


Republic of the Philippines  
Bangsamoro Autonomous Region in Muslim Mindanao  
**BANGSAMORO TRANSITION AUTHORITY 2**  
Cotabato City

*First Regular Session*

**BTA PARLIAMENT**  
BTA Parliament Bill No. 48

Bangsamoro Autonomous Region in Muslim Mindanao  
Parliament  
BILLS AND INDEX DIVISION

**RECEIVED**

Name: ADELAY DIBAYAN Signature:   
Date: 09/20/22 Time: 8:07 AM

---

**Introduced by:**

MP Baintan Adil-Ampatuan, MNSA

**Co-authored by:**

MP Amir S. Mawallil, MPSA; MP Atty. Rasol Mitmug, Jr., CESE; MP Atty. Laisa M. Alamia, MNSA; MP Atty. Suharto Ambolodto, MNSA; MP Engr. Don Mustapha A. Loong, MPSA; and MP Rasul E. Ismael

---

**AN ACT**

**REORGANIZING THE MINISTRY OF ENVIRONMENT, NATURAL RESOURCES, AND ENERGY (MENRE), THEREBY SPLITTING IT INTO TWO (2) MINISTRIES, THE MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES (MENR), AND THE MINISTRY OF ENERGY (MOE), DEFINING THEIR POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREOF, AND FOR OTHER PURPOSES**

**Explanatory Note**

*"Verily in the heavens and the earth, are Signs for those who believe. And in the creation of yourselves and the fact that animals are scattered (throughout the earth), are Signs for those of assured Faith. And the alteration of Night and Day, and the fact that God sends down Sustenance from the sky, and revives therewith the earth after its death, and in the change of the winds,-are Signs for those that are wise." - Qur'an, 45:3-5<sup>1</sup>*

*"...And do not commit abuse on the earth, spreading corruption." - Qur'an, 2:60<sup>2</sup>*

It is 2022. The world has evolved to immense heights of development. We have come a long way since the industrial revolution in the 1700s. Centuries have passed and here we are, at the height of all of the best technologies humanity can think of. Industries have boomed. Globalization has made a world without borders. The possibilities are endless for human kind... or are they?

---

<sup>1</sup> <https://islamonline.net/en/taking-care-of-the-environment-as-an-act-of-faith/>

<sup>2</sup> <https://greenfitree.org/2013/06/17/10-quran-verses-on-the-environment-and-do-able-action-plans/>



According to the National Geographic Organization, *climate change* is defined as a long-term shift in global, regional, and local climate patterns.<sup>3</sup> On the other hand and not to be used with the term climate change interchangeably, according to the National Aeronautics and Space Administration (NASA), *global warming* is the long-term heating of Earth's surface observed since the pre-industrial period, which was between 1850 and 1900, due to human activities, primarily fossil fuel burning, which increases the heat-trapping of greenhouse gasses in Earth's atmosphere.<sup>4</sup> These phenomena have altered the course of our planet forever.

The development we have now comes with a huge trade off. It has come at the expense of our earth. The global temperature is rising. It is indisputable that climate change is inevitable over the course of a long period of time. However, what makes this period's climate change distinct is that the planet is hotter and this is attributable to human emissions and activities that have worsened greenhouse gasses trapped in the atmosphere, increasing heat at rapid rates that have not been seen in the past 10,000 years.<sup>5</sup> As a consequence, oceans are also warmer. Polar ice caps are melting, glaciers are retreating, and ice sheets have decreased in mass. Thus, water levels have risen to enormous heights. More than these, the oceans and seas have become so contaminated by several chemicals and due to the increasing heat and carbon emissions, the world's waters have also become so acidic, forever altering marine ecosystems for the worst. Animal species are also going extinct. Extreme weather events like droughts, wildfires, landslides, massive rainfall, and extreme typhoons have also increased in frequency. Our planet is decaying. These are the effects of climate change and global warming and they are eating up the only planet we were made to live in. What makes things even worse for us is that most of these effects are irreversible.<sup>6</sup>

Climate change and global warming are not peculiar only to one continent, geographic location, or country. Nor is it a problem that only future generations will severely suffer from. These phenomena are problems of all of countries and more importantly, problems of today that should be addressed by this generation. In fact, in 2015, all United Nations Member States adopted the 2030 Agenda for Sustainable Development, which provides for a shared blueprint for peace and prosperity for all people and the planet, for now and into the future. At the heart of this Agenda are 17 Sustainable Development Goals (SDGs), which recognize that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests.<sup>7</sup> These SDGs are an urgent call for global partnership and action by all countries – developed, developing, and least developed.

---

<sup>3</sup> <https://education.nationalgeographic.org/resource/climate-change>

<sup>4</sup> <https://climate.nasa.gov/global-warming-vs-climate-change/>

<sup>5</sup> <https://climate.nasa.gov/evidence/>

<sup>6</sup> <https://climate.nasa.gov/effects/>; <https://climate.nasa.gov/evidence/>; and <https://climate.nasa.gov/causes/>

<sup>7</sup> <https://sdgs.un.org/goals>



Moreover in 1992, the United Nations Framework Convention on Climate Change (UNFCCC) was adopted as the basis for a global response to climate change, recognizing that it is a shared resource which is greatly affected by emissions of greenhouse gases. The UNFCCC has set out an overall framework for intergovernmental efforts to consider what can be done to reduce global warming and its effects and to cope with the inevitable temperature increases. Its ultimate objective is to "stabilize" the greenhouse gas concentrations in the atmosphere at a level that will prevent even worse consequences for the human race.<sup>8</sup>

Here in the Philippines, under Article II, Section 16 of the 1987 Constitution, it is the policy of the State to protect and advance the right of the people to a **balanced and healthful ecology** in accord with the rhythm and harmony of nature.

It is also a known policy of the State under Article II, Section 5, of the 1987 Constitution that the maintenance of peace and order, the protection of life, liberty, and property, and the **promotion of the general welfare** are essential for the enjoyment by all the people of the blessings of democracy. Under the same Article, it is also provided under Section 9 that "the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and **an improved quality of life for all**".

The Philippines is a member state of the United Nations and recognizes the 17 SGDs. Furthermore, the Philippines signed the UNFCCC on 12 June 1992 and ratified the international treaty on 2 August 1994. It is one of the 194 Party Countries to the said Convention. This shows that the country is one with every other state in the fight against the worsening climate change and global warming situations. Why wouldn't it be, when it is an archipelagic country with more than 7,000 islands, a country near the Earth's equator, and a country belonging to the world's Pacific Ring of Fire. It is not immune from and is actually very prone to experiencing the worst of the effects of climate change and global warming. The country suffers from high temperatures of more than 35 degrees Celsius, on a daily basis, from tropical depressions, and from extreme weather events like droughts, massive rainfall leading to floods and landslides, and super typhoons which have destroyed the lives of millions in the country alone. It is really susceptible to extreme situations caused by the worsening and shifting weather patterns caused by the said phenomena. In fact, based on the 2014 World Risk Report, the Philippines placed second in the World Risk Index. This can be attributed to an annual average of 20 typhoons, of which five (5) to nine (9) cause significant damage; 25 active volcanoes; earthquakes; and landslide threats in the country

The Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) is no different from the world and the rest of the country when it comes to its stance against global warming and climate change. This is attributable to the fact that the BARMM is very vulnerable and prone to both natural calamities and disasters like the rest of the country, such as droughts, flooding, and landslides.

---

<sup>8</sup> <https://www.pagasa.dost.gov.ph/information/climate-change-in-the-philippines>



Article V, Section 2 of Republic Act (R.A.) No. 11054 or the Bangsamoro Organic Law (BOL) provides that “[s]ubject to Section 20, Article X of the Constitution and this Organic Law, the Bangsamoro Government shall exercise its authority over the following matters without prejudice to the general supervision of the President of the Republic of the Philippines: (x) **[e]nvironment, parks, forest management, wildlife, and nature reserves conservation**. Also recognized under Section 3 of the same Article is the State policy of promoting the general welfare of the people. It is stated under the provision that “[t]he Bangsamoro Government shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, **enhance economic prosperity and social justice**, promote full employment among its residents, maintain peace and order, and **preserve the comfort and convenience of its inhabitants**”.

