

Executive Order No. 123 – Reorganizing the Ministry of Social Services and Development now referred to as Ministry of Social Welfare and Development

OFFICE OF THE PRESIDENT OF THE PHILIPPINES  
Malacañang Palace, Manila

EXECUTIVE ORDER NO. 123

REORGANIZING THE MINISTRY OF SOCIAL SERVICES AND DEVELOPMENT NOW REFERRED TO AS  
MINISTRY OF SOCIAL WELFARE AND DEVELOPMENT

RECALLING that the reorganization of the government is mandated expressly in Article II, Section 1 (a), and Articles III of the Freedom Constitution;

HAVING IN MIND that, pursuant to Executive Order No. 5 (1986) it is directed that necessary and proper changes in the organizational and functional structures of the government, its agencies and instrumentalities effected in order to promote efficiency and effectiveness in the delivery of public services;

CONSIDERING that the right to welfare is a basic right which is enshrined in the Constitution;

BELIEVING that welfare encompasses a range of services which addresses the needs of the extremely disadvantaged individual, family, group and community in a holistic manner;

BELIEVING, that the desired scheme is for welfare and development to be a shared concern between the State and its people;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the sovereign will of the Filipino people and the Freedom Constitution, do hereby order:

SECTION 1. TITLE. This Executive Order shall otherwise be known as the Reorganization Act of the Ministry of Social Services and Development.

SECTION 2. REORGANIZATION. The Ministry of Social Services and Development, hereby renamed the Ministry of Social Welfare and Development and hereinafter referred to as Ministry, is hereby reorganized, structurally and functionally, in accordance with the provisions of this Executive Order.

SECTION 3. DECLARATION OF POLICY. The State is committed to the care, protection, and rehabilitation of that segment of the country's population (individual, family and community) which has the least in life and needs socially welfare assistance and social work intervention to restore their normal functioning and participation in community affairs.

SECTION 4. MANDATE. The agency vested with the responsibility for the implementation of the foregoing policy is the Ministry. Its fundamental strategy shall be to provide a balanced approach to welfare whereby the needs and interests of the population are addressed not only at the outbreak of crisis but more importantly at the stage which would inexorably lead to such crisis. Following such strategy, the Ministry's objectives shall be to:

(a) Care, protect and rehabilitate the physically and menatally handicapped and the socially disabled constituents, for effective social functions;

(b) Provide and integrated welfare package to its constituents on the basis of their needs and coordinate the service facilities required from such ministries/agencies, governmental and nongovernmental, which can best provide them;

(c) Arrest the further deterioration of the socially disabling or dehumanizing conditions of the disadvantaged segment of the population at the community level;

(d) Advocate for policies and measures addressing social welfare concerns.

SECTION 5. POWERS AND FUNCTIONS. To accomplish its mandate and objectives, the Ministry shall have the following powers and functions:

(a) Formulate, develop and implement plans, programs and projects in the field of social welfare and development;

(b) Adopt policies to ensure effective implementation of programs for public and private social welfare services;

(c) Promote, support and coordinate the establishment, expansion and maintenance of non-governmental social welfare facilities, projects and services;

(d) Establish, operate, maintain and otherwise support institutional facilities, projects and services for its constituents;

(e) Promote, build and strengthen people's organization for a self-directing welfare system at the grassroots level;

(f) Promote, support and coordinate networks and facilities for the identification and delivery of appropriate interventions to its welfare constituents;

(g) Accredite institutions and organizations engaged in social welfare activities and provide consultative and information services to them;

(h) Undertake researches and studies on matters pertaining to its constituency;

(i) Initiate, promote and maintain bilateral and multilateral linkages for technical cooperation, in coordination with the Ministry of Foreign Affairs;

(j) Provide advisory services and develop and implement training standards and programs for personnel, social workers and students and third-country participants for career and staff development in social welfare activities;

(k) Disseminate information and publish technical bulletins on social welfare and development;

(l) Deputize law enforcement agencies to assist in the implementation of laws, rules and regulation for the protection of the rights of the exploited, abused and disadvantaged;

(m) Regulate fund drives, public solicitations and donations for charitable/welfare purposes;

(n) Set standards accredit and monitor performance of all social welfare activities in both public and private sectors;

(o) Deputize local government and other agencies of government as are necessary in providing disaster relief;

(p) Coordinate all activities pertaining to the implementation of programs and services for the disabled, the aging and other socially disadvantaged.

SECTION 6. Minister of Social Welfare and Development. The authority and the responsibility for the exercise of the mandate of the Ministry and for the discharge of its powers and functions shall be vested in the Minister of Social Welfare and Development, hereinafter referred to as Minister, who shall have supervision and control over the Ministry and shall be appointed by the President.

