REPUBLIC OF PANAMA
MINISTRY OF THE PRESIDENCY

EXECUTIVE DECREE No. 488

Of August 28, 2024

Creation of the Presidential Secretariat for Reorganization of the State and Constitutional Affairs

THE PRESIDENT OF THE REPUBLIC
in accordance with his constitutional and legal powers

CONSIDERING

That Article 2 of the Political Constitution of the Republic of Panama establishes that public power emanates solely from the people, thereby enabling the exercise of citizen power;

That the original constituent power emanates from the Panamanian people;

Whereas, in the exercise of the original constituent power, the National Constituent Assembly shall aim to reform and introduce fundamental changes to the structure of the State and, to that end, draft and present to the Panamanian people a new Constitution that is aligned with the country's historical, social, cultural, and economic reality;

Whereas Article 2 of Law No. 15 of January 23, 1958, states that the Ministry of the Presidency shall be the coordinator of the functions of all other ministries and the entity of communication between the President of the Republic and the Cabinet Council, with the other State bodies, ministries, autonomous entities, and all other goverment offices in general.

Whereas the National Government seeks to conduct a broad and participatory consultation in the civil society, the private sector, and various public sector entities regarding the constitutional process, which is intended to drive the changes required by the Panamanian State for its restructuring and modernization;

That, in order to comply with the foregoing recitals, it is necessary to establish a public agency responsible for proposing, formulating, and coordinating—in collaboration with the Executive Branch—the policies, actions, and measures necessary for the reform, restructuring, and modernization of the State, as well as the development and implementation of a constituent process,

DECREES:

Article 1. To create the Presidential Secretariat for the Reorganization of the State and Constitutional Affairs (SEPRESAC), hereinafter the Presidential Secretariat, attached to the Ministry of the Presidency, as a body for consultation and coordination of the Executive Branch in all matters related to the policies, actions, and measures for the Reorganization of the State and the development and implementation of the Constituent process.

Article 2. The Presidential Secretariat shall have the following functions:

1. Advise the President of the Republic on all matters relating to the development and implementation of the actions and measures necessary for the restructuring of the State and the constituent process.

2. Recommend to the President of the Republic an action plan for the measures to be considered and implemented to fulfill the purposes of the Presidential Secretariat.
3. Serve as a liaison in coordinating efforts among civil society, the public sector, and the private sector to carry out a broad national consultation process concerning the actions and measures aimed at implementing the restructuring of the State and the constituent process.

4. Coordinate dissemination to the entire Panamanian population of the actions and measures required for the reorganization of the State and the constituent process, for which purpose it may request the support of public and private units, as well as other academic institutions providing primary, secondary, and technical education, both public and private, existing in the country.

Article 3. The Presidential Secretariat shall administer, with strict transparency, the resources allocated to the implementation of the restructuring and modernization of the State and Constitutional Affairs. Accordingly, it shall be responsible for:

1. Planning, coordinating, and implementing all actions required for the restructuring and modernization of the State and Constitutional Affairs.
2. Supervising, together with the President of the Republic, all matters relating to the restructuring and modernization of the State and Constitutional Affairs.
3. Managing and promoting contracts with the various private and public institutions, whether national or international, for the purpose of fulfilling the objectives of this Executive Decree.
4. Entering into contracts and agreements with national and municipal authorities and with private individuals, as applicable, that it deems necessary to fulfill the objectives of this Executive Decree.
5. Entering into acts and contracts and executing the public and private documents necessary for the implementation of the objectives established in this Executive Decree.
6. Promoting the support and cooperation of the community in the implementation of the restructuring and modernization of the State and Constitutional Affairs.
7. In general, carrying out all acts and operations necessary to fulfill the purposes and objectives set forth in this Executive Decree.

Article 4. The Presidential Secretariat shall have all the commissions required for its operation. The organization and composition of the commissions shall be determined and regulated by means of an Administrative Resolution issued with the approval of the President of the Republic.

Article 5. The policies, actions, and measures formulated by the Presidential Secretary for the purposes of this Executive Decree shall have the following strategic pillars:

1. Restructure and modernize the State by resizing the organizational structure of the National Government and other bodies of public power in order to adapt them to current needs and realities.
2. Improve and optimize the efficiency of the public institutions that make up the administrative organization of the State.
3. Propose the mechanism, guidelines, and stages of the constituent process.
4. Disseminate and promote educational campaigns for the broad dissemination and consultation of the constituent process and, thereby, foster the active and leading participation of all Panamanians in the progressive process aimed at convening a constituent process.
5. Reach agreements and engage in dialogue with the various sectors of Panamanian society for the purpose of gathering and discussing proposals from the private sector, public sector entities, and civil society regarding the actions deemed necessary for a comprehensive reform of the State and seeking its restructuring and modernization.