Moreover, Article IX of the BOL, which provides for the provisions on Basic Rights, and under the sections of Social Justice, the **right to access of basic services** is provided under Section 8. It is provided under such provision that **“[t]he Bangsamoro Government shall provide, maintain, and ensure the delivery of basic and responsive health programs, quality education, appropriate services, livelihood opportunities, affordable and progressive housing projects, power and electricity, and water inhabitants of the Bangsamoro Autonomous Region.”**

On top of the natural disasters faced by the autonomous region due to the effects of climate change and global warming are problems with regard to energy and electricity. Electricity is one of the most important utilities urgently needed by the Bangsamoro Autonomous Region for both industrial and household uses. It is worthy to note that according to the United Nations Development Programme (UNDP), in terms of electrification, the Philippines has achieved 95.3% coverage in 2018. However, the BARMM has the lowest household electrification rate at 31.4%. Total electricity sales and consumption as of 2017 were placed at 207,198 MWh; of which 53.4% were by the residential sector. The commercial sector only accounted for 8.6% of this consumption, reflecting the very low economic activity in the region. System loss is high at 25%; and for those with connections, power outages are rampant, due in part to weak functioning of electric cooperatives.<sup>9</sup> In March of 2021, Senator Win Gatchalian called on BARMM officials to address the issue on energy poverty in the region as data from the National Electrification Administration (NEA) showed that as of December 2020, there are still 106,491 households or 29.99% that remain without electricity as only 248,551 households are being served out of the total 355,042.<sup>10</sup>

Just recently this year, a tremendous power crisis dawned upon several municipalities here in the BARMM. The Power Sector Assets and Liabilities Management Corporation (PSALM), which operates the Agus and Pulangi hydroelectric power plants that supply energy distributed by Lanao del Sur Electric

---

<sup>9</sup> [https://jobs.undp.org/cj\\_view\\_job.cfm?cur\\_job\\_id=102559](https://jobs.undp.org/cj_view_job.cfm?cur_job_id=102559)

<sup>10</sup> <http://wingatchalian.com/news/to-barmm-address-energy-poverty-amid-covid-19-threat/>



Cooperative (LASURECO) and Maguindanao Electric Cooperative (MAGELCO) in their respective concession areas, asked the National Grid Corporation of the Philippines (NGCP), the operator of the country's power transmission network, to cut off LASURECO from the Agus complex on June 7, and reduce the volume of power supplied to MAGELCO on June 13, owing to their huge debts. As of April 30, 2022, LASURECO owed PSALM P12.9 billion while MAGELCO had arrears of P3.8 billion. From December last 2021 to April of 2022, MAGELCO's power purchases from PSALM amounted to P147.2 million, or an average of P29.44 million a month, while LASURECO's monthly bill was P47.4 million.<sup>11</sup>

On June 8, 2022, the Department of Finance (DOF) has instructed PSALM to strictly enforce its credit and collection policy against LASURECO and MAGELCO for their failure to settle its outstanding accounts. Because of the significant amount of outstanding obligations of the said electric cooperatives, their consumers have suffered intense power of outages of several hours per day.

On the other hand, the National Power Corporation (NPC) notified Basilan Electric Cooperative (BASELCO) on the reduction of the number of hours of operations of a diesel-fed power plant and a power barge, serving the entire province of Basilan and cities of Lamitan and Isabela.<sup>12</sup>

Under the Organic Law, the Bangsamoro Government is empowered to plan and implement its power and energy resources, particularly its renewable energy. Bridging the power supply gap offers a unique opportunity for the BARMM to improve the environmental sustainability of the power sector in the autonomous region. Thus, power and electricity should be made as priorities in the region.<sup>13</sup>

In the national setup, there are two separate departments that deal with the environment and natural resources on one hand, and energy on the other. This was the effect of the reorganization of the previous Department of Environment, Energy, and Natural Resources, by virtue of Executive Order (E.O.) No. 192, series of 1987. The said executive order created the now Department of Environment and Natural Resources (DENR), which is mandated to be the primary agency responsible for the conservation, management, development, and proper use of the country's environment and natural resources, specifically forest and grazing lands, mineral resources, including those in reservation and watershed areas, and lands of the public domain, as well as the licensing and regulation of all natural resources as may be provided for by law in order to ensure equitable sharing of the benefits derived therefrom for the welfare of the present and future generations of Filipinos.<sup>14</sup> Later on, in 1992, R.A. No. 7638 created the Department of Energy, with the mandate of preparing, integrating, coordinating, supervising and controlling all plans, programs,

---

<sup>11</sup> <https://newsinfo.inquirer.net/1612025/barmm-eyes-takeoverof-ailing-power-co-ops>

<sup>12</sup> <https://www.rappler.com/nation/mindanao/basilan-sees-daily-blackouts-before-september-2022/>

<sup>13</sup> [https://jobs.undp.org/cj\\_view\\_job.cfm?cur\\_job\\_id=102559](https://jobs.undp.org/cj_view_job.cfm?cur_job_id=102559)

<sup>14</sup> <https://www.denr.gov.ph/index.php/about-us/mission-vision>



projects and activities of the Bangsamoro Government relative to energy exploration, development, utilization, distribution and conservation.<sup>15</sup>

In the BARMM, the Ministry of Environment, Natural Resources, and Energy (MENRE) is mandated to be the sole and primary agency responsible for the exploration, utilization, management, conservation, protection and sustainable development of the region's environment, natural resources, and potential energy sources.<sup>16</sup>

On July 25, 2022, during his first State of the Nation Address (SONA), President Ferdinand R. Marcos, Jr. proposed a National Government Rightsizing Program (NGRP) before the legislature. It is a reform mechanism which aims to "enhance the government's institutional capacity to perform its mandate and provide better services, while ensuring optimal and efficient use of resources."<sup>17</sup>

According to the president, the program will:

"entail a comprehensive strategic review of the functions, operations, organization, systems, and processes of the different agencies, and massive and transformational initiatives in agencies concerned, such as mergers, consolidation, splitting, transfer, and even the abolition of some offices. The rightsizing efforts will also involve the conduct of a comprehensive strategic review of functions, programs and projects that will cut across various agencies."<sup>18</sup>

The region is overwhelmed with very specific concerns on the daunting climate change and global warming phenomena and their adverse effects on the environment and our natural resources. The issues on power in the region, as well as the need to tap on the region's potential energy resources also call for huge and immediate attention. Thus, in order to be able to address these concerns and more, and to heed the call of the president for rightsizing and to reform and enhance the Bangsamoro Government's institutional capacity to effectively perform its mandates, it is but appropriate to split the present MENRE into two - one ministry to deal with the environment and natural resources, and one ministry to deal with energy, considering the great weight that these things have on each and every Bangsamoro.

In view of the foregoing, the approval of this measure is earnestly sought.

  
MP BAIN TAN ADIL-AMPATUAN, MNSA

<sup>15</sup> <https://www.doe.gov.ph/transparency/mandate-mission-and-vision-0>

<sup>16</sup> <https://menre.bangsamoro.gov.ph/agencys-mandate-vision-mission-and-list-of-officials/>

<sup>17</sup> <https://www.rappler.com/nation/full-text-transcript-president-marcos-jr-state-nation-address-2022/>

<sup>18</sup> *supra*



Republic of the Philippines  
Bangsamoro Autonomous Region in Muslim Mindanao  
**BANGSAMORO TRANSITION AUTHORITY 2**  
Cotabato City

*First Regular Session*

**BTA PARLIAMENT**  
BTA Parliament Bill No. 48

Bangsamoro Autonomous Region in Muslim Mindanao  
Parliament  
BILLS AND INDEX DIVISION  
**RECEIVED**  
Name: ADELITH DIBATIMAN Signature: [Signature]  
Date: 09/20/22 Time: [Time]

---

**Introduced by:**  
MP Baintan Adil-Ampatuan, MNSA

**Co-authored by:**  
MP Amir S. Mawallil, MPSA; MP Atty. Rasol Mitmug, Jr., CESE; MP Atty. Laisa M. Alamia, MNSA; MP Atty. Suharto Ambolodto, MNSA; MP Engr. Don Mustapha A. Loong, MPSA; and MP Rasul E. Ismael

---

**AN ACT**  
**REORGANIZING THE MINISTRY OF ENVIRONMENT, NATURAL RESOURCES, AND ENERGY (MENRE), THEREBY SPLITTING IT INTO TWO (2) MINISTRIES, THE MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES (MENR), AND THE MINISTRY OF ENERGY (MOE), DEFINING THEIR POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREOF, AND FOR OTHER PURPOSES**

*Be it enacted by the Parliament of the Bangsamoro Autonomous Region in Muslim Mindanao assembled:*