SECTION 7. Organizational Structure. The Ministry, aside from the Ministry Proper comprising the Office of the Minister, the Offices of the Deputy Ministers and Assistant Ministers and the Services, shall consist of the Bureaus, Regional Offices, Provincial/City Offices and Municipal/District Offices

SECTION 8. Office of the Minister. The Office of the Ministers shall consist of the Minister, and Minister's immediate staff, and the Public Affairs and Liaison Service.

SECTION 9. Deputy Ministers. The Minister shall be assisted by two (2) Deputy Ministers, at least one of whom must belong to the career executive service who shall be appointed by the President upon the recommendation of the Minister. One Deputy Minister shall supervise internal operations while the other Deputy Minister shall handle the liaison between the Minister and the attached agencies of the Ministry.

SECTION 10. Assistant Ministers. The Minister shall also be assisted by three (3) career Assistant Ministers who shall be appointed by the President upon the recommendation of the Minister, and who shall perform the following, respectively:

- (a) Supervise the Personnel Development Service; Administrative Service and Financial Service;
- (b) Supervise the Bureau of Child and Youth Welfare; Bureau of Women's Welfare; Bureau of Family Community Welfare; Bureau of Emergency Assistance; and Bureau of Disabled Persons' Welfare;
- (c) Supervise the Planning and Monitoring Service and the Legal Service, and assist the Deputy Minister and the Minister in matters pertaining to regional/field operations.

SECTION 11. Services of the Ministry. The Minister shall also be assisted by three (3) career Assistant Ministers who shall be appointed by the President upon the recommendation of the Minister, and who shall perform the following, respectively:

- (a) The Personnel Development Service shall provide the Ministry With services relating to manpower, career planning and development, personnel transactions, and employee welfare;;
- (b) The Financial Service sball provide the Ministry with services relating to budget, collection disbursement, and other financial matters;
- (c) The Administrative Service, slialil provide service the Ministry witb relating to records, correspondence and equipment, supplies, property security and general services;
- (d) The Planning and Monitoring Service shall provide technical services to the Ministry in the areas or overall policy formulation, strategic and operational planning, management systems/procedures, and

the evaluation and monitoring of Ministry programs, projects and internal operations (e) The Legal Service shall provide the Ministry with services on legal matters, especially on proposed legislations;

The Public Affairs and Liaison Service in the Office of the Minister shall provide services along public information, publications and the coordination and mobilization of volunteers, non-governmental organizations and cause-oriented groups in partnership with the Ministry of Social Welfare, programs, projects and activities.

Each of the Services shall be headed by a Staff Director and may have divisions whenever necessary for the performance of its functions.

SECTION 12. Staff Bureaus. The staff bureaus listed in Section 10 (b) hereof shall be essentially staff in character and as such shall exercise technical supervision over the Regional Offices, shall be primarily involved in the development of policies and programs within their respective functional specializations and shall formulate and develop related policies, guidelines and standards necessary in guiding the Regional Offices in the proper implementation of such policies and programs.

Each of the staff bureaus shall have the following functions:

- (a) Formulate programs, policies, rules, regulations and standards relative to the implementation of their respective functional specialization;
- (b) Initiate and administer pilot or special projects for demonstrations of the corresponding policies, programs, services, strategies, methods, procedures and guidelines prior to nationwide implementation;
- (c) Audit, evaluate, and provide technical assistance and consultative services to operating units and field offices and local government welfare departments on program implementation;
- (d) Develop standards and assess agencies for licensing and accreditation;
- (e) Review/applications for regulatory purposes including tax exemptions for foreign donations; (f) Provide advisory services to non-governmental agencies implementing programs and services for welfare development;
- (g) Formulate substantive content and assist in the orientation and training on the bureaus' programs, services, strategies, procedures, methods and guidelines;
- (h) Develop indigenous literature and other media materials for clients, volunteers and other audiences;
- (i) Promote and develop a system of networking and coordination with relevant welfare councils;
- (j) Undertake studies and action researches on matters pertaining to client welfare and development and propose relevant policies and amendments for legislation;
- (k) Maintain linkages relative to welfare programs/projects for national, regional and international cooperation.

SECTION 13. Areas of Specialization. The substantive/functional areas of specialization of the staff bureaus shall be:

- (a) Bureau of Emergency Assistance – relief and rehabilitation of victims of natural calamities and social disorganization and of cultural communities and other distressed and displaced persons;
- (b) Bureau of Family and Community Welfare – assistance to socially advantaged families and communities including family planning, planning outreach programs to develop their capability in defining needs and formulating solutions as well as setting up viable community structures which bring about desired social changes;
- (c) Bureau of Disabled Persons’ Welfare – disability prevention and rehabilitation of the physically, mentally and socially disabled persons;
- (d) Bureau of Women’s Welfare – promoting Women’s welfare, with specific attention to the prevention or eradication of exploitations of women in any form, such as but not limited to prostitution and illegal recruitment; as well as the promotion of skills for employment and self- actualization;
- (e) Bureau of Child and Youth Welfare – care and protection of abandoned, neglected, abused or exploited children and youth, delinquents, offenders, the disturbed, street children, victims of prostitution and others, for their social adjustment and economic self-sufficiency.

