WHEREAS, to harmonize and streamline efforts on mass housing, there is a need to delegate to a responsible official the management of the housing program, thus, the need to integrate the positions of the Presidential Adviser on Low Cost and Open Market Housing and the Presidential Adviser on Socialized Housing;

WHEREAS, there is a need to further strengthen the HUDCC for it to effectively and efficiently coordinate all efforts of the various agencies/sectors undertaking housing projects nationwide;

WHEREAS, Section 31, Chapter 10, Title III, Book III of EO 292, otherwise known as the Revised Administrative Code of 1987, provides continuing authority to the President to reorganize the administrative structure of the Office of the President;



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NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. Composition and Secretariat of the Presidential Commission on Mass Housing. Executive Order No. 159 s. 1999 is hereby amended to read as follows:

Section 1.1 Designation of the HUDCC Chairperson as Presidential Adviser for Housing and Co-Chair of the PCMH. The positions of the Presidential Adviser on Low Cost and Open Market Housing and the Presidential Adviser on Socialized Housing are hereby abolished; and, in lieu thereof, their tasks and responsibilities shall be undertaken by the Presidential Adviser for Housing. Therefore, Paragraph 1, Section 2.1 of EO 159 is hereby amended to read as follows:

The Commission shall be chaired by the President who shall also act as the "housing czar". ***The Commission shall be co-chaired by the Presidential Adviser on Housing.***

Section 1.2 Creation of a Full-Time Secretariat for PCMH. Paragraph 2 of Section 2.3, EO 159 shall read as follows:

"A full time Secretariat to be composed of personnel from HUDCC and PMS shall be organized to provide direct technical and administrative services to the Commission through the Office of the Presidential Adviser on Housing.

The Presidential Adviser on Housing, shall directly supervise, and provide guidance, instructions and directions to the joint HUDCC-PMS Secretariat."

Administrative, technical and logistical requirements of the Commission and the Office of the Presidential Adviser for Housing, shall be provided by the PMS-OP, HUDCC and other housing agencies. All housing agencies are hereby directed to provide assistance as may be needed."

Section 2. Reiterating and Strengthening the Functions of the HUDCC. Pursuant to existing laws, the HUDCC shall continue to have the following powers and functions:

- 2.1 Serve as the lead agency to assist the President and the PCMH in formulating the national objectives, policies and strategies for housing and urban development;



Coordinate and monitor the activities of all government agencies undertaking housing projects, including those of local government units (LGUs), to ensure the accomplishment of the goals of the government's housing program;

Encourage the maximum participation of the private sector in all aspects of housing and urban development;

Formulate the basic policies, guidelines and implementing mechanisms for the disposal or development of acquired or existing assets of the key housing agencies which are not required for the accomplishment of their basic mandates;

Identify, plan and secure local and foreign funding for housing programs and projects;

Provide directions to the Housing and Land Use Regulatory Board (HLURB) to ensure rational land use for the equitable distribution and enjoyment of development benefits;

Recommend new legislation and amendments to existing laws as maybe necessary for the attainment of government's objectives in housing;

Undertake other functions as provided by existing laws that are not contrary to the above-mentioned.

Section 3. General Supervision and Control of HUDCC Over Housing Agencies. To ensure that all efforts of the housing agencies are coordinated towards the achievement of the housing goals, the following housing agencies are attached to HUDCC for policy and program coordination and administrative supervision:

- National Housing Authority (NHA);
- National Home Mortgage and Finance Corporation (NHMFC);
- Home Development Mutual Fund (HDMF);
- Home Insurance Guaranty Corporation (HIGC); and
- Housing and Land Use Regulatory Board (HLURB).

Section 4. Powers and Functions of the HUDCC Chairperson. The Chairperson of the HUDCC shall be appointed by the President and shall report directly to the President. The HUDCC Chairperson shall



have the rank of a Secretary and shall be a regular member of the Cabinet.

The HUDCC Chairperson shall also serve as *ex officio* Chairperson of the governing Boards of the housing agencies, namely: NHA, NHMFC, HDMF, HIGC and HLURB. The HUDCC Chairperson may appoint an alternate from among the members of the HUDCC, whose acts shall be considered the acts of the Chairperson.