**BOOK I**  
**GENERAL PROVISIONS**

**Section 1. Title.** – This Act shall be known as the “*Bangsamoro Environment and Energy Act of 2022*”.

**Section 2. Declaration of Policy.** – It is hereby declared policy of the Bangsamoro:

- a) to exercise power, authority, and right to explore, develop, and utilize the natural resources, including surface and sub-surface rights, inland waters, coastal waters, mines, minerals, and renewable and non-renewable resources in the Bangsamoro Autonomous Region<sup>19</sup>;

---

<sup>19</sup> lifted from Section 1, Title III, Book VI, Bangsamoro Autonomy Act (BAA) No. 13, otherwise known as the *Bangsamoro Administrative Code*



- b) to ensure the sustainable use, development, management, renewal, and conservation of the autonomous region's forest, mineral, land, off-shore areas, and other natural resources<sup>20</sup>;
- c) to protect and enhance the quality of the environment, and equitable access of the different segments of the Bangsamoro population to the development and use of the region's natural resources, not only for the present generation but for future generations as well<sup>21</sup>;
- d) to recognize and apply a true value system including social and environmental cost implications relative to their utilization, development and conservation of our natural resources<sup>22</sup>;
- e) to contribute to the stabilization of the effects of climate change and global warming, so as not to worsen their current effects;
- f) to promote the use of renewable energy for power generation to achieve the sustainable development goals, and as far as practicable, promote low-carbon energy generation policies<sup>23</sup>;
- g) to give priority to the protection, conservation, rehabilitation, and development of forests, coastal, and marine resources, including the adoption of programs and projects, to ensure the maintenance of ecological balance and biodiversity<sup>24</sup>; and
- h) to rationalize, integrate, and coordinate the various programs of the Bangsamoro Government towards self-sufficiency and enhanced productivity in power energy without sacrificing ecological concerns<sup>25</sup>.

**Section 3. *Separation of Ministry of Environment, Natural Resources, and Energy (MENRE).*** - The existing Ministry of Environment, Natural Resources, and Energy (MENRE) is hereby separated into two (2) ministries, thereby creating the Ministry of Environment and Natural Resources (MENR) and Ministry of Energy (MOE).

---

<sup>20</sup> lifted from Section 3, E.O. No. 192, series of 1987

<sup>21</sup> *supra*

<sup>22</sup> *supra*

<sup>23</sup> lifted from Section 1, Chapter 1, Title III, Book VI, BAA No. 13

<sup>24</sup> *supra*

<sup>25</sup> *supra*



BOOK II  
MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES  
(MENR)

TITLE 1  
MANDATE, POWERS, AND FUNCTIONS

**Section 1. *Mandate.***<sup>26</sup> – The Ministry shall be the primary agency responsible for the exploration, proper utilization, management, conservation, protection and sustainable development of the autonomous region’s environment, natural resources, and potential energy sources, specifically forest and grazing lands, mineral resources, including those in reservation and watershed areas, and lands of the public domain, as well as the licensing and regulation of all natural resources, as may be provided for by law, in order to ensure equitable sharing of the benefits derived therefrom for the welfare of the present and future generations of Filipinos.

**Section 2. *Objectives.***<sup>27</sup> – To accomplish its mandate, the Ministry shall be guided by the following objectives that will serve as basis for policy formulation:

- a) assure the availability and sustainability of the Bangsamoro Autonomous Region’s natural resources through judicious use and systematic restoration or replacement, whenever possible;
- b) increase the productivity of natural resources in order to meet the demands for forest, mineral, and land resources of a growing population;
- c) enhance the contribution of natural resources for achieving national economic and social development;
- d) promote equitable access to natural resources by the different sectors of the population;
- e) conserve specific terrestrial and marine areas representative of the Philippine natural and cultural heritage for present and future generations.

**Section 3. *Powers and Functions.***<sup>28</sup> – The MENR shall have the following powers and functions:

- a) recommend the enactment of regional laws relative to the development, use, regulation, and conservation of the Bangsamoro Autonomous Region’s natural resources and the control of pollution;

---

<sup>26</sup> based on Section 4, E.O. No. 192, series of 1987 and the MENRE’s current mandate as stated in <https://menre.bangsamoro.gov.ph/agencys-mandate-vision-mission-and-list-of-officials/>

<sup>27</sup> lifted from Section 4, E.O. No. 192, series of 1987

<sup>28</sup> lifted from Section 5, E.O. No. 192, series of 1987 and Section 3, Chapter 1, Title III, Book VI, BAA No.



- b) formulate, supervise, and implement policies, plans, and programs pertaining to the management, conservation, protection, development, utilization, and replenishment of the region's environment and natural resources;
- c) promulgate rules and regulations in accordance with regional law governing the exploration, development, conservation, disposition, utilization and such other commercial activities tending to cause the depletion and degradation of our environment and natural resources;
- d) exercise supervision and control over forest lands, alienable and disposable agricultural lands, mineral resources, and national parks within the Bangsamoro Autonomous Region;
- e) recommend the declaration of natural reserves and marine parks, forests, watersheds reservations and other protected areas in the Bangsamoro Autonomous Region;
- f) undertake exploration, assessment, classification, and inventory of the Bangsamoro Region's environment and natural resources using ground surveys, remote sensing and complementary technologies;
- g) promote proper and mutual consultation with the private sector involving natural resources development, utilization, and conservation within the Bangsamoro Autonomous Region;
- h) undertake geological surveys of the Bangsamoro Autonomous Region, including its territorial waters;
- i) establish policies and implement programs for the:
  - (1) accelerated inventory, surveys and classification of lands, forest, and mineral resources using appropriate technology, to be able to come up with a more accurate assessment of resource quality and quantity;
  - (2) equitable distribution of natural resources through the judicious administration, regulation, utilization, development and conservation of public lands, forest, and mineral resources (including mineral reservation areas), that would benefit a greater number of Bangsamoro people;
  - (3) promotion, development and expansion of natural resource-based industries;
  - (4) preservation of cultural and natural heritage through wildlife conservation and segregation of national parks and other protected areas;
  - (5) maintenance of a wholesome natural environment by enforcing environmental protection laws; and
  - (6) encouragement of greater people participation and private initiative in natural resource management;
- j) promulgate rules and regulations necessary to:



- (1) accelerate cadastral and emancipation patent surveys, land use planning and public land titling;
  - (2) harness forest resources in a sustainable manner, to assist rural development;
  - (3) support forest-based industries, and provide raw materials to meet increasing demands, at the same time keeping adequate reserves for environmental stability; and
  - (4) expedite mineral resources surveys, promote the production of metallic and non-metallic minerals and encourage mineral marketing.
- k) regulate the development, disposition, extraction, exploration and use of the Bangsamoro Autonomous Region's forest, land and mineral resources;
- l) assume responsibility for the assessment, development, protection, conservation, licensing and regulation as provided for by law, where applicable, of all natural resources; the regulation and monitoring of service contractors, licensees, lessees, and permittees for the extraction, exploration, development and utilization of natural resource products; the implementation of programs and measures with the end in view of promoting close collaboration between the government and the private sector; the effective and efficient classification and sub-classification of lands of the public domain; and the enforcement of natural resources laws, rules and regulations;
- m) promulgate rules, regulations and guidelines on the issuance of co-production, joint venture or production sharing agreements, licenses, permits, concessions, leases and such other privileges and arrangement concerning the development, exploration and utilization of the Bangsamoro Autonomous Region's natural resources and shall continue to oversee, supervise and police our natural resources; to cancel or cause to cancel such privileges and arrangements upon failure, non-compliance or violations of any regulations, orders, and for all other causes which are in furtherance of the conservation of natural resources and supportive of the national interests;
- n) exercise exclusive jurisdiction on the management and disposition of all lands of the public domain and shall continue to be the sole agency responsible for classification, sub-classification, surveying and titling of lands in consultation with appropriate agencies.
- o) *implement measures for the regulation and supervision of the processing of forest products, grading and inspection of lumber and other forest products and monitoring of the movement of timber and other forest products;*
- p) promulgate rules and regulations for the control of water, air and land pollution;



- q) promulgate ambient and effluent standards for water and air quality including the allowable levels of other pollutants and radiations;
- r) promulgate policies, rules and regulations for the conservation of the Bangsamoro Autonomous Region's genetic resources and biological diversity, and endangered habitats;
- s) formulate an integrated, multi-sectoral, and multi-disciplinary National Conservation Strategy, which will be presented to the Cabinet for the President's approval;
- t) exercise other powers and functions and perform such other acts as may be necessary, proper or incidental to the attainment of its mandates and objectives.

