

SIXTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

14 MAY 12 P5 58

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SENATE

S.B. No. **2222**

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Introduced by Senator **LOREN B. LEGARDA**

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**AN ACT PROVIDING FOR A MAGNA CARTA FOR WORKERS IN THE ENERGY SECTOR OF THE PHILIPPINES, AUTHORIZING THE COLLECTION AND APPROPRIATION OF FUNDS THEREFOR, AND FOR OTHER PURPOSES**

This bill seeks to establish a Magna Carta for Workers in the Energy Sector of the Philippines. Based on latest industry estimates, the country will need 12,000 megawatts (MW) of additional capacity until 2030. Given that this is roughly double the existing capacity, there is a clear need to attract competent and highly-trained workers in the said sector.

In recognition of the crucial role played by workers in the energy sector for inclusive and sustainable growth, this legislative measure proposes the following:

- a. That the Civil Service Commission (CSC) shall create a career system for energy personnel in the service of the government;
- b. That the Department of Budget and Management and the CSC shall develop new salary scale for energy personnel that is separate from existing government salary scale.
- c. That energy personnel covered by this bill shall be entitled to these benefits—honorarium; share from government shares, fees and charges from supervision and regulation; hazard allowance; subsistence allowance; laundry allowance; housing and quarter allowance; longevity pay; medical examination; family and home visit allowance; incremental performance-based bonus; collective negotiation agreement; and hardship allowance.

In view of the foregoing, early passage of this bill is requested.

  
**LOREN LEGARDA**  
Senator

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**AN ACT PROVIDING FOR A MAGNA CARTA FOR WORKERS IN THE ENERGY SECTOR OF THE PHILIPPINES, AUTHORIZING THE COLLECTION AND APPROPRIATION OF FUNDS THEREFOR, AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1 SECTION 1. *Title.* – This Act shall be known as the “Magna Carta for Workers in the  
2 Energy Sector of the Philippines.”  
3

4 SEC. 2. *Declaration of Policy.* – The State recognizes energy as an essential element for  
5 the attainment of sustained national development and progress. To attain this objective,  
6 it is hereby declared the policy of the State to provide for a program of human resources  
7 development in energy sector to achieve and maintain the necessary reservoir of talent  
8 and manpower that will sustain its drive for accessible, affordable and sustainable  
9 electricity in various parts and sectors of the society.  
10

11 The State shall establish, promote and support programs leading to the realization of  
12 this objective, such as scholarship programs, improvement of the quality of energy  
13 education, popularization of energy culture, and provision of incentives for pursuing  
14 careers in energy and its allied degree programs.  
15

16 SEC. 3. *Definition of Terms.*  
17

18 (a) Department – refers to the Department of Energy (DOE) created pursuant to  
19 Republic Act No. 7638.  
20

21 (b) Department’s Attached Agencies – the attached agencies of the Department  
22 shall include, but not limited to, the National Electrification Administration  
23 (NEA), National Power Corporation (NPC), National Transmission  
24 Corporation (TransCo), Philippine National Oil Company (PNOC), and  
25 Power Sector Assets and Liabilities Management (PSALM).  
26

27 (c) Energy Activities and Projects – all systematic activities and projects which  
28 are closely concerned with the energy exploration, development, generation,  
29 transmission, distribution, utilization and commercialization of energy  
30 resources including the dissemination and application of scientific and  
31 technical knowledge in all fields of energy such as, but not limited to, coal  
32 mining, oil and petroleum, renewable energy, gas, alternative energy  
33 technologies, bio-energy, electrification and all undertakings that are  
34 necessary for the proper, effective and efficient implementation of the

1 Philippine Energy Plan (PEP) formulated by the Department duly approved  
2 by the President of the Philippines.

3  
4 (d) Energy Workers or Personnel – shall be composed of personnel as classified  
5 below:

6  
7 1.) Department's Workers – refers to all officials and personnel of the  
8 Department who are directly responsible in the planning, formulation,  
9 processing, execution, monitoring and evaluation of energy programs,  
10 activities and projects;

11  
12 2.) Department's Attached Agencies Workers - refers to all officials and  
13 personnel of the Department's attached agencies who are directly  
14 responsible in the planning, formulation, processing, execution,  
15 monitoring and evaluation of energy programs, activities and projects and  
16 as defined in their respective Charters; and

17  
18 3.) Electrification Workers – refers to all officials and personnel of the  
19 different Electric Cooperatives duly registered with the National  
20 Electrification Administration and Cooperative Development Authority.

