



Republic of the Philippines  
**OFFICE OF THE SECRETARY**  
Elliptical Road, Diliman  
1100 Quezon City

19 July 2022

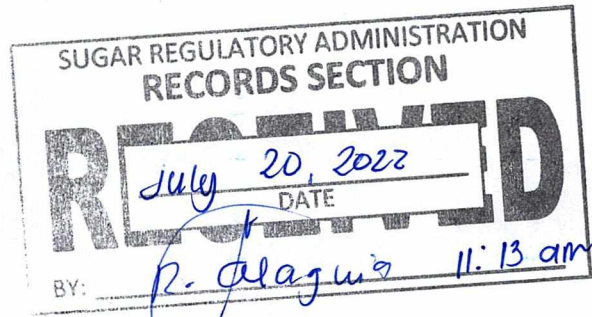
**MEMORANDUM**

**TO :** ALL OFFICERS AND EMPLOYEES OF THE:

- NATIONAL FOOD AUTHORITY (NFA)
- SUGAR REGULATORY ADMINISTRATION (SRA)

**FROM :** UNDERSECRETARY FOR OPERATIONS AND CHIEF-OF-STAFF

**SUBJECT :** STATUS QUO ON LEADERSHIP



Pursuant to the authority granted to the undersigned by virtue of the Memorandum from the Executive Secretary dated 15 July 2022, everyone is advised to maintain *status quo* in your respective agency's leadership.

Per DA Legal Service Opinion dated 06 July 2022, Memorandum Circular No. 1, s. 2022 issued by the Office of the President does not apply to both the Administrators of SRA and NFA considering that their appointments are not classified as co-terminus with the appointing authority, in excess of the authorized staffing pattern, or Career Executive Service positions. Further, it highlighted Sections 17 and 18 of Republic Act No. 10149 or the GOCC Governance Act of 2011 which provide, to wit:

*"SEC. 17. Term of Office. - Any provision in the charters of each GOCC to the contrary notwithstanding, the term of office of each Appointive Director shall be for one (1) year, unless sooner removed for cause: Provided, however, That the Appointive Director shall continue to hold office until the successor is appointed. An Appointive Director may be nominated by the GCG for reappointment by the President only if one obtains a performance score of above average or its equivalent or higher in the immediately preceding year of tenure as Appointive Director based on the performance criteria for Appointive Directors for the GOCC.*

*Appointed to any vacancy shall be only for the unexpired term of the predecessor. The appointment of a director to fill such vacancy shall be in accordance with the manner provided in Section 15 of this Act.*

*Any provision of law to the contrary notwithstanding, all incumbent CEOs and appointive members of the Board of GOCCs shall, upon approval of this Act, have a term of office until June 30, 2011, unless sooner replaced by the President: Provided, however, That the incumbent CEOs and appointive members of the Board shall continue in office until the successor have been appointed by the President.*

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*SEC. 18. The Chief Executive Officer of the GOCC. —The CEO or the highest-ranking officer provided in the charters of the GOCCs, shall be elected annually by the members of the Board from among its ranks. The CEO shall be subject to the disciplinary powers of the Board and may be removed by the Board for cause. "*

As such, an Appointive Director who is elected by its Board as CEO shall have a term of office of one year, unless sooner removed for cause; provided, however, that the Appointive Director/CEO shall continue to hold office until the successor is appointed.

Hence, NFA Administrator Atty. Judy Carol L. Dansal and SRA Administrator Engr. Hermenegildo R. Serafica shall continue to hold office until their respective successors are appointed.

For strict compliance.

  
**LEOCADIO S. SEBASTIAN, Ph.D., CESO I**



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