

# [ EXECUTIVE ORDER NO. 42, September 25, 2017 ]

## **REPEALING EXECUTIVE ORDER (EO) NO. 340 (S. 2004) AND DEFINING THE POWERS, FUNCTIONS AND DUTIES OF THE BOARD OF DIRECTORS OF THE SUBIC BAY METROPOLITAN AUTHORITY (SBMA) AND THE SBMA ADMINISTRATOR**

**WHEREAS**, Republic Act (RA) No. 7227, otherwise known as the "Bases Conversion and Development Act of 1992," created the SBMA to operate, administer, manage and develop the Subic Special Economic Zone into a selfsustaining, industrial, commercial, financial and investment center, to generate employment opportunities in and around the zone, and to attract and promote productive foreign investments;

**WHEREAS**, Section 13(d) of RA No. 7227 provides that the President shall appoint a professional manager as Administrator of the SBMA who shall be the *ex officio* Chairman of the SBMA Board of Directors (SBMA Board) and who shall serve as the Chief Executive Officer (CEO) of the SBMA:

**WHEREAS**, EO No. 340 (s. 2004) reorganized the SBMA by separating the position of Chairman of the SBMA Board, who shall similarly be appointed by the President, from the position of the Administrator of the SBMA, who shall serve as *exofficio* Vice-Chairman of the SBMA Board;

**WHEREAS**, EO No. 340 designated the Chairman of the SBMA Board as the head of the agency, but vested in the Administrator the power to execute, administer and implement the policies and measures approved by the SBMA Board, and to directly administer and supervise the operations and day-to-day business activities of the SBMA;

**WHEREAS**, EO No. 340 has created confusion with regard to the scope of authority, powers, functions and duties of the Chairman of the SBMA Board and the Administrator of the SBMA that has adversely affected the operations of the SBMA, as well as of the numerous investors and locators therein;

**WHEREAS**, Article VII, Section 17 of the Constitution provides that the President shall have control of all the executive departments, bureaus and offices, and shall ensure that the laws are faithfully executed.

**NOW THEREFORE, I, RODRIGO ROA DUTERTE**, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing law, do hereby order:

**SECTION 1. Repeal.** EO No. 340 (s. 2004) is hereby expressly repealed.