## TITLE 2 ORGANIZATIONAL STRUCTURE

**Section 1. *Organizational Structure.***<sup>29</sup> – The ministry shall design and maintain a lean and mean organizational structure. Primarily, the Ministry of Environment and Natural Resources shall be composed of the Office of the Minister, the Office of the Deputy Minister, the Office of the Director General, the Bureaus, and the Field Offices.

The organizational structure including staffing shall be approved by the Chief Minister upon the recommendation of the Ministry of Finance, Budget and Management (MFBM).

### CHAPTER 1: OFFICE OF THE MINISTER

**Section 2. *Office of the Minister.*** – The Office of the Minister shall be composed of the Minister, the Deputy Minister, and their immediate staff.

*The authority and responsibility for the exercise of the mandate of the Ministry, the accomplishment of its objectives and the discharge of its powers and functions shall be vested in the Minister of Environment and Natural Resources, who shall supervise the Ministry and shall be appointed by the Chief Minister.*

**Section 3. *Powers and Functions of the Minister.***<sup>30</sup> – For such purposes, the Minister shall have the following powers and functions:

- a) recommend to the Bangsamoro Cabinet policies and programs related to environment and natural resources;\*

<sup>29</sup> based on Section 6, E.O. No. 192, series of 1987

<sup>30</sup> based on Section 7, E.O. No. 192, series of 1987 and Section 6, Chapter 2, Title III, Book VI, BAA No. 13\*



- b) advise the Chief Minister on the promulgation of rules, regulations and other issuances relative to the conservation, management, development and proper use of the Bangsamoro Autonomous Region's natural resources;
- c) administer the Ministry in accordance with law, relevant executive orders, and regulations issued by the Chief Minister;\*
- d) manage the implementation of Ministry programs, projects, and activities;\*
- e) establish policies and standards for the efficient and effective operations of the Ministry in accordance with the programs of the Bangsamoro Government;\*
- f) promulgate rules, regulations and other issuances necessary in carrying out the Ministry's mandate, objectives, policies, plans, programs and projects;
- g) exercise supervision over all functions and activities of the Ministry and promulgate administrative issuances necessary for the efficient administration of the Ministry, and for proper execution of the laws relative thereto. These issuances shall not prescribe penalties for their violation, except when expressly authorized by law;\*
- h) exercise disciplinary powers over officers and employees under the Ministry in accordance with law enacted by the Bangsamoro Parliament, including their investigation and the designation of a committee or officer to conduct such investigation;\*
- i) appoint all officers and employees of the Ministry except those whose appointments are specifically vested in the Chief Minister or in some other appointing authority;\*
- j) exercise jurisdiction over all bureaus, offices, agencies, and corporations under the Ministry as are provided by law, and in accordance with the applicable relationships;\*
- k) delegate authority to officers and employees under the Minister's direction in accordance with this Code; and
- l) perform such other functions as may be provided by law.

**Section 4. Powers and Functions of the Deputy Minister.**<sup>31</sup> - The Deputy Minister shall have the following powers and functions:

- a) assist the Minister in implementing the policies of the Ministry;
- b) recommend policies for operations and program developments in the Ministry; and

---

<sup>31</sup> Section 7, Chapter 2, Title III, Book VI, BAA No. 13



- c) perform such other functions as may be delegated by the Minister.

## **CHAPTER 2: OFFICE OF THE DIRECTOR GENERAL AND THE BUREAUS**

**Section 5. *Office of the Director General.***<sup>32</sup> – The Office of the Director General shall be composed of the Director General, his immediate staff, the Bureaus, their respective directors, and their employees.

He or she shall be the highest career official of the Ministry, with appropriate eligibility.

It shall be responsible for overseeing the administration, programs, and strategic plan of the Ministry, with respect to environment and natural resources. He or she shall be the direct supervisor of the respective bureaus of the Ministry.

**Section 6. *Powers and Functions of the Director General.*** – Within his or her functional area of responsibility, the Director General shall have the following powers and functions:

- a) advise the Minister in the promulgation of Ministry orders, administrative orders and other issuances, with respect to his area of responsibility;
- b) exercise supervision over the bureaus, officers, and employees under his responsibility;
- c) promulgate rules and regulations, consistent with Ministry policies, that will efficiently and effectively govern the activities of bureaus under his or her responsibility;
- d) exercise authority on substantive and administrative matters related to the functions and activities of the bureaus under his responsibility as may be delegated by the Minister;
- e) perform other functions as may be provided by law or assigned appropriately by the Minister.

**Section 7. *The Bureaus.***<sup>33</sup> – The bureaus shall be composed of:

- a) Forest Management Bureau;
- b) Lands Management Bureau;
- c) Mines and Geo-Sciences Bureau;
- d) Environmental Management Bureau;
- e) Biodiversity Management Bureau;
- f) Ecosystems Research and Development Bureau; and

---

<sup>32</sup> based on Section 7, E.O. No. 192, series of 1987

<sup>33</sup> based on Sections 13 to 18, E.O. No. 192, series of 1987 and Section 9, Chapter 3, Title III, Book VI, BAA No. 13



g) Protected Areas and Wildlife Bureau.

Each Bureau shall be headed by a Bureau Director.

**Section 8. Forest Management Bureau.** - There is hereby created a Forest Management Bureau. It shall be headed by a Director II, who shall advise the Minister on matters pertaining to forest development and conservation and shall have, but not be limited to, the following functions:

- a) recommend policies and/or programs for the effective protection, development, occupancy, management and conservation of forest lands and watersheds, including grazing and mangrove areas, reforestation and rehabilitation of critically denuded/degraded forest reservations, improvement of water resource use and development, ancestral lands, wilderness areas and other natural preserves, development of forest plantations including rattan, bamboo, and other valuable non-timber forest resources, rationalization of the wood-based industries, regulation of the utilization and exploitation of forest resources including wildlife, to ensure continued supply of forest goods and services;
- b) advise the provincial offices in the implementation of the above policies and/or programs;
- c) develop plans, programs, operating standards, and administrative measures to promote the Bureau's objectives and functions;
- d) assist in the monitoring and evaluation of forestry and watershed development projects to ensure efficiency and effectiveness;
- e) undertake studies on the economics of forestry and forest-based industries, including supply and demand trends on the local, national and international levels, identifying investment problems and opportunities, in various areas.
- f) Perform other functions as may be assigned by the Minister and/or provided by law.

Under the Forest Management Bureau are the following divisions, which shall each be headed by a Division Chief:

- a) Community-based Forest Management Division;
- b) Forest Protection and Law Enforcement Division; and
- c) Forest Resources Management Division.

**Section 9. Lands Management Bureau.** - There is hereby created the Lands Management Bureau. The Lands Management Bureau shall be headed by a Director II who shall advise the Minister on matters pertaining to rational land classification



management and disposition and shall have, but not be limited to, the following functions:

- a) recommend policies and programs for the efficient and effective administration, surveys, management and disposition of alienable and disposable lands of the public domain and other lands outside the responsibilities of other government agencies; such as reclaimed areas and other areas not needed for or are not being utilized for the purposes for which they have been established;
- b) advise the provincial offices on the efficient and effective implementation of policies, programs and projects for more effective public lands management;
- c) assist in the monitoring and evaluation of land surveys, management and disposition of lands to ensure efficiency and effectiveness thereof;
- d) issue standards, guidelines, regulations and orders to enforce policies for the maximization of land use and development;
- e) develop operating standards and procedures to enhance the Bureau's objectives and functions;
- f) assist the Minister as Executive Officer charged with carrying out the provisions of the Public Land Act (C.A. 141, as amended), who shall have direct executive control of the survey, classification, lease, sale or any other forms of concessions or disposition and management of the lands of the public domain;
- g) perform other functions as may be assigned by the Minister and/or provided by law.

Under the Land Management Bureau are the following divisions, which shall each be headed by a Division Chief:

- a) Surveys Division; and
- b) Land Utilization Development Division.

**Section 10. Mines and Geo-Sciences Bureau.** - There is hereby created the Mines and Geo-Sciences Bureau. It shall be headed by a Director and assisted by an Assistant Director who shall advise the Minister on matters pertaining to geology and mineral resources exploration, development and conservation and shall have, but not be limited to, the following functions:

- a) recommend policies, regulations, and programs pertaining to mineral resources development and geology;
- b) recommend policies, regulations and oversee the development and exploitation of mineral resources of the sea within the Bangsamoro

Autonomous Region's jurisdiction such as silica sand, gold placer, magnetite and chromite sand, etc.

