

MALACAÑANG
MANILA

MFN 9279

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 235

**CREATING AN INDEPENDENT COMMITTEE TO CONDUCT
A FACT FINDING INVESTIGATION OF THE CRASH OF AIR
PHILIPPINES FLIGHT 541**

WHEREAS, the recent air tragedy involving Air Philippines Flight 541 is a matter of utmost concern not only because of the loss of lives and property but also because it involves national interest;

WHEREAS, air safety is primordial concern of government and the general public and urgent measures should accordingly be taken to promote and ensure air safety in order to effectuate and enhance the economic and political stability of the country;

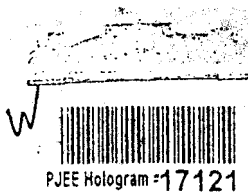
WHEREAS, the Air Transportation Office is mandated to conduct investigation of air mishaps, including the crash of Air Philippines Flight 541, pursuant to Republic Act No. 776 as amended by Presidential Decree No. 844, Presidential Decree No. 1274, Presidential Decree No. 1462 and Executive Order No. 546, series of 1979; and

WHEREAS, there is a need to address the plea raised by the families of the victims of the crash of Air Philippines Flight 541 and the general public to have an objective and independent fact finding body to look into the said air tragedy.

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. Creation of an Independent Investigation Committee. There is hereby established an Investigation Committee composed of the following:

Gen. William K. Hotchkiss	(Ret.)	Chairman
Assistant Executive Secretary Gaudencio A. Mendoza		Member
Gen. Rodolfo A. Ecarma (Ret.)		Member
Mr. Constancio Navarro		Member
Mr. Amado Soliman		Member



SECTION 2. Functions. The Committee shall have the following functions:

- a. Investigate the facts and circumstances surrounding the recent crash of Air Philippines Flight 541;
- b. Determine the cause of the incident as well as the person(s)/entity(ies) responsible for the same;
- c. Recommend appropriate measures to address the findings of the fact finding investigation; and
- d. Recommend measures to prevent the occurrence of similar incidents in the future.

SECTION 3. Investigative Authority. The Committee shall have the powers and prerogatives of an investigating committee under the Administrative Code of 1987, including the power to summon witnesses, administer oath or take testimony or evidence relevant to the investigation by *subpoena ad testificandum* and *subpoena duces tecum*. The Committee is hereby empowered to call upon and secure the assistance of any department, agency or instrumentality of the government, including government corporations, in the performance of its duties and discharge of its functions.

SECTION 4. Secretariat. There is hereby created a Secretariat which shall provide technical and administrative support to the Committee. It shall be headed by Assistant Executive Secretary for Legal Affairs Gaudencio A. Mendoza. He shall be assisted by officials and personnel from the Office of the President, Department of Transportation and Communications, Department of Justice, National Bureau of Investigation and Philippine National Police who shall be detailed by their respective Heads of Office to the Secretariat for the duration of the investigation. The Office of the Assistant Secretary for Legal Affairs shall serve as the Secretariat's base of operations.

SECTION 5. Funding. The Department of Budget and Management is hereby directed to allocate one million pesos (P1,000,000.00) from the Contingency Fund or any available fund to support the operations and activities of the Committee. Funds for this purpose shall be released through the Office of the President;

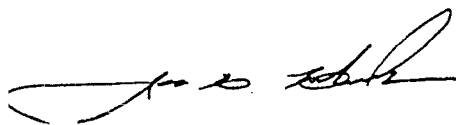
SECTION 6. Reporting Requirements. The Committee shall prepare and submit its report to the President within thirty (30) days after completion of its investigation.



SECTION 7. Repealing Clause. All issuances, orders, rules and regulations or parts thereof which are inconsistent herewith are hereby repealed or modified accordingly.

SECTION 8. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 27th day of April, in the Year of Our Lord, Two Thousand.



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Date

By the President:



RONALDO B. ZAMORA
Executive Secretary

