

**CREATING THE ATLAS COMMISSION AND DEFINING ITS POWERS AND FUNCTIONS**

**WHEREAS**, the mining operation of the Atlas Consolidated Mining and Development Corporation has affected the vegetation in the old abandoned mine site in the Province of Cebu;

**WHEREAS**, there is a need to reforest and revegetate the exposed soil and rock structures to prevent erosion, oxidation and pollution;

**WHEREAS**, sometime in August, 1999, mine water from the Biga open mine pit of the Atlas Consolidated Mining and Development Corporation spilled into the Sapangdaku River and the Tañon Strait;

**WHEREAS**, there is a need to rehabilitate, protect and develop the Sapangdaku River and the Tañon Strait and other areas affected by the spillage of mine water;

**WHEREAS**, under Section 31, Chapter 10, Title III, Book III 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 Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**SECTION 1. Creation.** – There is hereby created a Commission under the Office of the President to be known as the Atlas Commission (“Commission”) which shall serve as the planning, policy and program coordinating body for the rehabilitation, protection and development of the Sapangdaku River and the Tañon Strait and other areas affected by the mining operation of and the spillage of mine water from the Atlas mines in the Province of Cebu.

**SECTION 2. Composition.** – The Commission shall be composed of a Chairman and six (6) Commissioners who shall be appointed by the President of the Philippines.

**SECTION 3. Powers and Functions.** – The Commission shall have the following functions and responsibilities:

- a. Formulate and implement, in coordination with the concerned agencies of the Government, programs and projects for the rehabilitation, regeneration, revegetation and reforestation of mineralized areas, aquaculture, watershed development and water conservation, and socio-economic development of the areas affected by the mining operation and the spillage of mine water;



- b. Review all existing policies, programs and projects, researches and studies as well as other initiatives to rehabilitate, protect and develop the affected areas;
- c. Adopt a process of maximum consultation with the local government units concerned and all interest groups in the localities to ensure that their needs, concerns and ideas are considered in the formulation and implementation of programs and projects for the rehabilitation, protection and development of the affected areas;
- d. Negotiate and enter into management and/or consultancy contracts in pursuit of the rehabilitation, protection and development of the affected areas;
- e. Accept or receive donations and other conveyances by gratuitous title or funds, materials and services for use in the rehabilitation, protection and development of the affected areas, subject to the usual accounting and auditing rules and regulations;
- f. Arrange and negotiate for grant or loan financing of its programs and projects with local and/or international financing institutions and/or private organizations, subject to the concurrence of the Secretary of Finance and the Secretary of Budget and Management;
- g. Call upon any agency of the Government for such assistance as may be necessary in the performance of its functions;
- h. Submit periodic reports to the President on the status of the rehabilitation, protection and development efforts; and
- i. Perform such other functions as may be directed by the President.

**SECTION 4. Organizational Support.** - The Commission shall establish and maintain a Secretariat which shall provide technical and administrative support to the Commission and which shall be headed by an Executive Director who shall be assisted by a Deputy Executive Director. The Executive Director shall implement the policies of the Commission and manage the day-to-day operations thereof. The Executive Director shall be appointed by the President upon the recommendation of the Chairman. The Chairman shall have the authority to appoint, promote and discipline the personnel of the Secretariat.

The Commission, subject to pertinent laws, rules and regulations, may create, organize and set in operation such organizational units necessary for the performance of its powers and functions. Such units shall be staffed by duly qualified personnel appointed by the Chairman.



**SECTION 5. Board of Advisors.** – There is hereby created a Board of Advisors for the Commission to assist in policy formulation, coordination, management and implementation of the programs and projects of the Commission. The Board of Advisors shall be composed of the following:

- Representative, Department of Environment and Natural Resources
- Representative, Department of Agriculture
- Representative, Department of Public Works and Highways
- Representative, Department of Transportation and Communications
- Representative, Department of Budget and Management
- Representative, Department of Finance
- Representative, Department of Trade and Industry
- Representative, Regional Development Council of Region VII
- Representative of the Governor, Province of Cebu
- Representative of the Mayor, City of Toledo
- One (1) representative from a *bona fide* non-government organization to be nominated by the Commission

**SECTION 6. Transfer of Appropriations, Records and Properties.** – The applicable appropriations, properties and records of the Tañon Strait Commission, which was abolished by virtue of Executive Order No. 72 dated February 11, 2002, are hereby transferred to the Atlas Commission.

**SECTION 7. Funding.** – The Department of Budget and Management shall identify and provide the annual budgetary requirements as may be required by the Commission for the implementation of its programs and projects and for its operations.

**SECTION 8. Repeal.** – All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

**SECTION 9. Effectivity.** – This Executive Order shall take effect immediately upon approval.

City of Manila, April 18, 2002.

*J. Murray*

By the President:

*Alberto G. Romulo*  
**ALBERTO G. ROMULO**  
Executive Secretary



  
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