21 SEC. 4. *Energy Career System.* – A career system for energy personnel in the service of  
22 the government shall be formulated by the Department in coordination with the Civil  
23 Service Commission (CSC).

24  
25 SEC. 5. *Classification of Energy Personnel.* – Energy personnel may be classified in the  
26 following categories:

27  
28 (a) Energy managers, supervisors, policy-makers, and planners – Those who are  
29 graduate degree holders or have at least ten (10) years of managerial and  
30 supervisory experience or are performing executive, managerial, planning  
31 and policy-making functions to effectively carry out the energy related  
32 activities and projects as defined in Section 3(b) of this Act.

33  
34 *Provided, That for personnel who occupy third level positions,*  
35 *comprised of above Division Chief to Undersecretary and their equivalents,*  
36 *must be appointed by the President of the Philippines to the appropriate*  
37 *Career Executive Service Officer (CESO) rank in accordance to the pertinent*  
38 *policies and regulations promulgated by the Career Executive Service Board*  
39 *(CESB);*

40  
41 (b) Members of the energy career system;

42  
43 (c) Mining and petroleum engineers, geologists, engineers, scientists, inspectors,  
44 and researchers. – Those who are at least undergraduate or bachelor's degree  
45 holders in any of the engineering, law, public administration, economics and  
46 its allied fields and are involved in the conduct of inspections, enforcement,  
47 evaluation and monitoring of energy activities and projects as defined under  
48 Section 3(c) of the act including those engaged in research and development  
49 on energy sector; and  
50

1 (d) Technicians and related energy personnel. - Those who obtained at least  
2 twelve (12) units in public administration, engineering, sciences, economics,  
3 social sciences, information and communication technology (ICT) and allied  
4 courses or any appropriate training as determined by the Secretary of the  
5 Department and are providing administrative and support services to energy  
6 personnel enumerated in the three (3) preceding sub-sections. The related  
7 energy personnel herein shall also include those workers involved in the  
8 audit, enforcement, evaluation and monitoring of the technical, financial,  
9 legal and socio-economic aspects of any energy program, project and  
10 activities.

11  
12 **SEC. 6. Salaries.** - The existing law on salary scales of government employees shall not  
13 apply in determining the salary scale of energy personnel as defined in Section 5 of this  
14 Act. A new salary scale shall be developed by the Department in consultation with the  
15 Department of Budget and Management (DBM) and the Civil Service Commission,  
16 subject to the approval of the President.

17  
18 **SEC. 7. Other Benefits.** - Notwithstanding Section 12 of Republic Act No. 6758, energy  
19 personnel defined under Section 5 of this Act shall receive the following:

20  
21 (a) **Honorarium.** - Energy personnel who rendered services beyond the  
22 established irregular workload of managers or executives, mining and  
23 petroleum engineers, geologists, engineers, scientists, researchers, inspectors  
24 and technicians whose broad and superior knowledge, expertise or  
25 professional standing in a specific field contributes to productivity and  
26 innovativeness shall be entitled to receive honorarium subject to rules to be  
27 set by the Department.

28  
29 The Chairs, Vice Chairs, Members and Secretariat of governing boards  
30 or technical committees of the Department created by law and regulations  
31 such as, but not limited to, the National Renewable Energy Board (NREB) and  
32 Renewable Energy-Review and Evaluation Committee (RE-REC) under  
33 Republic Act No. 9513 and its Implementing Rules and Regulations and its  
34 subsequent issuances, the National Biofuels Board (NBB) under Republic Act  
35 No. 9367, Review and Evaluation Committee of the Philippine Energy  
36 Contracting Round (REC-PECR) under Presidential Decree No. 1442 and its  
37 subsequent issuances and implementing guidelines, including that of the  
38 Department's attached agencies, shall be entitled to reasonable honorarium as  
39 prescribed by the Department of Budget and Management, and  
40 reimbursement of actual expenses incurred for their attendance during  
41 meetings, seminars, conferences and official functions subject to usual  
42 accounting and auditing rules and regulations.

