

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 838

**CREATING A SPECIAL NATIONAL PUBLIC RECONSTRUCTION COMMISSION
TO UNDERTAKE A STUDY OF THE CAUSES, COSTS AND ACTIONS TO BE
TAKEN IN THE WAKE OF TYPHOONS ONDOY, PEPENG AND FRANK, TO SEEK
FRESH AIDS TO FUND RECONSTRUCTION AND TO ENTER INTO A
PARTNERSHIP WITH THE PRIVATE SECTOR FOR THE FOREGOING PURPOSES**

WHEREAS, given that the magnitude of the damage, devastation and adverse impact that typhoons Ondoy, Pepeng and Frank brought to the Philippines, including adverse effects on the health and well-being of the population, food production and industrialization process, is unprecedented;

WHEREAS, it is the policy of the Philippine Government to adopt urgent and effective measures to bring about the reconstruction of the areas and industries, and to address the needs of the population, affected by the foregoing recent calamities;

WHEREAS, considering the constraints imposed on the fiscal capacity of the Philippine Government by the global financial crisis, there is a need to tap the resources of the private sector for the foregoing reconstruction efforts to address the continuing emergency brought about by the foregoing recent calamities;

NOW THEREFORE I, GLORIA M. ARROYO, President of the Philippines, do hereby order:

Section 1. *Creation and Composition.* There is hereby created a Special National Public Reconstruction Commission ("Public Commission") with the Secretary of Finance as head and the Secretaries supervising the National Disaster Coordinating Council, Department of Social Welfare and Development, and Housing and Urban Development Coordinating Council as members.

Section 2. *Secretariat.* The National Economic and Development Authority and the Office of Civil Defense shall form the Secretariat of the Public Commission, headed by a Secretary-General.

Section 3. *Key Tasks.* The Public Commission is hereby mandated:

- (1) To undertake a study of the causes, costs and actions to be taken in the wake of typhoons Ondoy, Pepeng and Frank;
- (2) To undertake the rehabilitation of damaged infrastructure and other urgent measures that must be undertaken for the reconstruction of the areas and industries, and the population, affected by the foregoing recent calamities;



- (3) To tap the resources of the private sector and to enhance and facilitate the cooperation and coordination between the Philippine Government and the private sector in formulating and implementing the Philippine Government's reconstruction strategy;
- (4) To raise funds, especially grants, to fund reconstruction;
- (5) To prioritize the projects and programs for the reconstruction efforts;
- (6) To oversee the implementation of the reconstruction program;
- (7) To serve as clearing house for the international assistance implemented by the donors themselves using the cluster approach; and
- (8) To request the United Nations and the World Bank to coordinate an International Pledging Session.

Section 4. *Private Sector.* The Public Commission is mandated to tap the resources of the private sector for the foregoing reconstruction efforts and for this purpose, the Public Commission is authorized to enter into a partnership through a Cooperation Agreement ("Cooperation Agreement") with a Private Sector Reconstruction Commission (the "Private Commission") headed by a business leader who will assist and support the Philippine Government's reconstruction efforts in his capacity as a private citizen and assist the Government in tapping the resources of the private sector towards this end. The Public Commission and all Government agencies and instrumentalities are mandated to extend all assistance and support to the Private Commission and all projects that the Private Commission and the private sector may undertake in support of the Philippine Government's reconstruction efforts and strategy. The Private Commission and the private sector that will contribute manpower, expertise, funds and resources to the Private Commission shall remain a separate private organization and private citizens and entities, respectively, and will not form part of the Public Commission.

Section 5. *Repealing Clause.* All Executive Issuances inconsistent in whole or in part with this Order, including Executive Order No. 832, are hereby repealed or amended accordingly.

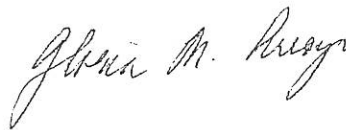
Section 6. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila on this 22nd day of October in the Year of Our Lord Two Thousand and Nine.

By the President:



EDUARDO R. ERMITA
Executive Secretary



PGMA Hologram # 51188