

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 8

**CREATING A PRESIDENTIAL ANTI-ORGANIZED CRIME COMMISSION
AND A PRESIDENTIAL ANTI-ORGANIZED CRIME TASK FORCE,
TO INVESTIGATE AND PROSECUTE CRIMINAL ELEMENTS IN
THE COUNTRY**

WHEREAS, organized syndicated crimes continue to undermine the ongoing anti-crime campaign, thereby greatly affecting the peace and order situation that contribute to the worsening economic condition;

WHEREAS, a sustained, relentless and dedicated campaign to minimize organized and syndicated crimes as well as to neutralize their protectors in government are among the priorities of the administration;

WHEREAS, the Administrative Code of 1987 empowers the President with the continuing authority to reorganize the Office of the President and to transfer functions from one department or agency to another;

WHEREAS, the creation of a Presidential Anti-Organized Crime Task Force especially tasked to investigate and prosecute all criminal syndicates and their protectors is imperative to bring about focus and substantive results in the campaign against criminality and corrupt practices;

WHEREAS, there is a need to identify and effectively prosecute criminal groups and their protectors in government through efficient intelligence and counter-intelligence efforts;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1 ORGANIZATION. There is hereby created a Presidential Anti-Organized Crime Commission, and a Presidential Anti-Organized Crime Task Force under the Office of the President.

SEC. 2. COMPOSITION AND LEADERSHIP. The Task Force shall be composed of selected PNP/AFP members and representatives from other branches of the government. It shall be headed by a qualified senior law enforcement officer to be appointed by the President. He shall

be assisted by a Deputy Chief for Operations, a Deputy Chief for Administration and a Functional Staff in the implementation of policies within their respective functional areas. The Functional Staff shall be composed of the Administrative/Logistics Division, Operations Division, Technical Division and the Legal and Investigation Division.

SEC. 3. POWERS AND FUNCTIONS. The Task Force shall have the following powers and functions:

- a) Prepare and implement a fast track anti-crime and anti-graft and corruption action agenda and adopt appropriate measures to ensure an effective and efficient anti-crime drive;
- b) Conduct intelligence and counter-intelligence operations to identify government officials and employees, crime syndicates and their cohorts who are involved in criminal activities;
- c) Cause or direct the immediate arrest, investigation and speedy prosecution of crime syndicates, government officials and employees and their cohorts, with due regard to constitutional processes;
- d) Refer the case/s at hand, as the Task Force may deem proper and necessary, to the Department of Justice, and/or other appropriate law enforcement agencies for investigation or prosecution, as the case may be;
- e) Follow up the progress of on-going investigation and prosecution of cases taken cognizance of by the Task Force;
- f) Recommend the passage of appropriate anti-crime issuances and legislations;
- g) Select and recruit personnel from within the PNP, the AFP and other law enforcement agencies for assignment to the Task Force subject to the conformity of the agency concerned;
- h) Enlist the assistance of any department, bureau, office, agency or instrumentality of the Government, including government-owned and/or controlled corporations, in the anti-crime and anti-graft and corruption drive, which may include the use of their respective personnel, facilities and resources for a more resolute prevention, detection and investigation of crimes and prosecution of their perpetrators;

- i) Subject to existing laws, grant monetary rewards or incentives to informants giving vital information leading to the successful prosecution of criminal offenders and corrupt government officials;
- j) Coordinate with the Witness Protection Security and Benefits Program Committee of the Department of Justice to evaluate and assess witnesses who may qualify under the provisions of Republic Act No. 6981, otherwise known as the Witness Protection and Benefit Act;
- k) Subject to the approval of the President, authorized access to documents, installations and facilities in pursuit of specific crime investigation over government agencies and government owned or controlled corporations; and
- l) Recruit civilian personnel and enlist their services for intelligence gathering efforts.

SEC. 4. OFFENSES COVERED. The Task Force shall have the authority to take cognizance of the following crimes:

- a) Those committed by the organized/syndicated crime groups, including but not limited to gunrunning, illegal logging, robbery/hold-up, kidnapping for ransom, white slavery, illegal recruitment, carnapping, smuggling, piracy, drug trafficking, falsification of land titles and other government forms, large scale swindling, film piracy, counterfeiting and bank frauds;
- b) Those considered and punished as heinous crimes under Republic Act No. 7659 (Heinous Crime Law);
- c) Those committed by the members of the Philippine National Police and/or the Armed Forces of the Philippines;
- d) Those committed by officials and employees of government agencies including government-owned and controlled corporations;
- e) Such other criminal offenses as the President may determine from time to time.

