



Republic of the Philippines
OFFICE OF THE PRESIDENT
PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT



Excerpts from the Minutes of the 55th PCSD Regular Meeting held at the Conference Room J, North Wing, House of Representatives, Diliman, Quezon City on January 30, 1998

Present:

- | | | |
|-------------------------------------------------------------------|---|---------------|
| 1. Gov. Salvador P. Socrates | - | Chairman |
| 2. Cong. Alfredo E. Abueg, Jr. | - | Vice-Chairman |
| 3. Exec. Dir. Arthur R. Ventura | - | Secretary |
| 4. Cong. Vicente A. Sandoval | - | Member |
| 5. DA Usec Rolleo L. Ignacio, represented
by Mr. Dennis Garcia | - | Member |
| 6. NEDA DDG Isagani B. Valdellon | - | Member |
| 7. Hon. Douglas S. Hagedorn | - | Member |
| 8. Col. Elnora P. Bernardino | - | Member |
| 9. Atty. Joselito C. Alisuag | - | Member |
| 10. Mr. Samuel Umandap | - | Member |

Absent:

- | | | |
|--------------------------------------|---|--------|
| 1. DENR Usec. Delfin J. Ganapin, Jr. | - | Member |
| 2. Mayor Edward S. Hagedorn | - | Member |
| 3. Mayor Alberto G. Enriquez, Jr. | - | Member |
| 4. Vice-Gov. Joel T. Reyes | - | Member |
| 5. Gen. Reynaldo V. Reyes | - | Member |

PCSD RESOLUTION NO. 98-117

**A RESOLUTION SUPPORTING THE PETITIONERS WHO FILED A CASE
IN COURT FOR PURPOSES OF DEFINING THE POWERS
OF THE PCSD AS VESTED BY R. A. 7611**

WHEREAS, R.A. 7611 otherwise known as the Strategic Environmental Plan for Palawan was enacted into law on June 19, 1992;

WHEREAS, Sec. 16 of the same Act provides that the governance, implementation and policy direction of the SEP shall be exercised by the Palawan Council for Sustainable Development, also known as the Council;

WHEREAS, necessary functions and powers have been vested to the Council in order to successfully implement the provisions of this Act found in Section 19, such as:

Adopt, amend and rescind such rules and regulations and impose penalties therefor for the effective implementation of the SEP and other provisions of this Act (8);

Enforce the provision of this Act and other existing laws, rules and regulations similar to or complementary with this Act (9), and

Perform related functions which shall promote the development, conservation, management, protection and utilization of the natural resources of Palawan (10);

WHEREAS, a Memorandum of Agreement entered into and between the PCSD and the DENR have been signed by then DENR Sec. Angel C. Alcala and PCSD Chairman Gov. Salvador P. Socrates on December 29, 1994 in Quezon City to recognize the complementariness in their goals and functions, particularly and specifically those that relates to Palawan.

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WHEREAS, in the same Memorandum of Agreement, the DENR acknowledges the power to formulate policy direction, exercise governance and implementation of a comprehensive framework for the sustainable development of Palawan compatible with protecting and enhancing the natural resources and endangered environment of Palawan, as provided for by Sections 4, 6 and 16 of R.A. 7611;

WHEREAS, the DENR has not faithfully recognized and complied with the provisions of the aforementioned MOA and the mandate of the Council which in most cases, result into obscure relationship between the two parties;

WHEREAS, DOJ Opinion No. 136 Series of 1994 dated September 26, 1994 declared that R.A. 7611 intends the two agencies to work closely together and evolve a workable arrangement, taking into consideration the technical expertise of the DENR and the policy directions of the PCSD;

WHEREAS, the people of El Nido filed a petition for declaratory relief to declare R.A. 7611 as the law of primary application in the Municipality of El Nido. Said motion also sought for the interpretation of R.A. 7611 as to the Council's function in relation to the DENR.

WHEREAS, the repealing clause of RA 7611 stipulates that all laws, decrees, orders, rules and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly;

NOW, THEREFORE, upon motion by Gov. Salvador Socrates and duly seconded and unanimously approved by the Council Members:

RESOLVE as it is **HEREBY RESOLVED**, that the PCSD shall support the petitioners who filed a case in Court for purposes of defining the powers of the PCSD as vested by R. A. 7611;

RESOLVED FURTHER, that the Chairman of the Committee on Legal Affairs be commissioned to represent the interests of the Council;

RESOLVED FURTHERMORE, that the PCSD Committee on Legal Affairs be authorized to file an intervention for and in behalf of the Council;

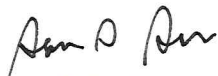
RESOLVED FINALLY, that copies of this resolution be furnished to the concerned local and national government units and the aforementioned agencies for information and appropriate action.

APPROVED AND ADOPTED this 30th day of January 1998 at the House of Representatives, Diliman, Quezon City.

CERTIFIED TRUE AND CORRECT:


EXEC. DIR. ARTHUR R. VENTURA
Secretary

APPROVED:


HON. SALVADOR P. SOCRATES
PCSD Chairman