



BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 839

DIRECTING OIL INDUSTRY PLAYERS TO MAINTAIN PRICES OF PETROLEUM PRODUCTS PREVAILING ON THE LAST LANDFALL OF TYPHOON "PEPENG" (PARMA) DURING THE PERIOD OF EMERGENCY IN THE ENTIRE ISLAND OF LUZON

WHEREAS, under the Administrative Code of 1987, the President has control over all executive departments, bureaus and offices to ensure that laws be faithfully executed;

WHEREAS, Republic Act No. 8479, otherwise known as the Downstream Oil Industry Deregulation Act of 1998, confers upon the Department of Energy (DOE) the authority to temporarily take over or direct the operations of any person or entity engaged in the industry in time of national emergency, when public interest so requires and under such reasonable terms and conditions;

WHEREAS, while the entire Luzon remains under a state of calamity, pursuant to Proclamation No. 1898 (dated 02 October 2009), the reported deadly rains threatened to be dumped by typhoon "Ramil" (International codename: Lupit) pose another round of incalculable hazards and devastation on the storm-ravaged regions in Northern Luzon, which have not yet recovered from the onslaught of typhoons "Ondoy" (Ketsana) and "Pepeng" (Parma), inevitably placing Luzon in a state of extreme emergency, necessitating effective control and/or management of prices of basic goods and petroleum products by the Department of Trade and Industry and the Department of Energy, respectively, in accordance with the relevant laws of the land for the duration of this emergency;

WHEREAS, in the spate of typhoons that brought havoc and devastation to millions of Filipinos in the country, particularly in Metro Manila and the entire Luzon, public interest requires that at this time when the Filipino people are reeling from the effects of the catastrophic devastation caused by successive calamities, the government must exercise the powers conferred upon it within the limits set by the laws to prevent predatory pricing, unreasonable pricing, cartelization, among others, which the oil industry players may resort to;



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WHEREAS, in order to respond immediately to the clamor of the Filipino people to prevent unreasonable increase in the prices of petroleum products during a state of calamity, there is a need for the President to exercise the powers conferred to the DOE under RA No. 8479, pursuant to the doctrine of qualified political agency;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by the powers vested in me by law, do hereby order:

Section 1. Directive to Oil Industry Players. — Pursuant to Section 14(e) of RA No. 8479, and for the duration of the state of emergency in the entire Luzon, oil industry players are hereby directed to retain the level of the retail price of petroleum products prevailing on October 15, 2009, which was one (1) week after the last landfall of typhoon "Pepeng" (Parma).

Section 2. DOJ-DOE Task Force. — The DOJ-DOE Task Force is hereby directed to monitor the implementation of this Order, and to institute complaints against violators of this directive and the provisions of RA No. 8479. The Joint Task Force is further directed to submit its report to the President through the Executive Secretary.

Section 3. Effectivity. — This Executive Order shall take effect immediately upon publication in a newspaper of general circulation.

Done in the City of Manila this 23rd day of October in the year of Our Lord, Two Thousand and Nine.

Gloria M. Arroyo



By the President:

EDUARDO R. ERMITA
Executive Secretary



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