

[EXECUTIVE ORDER NO. 193, June 10, 1987]

**PROVIDING FOR THE REORGANIZATION OF THE OFFICE OF
ENERGY AFFAIRS AND FOR OTHER PURPOSES.**

WHEREAS, under Article II, Section 1, of the Provisional Constitution, as adopted in Proclamation No. 3 dated March 25, 1986, the President shall give priority to measures to achieve the mandate of the people to completely reorganize the government;

WHEREAS, Article XVIII, Section 16, of the 1987 Constitution recognizes that the reorganization of the government shall be continued even after the ratification of the Constitution;

WHEREAS, under Article XVIII, Section 6, of the 1987 Constitution, the President shall continue to exercise legislative powers until the First Congress is convened;

WHEREAS, pursuant to Executive Order No. 20, dated June 19, 1986 for the administrative supervision of all the offices, agencies and corporations attached to the Ministry of Energy, the Office of Energy Affairs in the Office of the President was created;

WHEREAS, there is a need to reorganize the Office of Energy Affairs for better administration and formulation of plans and policies for energy resource development and utilization functions;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, do hereby order:

SECTION 1. *Title.* – This Executive Order shall otherwise be known as the Act Providing for the Reorganization of the Office of Energy Affairs.

SEC. 2. *The Office of Energy Affairs.* – The Office of Energy Affairs is hereby reorganized structurally and functionally, in accordance with the provisions of this Executive Order. The Office of Energy Affairs shall be under the Office of the President.

SEC. 3. *Mandate.* – The Office of Energy Affairs, hereinafter referred to as the Energy Office, shall be primarily responsible for the formulation, planning, monitoring, implementation of, and coordination of policies and programs in the field of energy. The primary function of the Energy Office shall be to ensure a continuous, adequate and economic supply of energy with the end in view of ultimately achieving self-reliance in the country's energy requirements, through intensive exploration and development of indigenous energy resources and through the judicious conservation and efficient utilization of energy consistent with the country's accelerated economic growth objectives.

SEC. 4. *Powers and Functions.* – The Energy Office shall have the following powers and functions:

- (a) Formulate policies, consistent with Section 3 and pertinent national guidelines, and coordinate all activities which the government may need to undertake relative to the exploration, development, marketing, distribution, storage, and efficient utilization of energy resources from fossil fuels such as petroleum, coal natural gas and gas liquids, nuclear-fuel resources, geothermal resources, hydroelectric resources, and existing and potential forms of non-conventional energy resources;
- (b) Establish and administer a comprehensive and integrated program for the exploration, exploitation, development, extraction, importation, exportation, transport, marketing, distribution, storage, and efficient utilization of fossil, nuclear, geothermal, hydroelectric and non-conventional forms of energy resources;
- (c) Encourage and guide business activities relative to the exploration, exploitation, development, extraction, importation, exportation, transport, marketing, distribution and storage of fossil, nuclear, geothermal, hydroelectric, and non-conventional forms of energy resources;
- (d) Assess, review and provide direction to, in coordination with concerned government agencies, energy research and development programs, including identification of sources of energy and determination of their commercial feasibility for development;
- (e) Formulate such rules and regulations as may be necessary to implement the objectives and provisions of this Executive Order;
- (f) Perform other functions as established by law or as ordered by higher authority; and
- (g) Exercise all powers necessary or incidental to attain the objectives of this Executive Order.

SEC. 5. *Structural Organization.* – The Energy Office shall consist of the following:

- (a) Office of the Executive Director;
- (b) Office of the Deputy Executive Director for Energy Operations;
- (c) Office of the Deputy Executive Director for Energy Staff Services;
- (d) Special Concerns Services; and

(e)Regional Field Offices.

SEC. 6. *Executive Director.* – The authority and responsibility for the exercise of the mandate of the Energy Office and for the discharge of its powers and functions shall be vested in the Executive Director who shall have supervision and control of the Energy Office and shall be appointed by the President. The Executive Director shall have the following powers and functions:

- (a)Establish policies for the effective, efficient and economical operations of the Energy Office in accordance with the programs of government;
- (b)Promulgate rules and regulations necessary to carry out Energy Office objectives, policies, plans, programs and projects;
- (c)Exercise supervision and control over all functions and activities of the Energy Office;
- (d)Delegate authority for the performance of any administrative or substantive function to the Deputy Executive Director or other officials of rank at the Energy Office and
- (e)Perform such other functions as may be provided by law or assigned by the President.

SEC. 7. *Office of the Executive Director.* – The Office of the Executive Director shall consist of the Executive Director shall consist of the Executive Director, the Deputy Executive Directors for Energy Operations and Energy Staff Services, and their immediate staff.

SEC. 8. *Deputy Executive Directors.* – The Executive Director shall be assisted by two (2) Deputy Executive Directors who shall be appointed by the President upon the recommendation of the Executive Director. The Deputy Executive Directors shall have the following functions:

- (a)Advise the Executive Director on matters relative to the promulgation of administrative orders and other issuances of the Energy Office;
- (b)Recommend the promulgation of rules and regulations, consistent with the policies of the Energy Office;
- (c)Coordinate the functions and activities of the units under his authority;
- (d)Exercise delegated authority on substantive and administrative matters to the extent granted by the Executive Director through administrative issuances; and
- (e)Perform such other functions as may be provided by law or assigned by the Executive Director.

SEC. 9. *Office of the Deputy Executive Director for Energy Operations.* – The Office of the Deputy Executive Director for Energy Operations shall consist of the Deputy Executive Director for Energy Operations and his immediate staff as determined by him; the Director for Energy Development Services; and the Director for Energy Utilization and Promotion Services.

(a)*Energy Development Services.* – The Energy Development Services shall be responsible for program and project planning relative to the exploration, exploitation, development and extraction of energy resources. Energy resources shall mean any substance by itself or in combination with others, or after processing or refining or the application to of technology, emanates, generates, or causes the emanation or generation of energy, such as but not limited to petroleum or petroleum products, coal, marsh gas, marsh gas, methane gas, geothermal and hydroelectric sources of energy, uranium, and other similar and radioactive minerals, solar energy, tidal power, as well as non-conventional existing and potential sources. It shall conduct energy research and studies and perform consultative training and advisory services to the practitioners and institutions in the areas of regulated activity. It shall perform such other functions as may be provided by law or directed by the President.

(b)*Energy Utilization and Promotion Services.* – The Energy Utilization and Promotion Services shall be responsible for program and project planning for the encouragement and guidance of business activities relative to importation, exportation, storage, shipping, transportation, storage, shipping, transporting, refinement, processing, marketing, and distribution of energy resources. It shall also exercise such powers and functions, as appropriate, of the abolished Oil Industry Commission under Republic Act No. 6173, as amended, which were transferred to the Ministry of Energy under Section 12 of P.D. No. 1206, as amended. It shall also be responsible for the promotion and utilization of non-conventional energy technologies and resources. It shall perform such other functions as may be provided by law or as directed by the President.

SEC. 10. *Office of the Deputy Executive Director for Energy Staff Service.* – The Office of the Deputy Executive Director for Energy Staff Services shall consist of the Deputy Executive Director for Energy Staff Services and his immediate staff as determined by him; the Director for Financial and Management Services; the Director for Legal Affairs and Counselling Services.

(a)*Financial and Management Services.* – The Financial and Management Services shall be responsible for providing the Energy Office with services relative to budgetary, financial and management improvement matters, assuring the integrity of financial operations and compliance with the requirements of the Commission on Audit and optimizing