

FURTHER DEFINING THE POWERS, FUNCTIONS AND DUTIES OF THE OFFICE OF THE PRESIDENTIAL ASSISTANT ON NATIONAL MINORITIES AND FOR OTHER PURPOSES.

PRESIDENTIAL DECREE NO. 1414, June 09, 1978

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WHEREAS, the Constitution mandates that the State shall consider the customs, traditions, beliefs and interests of national minorities in the formulation and implementation of State policies;

WHEREAS, it is the policy of government to extend to the national minorities equality in stature, dignity and opportunity with all other citizens;

WHEREAS, the Presidential Assistant on National Minorities has been actively involved for many years in this continuing endeavor.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and make as part of the law of the land the following measure:

SECTION 1. Declaration of Policy.—It is hereby declared to be the policy of the State to integrate into the mainstream of Philippine society certain ethnic groups who seek full integration into the larger community, and at the same time protect the rights of those who wish to preserve their original lifeways beside that larger community.

SEC. 2. National Minorities Defined.—For purposes of this Decree, the term National Minorities shall apply to the non Muslim hill tribes referred to under Presidential Decree No. 719 an other non-Muslim national minorities whether referred to as National Cultural Minorities or Cultural Communities under other laws.

SEC. 3. Powers, Functions and Duties.—Implementation of the above-stated policy is hereby vested in the Office of the Presidential Assistant on National Minorities, hereinafter referred to as PANAMIN, under the Office of the President, which shall act for and in behalf of the President in all matters pertaining to National Minorities and shall have the following powers, functions and duties:

- Perform the powers, functions and duties provided under Presidential Decree No. 719, incorporating the pertinent provisions of Republic Act No. 1888 as amended;
- Establish and maintain ethnographic research centers and museums as may be necessary for the purpose of preserving artifacts and other evidences of the lifeways of National Minorities;
- Design, implement and maintain settlements and development projects among the National Minorities in furtherance of the herein declared policy of government;
- Act as the agency through which National Minorities can seek government as well as private assistance and serve as the instrumentality through which assistance from both the government and the private sector, local as well as foreign, may be given to the National Minorities. For this purpose, PANAMIN is hereby authorized to give grants-in-aid out of its appropriation or other funds from whatever source to cooperating government

agencies, tribal groups and/or private organizations formed or existing for the benefit and welfare of National Minorities for whatever activities or programs which are in line with PANAMIN's basic objectives;

- Provide legal assistance of whatever nature, medical aid, relief and any and all other forms of help to the National Minorities;
- Undertake action projects as may be necessary to attain the objectives of this Decree;
- Conduct, jointly with the Bureau of Forest Development, inspection of areas covered by applications for licenses, leases or permits, granted under the Revised Forestry Code (Presidential Decree No. 705) in provinces and cities which, according to the latest official population census, are inhabited by National Minorities with the objective of determining the extent to which the said licenses, permits or lease applications affect the rights of National Minorities resident therein, and on the basis of said inspection, to issue certification of such findings. No such license, permit or lease shall be granted without such prior inspection being made and without the issuance of a certification by PANAMIN that no member of the National Minorities actually occupies or possesses or has a claim to all or a portion of the area applied for. In cases where only portion/s of the areas applied for are in the occupation or possession or claimed by members of National Minorities, such portion/s shall be excluded or deemed excluded;
- Enter, subject to the approval of the President of the Philippines on behalf of the Republic of the Philippines, into such contracts, agreements or arrangements, with the government or private agencies as may be necessary to attain the objectives of PANAMIN;
- Accept grants, donations, gifts, funds, and/or property for the benefit of the National Minorities in whatever form and from whatever source, domestic or foreign, and administer the same in accordance with the terms thereof, or in the absence of any condition, to administer the same in such manner as PANAMIN may determine for the benefit of the National Minorities;
- Initiate eminent domain proceedings in pursuance of the aims and purposes of this Decree;
- Perform such other functions and duties vital to national interest and security as may be assigned by the President of the Philippines.

SEC. 4. Presidential Assistant.—The PANAMIN shall be headed by a Presidential Assistant who shall be of cabinet rank and who shall be entitled to all privileges and prerogatives of a regular member of the Cabinet.

SEC. 5. Organizational Structure of PANAMIN.—The Presidential Assistant shall determine the organizational structure of PANAMIN in such manner as would best carry out its powers, functions and duties and attain the objectives of this Decree. He shall organize the PANAMIN and appoint, discipline and/or remove, and determine the compensation and allowances of its personnel, Provided, that, positions which are highly technical, policy determining or primarily confidential, as may be declared by the Presidential Assistant, shall not be subject to the rules and regulations of the Office of Compensation and Position Classification. The PANAMIN shall have such consultants and other experts as may be needed, who may be drawn from the private sector by appointment or on contractual basis or from government agencies or instrumentalities on detail or through other arrangements, whose compensation, allowances or honoraria shall be fixed by the Presidential Assistant. The Presidential Assistant, may appoint tribal chieftains, members of tribal councils, and other tribal leaders as well as other deserving minorities without the requisite civil service eligibility when in his opinion the welfare and interest of the National Minorities and of the government will be best served thereby.

SEC. 6. Certification of Minorities.—The PANAMIN shall have the exclusive authority to issue certifications

attesting to bona fide membership in a tribal or ethno-linguistic group considered as National Minorities within the purview of this Decree for purposes of establishing qualification for appointments in government and for other benefits as provided by law.

SEC. 7. Appropriations.—PANAMIN shall receive an annual lump sum appropriation in such amounts as may be sufficient to finance its operation and its programs, projects and activities.

SEC. 8. Repeal of Inconsistent Laws.—All laws, orders, proclamations, rules, regulations, or parts thereof which are inconsistent with any provisions of this Decree, are hereby repealed or modified accordingly.

SEC. 9. Separability Clause.—Any portion or provision of this Decree that may be declared unconstitutional shall not have the effect of nullifying the other provisions thereof; Provided, that, such remaining portions can still stand and be given effect in their entirety to accomplish the objectives of this Decree.

SEC. 10. Effectivity.—This Decree shall take effect immediately.

Done in the City of Manila, this 9th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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