43  
44 (b) **Share from Government Shares, Fees and Charges from Supervision and**  
45 **Regulation.** - Energy personnel shall be entitled to receive share from  
46 government shares, fees and charges from supervision and regulation subject  
47 to guidelines of the Department. The share from the government shares shall  
48 be on a sixty percent-forty percent (60%-40%) basis in favor of the  
49 government and the personnel involved in energy programs, activities and  
50 projects which has been produced or undertaken during the regular  
51 performance of their functions.

52  
53 For the purpose of this Act, government share shall be defined as a  
54 share in the proceeds of payments arising from the energy exploration,

1 development, generation, transmission, distribution, utilization and  
2 commercialization of energy resources in various sectors while share in the  
3 fees and charges from supervision and regulation in the downstream oil  
4 industry shall refer to the sum charged and collected from  
5 acknowledgements, applications, certifications, endorsements, processing  
6 fees, violation fines/penalties and other reasonable payments in connection  
7 with the enforcement of energy laws and implementation of program,  
8 activities and projects in the downstream oil industry;

9  
10 (c) **Hazard Allowance.** - Energy personnel involved in hazardous undertakings  
11 or assigned in hazardous workplaces to conduct periodic inspection,  
12 evaluation and monitoring of energy related projects and activities shall be  
13 paid hazard allowances ranging from ten (10%) to thirty (30%) percent of  
14 their monthly basic salary depending on the nature and extent of the hazard  
15 involved. The following shall be considered hazardous workplaces:

16  
17 (1) Radiation-exposed laboratories and service workshops

18  
19 (2) Remote/depressed areas

20  
21 (3) Areas declared under a state of calamity or emergency

22  
23 (4) Strife-torn or embattled areas

24  
25 (5) Laboratories and other disease-infested areas

26  
27 (6) Electrical machine and mechanical rooms

28  
29 (7) Pressure vessels and other steam generating facilities

30  
31 (8) Areas, establishments or energy and energy-related facilities where  
32 energy personnel or inspectors are directly or imminently exposed to  
33 hazardous vapors, products and toxic fumes (and substances) such as,  
34 gasoline stations, oil depots, terminals, auto-LPG dispensing stations and  
35 gas refilling plants

36 (d) **Subsistence Allowance.** - Energy personnel shall be entitled to full  
37 subsistence allowance equivalent to three (3) meals a day, which may be  
38 computed and implemented in accordance with the criteria to be provided in  
39 the implementing rules and regulations. Those assigned out of their regular  
40 work stations shall be entitled to per diem in place of the allowance;

41  
42 (e) **Laundry Allowance.** - Energy personnel who are required to wear a  
43 prescribed uniform during office hours shall be entitled to a laundry  
44 allowance of not less than One hundred fifty pesos (Php150.00) a month;

45  
46 (f) **Housing and Quarter Allowance.** - Energy Personnel who are on duty in  
47 laboratories, energy research and development centers and other government  
48 facilities shall be entitled to free living quarters within the government facility  
49 where they are stationed: *Provided*, That the personnel have their residence  
50 outside of the fifty (50)- kilometer radius from such government facility;

1  
2 (g) **Longevity Pay.** - A monthly longevity pay equivalent to five percent (5%) of  
3 the monthly basic salary shall be paid to energy personnel for every five (5)  
4 years of continuous and meritorious service as determined by the Secretary of  
5 the Department;

6  
7 (h) **Medical Examination.** - During the tenure of their employment, energy  
8 personnel shall be given a compulsory free medical examination once a year  
9 and immunization as the case may warrant. The medical examination shall  
10 include:

11  
12 (1) Complete physical examination

13  
14 (2) Routine laboratory, Chest X-ray and ECG

15  
16 (3) Psychometric examination

17  
18 (4) Dental Examination

19  
20 (5) Other indicated examination authorized by the Department Secretary

21  
22 (i) **Family and Home Visit Allowance.** - To further enhance the recruitment  
23 process and mobility of energy personnel, a monthly family and home visit  
24 allowance shall be provided to energy personnel comprised of free  
25 transportation during Saturdays and Sundays or Holidays only. *Provided,*  
26 That the personnel have their residence outside of the fifty (50)- kilometer  
27 radius from work assignment;

