

[OP EXECUTIVE ORDER NO. 853, January 05, 2010]

DESIGNATING THE DEPARTMENT OF JUSTICE (DOJ) AS THE REPRESENTATIVE OF THE PRESIDENT OF THE PHILIPPINES IN THE IMPLEMENTATION OF PD1718 ON MATTERS INVOLVING THE AIRLINE INDUSTRY

WHEREAS, Section 1 of PD 1718 declares as policy of the State that "any and all documents and information possessed by or in the custody of Philippine corporations, entities or individuals doing business in the pursuit of the national economic development programs of the Government and/or engaged in the development, promotion, protection and export of Philippine products to increase foreign currency revenues, are vital to the national interest and should not be utilized by any foreign person or government to the prejudice and/or detriment of said corporations, entities or individuals, including their officers and employees";

WHEREAS, Section 4 of PD1718 provides that "no action enforcement of any foreign judgment rendered against any Philippine corporation, entity or individual shall be entertained or given due course by any Philippine court or administrative body without prior written clearance from the designated representative(s) of the President" in the cases specified therein;

WHEREAS, Section 5 of PD1718 requires "any person who is served or issued any requirement, order, directive or subpoena of any legislative, administrative or judicial authority in any jurisdiction outside of the Philippines involving documents or information, as defined in section 3 thereof, to inform the designated representative of the President of the Philippines of such service/requirement" who shall then determine whether or not compliance shall be made;

WHEREAS, the DOJ serves as the government's principal law agency, involved in aspects of international cooperation, and empowered to act on all queries and/or requests for legal advice and guidance from private parties and other officials and employees of the government;

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. The Secretary of Justice is hereby designated as the representative of the President of the Philippines in the implementation of PD 1718 with regard to the enforcement of any foreign judgment as specified in Section 4 thereof, or compliance with any request, order, directive or subpoena issued by any legislative, administrative or judicial authority in any jurisdiction outside of the Philippines involving the documents and information referred to in Sections 3 and 5 also of PD 1718, insofar as they pertain directly or indirectly to matters involving the airline industry.