An organized/syndicated crime group for purposes of this Executive Order means a group of two or more persons collaborating,

confederating or mutually helping one another in the commission of any crime and sometimes enjoying the protection of people in the government and public service.

SEC. 5. The Commission herein created shall be composed of the following:

The President	-	Chairman
The Secretary of Justice	-	Member
The National Security Adviser	-	Member
The Undersecretary of Interior and Local Government	-	Member
The Chief of Staff, Armed Forces of the Philippines	-	Member
Director-General, Philippine National Police	-	Member
Four (4) representatives from the Private Sector to be appointed by the President	-	Member

The Commission shall exercise general control and supervision over the Task Force. It shall enlist the assistance of civic and other similar associations and provide a forum for continuing consultation among concerned sectors with our society leading to the formulation of policies to be recommended to the President in the form of issuances and legislation.

SEC. 6. AGENCIES ASSISTANCE. All government agencies and instrumentalities, including but not limited to the:

- a) Philippine National Police (PNP)
- b) National Bureau of Investigation (NBI)
- c) National Prosecution Service (NPS)
- d) Bureau of Immigration and Deportation (BID)
- e) Bureau of Internal Revenue (BIR)
- f) Economic Intelligence and Investigation Bureau (EIIB)
- g) Bureau of Customs (BOC)

- h) National Intelligence and Coordinating Agency (NICA)
- i) Armed Forces of the Philippines (AFP)
- j) Land Transportation Office (LTO)
- k) Forest Management Bureau (FMB)
- l) National Telecommunications Commission (NTC)
- m) National Statistics and Census Office (NCSO)
- n) Land Registration Authority (LRA)
- o) Philippine Overseas Employment Authority (POEA)
- p) Other government agencies which The Force may find necessary to implement its mandate.

SEC. 7. COMMAND AND CONTROL. The flow of command and control of the Task Force shall be as follows:

- a) The Force Chief shall report and be directly responsible to the President;
- b) The Force Chief shall have immediate supervision and control over all units of the Task Force. He is authorized to designate duties and functions of personnel under him;
- c) The component units from the PNP, AFP, DOJ and selected/chosen representatives of other government agencies shall be attached to the Force Chief by their respective mother units. The Force Chief shall have direct operational and supervisory authority over these personnel.

SEC. 8. FUNDING. Subject to the usual audit, the Task Force shall be provided with an initial annual allocation of ONE HUNDRED TWENTY MILLION PESOS (P120,000,000.00) to be drawn from the President's Contingency Fund and from government's savings. Appropriations for the succeeding years shall be incorporated in the budget proposal for the Office of the President. The Commission shall be provided with an initial funding from the respective agencies represented in the Commission. Thereafter, appropriations for the succeeding years shall be incorporated in the budget proposal of the Office of the President.

SEC. 9. DISSOLVED AGENCIES. The Presidential Anti-Crime Commission (PACC) and the Presidential Task Force on Intelligence and Counter-Intelligence (PTFICI) are hereby dissolved and deactivated

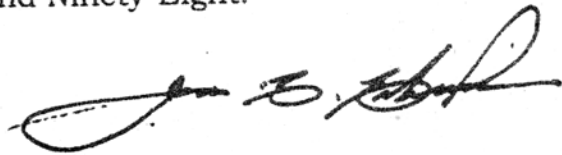
effective immediately. All properties and equipment of the PACC and PTFICI shall be turned-over to the Task Force.

SEC. 10. OPERATING GUIDELINES. The Task Force shall adopt, in coordination with command law enforcement agencies, such operating guidelines as may be necessary to implement this Executive Order, subject to the approval of the President. It shall submit to the President through the Commission, reports of its activities with appropriate recommendations for the information and guidance of the President.

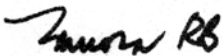
SEC. 11. COORDINATING INSTRUCTIONS. The intendment of this issuance is to put strong and intensified focus against organized/syndicated crimes, heinous and related offenses to be addressed by the Task Force in course of the government's anti-crime campaign, while the Philippine National Police (PNP) shall continue to be the primary general law enforcement agency of the country pursuant to Republic Act No. 6875, as amended. Accordingly, close coordination and cooperation shall be undertaken by the Chief of the Force, the Chief, PNP and other heads of law enforcement agencies, to insure synergy in the overall anti-crime campaign. Vertical and lateral coordination among operating units, consistent with the security need to prevent compromise a police operations, is hereby enjoined.

SEC. 12. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, this **22** day of July in the year of Our Lord, Nineteen Hundred and Ninety-Eight.



By the President:



RONALDO B. ZAMORA
Executive Secretary

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Date



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