CREATING THE MINERALS DEVELOPMENT COUNCIL, DEFINING ITS POWERS AND FUNCTIONS

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WHEREAS, Sec. 2 Art. XII of the Constitution provides that the State owns, and has full control and supervision over all natural resources;

WHEREAS, to be more effective in the development and utilization of natural resources, there is a need to mobilize the entire government bureaucracy to support, enhance and strengthen the operations and programs relative to minerals development;

WHEREAS, under Section 31, Chapter 10, Title III, Book II of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President;

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

SECTION 1. Creation. There is hereby created a Minerals Development Council (MDC) under the Office of the President that shall have the primary responsibility of advancing the government policy of responsible and sustainable development of the State's minerals resources.

SECTION 2. Composition. The Council shall be composed of the following:

Department of Environment and Natural Resources - Chairman
Presidential Adviser for Multilateral Development - Vice Chairman
Department of the Interior and Local Government - Member
Department of Finance - Member
National Economic Development Authority - Member
Department of Trade and Industry - Member
Department of Land Reform - Member
Department of Agriculture - Member
Department of National Defense - Member
Department of Labor and Employment - Member
Presidential Management Staff - Member
National Commission on Indigenous Peoples - Member
National Anti-Poverty Commission - Member
Philippine Information Agency - Member
Chamber of Mines of the Philippines - Member

The Chairman of the MDC, serving in an ex officio capacity, shall preside at all meetings of the MDC and ensure that all policies, directives, plans and programs of the MDC are faithfully carried out.

There shall also be an Executive Director with the rank of Undersecretary, who shall be appointed by the President and who shall manage the day-to-day affairs of the MDC.

The representatives from the members of the MDC shall have the rank of Undersecretaries. The Chamber of Mines of the Philippines shall be represented by its President.

SECTION 3. Powers and Functions. The MDC shall exercise, among others, the following powers and functions:

a. Enlist the assistance of any branch, department, bureau, office, agency or instrumentality of the government, including government-owned and controlled corporations, to implement programs relative to minerals development, to harmonize investment-related requirements and procedures, and to facilitate and expedite investments in the minerals sector;

b. Assist investors in the minerals sector by providing information, guidance, direction, and solutions concerning their investment problems and needs;

c. Facilitate easier direction of tasks and reporting of accomplishments of the objectives set out in the Minerals Action Plan that arose from E.O 270 s. 2004, as amended, otherwise known as the National Policy Agenda on Revitalizing Mining in the Philippines.

d. Review all aspects related to the investments in the mineral industry, recommend short-term and long-term measures, and take appropriate actions to address critical policy, institutional implementation and operational issues and concerns relative to the investments in the mineral industry, and monitor the effective implementation of all programs on minerals development;

e. Advise the President on timely and effective solutions to the problems impeding the entry of investments in the minerals industry;

f. Promote investments in the minerals industry, including but not limited to, organizing and coordinating investment road shows, missions and fora;

g. Prepare and submit reports to the President on the status of investments in the minerals industry; and

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h. Create Regional Mineral Development Councils in key regions where there exist priority mineral development projects as determined by the DENR-MGB.

i. Perform such other functions as may be directed by the President.

SECTION 4. Funding. Initial funding for the operations of the MDC shall be taken from such available sources as may be identified by the Department of Budget and Management (DBM).

Appropriations for the succeeding years shall be incorporated in the budget proposal of the Office of the President.

SECTION 5. Implementing Guidelines. The MDC shall adopt such operating guidelines as may be necessary to implement and achieve the objectives of this Order.

SECTION 6. Repealing Clause. All orders, rules, regulations and issuances or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 7. Effectivity. This Executive Order shall take effect immediately.

Adopted: 11 Oct. 2005

(SGD.) GLORIA MACAPAGAL-ARROYO

By the President:

(SGD.) EDUARDO R. ERMITA
Executive Secretary

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