

**[ EXECUTIVE ORDER NO. 434, June 03, 2005 ]**

**DELEGATING TO THE SECRETARY OF EDUCATION THE POWER TO  
EXERCISE POLICY OVERSIGHT OVER THE COMMISSION ON  
HIGHER EDUCATION**

WHEREAS, the Commission on Higher Education (Commission) was created under Republic Act No. 7722, approved on May 18, 1994, otherwise known as the "Higher Education Act of 1994";

WHEREAS, Section 3 thereof provides that "x x x The Commission shall be independent and separate from the Department of Education, Culture and Sports [DECS, now Department of Education (DepEd)] and attached to the Office of the President for administrative purposes only. x x x";

WHEREAS, Executive power is vested in the President under Section I, Article VII of the Constitution and under Section II, Chapter 3, Book II of Executive Order No. 292, otherwise known as the "Administrative Code of 1987;

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

WHEREAS, paragraph 2, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 grants to the President continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

*SECTION 1.* Delegation to the Secretary of Education (DepEd). The power of the President under Section 17, Article VII of the Constitution and as administrative head of the Government to exercise policy oversight over the Commission on Higher Education, is hereby delegated to the Secretary of Education.

*SEC. 2. Repealing Clause.* All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

*SEC. 3. Effectivity.* This Executive Order shall take effect immediately.

Adopted: 03 June 2005

(SGD.) GLORIA MACAPAGAL-ARROYO

By the President:

(SGD.) EDUARDO R. ERMITA  
*Executive Secretary*