SECTION 14. Regional Office. The Ministry is hereby authorized to establish, operate and maintain a Regional Office in each of the administrative regions of the country. A Regional Office shall have the following functions:

- (a) Provide within the region efficient and effective services to its constituents; and for such purposes, establish, operate, promote and support, at the minimum, the following welfare facilities:
  - Vocational Rehabilitation and Special Education Center for the Handicapped;
  - Reception and Study Center;
  - Rehabilitation Center for Youth Offenders;
  - Day Care centers;
- (b) Ensure the implementation of laws, policies, programs, rules and regulations, regarding social welfare and development within the region;
- (c) Secure effective coordination with other ministries, agencies, institutions and organizations, specially local government units within the region;
- (d) Conduct continuing studies and planning, to improve its services to its constituents.

SECTION 15. Welfare Facilities. The Regional Offices are hereby authorize to establish, operate, and maintain the following, insofar as necessary and authorized by the Minister:

- (a) Other Vocational Rehabilitation and Special Education Centers for the Handicapped;
- (b) “Street Children” Centers;
- (c) Centers for Youth with Special Needs;
- (d) Other Centers for Youth Offenders;
- (e) Home for the Aged;

(f) Home for Unwed Mothers;

(g) Drug Abuse Centers;

(h) Other Reception and Study Centers;

(i) Such other facilities as may be necessary to assist the socially disadvantaged.

SECTION 16. Regional Directors. The Regional Office shall be headed by a Regional Director who shall be responsible for efficiently and effectively carrying out its functions. Towards this end, and in line with the policy of decentralization, the Regional Director shall be vested with the authority to exercise functional and administrative supervision over Ministry provincial operations as delegated by the Minister including the authority to contribute resources and personnel to integrated region and provide-wide development thrusts.

The Regional Director shall be assisted by two (2) Assistant Regional Directors, one for programs and one for administration.

SECTION 17. Provincial/City Office. The Ministry is hereby authorized to establish, operate and maintain a Provincial/City Office throughout the country with jurisdiction over all municipalities/districts within the province, The Provincial/City Office shall have the following functions:

- (a) Formulate and coordinate the implementation of operational, field-level plans/programs of the Ministry;
- (b) Provide specialized services and comprehensive assistance to other ministry/agency units whenever necessary;
- (c) Secure all pertinent feedback and information from field units as well as appropriate ministry/agency units, particularly local government units, and communicate the same regularly to the Regional Office;
- (d) Establish and maintain a vocational rehabilitation and special education program for the handicapped in the form and magnitude appropriate for the needs of the province..

SECTION 18. Provincial/City Social Welfare Officer. The Provincial/City Office shall be headed by a Provincial/City Social Welfare Officer who shall be accountable for the efficient and effective performance of its functions and implementation of programs of the Ministry, within the province. The Provincial/City Social Welfare Officer shall exercise functional administrative supervision over field operations of the Ministry, including the authority to recommend that field resources and personnel be contributed to integrated, municipality-wide development efforts.

SECTION 19. Municipal/District Office. The Ministry is hereby authorized to establish, operate and maintain a Municipal/District Office to service a municipality/city district, which shall be headed by the Supervising Social Welfare Officer and shall be primarily responsible for the efficient and effective implementation of the Ministry's field programs in the municipality or city, under supervision of the Provincial/City Office.

SECTION 20. Social Welfare Services by Others. Social welfare services by the Ministry shall be without prejudice to similar efforts by any local government unit or private agency, institution or group. All

Ministry units shall actively promote and extend maximum assistance, including the provision of counterpart or supplementary funds and resources, upon approval by the Minister, to such efforts.

SECTION 21. Attached Agencies. The following are hereby attached to the Ministry:

- (a) Population Commission which shall continue as the population planning and coordinating agency;
- (b) National Council for the Welfare of Disabled Persons (formerly the National Commission Concerning Disabled Persons), which shall serve as a consultative forum and advisory board to the Ministry on all matters pertaining to the welfare of the physically, mentally and socially disabled.

The governing boards and secretaries of the foregoing attached agencies shall be reorganized accordingly within one hundred twenty (120) days from the approval of this Executive Order. Personnel, who are separated from the service, as a result of such reorganization, shall be entitled to the benefits provided in the second paragraph of Section 23 hereof.

