

MALACAÑANG  
MANILA

MFN 2250

BY THE PRESIDENT OF THE PHILIPPINES

MEMORANDUM ORDER NO. 365

**CREATING A SPECIAL ADVISORY COMMITTEE UNDER THE OFFICE OF THE PRESIDENT TO EVALUATE RECOMMENDATIONS SUBMITTED BY THE METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM (MWSS) AND ITS CONSULTANTS/ADVISERS PURSUANT TO EXECUTIVE ORDER NO. 311**

**WHEREAS**, Executive Order No. 311, effective on 20 March 1996, was issued to encourage private sector participation in the operations and facilities of the Metropolitan Waterworks and Sewerage System ("MWSS");

**WHEREAS**, under E.O. 311, the MWSS is tasked to enter into arrangements that will result in the involvement or participation of the private sector in any or all of the segments, operations, and/or facilities of the MWSS;

**WHEREAS**, it is advisable to have an inter-agency committee that shall assist the President and the MWSS in the legal review of the recommendations that shall be submitted by the MWSS and/or its consultants/advisers for the approval of the President, in respect of the involvement or participation of the private sector in any or all of the segments, operations, and/or facilities of the MWSS;

**NOW, THEREFORE, I, FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**Section 1. Composition.** There is hereby created a Special Advisory Committee, headed by the Executive Secretary, which shall be under the Office of the President, composed of the following:

1. The Chief Presidential Legal Counsel;
2. The Secretary of Justice;
3. The Government Corporate Counsel;
4. The Secretary of Finance; and
5. The Secretary of Public Works and Highways.

IN REPLYING, PLEASE CITE:

TVR Memo # M960092



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**Sec. 2. Functions.** The Committee shall assist the President of the Philippines and the MWSS in the legal review of recommendations that the latter and/or its consultants/advisors may submit for the approval of the President, in respect of the involvement or participation of the private sector in any or all of the segments, operations and/or facilities of the MWSS, including those involving privatization through:

- (i) franchising, concession arrangements, management and similar arrangements;
- (ii) the sale of assets or equity; or
- (iii) contracts for projects to be implemented under Build-Operate-Transfer (BOT) and/or related schemes for the financing, construction, repair, rehabilitation, improvement, and operation of water facilities and projects related to consumers.

The Committee is further authorized to call upon any government department, bureau, agency, or any government-owned or -controlled corporation for assistance as it may deem necessary for the accomplishment of its task.

**Sec. 3. Effectivity.** This Order shall take effect immediately.

**DONE** in the City of Manila, this 7<sup>th</sup> day of   M a y   in the year of Our Lord, Nineteen Hundred and Ninety-Six.



By the President:



**RUBEN D. TORRES**  
Executive Secretary

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Received

MAY 17 1996 *fdm*  
Date