

[EXECUTIVE ORDER NO. 392, January 09, 1990]

**CONSTITUTING THE METROPOLITAN MANILA AUTHORITY,
PROVIDING FOR ITS POWERS AND FUNCTIONS AND FOR OTHER
PURPOSES**

WHEREAS, pursuant to Presidential Decree No. 824, as amended, a public corporation known as Metropolitan Manila was formed from among the Cities of Manila, Quezon, Pasay and Caloocan and the Municipalities of Makati, Mandaluyong, San Juan, Las Pinas, Malabon, Navotas, Pasig, Pateros, Paranaque, Marikina, Muntinlupa, Taguig, and Valenzuela, and placed under the administration of the Metropolitan Manila Commission;

WHEREAS, the President exercises direct supervision and control over the Metropolitan Manila Commission (Section 13, Presidential Decree No. 824, as amended);

WHEREAS, Article X, Sections 11 and 13 of the Constitution provide that:

"Sec. 11. The Congress may, by law, create special metropolitan political subdivisions, subject to a plebiscite as set forth in Section 10 hereof. The component cities and municipalities shall retain their basic autonomy and shall be entitled to their own local executives and legislative assemblies. The jurisdiction of the metropolitan authority that will thereby be created shall be limited to basic services requiring coordination.

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Sec. 13. Local government units may group themselves, consolidate or coordinate their efforts, services, and resources for purposes commonly beneficial to them in accordance with law."

WHEREAS, it is for the best interest of the constituents of the local government units comprising the Metropolitan Manila that the consolidation or coordination of the efforts, services and resources for purposes beneficial to them be administered by their duly elected local chief executives;

WHEREAS, while Congress is tasked to pass a law that will provide for the metropolitan authority on a more permanent basis, the present demands for a cohesive consolidation or coordination of basic services among the component cities and municipalities of the Metropolitan Manila necessitate an urgent devolution of the powers and functions of the Metropolitan Manila to an interim authority;

WHEREAS, Article XVIII, Section 8 of the Constitution states:

"Sec. 8. Until otherwise provided by the Congress, the President may constitute the Metropolitan Authority to be composed of the heads of all

local government units comprising the Metropolitan Manila area."

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the Constitution and by law, do hereby order:

SECTION. 1. Until otherwise provided by the Congress, there is hereby constituted the Metropolitan Manila Authority, hereinafter referred to as the Authority, to be composed of the heads of the four (4) cities and thirteen (13) municipalities comprising the Metropolitan Manila area.

The Authority shall have jurisdiction over the delivery of basic urban services requiring coordination in the Metropolitan Manila. These basic urban services shall include among others: land use, planning and zoning; traffic management; public safety; urban development and renewal; management and control of operations during calamities and emergencies affecting public welfare and safety; and sanitation and waste management. Any change in the classification of zoning shall however be subject to the approval of the Housing and Land Use Regulatory Board (HLURB).

SEC. 2. The Authority shall be governed by the Metropolitan

Manila Council, hereinafter referred to as the Council, composed of the Mayors of the four (4) cities and thirteen (13) municipalities of Metropolitan Manila.

The Chairman shall be elected from among the Mayor members of the Council to serve for a term of six (6) months. The Council shall be assisted by a professional Metropolitan General Manager and three Deputy General Managers to be appointed by the President of the Philippines.

The Secretaries of Transportation and Communications, Public Works and Highways, and Budget and Management shall attend all meetings of the Council as non-voting members.

The Council shall be responsible for the following:

1. Formulation of policies on the delivery of basic services requiring coordination or consolidation for the operations of the Authority; and
2. Promulgation of resolutions and other issuances of metropolitan-wide application, approval of a code of basic services requiring coordination, and exercise of its rule-making powers.

The members of the Council shall have one (1) vote each. The Council shall establish the necessary technical, consultative and secretariat support.

SEC. 3. The Metropolitan Manila Commission shall devolve to the Authority all its powers and functions, which are not otherwise inconsistent with the Constitution and existing laws, in order to carry out its mandate to deliver basic urban services requiring coordination or consolidation in Metropolitan Manila.

SEC. 4. The Chairman of the Council shall have the following functions:

1. Call and preside at the meetings of the Council;
2. Present for the approval of the Council the annual budget of the Authority;
3. Submit the organizational structure and staffing pattern of the Authority for approval by the Council and the President;
4. Present for the approval of the Council after consultation with the local government units and the appropriate government entities the following plans and proposals: the annual operations plan, proposed policies and programs, revenue-raising measures and proposals, draft rules and regulations, and such other plans and projects necessary to carry out the purpose of this Executive Order and which require the approval of the Council;
5. Prepare and submit to the Council and to the President of the Philippines annual reports and evaluation of programs and projects;
6. Recommend to the President and Congress, with the approval of the Council, measures which will improve the quality of life of the people in Metropolitan Manila or which will introduce services not covered by this Executive Order which are necessary for the betterment of Metropolitan Manila;
7. Recommend to the national policy-making bodies the implementation of plans and programs of agencies and/or local governments that conform to the regional development plan; and
8. Perform such other functions as may be required by law, by the President, or by the Council of the Authority in accordance with this Executive Order.

SEC. 5. The Metropolitan General Manager of the Authority shall have the following functions:

1. Manage the day-to-day operations of the Authority;
2. Develop programs and implement projects along the policies set by the Council and assist the Chairman of the Council in the management and operations of the Authority;
3. Act as head of the technical, consultative and management staff of the Authority;
4. Assist the Chairman and the Council in the preparation of rules and regulations, the comprehensive development plan, the operations plan and appropriation measure, the basic services code, and such other measures which are necessary to help the Chairman and the Council attain the objectives of this Executive Order;
5. Prepare the annual reports and other reports of projects and programs required by this Executive Order, for the approval of the Chairman; and,
6. Perform such other functions as may be required by law, by the Council, or by its Chairman.

SEC. 6. The local government units shall continue to be primarily responsible for the