

**[ OP EXECUTIVE ORDER NO. 860, February 08, 2010 ]**

**REDEFINING THE COMPOSITION AND POWERS OF THE  
NATIONAL WATER RESOURCES BOARD**

WHEREAS, Act No. 2152 of 1912, the Irrigation Act, vested in the Secretary of Commerce and Police the power to grant appropriation of public waters, upon the recommendation of the Irrigation Council consisting of the Secretary of Commerce and Police; the chairman of the Committee on Agriculture of the Philippine Assembly; the Director of Public Works; the chairman of the Committee on Public Works of the Philippines Assembly; and one agriculturist;

WHEREAS, Presidential Decree No. (PD) 198 of 1973 provided that the rates or charges established by a local water utility shall be subject to review by the Local Water Utilities Administration (LWUA);

WHEREAS, 424 of 1974 created a National Water Resources Council (Council) with the following regulatory and executory functions:

- a. Coordinate and integrate water resources developing activities of the country;
- b. Determine, adjudicate, and grant water rights amending, for this purpose, Act No. 2152;
- c. Formulate and promulgate, among others, rules and regulation for the exploitation and optimum utilization of such fees or charges as may be deemed necessary by the Council for Water Resources Development;

WHEREAS, under PD 424, the Council shall be composed of the following, provided that the National Economic and Development Authority may increase or decrease the membership of the Council: Secretary of Public Works, Transportation and Communications as Chairman; Secretary of Department of Agriculture and National Resources, or his Undersecretary; Director-General, National Economic and Development Authority, or his Deputy; Administrator, National Irrigation Administration; General Manager, National Power Corporation; and Director, Bureau of Public Works;

WHEREAS, PD 1067 of 1976, the Water Code of the Philippines, provided that utilization, exploitation, development, control, conservation or protection of water resources shall be subject to the control and regulation of the government through the National Water Resources Council (Council);

WHEREAS, PD 1067 provided that any persons who desires to obtain a water permit