

[REPUBLIC ACT NO. 6826, December 20, 1989]

**AN ACT TO DECLARE, IN VIEW OF THE EXISTENCE OF A
NATIONAL EMERGENCY, A NATIONAL POLICY IN CONNECTION
THEREWITH AND TO AUTHORIZE THE PRESIDENT OF THE
REPUBLIC OF THE PHILIPPINES FOR A LIMITED PERIOD AND
SUBJECT TO RESTRICTIONS, TO EXERCISE POWERS NECESSARY
AND PROPER TO CARRY OUT THE DECLARED NATIONAL POLICY
AND FOR OTHER PURPOSES**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *State of National Emergency.*—On December 1, 1989, a rebellion committed by certain elements of the Armed Forces of the Philippines aided and abetted by civilians gave rise to an emergency of national proportions.

The emergency continues even with the cessation of military hostilities. More than 2,000 persons who participated in the failed coup, including the masterminds and plotters, are said to be still at large. There is a clear threat to national security posed by the rebels who have just "returned to their barracks", and the fence-sitters among the military. Bombings in Metropolitan Manila continue causing loss of lives, maiming of limbs and destruction of property.

On December 6, 1989, Proclamation No. 503 was issued by the President declaring a state of national emergency.

Meanwhile, secessionist elements in Mindanao, seeking to establish a common cause with rebels and their sympathizers, or taking advantage of the instability occasioned by the coup, are reported to have taken overt acts to dismember the country.

Communist rebels have taken advantage of the situation by attacking Government personnel and installations.

The economy has suffered and continues to suffer a serious setback, severely disrupting the momentum of our economic recovery.

A state of national emergency is hereby declared.

SEC. 2. *Declaration of Policy.*—The mutiny and rebellion by certain elements of the Armed Forces of the Philippines launched to seize state power, destabilize the duly constituted Government and supplant it with a military government by means of force and violence and other illegal means, has caused loss of lives and destruction of property and has set back the economic program of the Government. Due to and by reason thereof, and in order to optimize the efforts of the President to carry out the

difficult task of economic reconstruction, it is imperative to grant her emergency powers subject to such limitations as hereinafter provided.

SEC. 3. *Authorized Powers*.—Pursuant to Article VI, Section 23 (2) of the Constitution, and to implement the declared national policy, the President is hereby authorized to issue such rules and regulations as may be necessary to carry out any or all of the following powers:

1. To protect the people from hoarding, profiteering, injurious speculations, manipulation of prices, product deceptions, and cartels, monopolies or other combinations in restraint of trade, or other pernicious practices affecting the supply, distribution and movement of food, clothing, medicine and medical supplies, office and schools supplies, fuel, fertilizers, chemicals, building materials, implements, machinery equipment and spare parts required in agriculture, industry and other essential services, and other articles of prime necessity, whether imported or locally produced or manufactured;
2. Towards the above ends, (a) to purchase any of the articles or commodities hereinabove mentioned, for storage, sale, or distribution for the relief of hunger and want of the population, and/or to stabilize the prices of such foodstuffs, articles and other commodities; (b) to fix the maximum selling prices thereof; (c) to regulate the fees charged by establishments in connection with the production, processing, milling, storage and distribution of such articles or commodities; (d) to seize and confiscate hoarded foodstuffs and commodities: *Provided*, That goods which are determined to have been seized wrongfully shall be subject to the subsequent determination and payment of just compensation; and, (e) to call upon and deputize recognized non-government and people's organizations and volunteers as well as local government units to assist the Government to carry out these powers through the monitoring or implementation of orders, rules and regulations, as the case may be;
3. To temporarily take over or direct the operation of any privately-owned public utility or business affected with public interest that violates the herein declared national policy: *Provided, however*, That to the extent feasible, management shall be retained, under the direction and supervision of the President or her duly designated representative who shall render a full accounting to the President of the operations of the utility or business taken over: *Provided, further*, That whenever the President shall determine that the further use or operation by the Government of any such public service or enterprise is no longer necessary under existing conditions, the same shall be restored to the person entitled to the possession thereof;
4. To liberalize the importation and/or grant incentives for the manufacture, assembly, reconditioning, or importation of needed vehicles or vessels, including the necessary parts thereof, for public transportation to relieve the transportation crises;
5. To ensure the availability of credit to the productive sectors of the economy especially in the countryside through measures such as, but not limited to, lowering the effective lending rates of interest and reserve requirements of lending institutions;
6. To stagger the working hours of, and adopt a flexible working schedule for, employees and workers in government, and whenever it becomes necessary, in the private sector;