

TRANSFERRING THE LOCAL WATER UTILITIES ADMINISTRATION FROM THE OFFICE OF THE PRESIDENT TO THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) AND STRENGTHENING THE SUPERVISION BY...

EXECUTIVE ORDER NO. 387, November 26, 2004

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WHEREAS, the Local Water Utilities Administration (LWUA), which was created by virtue of Presidential Decree No. 198, as amended, is currently attached to the Office of the President by virtue of Executive Order No. 279, series of 2004;

WHEREAS, the Metropolitan Waterworks and Sewerage System (MWSS) was created by virtue of Republic Act No. 6234, as amended, and is currently attached to the DPWH by virtue of Executive Order No. 124, series of 1987;

WHEREAS, there is a need for a concerted and well-coordinated effort in formulating policies as well as planning and implementing programs and projects for the water sector;

WHEREAS, there is a need to speed-up the provision of potable water in every barangay;

WHEREAS, the DPWH is mandated to ensure that the planning, design, construction and maintenance of infrastructure facilities such as national highways, flood control and water resource development systems are in accordance with the highest level and safety and efficiency and with the overall national development objectives;

WHEREAS, under Section 31, Chapter 10, Book III of Executive Order No. 292, series of 1987, otherwise known as the "Administrative Code of 1987", the President, in order to achieve simplicity, economy and efficiency, has the continuing authority to reorganize the administrative structure of the Office of the President.

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

SECTION 1. Transfer of LWUA to DPWH - The Local Water Utilities Administration (LWUA) is hereby transferred from the Office of the President to the Department of Public Works and Highways (DPWH).

SECTION 2. Authority to Exercise Administrative Supervision. - The Secretary of Public Works and Highways is hereby authorized to exercise administrative supervision over the LWUA and the MWSS, with the objective of providing a concerted and well-coordinated effort in formulating policies, as well as planning and implementing programs and projects for the water sector.

For this purpose, the DPWH Secretary shall, among others:

- Coordinate and oversee the policy-making processes of the respective governing boards of the LWUA and the MWSS;
- Require the submission of reports as the DPWH Secretary may deem necessary, including periodic reports of their respective policies and the implementation of their major programs and projects, and their respective

audited financial statements within sixty (60) days after the close of the fiscal year;

- Initiate measures within the agency to promote efficiency and effectiveness, including, but not limited to, the conduct of management audits, performance evaluations and inspections to determine compliance with established policies, standards and guidelines:
- To take such action as may be necessary for the proper performance of official functions, including rectification of violations, abuses and other forms of maladministration; and
- In general, to oversee the operations of the LWUA and the MWSS to ensure that these agencies are managed efficiently and effectively.

SECTION 3. Rules and Regulations. - The DPWH Secretary, in consultation with the Chairman of the LWUA and the MWSS, is hereby authorized to issue rules and regulations for the effective implementation of the provisions of this Executive Order.

SECTION 4. Repealing Clause. - The provisions of Executive Order No. 279 (s. 2004) which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly. All other executive issuances, rules, regulations or parts thereof, which are inconsistent with any of the provisions hereof are hereby repealed, amended or modified accordingly.

SECTION 5. Effectivity. - This Executive Order shall take effect upon its publication in the Official Gazette or in a newspaper of general circulation in the Philippines.

Adopted: 26 Nov. 2004

(SGD.) GLORIA MACAPAGAL-ARROYO

By Authority of the President:

(SGD.) EDUARDO R. ERMITA
Executive Secretary

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