

BANNING THE ISSUANCE BY COURTS OF PRELIMINARY INJUNCTIONS IN CASES INVOLVING CONCESSIONS, LICENSES, AND OTHER PERMITS ISSUED BY PUBLIC ADMINISTRATIVE OFFICIALS OR BODIES FOR THE...

PRESIDENTIAL DECREE NO. 605, December 12, 1974

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WHEREAS, it has been common practice for courts to issue preliminary injunctions and/or preliminary mandatory injunctions in disputes involving or growing out of the issuance, suspension, revocation, approval or disapproval of any concession, license, permit, patent or public grant of any kind for the disposition exploitation, utilization, exploration and development of the natural resources of the country;

WHEREAS, such undesirable practice has resulted in confusion and in the disruption of the smooth functioning of the administrative machinery having charge of the natural resources of the country;

WHEREAS, another consequence of such practice is the substitution by courts of their judgments for those of the public administrative officials or bodies entrusted by law with the above mentioned functions and jurisdiction;

WHEREAS, such practice has likewise been a contributory deterrent to the development, and exploitation of our natural resources, thereby hindering the economic development of the country;

WHEREAS, even under the Industrial Peace Act (R.A. No. 875) issuance by courts of restraining orders or injunctive reliefs in cases involving or growing out of labor disputes are proscribed in order not to frustrate, blunt or destroy the effect of concerted coercive measures which employees are allowed to resort to under the Act, and a similar purpose of preventing the nullification or the defeat of grants or denials to citizens of privileges in the development of the country's natural resources would be served by banning the issuance of injunctions in cases involving such privileges.

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 order the following as part of the law of the land:

SECTION 1. No court of the Philippines shall have jurisdiction to issue any restraining order, preliminary injunction or preliminary mandatory injunction in any case involving or growing out of the issuance, approval or disapproval revocation or suspension of, or any action whatsoever by the proper administrative official or body on concessions, licenses, permits, patents, or public grants of any kind in connection with the disposition, exploitation, utilization, exploration and/or development of the natural resources of the Philippines.

SEC. 2. All laws, orders, decrees, instructions and rules and regulations inconsistent with this Decree are hereby repealed and/or set aside or modified accordingly.

SEC. 3. This Decree shall take effect immediately.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.)

FERDINAND E. MARCOS

President of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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