

DIRECTING THE ACTIVE PARTICIPATION OF ALL GOVERNMENT LAWYERS IN THE INFRASTRUCTURE PROJECTS OF THEIR RESPECTIVE DEPARTMENT/AGENCIES TO FAST-TRACK THE IMPLEMENTATION THEREOF

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WHEREAS, the National Economic and Development Authority (NEDA) sponsored a National Legal Forum (NLF) on Infrastructure Projects to discuss and determine measures on how to address legal bottlenecks that impede or cause delays in the implementation of public infrastructure projects;

WHEREAS, among the legal bottlenecks identified in that forum was the apparent lack of active participation of department/agency lawyers in critical phases of project development (i.e., from conceptualization, drafting of contracts, to project completion), making public infrastructure projects vulnerable to lawsuits for failure of the proponents to comply with substantive or procedural requirements demanded by law;

WHEREAS, there is a need to actively involve government lawyers in the public infrastructure projects of their respective departments/agencies particularly from conceptualization, the drafting and review of contract, to the termination of the project;

WHEREAS, Book IV, Chapter 3. Section 17 of the Administrative Code of 1987 mandates the Legal Service of every Department in the Executive Branch to provide legal advice, prepare contracts, and interpret legal provisions covering work performed by private entities for their respective offices, among others;

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

SECTION 1. All government lawyers are hereby directed to actively participate in every phase (i.e., from conceptualization, drafting of contracts, to project completion, etc.) of any infrastructure projects development of their respective offices to ensure faithful compliance with all legal conditions required by existing laws, rules and regulations in order to minimize, if not altogether eliminate, the delays attributed to protracted litigation for non-compliance therewith.

SECTION 2. All heads of the departments, agencies, bureaus and offices Implementing public infrastructure projects shall issue the necessary office circular order to carry-out the purposes of this Order.

SECTION 3. This Order shall take effect immediately.

Adopted: 30 Jan. 2008

(SGD.) GLORIA MACAPAGAL-ARROYO

By the President:

(SGD.) EDUARDO R. ERMITA

Executive Secretary

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