



CONFEDERATION OF SUGAR PRODUCERS ASSOCIATION, INC.

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November 10, 2022

MR. DAVID JOHN THADDEUS P. ALBA
Administrator
SUGAR REGULATORY ADMINISTRATION
Sugar Centre Building, North Avenue
Quezon City

Dear Administrator Alba,

Please find CONFED's position with regards to SRA Memorandum Circular No.4 Series of 22 requesting for comments on the proposed amendments to Executive Order No. 18:

1. "Incorporation of transparency and accountability provisions in the process of issuing import permits and other critical issuances, such as those pertaining to the conduct of audit of SRA process and procedures, and public consultations":
 - a. The SRA policy-making process has always been transparent due to the customary consultations conducted by the Sugar Board prior to issuance of Sugar Orders and other issuances. This practice can be further strengthened if Sugar Orders – as they have usually been worded – are required to state that industry stakeholders have been consulted as evidenced by Resolutions coming from organizations recognized by the agency, and that mandated rules and procedures have been complied with. It is not necessary to amend EO18 in order to accomplish this. An SRA Administrative Order will suffice.
 - b. With regards to accountability, government agencies are always presumed to have acted in the faithful performance of their mandate under the assumption of regularity, particularly when exercising regulatory authority. Just the same, SRA is always subject to formal audit as well as censure from industry stakeholders.
2. "Increasing the membership of the SRA Board from two (2) to eight (8) members" (representing other sectors):
 - a. This stems from claims that certain sectors are not consulted when sugar policy is passed. Again, it is reiterated that the IRR of the Sugar Industry Development Act has provided for the creation of a Stakeholders'

Consultative Assembly, which would allow for all concerned and affected sectors to be properly informed, apprised and consulted on matters concerning sugar policy. The law and implementing rules already exist. It merely requires faithful compliance.

- b. We point out, nevertheless, that expanding membership to the Sugar Board opens the agency to never-ending debate during Board deliberations, considering the conflicting positions that members of an expanded Board are expected to take on many issues. There is also the question of who among the different sectors will sit in the Sugar Board, and whether all the different sectors can be accommodated. "Why only eight? Why them, and not us?" are the questions we can expect to arise from this initiative. In our considered opinion, the Stakeholders' Consultative Assembly is the better option if SRA follows the spirit of the SIDA IRR.
3. "Prohibiting the SRA Board from delegating its authority to reclassify sugar":
- a. No amendment of EO18 is needed, as the Sugar Board cannot delegate its authority to classify or reclassify sugar. The Administrator is only granted authority to issue the necessary Sugar Order upon Resolution of the Sugar Board. The SIDA IRR can be amended, nevertheless, to be more explicit in this regard. Our Federation is currently in the process of reviewing said IRR and will submit proposed amendments shortly.

In conclusion, CONFED reiterates its position that Executive Order No. 18 does not need to be amended in order to address the concerns raised by SRA MC No.4, Series of 2022.

Very truly yours,



AURELIO GERARDO J. VALDERRAMA, JR.
President