

**MALACAÑAN PALACE
MANILA
BY THE PRESIDENT OF THE PHILIPPINES**

PRESIDENTIAL DECREE NO. 910

**CREATING AN ENERGY DEVELOPMENT BOARD, DEFINING ITS POWERS AND
FUNCTIONS, PROVIDING FUNDS, THEREFOR, AND FOR OTHER PURPOSES**

WHEREAS, there is need to intensify, strengthen, and consolidate government efforts relating to the exploration, exploitation and development of indigenous energy resources vital to economic growth;

WHEREAS, it is imperative that government accelerate the pace of, and focus special attention on, energy exploration, exploitation and development in the light of encouraging results in recent oil exploration and of world-wide developments affecting our continued industrial progress and well-being; and

WHEREAS, it is essential in the interest of efficiency, economy, and effectiveness to integrate and coordinate through a single governmental entity the functions of various agencies pertaining to the exploration and development of indigenous extracted resources.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree the following to be part of the law of the land:

SECTION 1.Declaration of Policy. — It is declared policy of the State to achieve self-reliance in the country's energy requirements primarily through the intensified and coordinated exploration, exploitation and development of indigenous energy resources in order to accelerate overall economic growth.

SECTION 2.Creation of the Energy Development Board. — To implement the aforesaid policy, there is hereby created an Energy Development Board, hereinafter referred to as the Board, which shall be composed of the Secretary of Finance, Secretary of Industry, Secretary of Justice, Secretary of National Defense, Secretary of Economic Planning, Secretary of Natural Resources and the Chairman of the Philippine National Oil Company. The President of the Philippines shall designate the Chairman of the Board from among its members.

The officials next in rank to the members of the Board, as designated by them, shall serve alternate members. They shall attend the meetings of the Board whenever their principals are absent or their positions are vacant.

SECTION 3. Powers and Functions of the Board. — The Board shall have the following powers and functions:

a. Formulate policies and implement and coordinate all activities of the government relative to exploration, exploitation and development, and extraction of energy resources including fossil fuels such as petroleum, coal, natural gas and gas liquids; geothermal resources; nuclear resources; and other less conventional existing and potential forms of indigenous energy resources;

b. Establish and administer a comprehensive and integrated program for the exploration, exploitation, development, and extraction of fossil and nuclear fuels, geothermal resources, and other less conventional forms of indigenous extracted energy resources;

c. Undertake by itself or through other arrangements, such as service contracts, the acquisition, exploration, exploitation, development, and extraction of energy resources in selected areas and/or in government reservations;

d. Regulate all activities relative to the exploration, exploitation, development, and extraction of fossil and nuclear fuels and geothermal resources and, where necessary, prescribe and collect fees in the exercise of such power;

e. Assess, review and provide direction to energy research and development programs including identification of sources of energy and determination of their commercial feasibility and development;

f. Exercise the powers and functions of the abolished Petroleum Board transferred to the Board under Section 5 of this Decree;

g. Coordinate, review and approve plans and programs of the Power Development Council which is hereby attached to the Board;

h. Promulgate such rules and regulations as may be necessary to implement the objectives and provisions of this Decree; and

SECTION 4. Officials and Employees of the Board. — The Board shall be assisted by Executive Director appointed by the Board. Any provision of law to the contrary notwithstanding the Board shall appoint the officers and employees of the Board, fix their compensation allowances and benefits, their working hours and such other conditions of employment as it may deem proper, grant them leaves of absence under such regulations as it may promulgate, discipline and/or remove for cause, and establish and maintain a recruitment and merit system.

SECTION 5. Abolition of the Petroleum Board. — The Petroleum Board is hereby abolished and its powers and functions are transferred to the Board together with applicable funds and appropriations, records, equipment, property, and such personnel as may be necessary.

SECTION 6. Transfer of the Functions of the Bureau of Mines and/or the Department of Natural Resources. — The powers and functions of the Bureau of Mines and/or the Department of Natural Resources relative to the exploration, development, and administration of coal fields and lands as provided for in Presidential Decree No. 463 and Act No. 2719, as amended, are transferred to the Board. The powers and functions of the Bureau of Mines and/or Department of Natural Resources under Republic Act No. 5092 and other laws relating to the promotion and regulation of the exploration, exploitation and development of geothermal energy, natural gas and methane gas are likewise transferred to the Board. Such transfer shall include applicable records, equipment, property, funds and appropriations, and such personnel as may be necessary.

SECTION 7. Philippine National Petroleum Center. — The Philippine National Petroleum Center shall be under the supervision and control of the Board.

SECTION 8. Appropriations. — The sum of Five Million Pesos out of any available funds from the National Treasury is hereby appropriated and authorized to be released for the organization of the Board and its initial operations. Henceforth, funds sufficient to fully carry out the functions and objectives of the Board shall be appropriated every fiscal year in the General Appropriations Act.

All fees, revenues and receipts of the Board from any and all sources including receipts from service contracts and agreements such as application and processing fees, signature bonus or discovery bonus, production bonus; all money collected from concessionaires, representing unspent work obligations, fines and penalties under the Petroleum Act of 1949; as well as government share representing royalties, rentals, production share on service contracts and similar payments on the exploration, development and exploitation of energy resources, shall form part of a Special Fund to be used to finance energy resource development and exploitation.

programs and projects of the government and for such other purposes as may be hereafter directed by the President.

SECTION 9.Reports. — The Board shall, within three months after the end of every fiscal year submit its annual report to the President. The annual report shall include an energy development plan insofar as the exploration, exploitation, development, and extraction of indigenous extractable energy resources are concerned. It shall likewise submit such periodic or other reports as may be required of it from time to time.

SECTION 10.Separability Clause. — Should any provision of this Decree be held to be unconstitutional, no other provision hereof shall be affected thereby.

SECTION 11.Repealing Clause. — All laws, decrees, executive orders, administrative orders, rules or regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

SECTION 12.Effectivity. — This Decree shall take effect immediately.

DONE in the City of Manila, this 22nd day of March, in the year of Our Lord, Nineteen Hundred and Seventy-Six.

(Sgd.) **FERDINAND E. MARCOS**