- c) advise the Minister on the granting of mining rights and contracts over areas containing metallic and non-metallic mineral resources;
- d) advise the provincial offices on the effective implementation of mineral development and conservation programs as well as geological surveys;
- e) assist in the monitoring and evaluation of the Bureau's programs and projects to ensure efficiency and effectiveness thereof;
- f) develop and promulgate standards and operating procedures on mineral resources development and geology;
- g) supervise and control the development and packaging of nationally applicable technologies on geological survey, mineral resource assessment, mining and metallurgy; the provision of geological, metallurgical, chemical and rock mechanics laboratory services; the conduct of marine geological and geophysical survey and natural exploration drilling programs;
- h) perform other functions as may be assigned by the Minister and/or provided by law.

Under the Mines and Geosciences Bureau are the following divisions, which shall each be headed by a Division Chief:

- a) *Geosciences Division*;
- b) *Mines and Technology Management Division*;
- c) *Mines Safety Environment and Social Development Division*.

**Section 11. *Environmental Management Bureau.*** - There is hereby created an *Environmental Management Bureau*. It shall be headed by a *Director* and assisted by an *Assistant Director* who shall advise the Minister on matters relating to environmental management, conservation, and pollution control. It shall have the following functions:

- a) recommend possible legislations, policies and programs for environmental management and pollution control;
- b) advise the provincial offices in the efficient and effective implementation of policies, programs, and projects for the effective and efficient *environmental management and pollution control*;
- c) formulate environmental quality standards such as the quality standards for water, air, land, noise and radiations;
- d) recommend rules and regulations for environmental impact assessments and provide technical assistance for their implementation and monitoring;



- e) formulate rules and regulations for the proper disposition of solid wastes, toxic and hazardous substances;
- f) advise the Minister on the legal aspects of environmental management and pollution control and assist in the conduct of public hearings in pollution cases;
- g) provide secretariat assistance to the appropriate policy-making body;
- h) provide assistance to the provincial offices in the formulation and dissemination of information on environmental and pollution matters to the general public;
- i) assist the Minister and the provincial offices by providing technical assistance in the implementation of environmental and pollution laws;
- j) provide scientific assistance to the provincial offices in the conduct of environmental research programs.

Under the Environment Management Bureau are the following divisions, which shall each be headed by a Division Chief:

- a) Water Compliance Monitoring Division;
- b) Solid Waste Management Division;
- c) Environmental Impact Assessment Division; and
- d) Air Compliance Monitoring Division.

**Section 12. Biodiversity Management Bureau.**<sup>34</sup> – The Biodiversity Management Bureau shall be headed by a Director and assisted by an Assistant Director. The Bureau shall have the following functions:

- a) establish and manage protected areas;
- b) conserve wildlife;
- c) promote and institutionalize ecotourism;
- d) manage coastal diversity and wetland ecosystems;
- e) conserve caves and cave resources;
- f) information and education on biodiversity and nature conservation;
- g) negotiate biodiversity-related multilateral environmental agreements and monitor national implementation.

Under the Biodiversity Management Bureau are the following divisions, which shall each be headed by a Division Chief:

- a) Biodiversity Resource Management Division;
- b) Protected Area Management Division;
- c) Research and Development Information Division; and
- d) Technology Transfer Division.

---

<sup>34</sup> lifted from <https://bmb.gov.ph/index.php/about-us/mandates>

**Section 13. *Ecosystems Research and Development Bureau.*** – The Ecosystems Research and Development Bureau shall be headed by a Director and assisted by an Assistant Director. The Bureau shall have the following functions:

- a) formulate and recommend an integrated research program relating to Philippine ecosystems and natural resources such as minerals, lands, forests, as holistic and interdisciplinary fields of inquiry;
- b) assist the Minister in determining a system of priorities for the allocation of resources to various technological research programs of the department;
- c) provide technical assistance in the implementation and monitoring of the aforementioned research programs;
- d) generate technologies and provide scientific assistance in the research and development of technologies relevant to the sustainable uses of Bangsamoro ecosystems and natural resources;
- e) assist the Minister in the evaluation of the effectiveness of the implementation of the integrated research program.

**Section 14. *Protected Areas and Wildlife Bureau.*** – There is hereby created a Protected Areas and Wildlife Bureau which shall be headed by a Director and assisted by an Assistant Director. The Bureaus shall have the following functions:

- a) formulate and recommend policies, guidelines, rules and regulations for the *establishment and management of an Integrated Protected Areas Systems* such as regional parks, wildlife sanctuaries and refuge, marine parks, and biospheric reserves;
- b) formulate and recommend policies, guidelines, rules and regulations for the *preservation of biological diversity, genetic resources, the endangered Philippine flora and fauna*;
- c) prepare an up-to-date listing of endangered Bangsamoro flora and fauna and recommend a program of conservation and propagation of the same;
- d) assist the Minister in the monitoring and assessment of the management of the Integrated Protected Areas System and provide technical assistance to the provincial offices in the implementation of programs for these areas;
- e) perform other functions as may be assigned by the Minister and/or provided by law.

### **CHAPTER 3: THE DIVISIONS**



**Section 15. *Division Offices.***<sup>35</sup> – The Minister and the Deputy Minister shall be assisted by Divisions and their Division Chiefs in the formulation, management and implementation of natural resources laws, policies, plans, and programs and projects. They shall oversee the day-to-day operations, administration and supervision of the constituents of the Ministry.

The following are the Divisions:

- a) Policy, Research, and Planning Division;
- b) Foreign-Assisted and Special Projects Division;
- c) Legal Affairs Division;
- d) Information and Communications Division;
- e) Financial Services Division; and
- f) Management Services Division.

**Section 16. *Policy, Research, and Planning Division.*** – It shall be responsible for all policy, research, and planning services of the Ministry. It shall undertake intensive research and formulate policies for the Ministry.

**Section 17. *Legal Affairs Division.***<sup>36</sup> – It shall be responsible for providing legal advice and services on all policies, programs, and operational matters of the Ministry. It shall provide legal counseling services in cases where the Ministry is a party and shall also handle administrative cases against any personnel of the Ministry and submit recommendations pertaining to them. Instead of a Division Chief, it shall be headed by an Attorney IV.

**Section 18. *Information and Communications Division.***<sup>37</sup> – It shall prepare and implement plans and programs for media and public relations and coordinate the activities for special events of the Ministry. It shall develop and implement communication plans and programs designed to inform clients, employees, and the General Public of initiatives and policies of the Ministry and its attached agencies.

**Section 19. *Financial Services Division.***<sup>38</sup> – It shall be responsible for providing the Ministry with staff advice and assistance on budgetary and financial matters.

**Section 20. *Management Services Division.***<sup>39</sup> It shall consist of the Human Resources Management and General Services subdivisions, shall be responsible for providing the Ministry with services relative to personnel information, records, supplies, equipment, collection and disbursements, security and custodial works. It shall also be responsible for providing the Ministry with staff advice and assistance as regards management improvement matters.

---

<sup>35</sup> based on Section 10, E.O. No. 192, series of 1987

<sup>36</sup> lifted from Section 12, R.A. No. 7638

<sup>37</sup> lifted from <https://www.doe.gov.ph/transparency/bureaus-and-services-functions>

<sup>38</sup> lifted from Section 12, R.A. No. 7638

<sup>39</sup> lifted from Section 12, R.A. No. 7638

## **CHAPTER 4: THE FIELD OFFICES**

**Section 21. *Field Offices of the Ministry.***<sup>40</sup> – The field offices of the Ministry are the Provincial Environment and Natural Resources Offices (PENROs) in each of the five provinces of Maguindanao, Lanao del Sur, Basilan, Sulu, and Tawi-Tawi and the *Community Environment and Natural Resources Offices (CENROs)*.

There shall be two CENROs in each province, which shall be situated in municipalities wherever deemed necessary. Moreover, there shall be one CENRO for the special geographical area of the autonomous region.

The PENROs shall each be headed by a Provincial Officer and shall be assisted by Provincial Technical Officers for each Bureau. The Provincial Officer and the Provincial Technical Officers shall be Career Service Officers. On the other hand, the CENROs shall each be headed by a Community Officer.

**Section 22. *Powers and Functions of the Field Offices.***<sup>41</sup> – The PENROs and CENROs shall each have the following duties and functions:

- a) provide efficient and effective delivery of frontline services to the Bangsamoro people;
- b) coordinate with other provincial and community offices, as well as district offices and local government units in the enforcement of environment and natural resources laws, rules, and regulations;
- c) implement laws, policies, plans, programs, and projects of the Ministry;
- d) perform monitoring and evaluation of all programs and projects of the Ministry; and
- e) perform such other functions as may be provided by law or assigned by the Minister.

