

CREATING THE NATIONAL ENVIRONMENTAL PROTECTION COUNCIL

PRESIDENTIAL DECREE NO. 1121, April 18, 1977

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WHEREAS, the national government is aware of the continuing deterioration of the Philippine environment caused by rapid urbanization, industrial growth, population expansion, natural resources extractions, the use of modern technology and other socio-economic factors;

WHEREAS, the national government is cognizant of the damaging and irreversible environmental impacts of these socio-economic activities on the stability of natural ecosystems and on human health and safety as well as on the natural resources of this country;

WHEREAS, it is the desire of the national leadership to create, develop, maintain and improve conditions under which man and nature can thrive in productive and enjoyable harmony with each other, and thereby attain an environmental quality conducive to a life of dignity and well-being for our people;

WHEREAS, the national leadership notes the dearth of a total environment protection program that deals with the entire spectrum of environment as well as the lack of coordinated system in the enforcement of existing environment-oriented laws;

WHEREAS, the interaction of the above socio-economic forces render it imperative for the national leadership to create a central authority that will oversee, unify and integrate the planning, management and implementation of the government's environment program.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Creation of the National Environmental Protection Council. — There is hereby created a National Environmental Protection Council, hereinafter referred to as the "Council, which shall be under the supervision and control of the President of the Philippines.

SECTION 2. Composition of the Council. — The Council shall be composed of the President of the Philippines, as Chairman; the Secretary of Natural Resources as Executive Officer; and as members, the Presidential Assistant for Development; the Secretary of Public Highways; the Secretary of Local Governments and Community Development; the Secretary of Industry; the Secretary of National Defense; the Secretary of Public Works, Transportation and Communications; the Chairman of Energy Development Board; the Budget Commissioner; the Chairman of National Pollution Control Commission; the Chairman of National Science Development Board; the Chairman of the Human Settlements Commission; and the Chairman of the Board of Environmental Center of the Philippines.

The Executive Director of the Secretariat created in Sec. 5 hereof shall act as the Secretary of the Council.

SECTION 3. Powers and functions of the Council. — a) To rationalize the functions of government agencies charged with environmental protection and with the enforcement of environment-related laws to the end that

effective, coordinated and integrated systems of environmental protection, research and implementation and enforcement of such laws shall be achieved;

- b) To formulate policies and issue guidelines for the establishment of environmental quality standards and environmental impact assessments;
- c) To recommend new legislation or amendments to existing ones to cope with the charges in the environment status of the country;
- d) To undertake a comprehensive and a continuing research program for environment protection;
- e) To review environmental impact assessments of projects submitted by government agencies;
- f) To monitor development projects initiated by government and private agencies and to see to it that they are in line with priorities of the government on environmental protection;
- g) To conduct as it deems appropriate, public hearings or conferences on issues of environmental significance;
- h) To conduct a continuing educational and training campaign programs on the enhancement of the quality of life through environmental improvement;
- i) To organize the most appropriate implementing mechanism relative to the performance of its assigned functions;
- j) To call on any department, bureau, office, agency or state university or college and other instrumentalities of the government for assistance in the form of personnel, facilities and other resources as the need arises in the discharge of its functions;
- k) To prepare annual environment status reports; and
- l) To promulgate rules and regulations to carry out the provisions of this Decree.

SECTION 4. Technical and Legal Staff to Assist Council. — The Council shall be assisted by a technical and legal staff.

The Executive Officer of the Council shall determine the number, fix the salaries of, and appoint the personnel of said technical and legal staff in accordance with the Civil Service Law and Rules. Additional personnel may be hired on contract basis as the exigencies of the service may require.

SECTION 5. The Secretariat. — The Executive Officer of the Council shall be assisted by a Secretariat to be headed by an Executive Director. He shall be assisted by an Assistant Executive Director. Said officials of the Secretariat shall be appointed by the Executive Officer of the Council.

SECTION 6. Personnel of Secretariat. — The Executive Officer of the Council shall determine the number, fix the salaries of, and appoint the staff personnel of the Secretariat in accordance with the Civil Service Law and Rules. Additional personnel may be hired on contract basis as the exigencies of the service may require.

SECTION 7. Administration of Technical and Legal Staff and the Secretariat. — For purpose of administration, the Technical and Legal Staff, as well as the Secretariat, shall be attached to the Department of Natural Resources.

SECTION 8. OCPC-exempt. — In view of the shortage of qualified manpower and the highly technical nature of its work, the personnel of the Council shall be exempted from the rules and regulations of the Office of Compensation and Position Classification, and the same shall not apply to positions created under the decree.

SECTION 9. Honoraria for assisting personnel. — The Council may pay honoraria to any government personnel

providing assistance to the Council under Sec. 3, subparagraph (1) hereof.

SECTION 10. Appropriation. — To carry out the provisions of this Decree, the Funds appropriated for the Environmental Protection in the Department of Natural Resources shall be utilized during the current fiscal year. Thereafter, such amount as may be necessary to carry out the provisions of this Decree shall be included annually in the General Appropriations Act.

SECTION 11. Repealing Clause. — All acts, presidential decrees, executive orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Decree are hereby repealed, amended or modified accordingly.

SECTION 12. Effectivity. — This Decree shall take effect immediately.

DONE in the City of Manila, this 18th day of April, in the year of Our Lord, Nineteen Hundred and Seventy-Seven.

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

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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