

Republic of the Philippines
Province of Palawan
Municipal Government of Culion
OFFICE OF THE MUNICIPAL MAYOR

EXECUTIVE ORDER NO. 52
SERIES OF 2018

CREATING THE BANTAY CULION PROGRAM (BCP) AS THE ENFORCEMENT ARM OF THE MUNICIPAL GOVERNMENT OF CULION IN THE IMPLEMENTATION OF ENVIRONMENTAL PROTECTION LAWS TO PRESERVE AND CONSERVE THE TERESTRIAL AND MARINE RESOURCES AND FURTHER PROVIDING PROGRAM PROFILE, AN INTEGRAL PART OF THIS ORDER, TO INSTITUTE ITS STRUCTURE, COMPOSITION AND MANDATE FOR OFFICE AMINISTRATION AND FIELD OPERATIONS AS A FUNCTIONAL GOVERNMENT ENTITY IN THE EXECUTIVE DEPARTMENT OF THE MUNICIPAL GOVERNMENT OF CULION

WHEREAS, Section 16, Article II of the Philippines Constitution provides that, *“The State shall protect and advance the right of the people to a balanced and helpful ecology in accordance with the rhythm and harmony of nature”*;

WHEREAS, Section 3., (i) of the Local Government Code (RA 7160) provides that, *“Local Government Units shall share with the National Government the responsibilities in the management and maintenance of ecological balance within their territorial jurisdiction subject to the provisions of this Code and Notional Policies”*;

WHEREAS, DILG Memorandum Circular No. 2018-59, issued on April 23, 2018, provides for the policies and guidelines on the regulation and monitoring of fishery activities in the Municipal Waters and item 3.0 Legal Compliance of the same memorandum circular enumerates the legal bases that can be used in the conservation and protection of fishery resources and marine areas which include 3.1 Section 149 of RA 7160; 3.2. Section 16 of RA 8550 as amended by RA 10654; and 3.3. Section 20 of RA 9275;

WHEREAS, Chapter 3., Article 1., Section 444 (b), (2), (iii) of RA 7160 provides for the power of the Mayor of the Municipal Government to issue executive orders as are necessary for the proper enforcement and execution of laws and ordinances; and (b), (3), (vii) of the same chapter, article and section of the aforementioned code provides for the power of the Mayor of the Municipal Government to adopt adequate measures to safeguard and conserve land, mineral, marine, forest and other resources of the municipality;

WHEREAS, the Mayor may issue Executive Order which shall be used as guidelines in implementing a specific program as provided for in the Local Government Code of 1991 (RA 7160) and furthermore, the Executive Order shall enjoin and cause compliance to Instructions and directives of the Local Chief Executive providing for rules in the implementation or execution of a constitutional or statutory provisions of laws;

WHEREAS, in line with the commitment of the Municipal Government of Culion to protect its environment and natural resources in accordance with environmental laws and policies of the state, Executive Order No. _____ has been issued to create and to name the Bantay Culion Program for the protection of terrestrial environment and marine resources in the Municipality of Culion;

WHEREAS, in order to intensify the campaign for the protection environment, particularly the terrestrial and marine resources, there is a dire need to create the Bantay Culion Program for a more effective and efficient implementation of environmental laws;

NOW THEREFORE, I, MA. VIRGINIA N. DE VERA, Mayor of the Municipality of Culion, by virtue of the power vested in me by law and the sovereign will of the Culion people, do hereby ORDER:

SECTION 1. CREATION OF BANTAY CULION PROGRAM. The Bantay Culion Program (BCP) is hereby created and it shall be under the direct supervision of the Office of the Municipal Mayor with concurrent supervision from I-HEAL Program for Environmental Protection and it shall be headed by a Program Director to be appointed and/or designated by the Municipal Mayor.

SECTION 2. COMPOSITION. The Bantay Culion shall be composed of a program director, subordinate officers and personnels as many as maybe required in the program office administration and field operations.

SECTION 3. POWERS, FUNCTIONS AND SCOPE OF OPERATIONS. The Bantay Culion Program shall be the primary agency of the Municipal Government of Culion who shall be responsible for the enforcement of environmental laws and other laws relevant for the protection of environment and it shall serve as the watchdog agency of the Municipality of Culion for preservation, conservation and protection of Culion environment and natural resources which as such, it shall conduct monitoring, surveillance, apprehension and filling of case; consult the MFRAMC in the implementation of laws for the protection of fishery resources; collaborate with the Non-Government Organization's (NGO's) with the complementing advocacy; and coordinate with the national law enforcement line agencies and local law enforcement teams to form composite group in doing implementation of environmental laws and undertaking protection services for the environmental resources in the Municipality of Culion.

SECTION 4. APPOINTING/DESIGNATING/HIRING OF PROGRAM DIRECTOR, SUBORDINATE OFFICERS AND STAFFS. By virtue of the power vested upon the Mayor of the Municipality of Culion as the Local Chief Executive, the BCP Director, Subordinate Officers and Staffs are officially appointed/designated/hired upon the official issuance of the contract, designation and appointment papers by the Local Chief Executive.

SECTION 5. THE PROGRAM DIRECTOR. The Program Director shall be the Head of Bantay Culion Program and he/she shall exercise control and supervision relative to the office administration and field operations of the program and accordingly, the Program Director is hereby empowered to sign papers relating to disbursement in connection with its operation in accordance with the existing COA rules and regulations; likewise, the Program Director shall also exercise powers which are inherent, implied and necessary by nature of his position as the officially appointed/designated Head of Bantay Culion Program.

SECTION 6. ADMINISTRATIVE SUPPORT PERSONNELS. There shall be Administrative Personnels which include the subordinate officers and office staffs who shall perform duties, function and responsibilities in support to the necessary office administrative works and actual field operations in accordance with the mandate of the program and the Civil Service laws, rules and regulations.

SECTION 7. FUNDING. Operation of Bantay Culion Program may be funded out of the Peace and Order Plan, MDRRM and/or any other appropriate Special Budget Allocation which shall be expanded and disbursed for the salaries and wages of the Bantay Culion Program officers and personnels and for the supplies, facilities, equipment and mobility to sustain the protection of the environment particular the terrestrial and marine resources which shall all be placed under the disbursement allocation code of the Office of the Mayor.

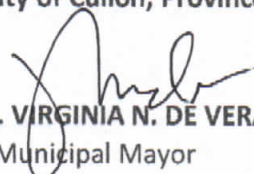
SECTION 8. REPEALING CLAUSE. All prior orders and issuances inconsistent with this are hereby deemed modified, rescinded and superseded accordingly.

SECTION 9. SEPARABILITY CLAUSE. If, for any reason or reasons, any part or provision of this order shall be found to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 10. EFFECTIVITY CLAUSE. This order shall take effect immediately.

SO ORDERED.

Done this 14th day of August 2018 in the Municipality of Culion, Province of Palawan, Philippines.


MA. VIRGINIA N. DE VERA
Municipal Mayor

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