28  
29 (j) **Incremental Performance-Based Bonus.** - Energy personnel shall be  
30 provided of at least twenty (20%) percent additional performance-based  
31 bonus if the total annual agency accomplishment has surpassed by one  
32 hundred (100%) percent during the period covered as verified by the  
33 Department of Budget and Management;

34  
35 (k) **Collective Negotiation Agreement (CNA).** - Energy personnel shall be given  
36 the right to enter into Collective Negotiation Agreements including the grant  
37 of benefits thereof in accordance with applicable rules and regulations.  
38 *Provided,* That for employees of government-owned and controlled  
39 corporations and financial institutions, the CNA may only be granted upon  
40 showing of the agency's fiscal and financial viability; and

41  
42 (l) **Hardship Allowance.** - Energy workers who performed physical work  
43 performed in hazardous environments such as, the conduct of inspections,  
44 evaluation and monitoring of energy-related activities and projects be  
45 covered by Hardship Allowance of Five Hundred Pesos (Php500.00) per day.

46  
47 **SEC. 8. Non-Department Personnel.** - Energy personnel not employed by the  
48 Department such as, but not limited to, the personnel of the Affiliated Energy Centers  
49 (AECs), comprised of State Universities and Colleges, government research and  
50 development institutions or consortium thereof, duly accredited by the Department in  
51 accordance with its relevant policies and guidelines who are involved in energy  
52 activities and projects including the officials and faculty members of State Universities  
53 and Colleges under Section 10 of this Act, may avail of the benefits under this Act upon  
54 certification of the Secretary of the Department.

1  
2 SEC. 9. *Scholarships and Grants.* – Energy personnel in public and private sectors shall  
3 be entitled to avail of scholarship benefits and grants pursuing undergraduate,  
4 graduate, post-graduate or training courses in accordance with a Scholarship Program  
5 to be implemented by the Department. Grantees of the program may study within the  
6 Philippines or abroad provided that the Department shall provide strict measures to  
7 ensure their return to the country to render the service obligation.

8  
9 Recipients of undergraduate scholarships shall, after graduation, be required to render  
10 service in the government for the equivalent number of years that they availed of their  
11 scholarships. However, in case where there are no available positions in the  
12 government, they may be allowed to work in the private sector.

13  
14 Scholarship privileges may be on a full-time or part-time basis and shall include tuition  
15 fee, book allowance, transportation allowance, monthly stipend, dissertation grants,  
16 insurance and the payment of regular salary and other benefits.

17  
18 For this purpose, the Human Resource Development Council created under Republic  
19 Act No. 8248 shall formulate the rules and regulations to implement the Scholarship  
20 Program provided in this Act.

21  
22 SEC. 10. *Offering of Energy Related Degree Programs and Trainings in Higher*  
23 *Education Institutions.* To further enhance the implementation of the policies under  
24 Section 2 of this Act, offering of energy related degree programs shall be mandatory to  
25 State Universities and Colleges (SUCs) with mandates and curricular offerings or  
26 programs provided in their respective Charters that include, among others, energy,  
27 geology, science and technology. Other State Universities and Colleges including  
28 private higher education institutions shall also be encouraged to offer energy related  
29 degree programs.

30  
31 To fully implement this provision, SUCs offering energy related programs shall be  
32 entitled to automatic additional budget of not less than five (5%) percent of their  
33 respective annual appropriations to be used for the personnel services, MOOE and  
34 capital outlay necessary to ensure sustainability of the energy related degree programs  
35 in their respective schools. Furthermore, the Secretary of the Department or his/her  
36 authorized representative shall be member of the governing board of SUCs and private  
37 institutions offering energy related programs to ensure that it shall be complementary  
38 and contributory to the Philippine Energy Plan and thrusts of the national government.  
39 The Secretary or his/her duly authorized representative shall be entitled to the rights  
40 and privileges of a regular member of the governing board pursuant to Republic Act  
41 No. 8292, otherwise known as the "Higher Education Modernization Act of 1997" and  
42 the charters of SUCs concerned.