SECTION 22. Abolitions and Transfers. Compliance with the following is hereby prescribed:

- (a) The National Commission Concerning Disabled Persons is hereby replaced by the National Council for the Welfare of Disabled Persons;
- (b) The National Executive Committee for the Aging in the Philippines is hereby abolished and its functions transferred to the Ministry;
- (c) The Home Economics Division of the Bureau of Agricultural Extension of the Ministry of Agriculture and Food is hereby transferred to the Bureau of Women's Welfare of the Ministry, together with its functions, appropriations, funds, records, equipment, facilities and other assets, as well as the personnel thereof, as may be necessary, who shall, in a hold-over capacity, continue to perform their respective duties and responsibilities, and receive the corresponding salaries and benefits unless in the meantime they are separated from the service pursuant to Executive Order No. 17 (1986) or Article III of the Freedom Constitution. Incumbents of the transferred division whose positions are not included in the new position structure and staffing pattern approved and prescribed by the Minister under the following Section 23 or who are not reappointed, shall be deemed separated from the service and shall be entitled to the benefits provided in the second paragraph of the same Section 23.

In the foregoing subsections (a) and (b), the transfer of functions includes such appropriations, funds, records, equipment, facilities, other assets and personnel as, may be necessary to the proper performance of the transferred functions. The remaining appropriations and funds shall revert to the General Fund and the remaining records, equipment, facilities and other assets shall be allocated to such appropriate units as the Minister shall determine or otherwise dispose of, in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. The liabilities, if any, of the abolished agencies shall, likewise be treated in accordance with the Government Auditing Code and other pertinent laws, rules and regulations. Incumbents shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from the service pursuant to Executive Order No. 17 (1986) or Article III of the Freedom Constitution, Incumbents, whose positions are not included in the new position structure and staffing pattern approved and prescribed by the Minister for the Agency or

Ministry to which the functions have been transferred as the case may be or who are not reappointed shall be entitled to the benefits provided in the second paragraph of the following

SECTION 23. New Structure and Pattern. Upon approval of this Executive Order, the officers ("the term "officer" as used in the Executive Order is intended to be within the meaning of the term "official" as used in the Freedom Constitution and the succeeding Constitution) and employees of the Ministry shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits unless in the meantime they are separated from the service pursuant to Executive Order No. 17 (1986) or Article III of the Freedom Constitution.

The new position structure and staffing pattern, shall be approved and prescribed by the Minister, for the Ministry, within one hundred twenty (120) days from the approval of this Executive Order and the authorized positions created thereunder shall be filled with regular appointments by the Minister or by the President as the case may be. Those incumbents whose positions are not included therein or who are not reappointed shall be deemed separated from the service. Those separated from the service shall receive the retirement benefits to which they may be entitled under existing laws, rules and regulations. Otherwise, they shall be paid the equivalent of one month basic salary for every year of service, or the equivalent nearest fraction thereof favorable to them on the basis of highest salary received, but in no case shall such payment exceed the equivalent of 12 months salary.

No court or administrative body shall issue any writ of preliminary injunction or restraining order to enjoin the separation/replacement of any officer or employee effected under this Executive Order.

SECTION 24. Periodic Performance Evaluation. The Ministry is hereby required to formulate and enforce a system of measuring and evaluating periodically and objectively the performance of the Ministry and submit the same annually to the President.

SECTION 25. Prohibition Against Change. No change in the reorganization herein prescribed shall be valid except upon prior approval of the President, for the purpose of promoting efficiency and effectiveness in the delivery of public service.

SECTION 26. Implementing Authority of Minister. The Minister shall issue such rules, regulations and other issuances as may be necessary to ensure the effective implementation of the provisions of this Executive Order.

SECTION 27. Notice of Consent Requirement. If any reorganizational change herein authorized, is of such substance or materiality as to prejudice third persons with rights recognized by law or contract such that notice to or consent of creditors is required to be made or obtained pursuant to any agreement entered into with any of such creditors, such notice or consent requirements shall be complied with prior to the implementation of such reorganizational change.

SECTION 28. Funding. Funds needed to carry out the provisions of this Executive Order shall be taken from funds available in the Ministry

SECTION 29. Change of Nomenclature. In the event of the adoption of the a new Constitution which provides for a presidential form of government, the Ministry shall be called Department of Social Welfare and Development and the titles of Minister, Deputy Minister, and Assistant Minister shall be changed to Secretary, Undersecretary and Assistant Secretary, respectively.



SECTION 30. Separability. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions or provisions can still subsist and be given effect their entirety.

SECTION 31. Repealing Clause. All laws, ordinances, regulations, and other issuances or part thereof, which are inconsistent the Executive Order, are hereby repealed or modified accordingly.

SECTION 32. Effectivity. This Executive Order shall take effect immediately upon its approval.

APPROVED in the city of Manila, Philippines, this 30th day of January, in the Year of iof Our Lord, Nineteen Hundred and Eighty Seven.

(SGD.) CORAZON C. AQUINO

By the President:

(SGD.) JOKER P ARROYO  
Executive Secretary

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