**Section 23. *Authority of the Ministry Proper Over Field Offices.***<sup>42</sup> – The Minister shall exercise technical and administrative control and supervision over Field Offices within the Bangsamoro Autonomous Region and such other powers necessary, appropriate, or incidental in carrying out the implementation of environment and natural resources programs and projects in their respective area.

### **TITLE 3 QUALIFICATIONS AND EMOLUMENTS**

<sup>40</sup> based on Section 20, E.O. No. 192, series of 1987

<sup>41</sup> lifted from Section 11, Chapter 4, Title III, Book VI, BAA No. 13

<sup>42</sup> lifted from Section 12, Chapter 4, Title III, Book VI, BAA No. 13



**Section 1. *Qualifications of the Minister and Deputy Minister.***<sup>43</sup> – No person shall be appointed Minister or Deputy Minister, unless he or she is:

- a) a natural-born citizen of the Philippines;
- b) a resident of the Bangsamoro Autonomous Region;
- c) of good moral character, and
- d) of proven competence in any of the following fields:
  - (1) economics;
  - (2) public administration;
  - (3) natural, physical, or engineering sciences;
  - (4) management; or
  - (5) law.

**Section 2. *Qualifications of the Director General.*** – The Director General shall be the highest career official of the Ministry and shall have the following qualifications. He or she shall:

- a) be a natural-born citizen of the Philippines;
- b) be a resident of the Bangsamoro Autonomous Region;
- c) at least have the following:
  - (1) a Master's degree;
  - (2) five (5) years supervisory or managerial experience;
  - (3) one hundred twenty (120) hours of supervisory or managerial training; and
  - (4) civil service executive eligibility;
- d) be known to have proven integrity and honesty; and
- e) not be guilty of a crime involving moral turpitude.

The Director General shall have a salary grade of 27 and shall have the privileges, emoluments, and benefits attached thereto.

**Section 3. *Qualifications of the Bureau Directors.*** – All Bureau Directors shall have the following qualifications. They shall each:

- a) be a natural-born citizen of the Philippines;
- b) be a resident of the Bangsamoro Autonomous Region;
- c) at least have the following:
  - (1) a Master's degree;
  - (2) five (5) years supervisory or managerial experience;
  - (3) one hundred twenty (120) hours of supervisory or managerial training; and
  - (4) civil service executive eligibility;
- d) be known to have proven integrity and honesty; and
- e) not be guilty of a crime involving moral turpitude.

---

<sup>43</sup> lifted from Section 11, R.A. No. 7638

The Bureau Directors shall have a salary grade of 26 and shall have the privileges, emoluments, and benefits attached thereto.

**Section 4. *Qualifications of the PENR Officer.*** – All Provincial Environment and Natural Resources Officers shall have the following qualifications. They shall each:

- a) be a natural-born citizen of the Philippines;
- b) be a resident of the Bangsamoro Autonomous Region;
- c) be a resident, for at least two years, of the province which he or she represents;
- d) at least have the following:
  - (1) a Master's degree;
  - (2) five (5) years supervisory or managerial experience;
  - (3) one hundred twenty (120) hours of supervisory or managerial training; and
  - (4) civil service executive eligibility;
- e) be known to have proven integrity and honesty; and
- f) not be guilty of a crime involving moral turpitude.

The PENR Officer shall have a salary grade of 25 and shall have the privileges, emoluments, and benefits attached thereto.

**Section 5. *Qualifications of the CENR Officer.*** – All Community Environment and Natural Resources Officers shall have the following qualifications. They shall each:

- a) be a natural-born citizen of the Philippines;
- b) be a resident of the Bangsamoro Autonomous Region;
- c) be a resident, for at least two years, of the province and municipality which he or she represents;
- d) at least have the following:
  - (1) a Master's degree;
  - (2) three (3) years supervisory or managerial experience;
  - (3) one hundred twenty (120) hours of supervisory or managerial training; and
  - (4) second level eligibility;
- e) be known to have proven integrity and honesty; and
- f) not be guilty of a crime involving moral turpitude.

The CENR Officer shall have a salary grade of 24 and shall have the privileges, emoluments, and benefits attached thereto.



BOOK III:  
MINISTRY OF ENERGY (MoE)

TITLE 1  
MANDATE, POWERS, AND FUNCTIONS

**Section 1. *Mandate.***<sup>44</sup> – The Ministry is mandated to prepare, integrate, coordinate, supervise and control all plans, programs, projects and activities of the Bangsamoro Government relative to energy exploration, development, utilization, distribution and conservation.

**Section 2. *Powers and Functions.***<sup>45</sup> – The Ministry of Energy shall have the following powers and functions:

- a) formulate policies for the planning and implementation of a comprehensive program for the efficient supply and economical use of energy consistent with the approved national economic plan and with the policies on environmental protection and conservation and maintenance of ecological balance, and provide a mechanism for the integration, rationalization, and coordination of the various energy programs of the Bangsamoro Government;
- b) develop and update the existing Bangsamoro energy program which shall provide for an integrated and comprehensive exploration, development, utilization, distribution, and conservation of energy resources, with preferential bias for environment-friendly, indigenous, and low-cost sources of energy;
- c) establish and administer programs for the exploration, transportation, marketing, distribution, utilization, conservation, stockpiling, and storage of energy resources of all forms, whether conventional or nonconventional;
- d) exercise supervision and control over all government activities relative to energy projects in order to attain the goals embodied in the declaration of policies of this Act;
- e) regulate private sector activities relative to energy projects as provided for under existing laws: *provided, that* the Department shall endeavor to provide for an environment conducive to free and active private sector participation and investment in all energy activities.
- f) assess the requirements of, determine priorities for, provide direction to, and disseminate information resulting from energy research and development programs for the optimal development of various forms of energy production and utilization technologies;

---

<sup>44</sup> lifted from Section 4, R.A. No. 7638

<sup>45</sup> lifted from Section 5, R.A. No. 7638

- g) formulate and implement programs, including a system of providing incentives and penalties, for the judicious and efficient use of energy in all energy-consisting sectors of the Bangsamoro economy;
- h) formulate and implement a program for the accelerated development of nonconventional energy systems and the promotion and commercialization of its applications;
- i) devise ways and means of giving direct benefit to the province, city, or municipality, especially the community and people affected, and equitable preferential benefit to the region that hosts the energy resource and/or the energy-generating facility: *provided, however, that the other provinces, cities, municipalities, or regions shall not be deprived of their energy requirements;*
- j) *encourage private enterprises engaged in energy projects, including corporations, cooperatives, and similar collective organizations, to broaden the base of their ownership and thereby encourage the widest public ownership of energy-oriented corporations;*
- k) *formulate such rules and regulations as may be necessary to implement the objectives of this Act; and*
- l) exercise such other powers as may be necessary or incidental to attain the objectives of this Act.

## TITLE 2 ORGANIZATIONAL STRUCTURE

**Section 1. *Organizational Structure.*** – The ministry shall design and maintain a lean and mean organizational structure. Primarily, the Ministry of Energy shall be composed of the Office of the Minister, the Office of the Deputy Minister, the Office of the Director General, the Bureaus, and the Field Offices.

The organizational structure including staffing shall be approved by the Chief Minister upon the recommendation of the Ministry of Finance, Budget and Management (MFBM).

### CHAPTER 1: OFFICE OF THE MINISTER

**Section 2. *Office of the Minister.***<sup>46</sup> – The Office of the Minister shall consist of the Minister and his immediate staff.

*The authority and responsibility for the exercise of the mandate of the Ministry, the accomplishment of its objectives and the discharge of its powers and functions*

---

<sup>46</sup> lifted from Section 7 and 8, R.A. No. 7638



shall be vested in the Minister of Energy, who shall supervise the Ministry and shall be appointed by the Chief Minister.

**Section 3. Powers and Functions of the Minister.**<sup>47</sup> – The Ministry shall have the following powers and functions:

- a) establish policies and standards for the effective, efficient and economical operation of the Ministry in accordance with the programs of the Bangsamoro Government;
- b) exercise direct supervision and control over all functions and activities of the Ministry, as well as all its officers and personnel;
- c) devise a program of international information on the geological and contractual conditions obtaining in the Bangsamoro for oil and gas exploration in order to advance the industry;
- d) create provincial offices and such other service units and divisions as may be necessary;
- e) create provincial or separate grids as may be necessary or beneficial; and
- f) perform such other functions as may be necessary or proper to attain the objectives of this Act.

The Minister shall be an *ex officio* member of the Bangsamoro Economic and Development Council (BEDC) and the Bangsamoro Sustainable Development Board (BSDB).

