

[ **EXECUTIVE ORDER NO. 315, January 04, 1988** ]

**RENAMING THE CABINET COMMITTEE ON THE BATAAN NUCLEAR POWER PLANT AS "THE PRESIDENTIAL COMMITTEE ON THE PHILIPPINE NUCLEAR POWER PLANT" AND DEFINING ITS STRUCTURE, POWERS AND FUNCTIONS.**

WHEREAS, on April 30, 1986 the Cabinet decided not to operate the Philippine Nuclear Power Plant (PNPP) and created a Committee to study the legal options available to the Philippine Government in connection with such decision;

WHEREAS, the Senate has created an Ad Hoc Bataan Nuclear Power Plant Committee to study and oversee the policy considerations bearing on any action on the PNPP, in close consultation and coordination with the Cabinet on the PNPP and the House Committee on Energy.

WHEREAS, Executive Order No. 55, as amended by Executive Order No. 98, transferred the ownership of the PNPP, its equipment, materials, facilities, records and uranium fuel from the National Power Corporation to the National Government, subject to such obligations as may be legally enforceable against the National Government;

WHEREAS, the statute of limitations, the huge interest payments, and other pressing factors render it imperative and urgent that the Government accelerate, systematize and integrate all its actions in respect to the PNPP; and

WHEREAS, it is necessary to define the structure, powers and functions of the Cabinet Committee on the PNPP to enable it to implement more effectively and immediately its mandate to study the legal options available to the Philippine Government;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Name. - The Cabinet Committee on the Bataan Nuclear Power Plant is hereby renamed "The Presidential Committee on the Philippine Nuclear Power Plant" and its structure, powers and functions are hereby defined as provided hereinbelow.

SEC. 2. Composition. - The Committee shall be composed of the following officials or their duly authorized representatives:

- Secretary of Justice . . . . . Chairman
- . . . . .
- Secretary of Finance . . . . . Member
- . . . . .
- Secretary of Budget and Management . . . . Member

Secretary of Science and Technology . . . . .	Member
Chairman, Presidential Commission on Good Government . . . . .	Member
Governor, Central Bank . . . . .	Member
Solicitor General . . . . .	Member
Director, Philippine Nuclear Research Institute . . . . .	Member
President, National Power Corporation . . . . .	Member
Administrator, Export Processing Zone Authority . . . . .	Member
President, Philippine National Oil Company . . . . .	Member

SEC. 3. Powers and Functions. - The Committee shall have the following powers and functions:

- (a) To initiate, coordinate and implement the negotiation, arbitration and/or litigation of any and all claims, causes of action, or any other legal option that the Government has or may have against any person, natural or judicial, in connection with the Philippine Nuclear Power Plant;
- (b) To supervise and coordinate the maintenance and preservation of the Philippine Nuclear Power Plant, and the disposition or liquidation of its structures, equipment, spare parts, uranium fuel, and other related items;
- (c) To initiate and coordinate the efforts of the appropriate Government agencies and instrumentalities to restructure, whenever legally enforceable, all loans and financial obligations relating to the Philippine Nuclear Power Plant, and otherwise dispose of all related claims;
- (d) To call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as the Committee may need, to request and utilize the services of their personnel, technical experts and professionals, and to utilize and share their resources and materials;
- (e) To retain counsel and consultants, foreign and/or local subject to applicable laws, rules and regulations, and policy consideration;
- (f) To enter into contracts for the purchase, rental, procurement or use of office space, equipment and other logistical resources, including the availment of facilities for required domestic or international communication and travel;
- (g) To hold fact-finding hearings and other investigative