

Executive Order No. 206, s. 2016

Signed on May 20, 2016 (<http://www.officialgazette.gov.ph/2016/05/20/executive-order-no-206-s-2016/>).

MALACAÑAN PALACE

MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 206

ADOPTING THE POLICY ON ENSURING SUSTAINABLE RENEWABLE ENERGY RESOURCE MANAGEMENT AND MANDATING THE DEPARTMENT OF ENERGY (DOE) TO LEAD IN ITS IMPLEMENTATION

WHEREAS, Presidential Decree (PD) No. 1515 (s. 1978), as amended by PD No. 1749 (s. 1980), provides that when the public interest so requires, the President may transfer to the appropriate agency of the government the jurisdiction over certain watersheds and reservations which may in the future support water-based energy projects;

WHEREAS, by virtue of Ministry of Energy (MOE) Order No. 83-06-15, the Office of Energy Affairs (now DOE) deputized the Philippine National Oil Company (PNOC) to undertake the management, protection, development and rehabilitation of the watershed areas surrounding geothermal reservations namely: Tongonan Geothermal Reservation, Palinpinon Geothermal Reservation, and Bacon-Manito Geothermal Reservation;

WHEREAS, Executive Order (EO) No. 223 (s. 1987) vested in the PNOC the jurisdiction, control, management, protection, development and rehabilitation of the watershed areas surrounding geothermal reservations namely: Tongonan Geothermal Reservation, Palinpinon Geothermal Reservation, Bacon-Manito Geothermal Reservation, and other geothermal reservations as may discovered, identified,

determined and developed by the PNOC, and proclaimed by the President of the Philippines, while Proclamation No. 853 (s. 1992) declared a certain portion of land situated within the Mt. Apo National Park in South Cotabato and Davao as geothermal reservation under the administration of the PNOC;

WHEREAS, EO No. 224 (s. 1987) vested the National Power Corporation (NPC) jurisdiction, control and regulation over watershed areas and reservations surrounding its power generating plants;

WHEREAS, Republic Act (RA) No. 9136 or the “Electric Power Industry Reform Act of 2001” tasked the NPC with the management of the environmental fund to be used solely for watershed rehabilitation and management;

WHEREAS, RA No. 9513 or the “Renewable Energy (RE) Act of 2008” designated the DOE as lead agency to implement the policy and programs of accelerated development and advancement of RE resources;

WHEREAS, the PNOC privatized its geothermal arm, the PNOC Energy Development Corporation, giving rise to the need for an established watershed management body for ‘the effective protection, rehabilitation and development of the watershed areas still under its jurisdiction;

WHEREAS, EO No. 186 (s. 2015) was issued transferring the jurisdiction, control, administration and management of the watershed areas of geothermal reservations from PNOC to the Department of Environment and Natural Resources;

WHEREAS, with the signing of the Paris Agreement under the United Nations Framework Convention on Climate Change (UNFCCC), the development of renewable energy in the Philippines, such as geothermal and hydropower projects, is crucial in the attainment of the policy on the reduction of greenhouse gas emissions; and,

WHEREAS, the DOE recognizes that geothermal and hydropower projects are dependent on watersheds and must be exclusively used for such purposes as other commercial exploitations threaten its sustainability and proposes a policy of ensuring sustainable RE resource management to attain the targets under the National RE Plan 2010-2030.

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

SECTION 1. Policy Statement. Consistent with the Philippines contributions under the UNFCCC, the government hereby adopts the policy of ensuring sustainable RE resource management in the country.

SECTION 2. Coordination with Agencies. The DOE and/or other departments, bureaus, offices, agencies and instrumentalities of the government, may enter into such agreements as may be necessary for the effective implementation of this Order and consistent with existing laws and the commitments of the Philippines under UNFCCC Paris Agreement.

SECTION 3. Repeal. EO No. 186 (s. 2015), all other orders, issuances, proclamations, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Order are hereby repealed or modified accordingly. EO No. 223 (s. 1987) and Proclamation No. 853 (s. 1992) are hereby reinstated.

SECTION 4. Separability. Should any provision of this Order be declared invalid or unconstitutional, the other provisions unaffected thereby shall remain valid and subsisting.

SECTION 5. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this 20th day of May, in the year of our Lord, Two Thousand and Sixteen.

(Sgd.) **BENIGNO S. AQUINO III**

By the President:

(Sgd.) **PAQUITO N. OCHOA, JR.**

Executive Secretary

RESOURCES

- [PDF] [Executive Order No. 206, May 20, 2016](http://www.officialgazette.gov.ph/downloads/2016/05may/20160520-EO-0206-BSA.pdf)
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