The Minister shall also be a member of the body authorized to formulate, prescribe, or amend the necessary guidelines for the financing, construction, operation, and maintenance of infrastructure projects by the private sector, under Republic Act No. 6957, otherwise known as the Build-Operate-Transfer Law.

**Section 4. Powers and Functions of the Deputy Minister.**<sup>48</sup> – The Deputy Minister shall have the following powers and functions:

- a) assist the Minister in implementing the policies of the Ministry;
- b) recommend policies for operations and program developments in the Ministry; and
- c) perform such other functions as may be delegated by the Minister.

## **CHAPTER 2: OFFICE OF THE DIRECTOR GENERAL AND THE BUREAUS**

---

<sup>47</sup> lifted from Section 8, R.A. No. 7638

<sup>48</sup> based on Section 7, E.O. No. 192, series of 1987

**Section 5. Office of the Director General.** - The Office of the Director General shall be composed of the Director General, his or her immediate staff, the Bureaus, their respective directors, and their employees.

**Section 6. Powers and Functions of the Director General.**<sup>49</sup> - Within his or her functional area of responsibility, the Director General shall have the following powers and functions:

- a) advise the Minister in the promulgation of Ministry orders, administrative orders and other issuances, with respect to his area of responsibility;
- b) exercise supervision over the offices, services, operating units and officers and employees under his responsibility;
- c) promulgate rules and regulations, consistent with Ministry policies, that will efficiently and effectively govern the activities of units under his or her responsibility;
- d) exercise authority on substantive and administrative matters related to the functions and activities of units under his responsibility as may be delegated by the Minister;
- e) perform other functions as may be provided by law or assigned appropriately by the Minister.

**Section 7. The Bureaus.**<sup>50</sup> - Subject to the power of the Minister, with the approval of the Chief Minister, to reorganize, restructure, and redefine the functions of the bureaus and services for the effective discharge of the powers and functions of the Ministry under this Act, the Ministry shall have the following bureaus and services:

- a) Energy Resource Development Bureau;
- b) Energy Utilization Management Bureau;
- c) Renewable Energy Management Bureau;
- d) Energy Utilization Management Bureau;
- e) Oil Industry Administration Bureau;
- f) Energy Policy Planning and Monitoring Bureau; and
- g) Electric Power Industry Management Bureau.

Each Bureau shall be headed by a Bureau Director.

**Section 8. Energy Resource Development Bureau.** - The Energy Resource Development Bureau shall:

---

<sup>49</sup> based on Section 7, E.O. No. 192, series of 1987

<sup>50</sup> lifted from Section 12, R.A. No. 7638



- a) Assist in the formulation and implementation of policies to develop and increase the domestic supply of local energy resources like fossil fuels, nuclear fuels, and geothermal resources;
- b) Assist in the formulation of sectoral programs and plans relative to the exploration, development, and extraction of local energy resources and implement, monitor, and regularly review said programs;
- c) Conduct energy research and studies in support of the aforementioned activities;
- d) Provide consultative training and advisory services to practitioners and institutions in the areas of regulated activities; and
- e) Assist in the formulation of financial and fiscal policies, rules, guidelines, and requirements relative to the operations of service contractors and implement and enforce said policies.

**Section 9. *Energy Utilization Management Bureau.*** – The Energy Utilization Management Bureau shall:

- a) Assist in the formulation and implementation of policies for the efficient and economical transformation, conversion, processing, refining, marketing, distribution, transportation, and storage of petroleum, coal, natural gas, geothermal, and other nonconventional energy resources such as wind, solar, biomass, and others; and ensure their efficient and judicious utilization;
- b) Monitor sectoral energy consumption and conduct energy audits, technical training, energy management advisory services, and technology application projects on efficient energy utilization;
- c) Develop, promote, and commercialize applications of biomass, solar, small hydro, wind, wood, and charcoal and other nonconventional energy systems including new and more efficient and economical transformation, conversion, processing, refining, marketing, distribution, transportation, and storage technologies for conventional energy resources;
- d) Assist in the formulation of an integrated rural energy program to effectively address the needs of rural development and environmental programs and implement, monitor, and regularly review said program;
- e) Assist in the formulation of an operational plan for the allocation of oil, fuel, and energy sources in the event of the declaration of critically low-energy supply provided for in Section 25 of this Act;
- f) Provide information on energy technology and develop middle-and long-term energy technology development strategies in cooperation with the Ministry of Science and Technology;

- g) Monitor the implementation of energy projects in coordination with the Ministry of Environment and Natural Resources to ensure compliance with prescribed environmental standards;
- h) Recommend appropriate courses of action to resolve major issues which may impede energy project siting or result in adverse environmental impact;
- i) Require industrial, commercial, and transport establishments to collect or cause the collection of waste oil for recycling as fuel or lubricating oil; and
- j) Develop and implement a continuing energy conservation program designed to optimize energy utilization, including a nationwide information campaign on energy conservation.

**Section 10. Energy Industry Administration Bureau.** – The Energy Industry Administration Bureau shall:

- a) Assist in the formulation of regulatory policies to encourage and guide the operations of both government and private entities involved in energy resource supply activities such as independent power production, electricity distribution, as well as the importation, exportation, stockpiling, storage, shipping, transportation, refinement, processing, marketing, and distribution of all forms of energy and energy products, whether conventional or nonconventional;
- b) Draw up plans to cope with contingencies of energy supply interruptions; and
- c) Assist in the formulation of financial and fiscal policies, rules, guidelines, and requirements relative to the operations of entities involved in the supply of energy resources such as oil companies, petroleum product dealers, coal importing and distributing companies, natural gas distributing companies, independent power producers, and all other entities involved in conventional energy supply activities and implement and enforce said policies.

**Section 11. Energy Policy, Planning, and Monitoring Bureau.** – The Energy Policy, Planning, and Monitoring Bureau shall:

- a) Assist in the development and updating of an integrated energy plan for the short-, medium-, and long-term periods to provide a comprehensive assessment on the demand scenarios and supply options as well as the impacts of energy policies on the economy, poverty, and environment;
- b) Develop and maintain a centralized, comprehensive, and unified data and information program to ensure the efficient collection, evaluation, analysis, and dissemination of data and information on reserves of various energy resources, production, demand, development technology, and related



economic and statistical information which are required for policy formulation, program planning, and implementation;

- c) Supervise, coordinate, and integrate the formulation, monitoring, and review of programs and plans for energy supply development such as power development, local energy resource development and production, and energy importation;
- d) Regularly review and analyze past and current patterns of energy consumption vis-a-vis growth and development performance of the Bangsamoro Autonomous Region's various economic sectors to evaluate current and foreseeable trends in energy demand; and conduct energy supply demand balancing studies to define energy supply and utilization strategies, estimate the resources required, and assess the energy program's economic, environmental, social, and political impact;
- e) Assure the incorporation of national environmental goals in the formulation and implementation of energy programs, and to advance the goals of restoring, protecting, and enhancing environmental quality; and assuring public health and safety; and
- f) Conduct studies on international energy issues that have a direct impact on supply and utilization of energy and provide technical advice on international negotiations involving energy resources and technologies.

### **CHAPTER 3: THE DIVISIONS**

**Section 12. *The Divisions.***<sup>51</sup> - The Minister and the Deputy Minister shall be assisted by Divisions and their respective Division Chiefs in the formulation, management and implementation of natural resources laws, policies, plans, and programs and projects. They shall oversee the day-to-day operations, administration and supervision of the constituents of the Ministry.

The following are the Divisions:

- a) *Policy, Research, and Planning Division;*
- b) *Legal Affairs Division;*
- c) *Information and Communications Division;*
- d) *Financial Services Division; and*
- e) *Management Services Division.*

**Section 13. *Policy, Research, and Planning Division.*** - It shall be responsible for all policy, research, and planning services of the Ministry. It shall undertake intensive research and formulate policies for the Ministry.

---

<sup>51</sup> based on Section 10, E.O. No. 192, series of 1987

**Section 14. *Legal Affairs Division.***<sup>52</sup> – It shall be responsible for providing legal advice and services on all policies, programs, and operational matters of the Ministry. It shall provide legal counseling services in cases where the Ministry is a party and shall also handle administrative cases against any personnel of the Ministry and submit recommendations pertaining to them. Instead of a Division Chief, it shall be headed by an Attorney IV.

**Section 15. *Information and Communications Division.***<sup>53</sup> – It shall prepare and implement plans and programs for media and public relations and coordinate the activities for special events of the Ministry. It shall develop and implement communication plans and programs designed to inform clients, employees, and the General Public of initiatives and policies of the Ministry and its attached agencies.

