

Republic of the Philippines
DEPARTMENT OF ENERGY

DEPARTMENT ORDER No. DO2005-02-001

**Creating An Independent Committee To Review
The Downstream Oil Industry Deregulation Act Of 1998**

WHEREAS, under Republic Act No. 8479, otherwise known as "An Act Deregulating the Downstream Oil Industry and For Other Purposes," otherwise known as the "Downstream Oil Industry Deregulation Act of 1998" (the "Act"), it was the declared policy of the State to ensure a truly competitive market under a regime of fair prices, adequate and continuous supply of environmentally clean and high quality petroleum products. To this end, the State shall promote and encourage the entry of new participants in the downstream oil industry, and introduce adequate measures to ensure the attainment of these goals;

WHEREAS, under Sections 14 and 15 of the same law, the Secretary of Energy has been mandated, among his other powers, to gather information and submit his recommendations to Congress on the basis thereof;

WHEREAS, there is a perceived and unrelenting public clamor to review and assess the effectivity and the attainment of the goals set forth in the Downstream Oil Deregulation Law under the prevailing economic circumstances and conditions in the country;

WHEREAS, in order to come up with an independent and impartial review and assessment, there is a need to constitute a third party committee consisting of professionals from the private sector who are knowledgeable and experienced in the downstream oil industry coming from the private sector.

NOW, THEREFORE, I, VINCENT S. PÉREZ, JR., Secretary of Energy, hereby order that:

SECTION 1. Creation and Composition. - There is hereby created a Independent Oil Deregulation Law Review Committee (the "Committee") to be composed of the following five (5) persons:

Chairman:	Carlos R. Alindada
Members:	Merciditas A. Garcia
	Dean Peter Lee-Yu
	Jose P. Leviste, Jr.
	Alberto H. Suansing

SECTION 2. Powers and Functions. - In view of the declared objectives of the Act and towards ensuring a balancing of Interests between the downstream oil Industry participants and the consumers who are the intended beneficiary of the Act, the Committee shall have the following powers and functions:

- a. Review and assess the provisions and Implementation of R.A. 8479,
- b. Conduct consultations with the DOE and/or other government agency/ies, industry participants and the public;
- c. Request the presence of resource persons and production of information, relevant to the purpose of this Order, from the DOE., other government agencies involved in or affected by the imlementation of the Act, any participant of the Downstream Oil Industry, and consumers or consumer groups;
- d. Call upon any Department or agency of the Government for such assistance as the Committee may deem necessary to implement this Order, subject to the approval of the Secretary of Energy;
- e. Integrate the results of the review and consultations;
- f. Submit its recommendations for an effective implementation of the law

SECTION 3. Confidentiality. - Pursuant to the provisions of R.A. 9479, any confidential information obtained in the course of this review shall be maintained in confidence and will be used only for the purposes of this Order.

SECTION 4. Term and Report Submission. - The Committee is hereby given ninety (90) days from its creation to conclude its review and submit to the Secretary of Energy its findings and recommendations together with the complete records of the review.

SECTION 5. Secretariat. - The DOE shall establish a Special Secretariat for the technical and staff support of the Committee. For this purpose, upon direction of the Committee, the Director of the Oil Industry Management Bureau of the DOE is hereby authorized to detail any personnel from the Bureau to assist the Committee.

SECTION 6. Funding. - Funding for the operation of the Committee shall be sourced from any available funds of the DOE.

SECTION 7. Effectivity. - This Department Order shall take effect immediately.

DONE this 28th DAY of FEBRUARY 2005, at the ENERGY CENTER, FORT BONIFACIO, CITY OF TAGUIG, METRO MANILA.

(Sgd.) **VINCENT S. PÉREZ, JR.**
Secretary