

Executive Order No. 980, s. 1984

Signed on August 29, 1984 (<http://www.gov.ph/1984/08/29/executive-order-no-980-s-1984/>)

MALACAÑANG

MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 980

PROVIDING FOR THE REORGANIZATION OF THE PHILIPPINE ATOMIC ENERGY COMMISSION, AND FOR OTHER RELATED PURPOSES

WHEREAS, under the New Republic, national development shall be pursued with renewed dedication and greater determination through a more efficient, effective and economical government;

WHEREAS, in furtherance of national development objectives, it is necessary to ensure the effective and efficient application of nuclear energy in the advancement of research and development in agriculture, engineering and technology, and public health;

WHEREAS, it is likewise imperative that a national policy responsive to the needs of progress be formulated and implemented for the regulation of the peaceful uses of nuclear energy, which activity is best undertaken by a collegial regulatory body; and

WHEREAS, under Presidential Decree No. 1416 as amended, the President is empowered to undertake such organizational and related improvements as may be appropriate in the light of changing circumstances and new developments;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, and the authority vested in me by Presidential Decree No. 1416 as amended, do hereby order and ordain:

SECTION 1. The present Philippine Atomic Energy Commission, hereinafter referred to as the Commission, is hereby converted from a single-headed agency to a multi-headed agency. Accordingly, the Commission shall be headed by a Board of Commissioners, to be composed of a full-time Commissioner who shall be Chairman and four full-time Associate Commissioners.

The Commissioner and Associate Commissioners shall be appointed by the President upon the recommendation of the Director General of the National Science and Technology Authority, for a regular term of six years: Provided, however, That in the initial appointments the Commissioner and one of the Associate Commissioners shall have a term of six years, two of the Associate Commissioners shall have a term of four years, and one of the Associate Commissioners shall have a term of two years. They shall be citizens of the Philippines of proven competence and have completed preferably a masteral degree in the field of nuclear science and technology and ten (10) years of relevant professional, scientific or technological work experience, except that one Associate Commissioner may be a lawyer with substantial experience in regulatory work.

Appointees to the positions of Commissioner and Associate Commissioners who have appointments to ranks in either the Career Executive Service or the Scientific Career System shall not by reason of their appointment to these positions lose their ranks in either career service and may, upon the expiration of their respective terms of office, be assigned to such appropriate positions in the government service as may be corresponding to their ranks.

SECTION 2. The Commission shall have the same functions and responsibilities provided for under Republic Act No. 2067 as amended, Republic Act No. 5207 as amended, and Presidential Decree No. 606, including those pertaining to the regulation and licensing of atomic energy facilities and the determination of liability for nuclear damage and for violations of established nuclear safety standards.

SECTION 3. The Commission shall be under the supervision and control of the National Science and Technology Authority, except as provided hereinbelow.

The decisions of the Board of Commissioners in the exercise of its regulatory functions, including those of a quasi-judicial nature, shall not be subject to review by the Director General of the National Science and Technology Authority; Provided, That in the exercise by the Board of Commissioners of its regulatory functions, including its quasi-judicial functions, decisions shall be made by the Board sitting en banc; Provided, further, That appeals from the regulatory decisions of the Board of Commissioners shall be in accordance with Republic Act No. 5207 as amended.

In the exercise of other functions, the Board Commissioners shall pass upon and act on such matters as may be referred to it by the Commissioner, relative to the administrative and substantive operations of the Commission.

SECTION 4. The Commissioner shall be the chief executive as members of the Board of Commissioners, be assigned to perform such other functions by the Commissioner relative to the administrative and substantive operations of the Commission, including supervising or heading units or groups of units of the Commission; Provided, That in the assignment of functions to the Associate Commissioners, particularly with respect to the regulatory functions of the Commission, functional responsibilities shall be clearly defined and identifiable.

SECTION 5. The Director General of the National Science and Technology Authority is hereby authorized to reorganize the Commission upon the recommendation of the Commissioner, and issue such orders, rules and regulations as may be necessary to implement the reorganization; Provided, That approval of the Office of Budget and Management is obtained relative to the new staffing pattern including appropriate salary rates, the internal organization structure including that at divisional and lower levels, and the realignment of existing appropriations. The NSTA Director General may appoint qualified personnel of the present Commission to appropriate positions in the new staffing pattern of the reorganized Commission, and those not so appointed are deemed laid off. Any reorganization as may be undertaken pursuant to this Order shall be completed within three months from the date of issuance of this Order.

The present positions of Commissioner and Deputy Commissioner of the Commission are hereby abolished.

SECTION 6. All Presidential appointees of the Commission affected by the reorganization herein authorized to be undertaken are laid off, unless otherwise reappointed by the President; Provided, That those who are Career Executive Service Officers shall either be reappointed or reassigned by the President upon the recommendation of the Director General of the National

Science and Technology Authority to appropriate positions in the reorganized Commission, or assigned to the Career Executive Service Board which shall endeavor to find appropriate placement for them in other ministries or agencies; Provided, further, That those Career Executive Services Officers who have been assigned to the Career Executive Service Board shall continue to receive their salaries from any available and applicable funds; and Provided, finally, That those who are not placed in appropriate positions within six months after their assignment to the Career Executive Service Board shall be similarly laid off.

SECTION 7. All those who are laid off under the provisions of this Executive Order shall be entitled to all benefits and gratuities provided for under existing laws.

SECTION 8. All present incumbents of positions in the Commission shall continue to exercise their usual functions, duties and responsibilities pending the issuance of the appropriate implementing orders.

SECTION 9. All laws, decrees, orders, proclamations, rules, regulations or parts thereof which are inconsistent with any of the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 10. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying the other provisions thereof; Provided, That such remaining portions can still stand and be given effect in their entirety to accomplish the objectives of this Executive Order.

SECTION 11. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 29th day of August in the Year of Our Lord, Nineteen Hundred and Eighty-Four.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:

(Sgd.) **JUAN C. TUVERA**
Presidential Executive Assistant

Source: **Malacañang Records Office**