



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 85

**REORGANIZING THE BOARD OF DIRECTORS OF THE PHILIPPINE
GUARANTEE CORPORATION**

WHEREAS, Executive Order (EO) No. 58 (s. 2018) merged the Home Guaranty Corporation and Philippine Export-Import Credit Agency (PHILEXIM), with the latter as the surviving entity;

WHEREAS, by virtue of EO No. 58, PHILEXIM was renamed as Philippine Guarantee Corporation (PHILGUARANTEE), and all guarantee-related functions, funds, and programs of the Small Business Corporation, as well as the administration of the Agricultural Guarantee Fund Pool and the Industrial Guarantee and Loan Fund, were transferred thereto;

WHEREAS, Section 2 of Republic Act (RA) No. 10149 or the "GOCC Governance Act of 2011" declares it a policy of the State to actively exercise its ownership rights in every government-owned or -controlled corporation (GOCC), and promote growth by ensuring that operations of GOCCs are consistent with national development policies and programs;

WHEREAS, Section 2(e) of RA No. 10149 mandates the State to ensure that the Governing Board of every GOCC is competent to carry out its functions, fully accountable to the State as its fiduciary, and acts in the best interest of the State;

WHEREAS, under Section 13 of RA No. 10149, the number of Directors or Trustees of a GOCC under its Charter must be maintained;

WHEREAS, Section 25 of RA No. 7653 or the "New Central Bank Act," as amended by RA No. 11211 provides that the *Bangko Sentral ng Pilipinas* shall have regulatory authority over and conduct regular or special examinations of entities which by special laws are subject to its jurisdiction, among others;

WHEREAS, in accordance with Section 5(a) of RA No. 10149, the Governance Commission for GOCCs (GCG) recommended the reorganization of the Board of Directors of PHILGUARANTEE to ensure that it is competent to carry out all its powers, functions, and responsibilities, and to achieve simplicity, economy and efficiency, in

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line with generally acceptable principles of good governance and responsive national development;

WHEREAS, pursuant to the transfer of agricultural and housing guarantee functions to PHILGUARANTEE, a strong organizational link between the Department of Agriculture (DA), Department of Human Settlements and Urban Development (DHSUD), and PHILGUARANTEE is needed to ensure that PHILGUARANTEE's credit policies are highly responsive to the needs of the agriculture and housing sectors, and are aligned with the national development plans and policies;

WHEREAS, Section 31, Chapter 10, Title III, Book III of EO No. 292, or the "Administrative Code of 1987" vests in the President the continuing authority to reorganize the Executive Branch;

WHEREAS, Section 17, Article VII of the 1987 Constitution vests in the President the power of control over all the Executive departments, bureaus and offices, and the mandate to ensure the faithful execution of laws;

NOW, THEREFORE, I, FERDINAND R. MARCOS, JR., President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. Reorganization of the PHILGUARANTEE Board of Directors. The PHILGUARANTEE Board of Directors is hereby reorganized and shall now be composed of the following as members:

- a. Secretary, Department of Finance as Chairperson;
- b. Secretary, Department of Trade and Industry;
- c. Secretary, National Economic and Development Authority;
- d. Secretary, DA;
- e. Secretary, DHSUD; and
- f. Four (4) representatives from the private sector, to be appointed by the President in accordance with RA No. 10149, at least one (1) of whom shall come from the export community, and of known probity in the sector they represent.

The *ex officio* members of the PHILGUARANTEE Board of Directors may designate their respective alternates who shall be the officials next-in-rank to them, and whose acts shall be considered the acts of their principals.

The PHILGUARANTEE President shall be elected by the Board of Directors from among its ranks in accordance with the provisions of RA No. 10149 and relevant laws, rules and regulations. Consistent with Presidential Decree (PD) No. 1080, as amended, and RA No. 2254, the PHILGUARANTEE President shall be the Vice-Chairperson of the Board of Directors.


Section 2. Jurisdiction of the *Bangko Sentral ng Pilipinas*. In accordance with Section 22 of PD No. 1080, as amended, PHILGUARANTEE shall continue to be subject to the supervision and examination of the *Bangko Sentral ng Pilipinas*.

Section 3. Separability. If any section or part of this Order is declared unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force and effect.

Section 4. Repeal. All orders, rules and regulations, and other issuances or parts thereof, which are inconsistent with this Order, are hereby repealed or modified accordingly.

Section 5. Effectivity. This Order shall take effect immediately upon publication in the Official Gazette or in a newspaper of general circulation.

DONE, in the City of Manila, this 27th day of March, in the year of our Lord, Two Thousand and Twenty-Five.


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By the President:


LUCAS P. BERSAMIN
Executive Secretary

