



# BUREAU OF CUSTOMS

Professionalism Integrity Accountability



17 August 2020

**CUSTOMS MEMORANDUM CIRCULAR**  
**NO. 209-2020**

To: The Assistant Commissioner  
All Deputy Commissioners  
All Directors and Division Chiefs  
All District/Port Collectors  
And Others Concerned

**SUBJECT: EXECUTIVE ORDER NO. 116 STUDY FOR THE ADOPTION OF A NUCLEAR ENERGY**

Attached is a copy of Memorandum dated 12 August 2020 from Mr. Alvin P. Diaz, Director IV, Central Administration Office, Department of Finance, endorsing a copy of Executive Order No. 116 entitled:

***"Directing a Study for the Adoption of a Nuclear Energy Program, Constituting a Nuclear Energy Program Inter-Agency Committee, and for Other Purposes."***

For your information and guidance.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

  
**REY LEONARDO B. GUERRERO**

Commissioner  
AUG 24 2020



BOC-09-14654



Republic of the Philippines  
**DEPARTMENT OF FINANCE**  
Roxas Boulevard Corner Pablo Ocampo, Sr. Street  
Manila 1004



BOC-09-14654

BUREAU OF CUSTOMS MESSAGE CENTER	
<b>R E C E I V E D</b>	
AUG 13 2020	
BY: <i>[Signature]</i>	TIME: <i>2:20</i>

MEMORANDUM

FOR : HEADS OF OFFICES  
This Department

HEADS OF BUREAUS/ATTACHED AGENCIES  
Department of Finance

FROM : *[Signature]*  
ALVIN P. DIAZ  
Director IV  
Central Administration Office

*272-23*  
Internal Admin. Group  
Received by *[Signature]* REYES  
Date: 8/14/20  
Time: 2:10 pm.

SUBJECT : Executive Order No. 116 entitled "DIRECTING A STUDY FOR THE ADOPTION OF A NUCLEAR ENERGY PROGRAM, CONSTITUTING A NUCLEAR ENERGY PROGRAM INTER-AGENCY COMMITTEE, AND FOR OTHER PURPOSES."

DATE : August 12, 2020

Attached for information and guidance is a copy of Executive Order No. 116 dated 24 July 2020 from Executive Secretary Salvador C. Medialdea, Office of the President on the above-captioned subject.



MASTER COPY  
yep.

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 116

**DIRECTING A STUDY FOR THE ADOPTION OF A NATIONAL POSITION ON A NUCLEAR ENERGY PROGRAM, CONSTITUTING A NUCLEAR ENERGY PROGRAM INTER-AGENCY COMMITTEE, AND FOR OTHER PURPOSES**

**WHEREAS**, Section 1, Article XII of the 1987 Constitution states that it is the goal of the national economy to have a more equitable distribution of opportunities, income and wealth, a sustained increase in the amount of goods and services produced for the benefit of the people, and an expanded productivity to raise the quality of life for all;

**WHEREAS**, the State recognizes that sustained economic development and energy security require a reliable, secure, sustainable, quality and reasonably-priced electricity supply, including sufficient reserves to ensure that there will be no disruptions of power supply;

**WHEREAS**, the Philippine Development Plan 2017-2022 recognizes a balance among energy tariffs, service reliability and environmental soundness of different technologies in the electricity grid;

**WHEREAS**, to provide for strategic direction of the State's energy requirements, the Philippine Energy Plan 2017-2040 of the Department of Energy has laid down a technology-neutral approach for the optimal energy mix to ensure energy security and improve the reliability, adequacy and efficiency of energy supply to meet the demand by year 2040;

**WHEREAS**, the experience of a number of countries has shown that nuclear power can be a reliable, cost-competitive and environment-friendly energy source;

**WHEREAS**, the International Atomic Energy Agency (IAEA) has prescribed guidelines on building a National Position for a Nuclear Energy Program, which identify significant components thereof such as but not limited to national policy development, energy analysis and planning, prefeasibility study and the engagement of the public and relevant stakeholders;

**WHEREAS**, the Department of Energy, with the assistance of the IAEA, has conducted a preliminary evaluation on the possibility of introducing nuclear energy in the country's power generation mix through the conduct of energy planning studies on the nineteen (19) infrastructure issues of nuclear power development, consistent with the IAEA's Milestone Approach;

**WHEREAS**, the State adheres to international standards on safety, security and safeguards on peaceful development of nuclear energy, and is committed to a multi-

