

[ **PRESIDENTIAL DECREE NO. 1767, January 11, 1981** ]

**EMPOWERING THE PRESIDENT TO DETERMINE THE TERMS AND CONDITIONS OF POWER CONTRACTS OF THE GOVERNMENT WITH ALUMINUM SMELTER PROJECTS AND FOR OTHER PURPOSES.**

**WHEREAS**, the Government has identified the establishment of aluminum smelters as one of the country's priority industrial projects;

**WHEREAS**, the energy requirements of aluminum shelters are so large as to make the project extremely- power-intensive;

**WHEREAS**, aluminum smelters, unlike other users, have power usage and load characteristics which permit more efficient use of power generating and distributing equipment;

**WHEREAS**, it is common practice in other countries to charge aluminum smelters power rates different from those of other consumers in the same grid taking into consideration the particular nature and requirements of such aluminum smelters;

**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 make part of the law of the land the following:

**SECTION 1.** Upon the recommendation of the Minister of Energy and the Minister of Industry, the President is hereby empowered to determine the rates and other terms and conditions for power contracts of aluminum smelters with the Government or any agency or instrumentality thereof, including the National Power Corporation or any other government-owned or controlled corporation;

**SECTION 2.** Notwithstanding any provision of existing laws to the contrary, including Republic Act No. 6395, as amended, the President may for the purposes hereof, authorize the Nations lower Corporation to set such rates and other terms and conditions, as may be determined by the President, for power contracts with aluminum smelters; or authorize the National Development Company, either alone or in joint venture with the National lower Corporation, to establish a separate corporation which shall supply the power requirements of aluminum smelters under such rates and other terms and conditions determined by the President.

**SECTION 3.** All laws, decrees, orders, proclamations, instructions, or rules and regulations, or parts thereof which are inconsistent herewith are hereby modified and/or repealed accordingly.

**SECTION 4.** This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of January, in the year of Our Lord, nineteen hundred and eighty-one.

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