Article 6. The Presidential Secretary shall be headed by an Executive Coordinator, who shall be of free appointment and removal by the President of the Republic, to whom the Executive Coordinator shall report directly.

as a result of the actions carried out in the exercise of his functions, and shall serve as the legal representative of the Presidential Secretariat.

Article 7. To be appointed Executive Coordinator, the following shall be required:

1. Be Panamanian by birth.
2. Be in full enjoyment of civil and political rights.
3. Have reached thirty-five (35) years of age.
4. Not have been convicted of an intentional offense punishable by imprisonment of five (5) years or more, by a final judgment rendered by a Court of Justice.
5. Hold a university degree in Law or Political Science and be licensed to practice law in the Republic of Panama.
6. Have at least ten (10) years of proven professional experience.

Article 8. The Executive Coordinator shall have the following powers:

1. Plan, organize, and coordinate the technical and administrative activities of the Presidential Secretariat.
2. Develop the necessary plans to prepare projections that define or identify the technological supplies, materials, and other resources required for the Presidential Secretariat to operate under conditions of efficiency and effectiveness.
3. Prepare the annual budget proposal of the Presidential Secretariat.
4. Execute notes and contracts and acquire and dispose of property, in accordance with the legislation in force on public procurement.
5. Manage and execute cooperation and technical assistance agreements to fulfill the objectives of this Executive Decree.
6. Represent the Republic of Panama before national and international bodies and institutions with respect to matters within its competences.
7. Convene the Advisory Committee, in accordance with the regulations established for such purposes.
8. Delegate powers to such personnel as he deems appropriate, except those that, by their nature or by law, may not be delegated.
9. Submit to the Executive Branch the annual balance sheet and financial statements.
10. Perform such other functions as may be required for the reorganization of the State and the constituent process.

Article 9. The Executive Coordinator shall submit annually, in the month of January, to the President of the Republic, a report on matters directly related to the results of the actions carried out in the exercise of his functions.

Article 10. The Presidential Secretariat shall have an Advisory Committee, composed of:

1. The Minister of the Presidency or his designee.
2. The Minister of Government or his designee.
3. The Minister of Economy and Finance or his designee.
4. Three representatives of civil society appointed by the President of the Republic.

The meetings of the Advisory Committee shall be coordinated by the Executive Coordinator of the Presidential Secretariat.

Article 11. The representation of the members of the Advisory Committee shall be honorary; therefore, they shall not receive any remuneration for the services they provide, except for per diem and travel expenses established by means of an Administrative Resolution.

Article 12. The Presidential Secretariat shall have a Technical Secretary who shall be responsible for promoting and supervising the preparation of the legal instruments required for the development of the functions of the Presidential Secretariat and for performing the functions assigned by the Executive Coordinator.

Article 13. The Ministers and the Heads, Managers, and Directors of autonomous and semi-autonomous public entities and state-owned enterprises shall provide all their cooperation and support to the Presidential Secretariat for the fulfillment of its purposes and, consequently, shall provide it with all information required by the Presidential Secretariat in the exercise of its functions.

Article 14. The assets of the Presidential Secretariat shall consist of the following:

1. Movable and immovable property acquired free of charge or for consideration.
2. Appropriations allocated from the General State Budget.
3. Donations or grants received from any natural or legal person.
4. Income received from any source.
5. Units, machinery, instruments, and other movable and immovable property assigned to it.

Article 15. The property and rights comprising the assets of the Presidential Secretariat shall be dedicated to its purposes; consequently, any act or contract contrary thereto shall be null and void.

Article 16. The Ministry of the Presidency shall include in its annual budget the appropriations necessary for the purposes, functions, and operation of the Presidential Secretariat, in compliance with its objectives.

Article 17. This Executive Decree shall enter into force upon its promulgation in the Official Gazette.

LEGAL BASIS: Article 2 of the Political Constitution of the Republic and Article 2 of Law No. 15 of January 23, 1958.

BE IT COMMUNICATED AND COMPLIED WITH.

Given in the city of Panama, on the twenty-eighth (28th) day of August of the year two thousand twenty-four (2024).

JOSÉ RAÚL MULINO QUINTERO
President of the Republic **JUAN CARLOS ORILLAC U.**
Minister of the Presidency

Dado en la ciudad de Panamá, a los veintiocho (28) días del mes de agosto del año dos mil veinticuatro (2024).

JOSÉ RAUL MULINO QUINTERO
Presidente de la República

JUAN CARLOS ORILLAC U.
Ministro de la Presidencia