THE PRESIDENT OF THE PHILIPPINES



stakeholders involvement in the development of a National Position for a Nuclear Energy Program; and

**WHEREAS**, there is an imperative need to revisit the country's policy on nuclear energy and to determine its feasibility as a long term option for power generation;

**NOW, THEREFORE, I, RODRIGO ROA DUTERTE**, President of the Philippines, by virtue of the powers vested in me by the Constitution and the laws, do hereby order:

**SECTION 1. Study for the Adoption of a National Position.** The government shall conduct a study for the adoption of a National Position on a Nuclear Energy Program (NEP), in accordance with pertinent IAEA guidelines and relevant laws, rules and regulations.

**SECTION 2. Constituting the Nuclear Energy Program Inter-Agency Committee.** The Nuclear Energy Program Inter-Agency Committee (NEP-IAC) is hereby constituted, to be composed of the following:

- Chairperson: Department of Energy (DOE)
- Vice-Chairperson: Department of Science and Technology
- Members: Department of Environment and Natural Resources  
 Department of the Interior and Local Government  
 Department of Finance  
 Department of Foreign Affairs  
 National Economic and Development Authority  
 National Power Corporation  
 National Transmission Corporation  
 Philippine Nuclear Research Institute  
 Philippine Institute of Volcanology and Seismology

Each member-agency shall designate a representative to the NEP-IAC, who shall hold a rank not lower than an Assistant Secretary or its equivalent.

**SECTION 3. Secretariat.** The NEP-IAC shall be assisted by a Secretariat, which shall be complemented by existing personnel and offices from the member agencies. The Secretariat shall provide technical and administrative support to the NEP-IAC, and provide updates to and coordinate with concerned agencies on the status of the NEP-IAC's plans and programs.

**SECTION 4. Powers and functions of the NEP-IAC.** The NEP-IAC shall have the following powers and functions:

- a. Conduct a prefeasibility study to evaluate and assess the need for and viability of introducing nuclear power into the State's energy mix, taking into consideration economic, security and environmental implications, and engagement of the public and relevant stakeholders;
- b. Evaluate and formulate a national strategy to include a roadmap and timeline in the preparation of a NEP, as well as measures to address infrastructure gaps and issues, and make appropriate recommendations thereon;

- c. Review the existing legal framework, study the viability of nuclear energy, and recommend the necessary steps in the utilization of nuclear energy, as well as existing facilities such as but not limited to the Bataan Nuclear Power Plant;
- d. Create subcommittees to facilitate decision-making on various issues that may arise in the course of study;
- e. Promulgate guidelines and rules for the effective implementation of this Order; and
- f. Perform such other functions as the President may direct.

**SECTION 5. Convergence.** The NEP-IAC may call upon any department, agency or instrumentality of the government for assistance in the course of implementation of this Order. The NEP-IAC may also request the assistance of the IAEA and other international bodies to carry out its objectives, consistent with existing laws and national policies. As may be necessary, the services of technical consultants of proven and internationally recognized expertise in nuclear technology may be engaged, subject to all applicable laws, rules and regulations.

**SECTION 6. Reportorial Requirements.** The NEP-IAC shall submit an initial report to the Office of the President, through the Executive Secretary, within six (6) months from the effectivity of this Order. Succeeding reports shall be submitted every six (6) months thereafter.

**SECTION 7. Funding.** The funding requirements for the implementation of this Order shall be charged against available appropriations of the DOE, and if necessary, such other appropriate funding sources as the Department of Budget and Management may identify, subject to relevant laws, rules and regulations.

**SECTION 8. Repealing Clause.** All orders, rules and regulations, and issuances or parts thereof inconsistent with this Order are hereby repealed, amended or modified accordingly.

**SECTION 9. Separability Clause.** In the event that any provision of this Order or any part thereof is declared invalid, illegal or unconstitutional, the provisions not thereby affected shall remain in force and effect.

**SECTION 10. Effectivity.** This Order shall take effect immediately.

DONE in the City of Manila, this 24<sup>th</sup> day of July, in the year of Our Lord, Two Thousand and Twenty.

By the President:

*[Signature]*  
SALVADOR C. MEDIALDEA  
Executive Secretary



*[Signature]*

Office of the President  
MALACAÑANG RECORDS OFFICE  
**CERTIFIED COPY**  
ATTY. CONCEPCION S. FERROLINO-ENAD  
DIRECTOR IV  
*[Signature]*