

EXECUTIVE ORDER NO. 193

**CREATING THE WORLD TRADE ORGANIZATION ADVISORY AND
ASEAN FREE TRADE ADVISORY COMMISSIONS, DEFINING ITS POWERS
AND FUNCTIONS AND FOR OTHER PURPOSES**

WHEREAS, on 15 April 1994, the Philippines was one among 111 countries that signed the Uruguay Final Act at Marrakesh, Morocco;

WHEREAS, pursuant to the terms of the Uruguay Round Agreement which is expected to take effect on 1 January 1995, the General Agreement on Tariffs and Trade (GATT), shall then be known as the World Trade Organization (WTO);

WHEREAS, in view of the far-reaching effects of the Uruguay Round Agreement under the World Trade Organization, the Government recognizes the need to create a WTO Advisory Commission;

WHEREAS, the President issued Executive Order No. 38 (dated 27 November 1992) creating the ASEAN Free Trade Area Advisory Commission to ensure that the principles of just, equitable and sustainable development are incorporated in its studies and recommendations and to define the roles played by each sector in the attainment of its objectives;

WHEREAS, in order to maximize the efficiency of both multisectoral commissions, there is need to merge and consolidate the AFTA Advisory Commission with the WTO Advisory Commission;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, virtue of the powers vested in me by Law and the Constitution, do hereby order:

SECTION 1. Creation of the WTO/AFTA Advisory Commission. There is hereby created the WTO/AFTA Advisory Commission (hereinafter referred to as the Commission), under the Office of the President.

SEC. 2. Composition. The Commission shall be composed of the following:

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| a. | Secretary of the Department of Trade and Industry | Chairman |
| b. | Representative from the private sector to be appointed by the President | Co-Chairman |
| c. | Secretary of the Department of Foreign Affairs | Member |
| d. | Secretary of the Department of Finance | Member |
| e. | Secretary of the Department of Agriculture | Member |
| f. | Secretary of the Department of Transportation and Communications | Member |
| g. | Secretary of the Department of Environment and Natural Resources | Member |
| h. | Secretary of the Department of Labor and Employment | Member |
| i. | Secretary of the Department of Agrarian Reform | Member |
| j. | Director General of the National Economic and Development Authority | Member |
| k. | Press Secretary | Member |
| l. | Governor of the Bangko Sentral ng Pilipinas | Member |
| m. | Head of the Presidential Legislative Liaison Office | Member |
| n. | Eleven Representatives from the private sector representing industry, agriculture, labor, banking, export, academe, research and consumers | Members |

The members of the Commission may designate their duly authorized representatives. Such designated representatives shall have full powers to vote and act for, and in behalf of their principals, in any action to be taken by the Commission unless their designation provides otherwise.

The Commission, by a majority vote of all members, may replace past members and invite additional members whenever the circumstance so warrant.

SEC. 3. Powers and Functions. The Commission shall have the following powers and functions:

- a. To prepare and implement a plan of action to be adopted by government and the private sector to comply with the Philippine commitments to the Uruguay Round and the ASEAN Free Trade Agreements through the following:
 - i. review and evaluation of existing laws and policies in light of Philippine commitments to the Uruguay Round and the ASEAN Free Trade Agreements;
 - ii. conduct of researches and studies on the issues and implications to the Philippine economy of both the regional and global agreements;
 - iii. recommendation of the amendment and/or revision of existing laws and policies or the enactment of additional laws, rules and regulations and policies when warranted; and
 - iv. identification of private sector initiatives and technological innovations that will enhance our competitive advantages in both the regional and global markets.
- b. To conduct an education and information campaign on the effects and implications of the Uruguay Round and ASEAN Free Trade Agreements. For this purpose, the Commission may publish brochures, conduct seminars and workshops and undertake the necessary measures to achieve the widest dissemination of information relative to the commitments under the Uruguay Round and ASEAN Free Trade Agreements;
- c. To coordinate and enlist the assistance of any branch, department, bureau, office, agency and instrumentality of the government including government-owned and controlled corporations, as well as representatives of the private sector relative to the ratification of the Uruguay Round Agreement by the Senate and the legislation of new laws or amendment of existing ones by both Houses of Congress;
- d. To enhance collaboration and build consensus among the various sectors that may be affected;

- e. To create such sub-committees, task forces and technical working groups as may be necessary to accomplish its functions; and
- f. To adopt rules and guidelines to govern the internal affairs of the Commission;
- g. To perform such other powers and functions as may be necessary to achieve the objectives of this Order.

SEC. 4. Meetings and Quorum. The Commission shall meet at least once every month or as often as may be necessary upon the call of the Chairman.

The Commission shall convene and hold its first meeting within thirty (30) days from the promulgation of this Executive Order.

The presence of a majority of the members shall constitute a quorum and the vote of a majority of said quorum shall be sufficient for the approval of any action of the Commission.

SEC. 5. Secretariat. The Commission shall establish a Secretariat to be headed by an Executive Director with the rank equivalent to a Department Assistant Secretary, who shall be appointed by the Chairman.

SEC. 6. Executive Committee. The Commission shall establish an Executive Committee which shall exercise such powers and functions as may be delegated by the Commission. It shall be composed of the Chairman, the Co-Chairman and such members as may be designated by the Chairman.

SEC. 7. Relationship with the Philippine Council on ASEAN Cooperation-Cabinet. The Commission shall report and submit studies, proposals and recommendations on all AFTA matters to the Philippine Council on ASEAN Cooperation at the Cabinet level. It shall also be represented at the PCAC-Cabinet and at the PCAC-Technical Board for ASEAN Economic Cooperation.

SEC. 8. Funding. The initial appropriations shall be drawn from the President's Contingent Fund subject to the approval of the President. Succeeding appropriations shall be incorporated in the budget proposals of the Office of the President.

SEC. 9. Dissolution of the AFTA Advisory Commission. The AFTA Advisory Commission is hereby dissolved and all its functions, budget and personnel shall be absorbed by the Commission. Provided, however, that the present structure, officials, and personnel of the AFTA Advisory Commission shall be kept intact as much as possible.

SEC. 10. Separability Clause. The provisions of this Order are hereby declared to be separable, and in the event of any provision or part thereof is declared unconstitutional, the other provisions or parts thereof which are not affected thereby shall remain in full force and effect.

SEC. 11. Repealing Clause. The provisions of Executive Order No. 38 (dated 27 November 1992) are hereby modified and amended to conform to this Order. All other laws, orders, issuances, rules and regulations or parts thereof, inconsistent with this Order are hereby repealed or modified accordingly.


SEC. 12. Effectivity Clause. This Order shall take effect immediately.

DONE, in the city of Manila, on this 2nd day of August in the year of our Lord, nineteen hundred and ninety-four.



By the President:

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TEOFISTO T. GUINGONA, JR.
Executive Secretary

AUG 09 1994 *fdm*
Date