

MF-N 7147

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EXECUTIVE ORDER NO. 85

GRANTING THE NATIONAL DEFENSE COLLEGE OF THE PHILIPPINES (NDCP) AUTHORITY TO CREATE, ESTABLISH, MAINTAIN, MERGE AND ABOLISH INSTITUTES AND CENTERS OF LEARNING AND SPECIAL STUDIES DEVOTED TO NATIONAL SECURITY ADMINISTRATION AND TO ACCEPT GRANTS AND ENDOWMENTS, TO RECEIVE IN TRUST LEGACIES, DEVICES, DONATIONS IN CASH OR PROPERTY AND TO ADMINISTER AND UTILIZE THE SAME FOR THE BENEFIT OF THIS INSTITUTION AND FOR OTHER PURPOSES

WHEREAS, Presidential Decree 190, as amended by Presidential Decree 452, created and organized the National Defense College of the Philippines (NDCP) to conduct advanced programs in national security administration;

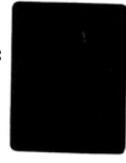
WHEREAS, under Sections 60-62, Chapter 10, Subtitle II, Title VIII, of Executive Order No. 292, and the implementing rules and regulations of PD 190, as amended, the College is mandated to train and develop the skills and upgrade the competence of potential national defense leaders, civilian officials of the different agencies and instrumentalities of the government and selected executives from the private sector in the formulation and implementation of national security policies and for high command and staff duty;

WHEREAS, in order to effectively fulfill its mission and attain its objective, the College would need to have specific authority to create, establish, maintain and later, merge or even abolish institutes and centers of learning and special studies devoted to national security administration and adopt academic, training and research programs;

WHEREAS, there is an urgent need to supplement the continuing annual appropriations made by Congress to the College by grants, endowments, bequests, donations and contributions from individuals, corporations and other entities that are aware of the tremendous responsibilities of the institution and are able and willing to provide continuing support to it, financially, or otherwise, and thus enable the College to successfully implement its plans and programs;

WHEREAS, under Section 12 of RA 8745, otherwise known as the 1999 General Appropriations Act, the NDCP is authorized to accept donations, contributions, grants, bequests or gifts, in cash or in kind, to be administered and disbursed subject to conditions stipulated in the same section;

WHEREAS, there is a need to ensure continuity in the plans and programs of the College by a fixed term of office for its officials and faculty.



NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, by virtue of the power and authority vested in me by law, do hereby order that:

SECTION 1. Subject to the approval of the Secretary of National Defense, the National Defense College of the Philippines shall have the authority to create, establish, maintain, merge and abolish institutes and centers of learning and special studies for national security administration, adopt and implement academic and other training programs within the framework of its responsibility and in accordance with the general objectives and in pursuit of its assigned mission. For this purpose, it shall utilize funds appropriated for its general operation as well as the funds and property that hereafter may be received in the form of grants, endowments, legacies devises and donations from any and all sources whatsoever, including seminar and conference fees as provided for under Sec. 8, of RA 8745.

SEC. 2. The National Defense College of the Philippines is hereby given the specific authority to receive in trust, grants and endowment, accept legacies, devises and other donations in cash or property, real or personal, to charge fees and raise funds and to use and administer the same, to the credit and for the benefit of this institution provided that this authority will continue beyond Fiscal Year 1999, and that these donations shall be kept and deposited by the NDCP in a separate account to be disbursed subject to the usual accounting and auditing rules and regulations.

✓ **SEC. 3.** In order to ensure continuity in the plans and programs of the College and in the pursuit of its mandate, the President, the Executive Vice-Presidents and all the Vice-Presidents of the National Defense College of the Philippines shall be appointed for a term of six (6) years, without prejudice to reappointment. They shall further be covered by the pertinent provisions of the omnibus law on the charters of state colleges and universities.

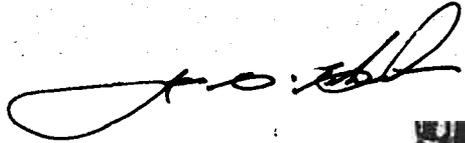
SEC. 4. All executive orders, administrative orders, proclamation, rules and regulation or parts thereof that are in conflict with this Executive Order are hereby repealed or modified accordingly. If any part or provision of this Order is declared unconstitutional or null and void, the rest shall remain in effect and will not be affected thereby.

SEC. 5. The Secretary of National Defense shall promulgate the rules and regulations for the implementation of this Executive Order.

SEC. 6. This Executive Order takes effect immediately.



Done in the City of Manila, this 13th day of March, in the year of Our Lord, nineteen hundred and ninety nine.



By the President:



RONALDO B. ZAMORA
Executive Secretary




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