The HUDCC Chairperson shall exercise the following authorities and powers over its attached agencies and corporations:

Recommend to the President, the appointment of the members of the Board and the full time chief executive officer/head of the housing corporations/agencies in accordance with their respective charters/mandates;

Recommend to the President any such acts as may be necessary over any member of the Board and the Chief Executive Office;

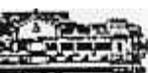
Exercise for and in behalf of the President administrative supervision over corporations and agencies attached to the HUDCC;

Oversee the operations of such housing corporations and agencies to ensure that they are managed efficiently, effectively and economically to enable them to execute their plans, programs and projects;

Require the submission of reports and cause the conduct of management audit, performance evaluation, and inspections to ensure compliance with the policies, standards and guidelines of HUDCC and PCMH;

Review and evaluate Memoranda of Agreement, contracts, joint venture agreements and all investments entered into by the corporations/agencies attached to HUDCC to ensure conformity with government policies, and priority plans and projects.

Recommend to the President all housing related projects that may qualify for Flagship status;



Recommend to the President such acts as may be necessary for the proper performance of the official functions of the corporations and agencies attached to HUDCC

Recommend to the President the approval of the budget proposals of all corporations and agencies attached to it;

- 4.10 Require the submission of the audited financial statements of the attached corporations within 60 days after the close of the fiscal year to ensure the proper evaluation and preparation of recommendations to the President;

Recommend to the President necessary changes, and adjustments in the organizational structure and staffing pattern of the attached agencies and corporations;

- 4.12 Recommend to the President all other actions as may be necessary in the President's exercise of overall supervision and control over all agencies and corporations attached to HUDCC.

Section 5. Functions of the HUDCC Secretariat. The HUDCC Chairperson shall direct the HUDCC Secretariat in the proper performance of the following functions:

Monitor and evaluate the financial, physical and organizational performance of the housing agencies/corporations;

Undertake all the powers and functions of the GCMCC over the housing corporations, specially the review of contracts, joint venture agreements, memoranda of agreement, investments, borrowings, creation of subsidiaries, and the like. All recommendations of the HUDCC Secretariat shall be submitted to the President through the HUDCC Chairperson.

Section 6. Duties and Responsibilities of the HUDCC Secretary General. A Secretary-General, to be appointed by the Chairperson of the Council, shall assist the Chairman in the day-to-day management and operation of the HUDCC Secretariat. The Secretary-General, who shall be under the direct control and supervision of the Chairperson, shall have the following duties and responsibilities:

- 6.1 Implement policies and measures approved and directed by the Chairperson;



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Assist the Chairperson in managing the operations and affairs of the HUDCC;

Oversee the preparation of annual plans, budgets and such other reports as may be required, subject to the approval of the Chairperson;

Represent the Chairperson in dealings with other offices, agencies and instrumentalities of the government and with persons and entities both private and public, domestic and foreign, as necessary;

Discipline for cause in accordance with civil service laws subordinate officers and personnel of the HUDCC, subject to the approval of the Chairperson;

Transfer officers and personnel as the exigencies of service may require subject to the prior approval of the Chairperson;

6.7 Delegate authority to subordinate officers and personnel of HUDCC, provided that the authority to delegate has had the prior approval of the Chairperson; and

Perform such other functions and duties as may be assigned by the Chairperson.

Section 7. Continuing Authority to Reorganize the HUDCC Secretariat. The HUDCC Chairperson shall have the continuing authority to reorganize the HUDCC Secretariat.

Section 8. Special Provision. All government departments, agencies, bureaus and instrumentalities, including government owned and controlled corporations (e.g. PEA, BCDA, PNR, among others), implementing housing projects are directed to seek the clearance and approval of the PCMH through the HUDCC Chairperson on their respective housing and related projects.

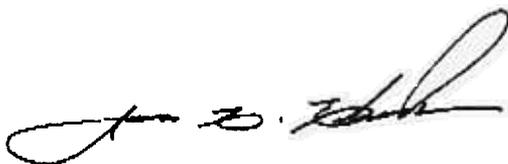
Section 9. Separability Clause. If any provision of this Executive Order is declared invalid, the validity of the other provisions hereof shall be unaffected thereby.

Section 10. Repealing Clause. All executive and other administrative issuances or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

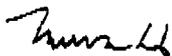


Section 11. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of February, in the year of the Lord, twenty hundred.



BY THE PRESIDENT:



RONALDO B. ZAMORA
Executive Secretary

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Received
MAR 07 2000

Date



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