

MFN 2279

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 344

TRANSFERRING THE SACOBIA DEVELOPMENT AUTHORITY AND THE JURISDICTION OVER SACOBIA TO THE CLARK DEVELOPMENT CORPORATION

WHEREAS, Republic Act No. 7227, otherwise known as the Bases Conversion and Development Act of 1992, created the Bases Conversion and Development Authority (BCDA) to accelerate the sound and balanced conversion of the Clark and Subic Military reservations and their extensions into alternative productive uses and promote the economic and social development of Central Luzon in particular and the country in general;

WHEREAS, Section 15 of Republic Act No. 7227, authorized the President of the Republic of the Philippines to create a Special Economic Zone covering the lands occupied by the Clark Military reservations and its contiguous extensions as embraced, covered and defined in the 1947 Military Bases Agreement between the Philippines and the United States of America, as amended;

WHEREAS, pursuant to Section 15 of Republic Act No. 7227, the President issued Presidential Proclamation No. 163, s. of 1993, which created the Clark Special Economic Zone (CSEZ) and defined its extent;

WHEREAS, Executive Order No. 80, s. of 1993, created the Clark Development Corporation (CDC) to be the implementing and operating arm of the BCDA to manage the CSEZ;

WHEREAS, part of the former Clark Air Base Military Reservation, which reverted to the Philippine Government in 1979, is a vast land comprising approximately of five thousand seven hundred twenty four (5,724) hectares covering the municipalities of Bamban, Tarlac and Mabalacat, Pampanga, more commonly known as Sacobia;

WHEREAS, Executive Order No. 586, s. of 1980, created the Sacobia Development Authority (SDA) to develop the area as an agricultural base and provide livelihood opportunities to its squatter family beneficiaries through integrated and rationalized delivery of basic services and facilities;

WHEREAS, Administrative Order Nos. 9 and 10, s. of 1987, created the Office for Development Management and transferred the SDA to the Office for Development Management;



WHEREAS, Executive Order No. 130, s. of 1987, reorganized the Presidential Management Staff (PMS) and placed the SDA under the direct control and supervision of the PMS;

WHEREAS, Executive Order No. 292, which reorganized and redefined functions of key departments of the government provided for the inclusion of the SDA as an attached unit of the Department of Agriculture;

WHEREAS, the President of the Republic of the Philippines, through Proclamation No. 805, s. of 1996, included the property being managed by the SDA under the jurisdiction of the CSEZ;

WHEREAS, to optimize the development of Sacobia and to promote efficiency and effectiveness in the planning, execution and implementation of programs for Sacobia, it is essential that the CDC be vested with the powers and functions to manage Sacobia;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. *Transferring the powers and functions of the Sacobia Development Authority (SDA) to the Clark Development Corporation (CDC).* The powers and functions of the SDA shall henceforth be exercised by the CDC. The SDA shall cease to exist as a separate government agency attached to the Department of Agriculture and shall instead be absorbed by the CDC as an integral part of its corporate structure.

SEC. 2. *Declaration of Policy.* The CDC shall henceforth be tasked to plan, manage, execute policies and projects for Sacobia consistent with the development thrusts for the CSEZ. In particular, Sacobia shall be developed as a food basin and an eco-tourism area for the Zone. Business enterprises in Sacobia shall enjoy similar incentives enjoyed by other investors in the CSEZ.

SEC. 3. *Contracts, Agreements, Obligations.* All existing programs, projects, contracts, agreements and other commitments entered into or incurred by the SDA shall continue to be in force.

SEC. 4. *Properties and Other Assets.* The SDA shall transfer to the BCDA all its assets, including but not limited to lands, buildings and other infrastructure, equipment, facilities, furniture, and all their relevant records for the use and administration of the CDC as the implementing arm of the



BCDA. An inventory of the SDA properties shall be undertaken to establish present accountabilities over them.

SEC. 5. *Transfer of Personnel.* The CDC shall absorb, as part of the regular staff of the CDC, all permanent employees of the SDA who shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits they are presently enjoying until the CDC shall have come up with the new structure, organizational function and staffing pattern within sixty (60) days from the signing of this Executive Order. Regular SDA employees who opt not to be absorbed by the CDC shall be deemed separated from the service and shall be entitled to all the benefits provided for under existing Civil Service laws, rules and regulations and shall be paid their benefit entitlements within 60 days from submission of required documents.

SEC. 6. *Funding.* To ensure continuity of programs and development efforts for Sacobia, the 1996 funds allocated for the SDA from the General Appropriations Act and other sources shall be transferred to the BCDA. The BCDA through its implementing arm, the CDC, shall infuse such funds as are necessary for the immediate implementation of the programs and projects of the SDA as identified under the 1996 General Appropriations Act.

SEC. 7. *Settlement and Re-settlement of Sacobia Communities.* Subject to existing legal rights and valid ancestral domain claims within the Sacobia area, as verified and validated by the Department of Environment and Natural Resources, communities and permanent residents of Sacobia may be transferred and resettled by the CDC, at the expense of the BCDA, to give way to development projects in the area.

SEC. 8. *Quarterly Report.* A quarterly report on the status of the implementation of this Executive Order shall be submitted jointly by the BCDA and the CDC to the President through the Office of the Executive Secretary.

SEC. 9. *Repealing Clause.* All presidential issuances, rules and regulations or parts thereof which are inconsistent with any provision of this Order are hereby repealed, amended, or modified accordingly.

SEC. 10. *Separability Clause.* If for any reason, any part or provision of this Executive Order shall be held unconstitutional or declared contrary to law, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.



SEC. 11. Effectivity. This Executive Order shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation.

DONE in the City of Manila, this 14th day of June in the year of Our Lord, Nineteen Hundred and Ninety-Six.



By the President



RUBEN D. TORRES
Executive Secretary

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