**Section 16. *Financial Services Division.***<sup>54</sup> – It shall be responsible for providing the Ministry with staff advice and assistance on budgetary and financial matters.

**Section 17. *Management Services Division.***<sup>55</sup> It shall consist of the Human Resources Management and General Services subdivisions, shall be responsible for providing the Ministry with services relative to personnel information, records, supplies, equipment, collection and disbursements, security and custodial works. It shall also be responsible for providing the Ministry with staff advice and assistance as regards management improvement matters.

#### **CHAPTER 4: THE FIELD OFFICES**

**Section 18. *Field Offices of the Ministry.***<sup>56</sup> – The field offices of the Ministry are the Provincial Energy Offices (PEOs) in each of the five provinces of Maguindanao, Lanao del Sur, Basilan, Sulu, and Tawi-Tawi and the Community Energy Offices (CEOs).

There shall be two CEOs in each province, which shall be situated in municipalities wherever deemed necessary. Moreover, there shall be one CEO for the special geographical area of the autonomous region.

The PEOs shall each be headed by a Provincial Officer and shall be assisted by Provincial Technical Officers for each Bureau. The Provincial Officer and the Provincial Technical Officers shall be Career Service Officers. On the other hand, the CEOs shall each be headed by a Community Officer.

---

<sup>52</sup> lifted from Section 12, R.A. No. 7638

<sup>53</sup> lifted from <https://www.doe.gov.ph/transparency/bureaus-and-services-functions>

<sup>54</sup> lifted from Section 12, R.A. No. 7638

<sup>55</sup> lifted from Section 12, R.A. No. 7638

<sup>56</sup> based on Section 20, E.O. No. 192, series of 1987



**Section 19. Powers and Functions of the Field Offices.**<sup>57</sup> – The PEOs and CEOs shall each have the following duties and functions:

- a) provide efficient and effective delivery of frontline services to the Bangsamoro people;
- b) coordinate with other provincial and community offices, as well as district offices and local government units in the enforcement of energy laws, rules, and regulations;
- c) implement laws, policies, plans, programs, and projects of the Ministry;
- d) perform monitoring and evaluation of all programs and projects of the Ministry; and
- e) perform such other functions as may be provided by law or assigned by the Minister.

**Section 20. Authority of the Ministry Proper Over Field Offices.**<sup>58</sup> – The Minister shall exercise technical and administrative control and supervision over Field Offices within the Bangsamoro Autonomous Region and such other powers necessary, appropriate, or incidental in carrying out the implementation of energy resources programs and projects in their respective area.

### TITLE 3 COUNCIL OF ADVISERS

**Section 1. Council of Advisers on Energy Affairs.**<sup>59</sup> – A council of advisers on energy affairs consisting of five (5) members and appointed from the industry, labor, and consumer sectors shall advise the Minister on the overall energy program, especially on private sector initiatives and proposals.

The Minister shall convene the council within thirty (30) days upon approval of this Act.

### TITLE 4 QUALIFICATIONS AND EMOLUMENTS

**Section 1. Qualifications of the Minister and Deputy Minister.**<sup>60</sup> – No person shall be appointed Minister or Deputy Minister, unless he or she is:

- a) a natural-born citizen of the Philippines;
- b) a resident of the Bangsamoro Autonomous Region;

<sup>57</sup> lifted from Section 11, Chapter 4, Title III, Book VI, BAA No. 13

<sup>58</sup> lifted from Section 12, Chapter 4, Title III, Book VI, BAA No. 13

<sup>59</sup> lifted from Section 14, R.A. No. 7638

<sup>60</sup> lifted from Section 11, R.A. No. 7638

- c) of good moral character, and
- d) of proven competence in any of the following fields:
  - (1) economics;
  - (2) public administration;
  - (3) energy, natural, physical, or engineering sciences;
  - (4) management; or
  - (5) law.

*Provided, that, no officer, external auditor, accountant, or legal counsel of any private company or enterprise primarily engaged in the energy industry shall be eligible for appointment as Minister within two (2) years from his retirement, resignation, or separation therefrom.<sup>61</sup>*

**Section 2. *Qualifications of the Director General.*** – The Director General shall be the highest career official of the Ministry and shall have the following qualifications. He or she shall:

- a) be a natural-born citizen of the Philippines;
- b) be a resident of the Bangsamoro Autonomous Region;
- c) at least have the following:
  - (1) a Master's degree;
  - (2) five (5) years supervisory or managerial experience;
  - (3) one hundred twenty (120) hours of supervisory or managerial training; and
  - (4) civil service executive eligibility;
- d) be known to have proven integrity and honesty; and
- e) not be guilty of a crime involving moral turpitude.

The Director General shall have a salary grade of 27 and shall have the privileges, emoluments, and benefits attached thereto.

**Section 3. *Qualifications of the Bureau Directors.*** – All Bureau Directors shall have the following qualifications. They shall each:

- a) be a natural-born citizen of the Philippines;
- b) be a resident of the Bangsamoro Autonomous Region;
- c) at least have the following:
  - (1) a Master's degree;
  - (2) five (5) years supervisory or managerial experience;
  - (3) one hundred twenty (120) hours of supervisory or managerial training; and
  - (4) civil service executive eligibility;
- d) be known to have proven integrity and honesty; and
- e) not be guilty of a crime involving moral turpitude.

---

<sup>61</sup> lifted from Section 8, R.A. No. 7638



The Bureau Directors shall have a salary grade of 26 and shall have the privileges, emoluments, and benefits attached thereto.

**Section 4. *Qualifications of the Provincial Energy Officer.*** – All Provincial Energy Officers shall have the following qualifications. They shall each:

- a) be a natural-born citizen of the Philippines;
- b) be a resident of the Bangsamoro Autonomous Region;
- c) be a resident, for at least two years, of the province which he or she represents;
- d) at least have the following:
  - (1) a Master's degree;
  - (2) five (5) years supervisory or managerial experience;
  - (3) one hundred twenty (120) hours of supervisory or managerial training; and
  - (4) civil service executive eligibility;
- e) be known to have proven integrity and honesty; and
- f) not be guilty of a crime involving moral turpitude.

The Provincial Energy Officer shall have a salary grade of 25 and shall have the privileges, emoluments, and benefits attached thereto.

**Section 5. *Qualifications of the Community Energy Officer.*** – All Community Energy Officers shall have the following qualifications. They shall each:

- a) be a natural-born citizen of the Philippines;
- b) be a resident of the Bangsamoro Autonomous Region;
- c) be a resident, for at least two years, of the province and municipality which he or she represents;
- d) at least have the following:
  - (1) a Master's degree;
  - (2) three (3) years supervisory or managerial experience;
  - (3) one hundred twenty (120) hours of supervisory or managerial training; and
  - (4) second level eligibility;
- e) be known to have proven integrity and honesty; and
- f) not be guilty of a crime involving moral turpitude.

The Community Energy Officer shall have a salary grade of 24 and shall have the privileges, emoluments, and benefits attached thereto.

**BOOK IV:  
MISCELLANEOUS PROVISIONS**

**Section 1. *Affected Officials and Employees.*** – Affected officials and employees as a result of the separation of the Ministry of Environment, Natural Resources and Energy shall be compensated based on existing laws, rules and regulations.

**Section 2. *Appropriation.*** – The funding of the two ministries shall be included in the Annual General Appropriations Act of the Bangsamoro in a separate budget item for each ministry.

**Section 3. *Implementing Rules and Regulations.*** – The Office of the Chief Minister shall approve the implementing rules and regulations in the implementation of this Act.

**Section 3. *Mandatory Review.*** – After ten (10) years of the implementation of this Act, a mandatory review will be conducted to evaluate the enforcement of this Act.

**Section 4. *Parliamentary Oversight.*** – The Parliament shall exercise their oversight function to see to it that all the laws, policies, and programs addressing the implementation of this Act shall have been carried out by the concerned ministries and shall have been implemented in accordance with its purpose.

**Section 5. *Separability Clause.*** – If for any cause, any part of this Act is declared unconstitutional or contrary to the provisions of R.A. 11054, the rest of the provisions shall remain in force and effect.

**Section 6. *Repealing Clause.*** – All laws, orders, rules, and regulations which are inconsistent with the provisions of this Act, are hereby repealed, modified, superseded, or amended accordingly.

**Section 7. *Effectivity.*** – This Act shall take effect after fifteen (15) days following its complete publication in a newspaper of general circulation in the Bangsamoro Autonomous Region in Muslim Mindanao.

Adopted,

  
MP BAIN TAN ADIL-AMPATUAN, MNSA