

MALACAÑANG

Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 145

CREATING A FACT-FINDING COMMISSION TO INVESTIGATE THE EFFECTS OF THE MINING OPERATIONS OF LAFAYETTE PHILIPPINES, INC. ON PEOPLE'S HEALTH AND ENVIRONMENTAL SAFETY IN THE MUNICIPALITIES OF RAPU-RAPU, IN THE PROVINCE OF ALBAY AND PRIETO DIAZ, GUBAT, BARCELONA, BULUSAN, AND BACON, IN THE PROVINCE OF SORSOGON

WHEREAS, there have been reports that the mining operations of Lafayette Philippines, Inc. (LPI) on Rapu-Rapu Island in Albay Province allegedly threatens people's health and environmental safety in and around the area of Rapu-Rapu Island;

WHEREAS, there is need for an independent Fact-Finding Commission to be constituted in order to get the facts and circumstances surrounding the alleged health and environmental hazards brought about by the operations of Lafayette Philippines, and to make the appropriate recommendations;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. There is hereby created a Fact-Finding Commission to investigate the effects of the mining operations of Lafayette Philippines, Inc. (LPI) on the inhabitants and environment of Rapu-Rapu Island and nearby municipalities. Specifically, the Commission shall investigate reported incidents of fish kill and other damage to people's health and marine and agricultural areas in Rapu-Rapu Island, Albay, and Prieto Diaz, Gubat, Barcelona, Bulusan and Bacon, Sorsogon.

SECTION 2. The Commission shall be composed of the following:

Chairman: Bishop Arturo M. Bastes, SVD, DD

Members: Dr. Rodolfo A. Tamayo, Jr.
Atty. Nena Araya Santos
Atty. Ronaldo R. Gutierrez
Mr. Greogio Tabuena



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Dr. Aloysius Baes
Mr. Charles Avila
Bishop Jose Rojas, Jr.
Mr. Jojit G. Cañada
Mrs. Marilou D. Barcelá

SECTION 3. The Commission is hereby granted the power of an investigating body under Section 37, Chapter 9, Book I of the Administrative Code of 1987 including the power to summon witnesses, administer oaths, take testimony or evidence relevant to the investigation, and to issue compulsory processes to produce documents, books, records and such other matters, in the performance of its function.

Any person who, without lawful excuse, fails to appear upon summons issued under the authority of the preceding paragraph or who, appearing before the Commission, refuses to take oath, give testimony or produce documents for inspection, when thereunto lawfully required, shall be subject to discipline as in the case of contempt of court upon application of the Commission before the proper court, in the manner provided for by law.

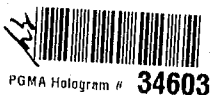
SECTION 4. The Commission shall form a Secretariat composed of technical and administrative personnel which shall provide staff support to the Commission. It is hereby authorized to engage the services of resources persons, professionals, such as but not limited to technical personnel from the College of Public Health and Marine Science Institute of the University of the Philippines, to assist it in carrying out its functions.

SECTION 5. The departments, bureaus, offices, agencies or instrumentalities including government owned or controlled corporations are hereby directed to extend such assistance and cooperation as the Commission may need in the discharge of its functions.

SECTION 6. The Office of the President shall provide the necessary funds for the operations of the Commission.

SECTION 7. The Commission shall evaluate all the facts and circumstances surrounding the alleged threat to people's health and environmental safety, and submit its findings and recommendations within one (1) month to the Office of the President, through the Department of Environment and Natural Resources.

SECTION 8. The Commission shall formulate its rules and regulations to guide it in the conduct of its fact-finding investigation.



SECTION 9. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 10th day of March, in the year of Our Lord, Two Thousand and Six.

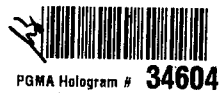
Gloria Arago



By the President:

Ermita

EDUARDO R. ERMITA
Executive Secretary



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