



**GUIDELINES ON THE IMPLEMENTATION OF EXECUTIVE ORDER NO. 38, SERIES OF 2017, REVOKING EXECUTIVE ORDER NO. 183, SERIES OF 2015, CREATING THE NEGROS ISLAND REGION AND FOR OTHER PURPOSES**

Memorandum Circular No. 2017-124  
September 20, 2017



**1.0 Background**

- 1.1. Executive Order No. 183 s. 2015 provides for the creation of a Negros Island Region (NIR), composed of the provinces of Negros Oriental and Negros Occidental and their respective cities, municipalities, and barangays.
- 1.2. The primary purpose for the creation of the NIR is to accelerate further the social and economic development of the cities and municipalities comprising the provinces of Negros Oriental and Negros Occidental, and to improve the delivery of public services in the said provinces.
- 1.3. The establishment of Regional Offices (ROs) of Departments and Agencies in the NIR, however, requires substantial appropriation to be operational, thus competing with government priority programs and projects for funding.
- 1.4. In view of the above, Executive Order No. 38 s. 2017 was issued revoking Executive Order No. 183 s. 2015 to ensure that priority government programs and projects are sufficiently funded.

**2.0 Purpose**

This Circular prescribes the guidelines on the reversion of the Province of Negros Occidental and the Highly Urbanized City of Bacolod to Region VI and the Province of Negros Oriental to Region VII, as well as the abolition of the Regional Offices (ROs) and the Regional Councils (RCs).

**3.0 Legal Compliance**

Executive Order No. 38 s. 2017 revoking Executive Order No. 183 s. 2015 which creates the Negros Island Region, and abolishing the NIR Regional Offices and Regional Councils

**4.0 Scope/Coverage**

This Circular shall cover the Provinces of Negros Oriental, Negros Occidental, the Highly Urbanized City of Bacolod and all the component cities, municipalities and barangays under their jurisdiction. This Circular also covers all National Government Agencies and other entities that have established Regional Offices in the former Negros Island Region [NIR].

## 5.0 Policy Content and Guidelines

### 5.1. On the reversion:

- 5.1.1. The Province of Negros Occidental and the Highly Urbanized City of Bacolod shall revert to Region VI and the Province of Negros Oriental to Region VII, including the cities, municipalities and barangays under their jurisdiction.
- 5.1.2. All transactions, agreements, and other institutional agreements entered into by NIR ROs and RCs shall be assumed by either Regions VI or VII, as the case may be.

### 5.2. On the abolition of the Regional Councils and their Sub-Committees:

- 5.2.1. The following RCs established by EO No. 183 are hereby abolished:
  - 5.2.1.1. Negros Island Regional Development Council [NI-RDC]
  - 5.2.1.2. Negros Island Regional Peace and Order Council [NIR-POC]
  - 5.2.1.3. Negros Island Regional Disaster Risk Reduction and Management Council [NIR RDRRMC]
- 5.2.2. The programs, projects and activities of the RCs, including the records of its official transactions, its Secretariat functions, etc., shall be turned over either to the RCs of Regions VI or VII, whichever is proper and appropriate under the circumstances not later than October 9, 2017.
- 5.2.3. Regional Councils of Regions VI and VII shall put in place mechanisms that will promote, ensure and institutionalize inter-provincial cooperation on matters concerning socio-economic development, peace and order and disaster risk reduction and management.

### 5.3. On the abolition of NIR Regional Offices:

- 5.3.1. The Regional Offices [ROs] created by EO No. 183 are hereby abolished. Thus, NIR ROs are hereby given until October 9, 2017 (*EO was published August 10, 2017; 60 days after effectivity is October 9, 2017*) to wind down its operations.
- 5.3.2. The Heads of Departments, Bureaus and Offices shall cease to act as the authorized approving officer/signatory in all operational, administrative and financial transactions after October 09, 2017.

The National Agencies may, as necessary, issue guidelines for the reversion and abolition of the respective ROs subject to office policies and internal protocols.

- 5.3.3. The Heads of Departments, Bureaus and Offices shall create a Transition Team or Committee as may be necessary to facilitate the transfer of personnel, disposition of funds, assets, and remaining programs, projects and activities. In the same manner, Regions VI and VII shall create similar Teams or Committees as counterparts to receive and complement in the office turnover.
- 5.3.4. The Team / Committee shall conduct an inventory of all existing funds, assets, properties, programs, projects, records, documents and personnel of NIR ROs. The final disposition of these funds, assets, properties, programs, projects, records and documents shall be left to their discretion as to which region these shall be apportioned. Provided, that all assets, properties, programs, projects, records and documents that exclusively belong to Region VI or VII prior to the creation of the NIR shall be returned to the concerned region. Regions VI and VII shall allocate funds to defray all necessary expenses incurred during the reversion and winding up activities.
- 5.3.5. The Transition Team / Committee shall also determine the liabilities, if any, and turn these over for proper disposition to either Central Office, Regions VI or VII.
- 5.3.6. Existing personnel of the NIR ROs shall return to their previous units of deployment or reassigned to other offices within their respective departments/agencies. In the abolition of the offices with approved plantilla, the provisions of existing laws shall be followed.

#### 5.4. On contracts

- 5.4.1. The Regional Offices concerned are hereby accorded the discretion on the placement of personnel who were hired therein under a contract of service basis. Affected contracts of job order, COS/MOA workers and contractual personnel shall lose their effectivity after October 9, 2017. The concerned NGA has the option to renew said contracts under their respective ROs in Regions VI and VII, subject to necessity and availability of funds.
- 5.4.2. All other perfected contracts involving the implementation of programs and projects entered into by the abolished offices shall be respected and assumed or turned over to appropriate regional office subject to the provision of existing laws.

- 5.4.3. All other perfected contracts entered into and which were not completed before October 9 shall be turned over to the concerned region.

## 5.5. Frontline Services

- 5.5.1. All frontline services such as issuance of permits shall continuously be performed by the offices to be abolished until such time that the records are properly transmitted to the ROs of Regions VI and VII or by October 9, 2017 whichever comes first.
- 5.5.2. All agencies with frontline services shall inform their respective clientele of their last official working day and the new office including the address where they can access the frontline services.

## 6.0 Reference

- 6.1 Executive Order No. 183 s. 2015, *“Creating a Negros Island Region and for Other Purposes”*
- 6.2 Memorandum Circular No. 81, s. 2015, *“Directing All Heads of National Government Agencies, Including Government-Owned or –Controlled Corporations, to Extend their Full Assistance in the Transition to the Negros Island Region”*
- 6.3 Executive Order No. 38, *“Revoking Executive Order No. 183 (s. 2015) Which Created a Negros Island Region and for Other Purposes”*
- 6.4 Republic Act No. 6656 “An Act to Protect the Security of Tenure of Civil Service Officers and Employees in the Implementation of Government Reorganization”

## 7.0 Repealing Clause

All circulars, rules, regulations and issuances inconsistent herewith, including those pertaining only to the NIR, are hereby repealed or modified accordingly.

## 8.0 Separability Clause

If any provision of this MC is declared invalid or unconstitutional, the other provisions unaffected thereby shall remain valid and existing.

## 9.0 Effectivity

This Memorandum Circular shall take effect immediately.

## 10.0 Approving Authority

  
CATALINO S. CUYAY  
Officer-In-Charge

## 11.0 Feedback



For related queries, kindly contact the Policy Compliance Monitoring Division of the Bureau of Local Government Supervision at Tel Nos. (02) 925 0351 and (02) 441-9100 local 4211.