43  
44 Furthermore, the Department shall endeavor to establish partnerships with public and  
45 private institutions for the establishment and operations of training institutes to cater to  
46 the professional, technical, administrative or managerial and executive enhancement  
47 and training needs of the energy personnel and interested individuals in the energy  
48 sector. Such amount necessary for the implementation of this provision shall be  
49 incorporated in the annual budget of the Department.

50  
51 SEC. 11. *Honorarium for Other Services.* – Mining and petroleum engineers, geologists,  
52 engineers, scientists, researchers, technologists, inspectors, technicians and other energy  
53 officials and personnel shall be allowed to render consultancy services to the private  
54 sector and shall be entitled to receive such honorarium that may be paid to them by the

1 private entity concerned. Such payments shall be over and above their salary from the  
2 government during the period of the consultancy and shall not be considered as double  
3 compensation: *Provided*, That the consultancy work will not jeopardize or adversely  
4 affect the operations or activities of his/her originating office or constitute conflict of  
5 interest of his/her duties and responsibilities therein: *Provided, further*, That the  
6 Secretary of the Department approves such consultancy.

7  
8 **SEC. 12. *Detail to the Private Sector.*** - Notwithstanding to the provisions of existing  
9 laws, officials, Mining and petroleum engineers, geologists, engineers, scientists,  
10 researchers, technologists, inspectors, technicians and energy related personnel who are  
11 employed on a regular basis in the government, whether or not they are conferred any  
12 rank under the Energy Career System, shall hereby be allowed secondment to any  
13 private entity to any private entity whenever such services are required: *Provided*, That  
14 the duration of such service with a private entity shall not exceed one (1) year: *Provided,*  
15 *further*, That the detail or secondment of said personnel will not hamper or adversely  
16 affect the operations or activities of his/her originating office or constitute conflict of  
17 interest of his/her duties and responsibilities therein: *Provided, finally*, That the head of  
18 the agency approves such detail or secondment.

19  
20 During the period of such secondment, payment of the seconded employee shall be  
21 borne by the seconding private entity covered by a contract. The period of secondment  
22 shall be used in computing the retirement benefits but not for the commutation of leave  
23 credits earned. Such secondment shall not likewise affect his security of tenure nor  
24 result in the loss of seniority rights subject to guidelines on secondment in the IRR of  
25 this Act.

26  
27 **SEC. 13. *Exemption from the Attrition Law and Civil Service Rule on Nepotism.*** -  
28 Except for third level positions, appointment of energy personnel to positions  
29 equivalent to salary grade ten (SG 10) and above shall not be covered by the Attrition  
30 Law and Civil Service Commission (CSC) rule on nepotism in consideration of the  
31 highly technical nature of these positions.

32  
33 **SEC. 14. *Provision Against Double Benefits.*** - Energy personnel already receiving the  
34 same benefits under any other law shall not be allowed to avail of the benefits under  
35 this Act unless they submit in writing their intention to withdraw the benefits already  
36 being received and opt for those provided hereunder.

37  
38 **SEC. 15. *Highest Basic Salary Upon Retirement.*** - Upon retirement, the energy  
39 personnel concerned shall automatically be granted one (1) position higher than his/her  
40 current position and his/her retirement benefits shall be computed on the basis of the  
41 equivalent salary of the next higher position/rank.

42  
43 Upon retirement, the energy personnel concerned shall also be granted retirement  
44 gratuity based on the total length of service (converted into gratuity months) multiplied  
45 by the highest basic salary of the higher position/rank provided above in accordance  
46 with the provisions of Republic Act No. 1616 or "An Act Further Amending Section  
47 Twelve of Commonwealth Act Numbered One Hundred Eighty-Six, as Amended, By  
48 Prescribing Two Other Modes of Retirement and For Other Purposes."

49  
50 **SEC. 16. *Prohibition Against Diminution and/or Elimination.*** - Nothing in this law  
51 shall be construed to eliminate or in any way diminish benefits being enjoyed by energy  
52 personnel at the time of the effectivity of this Act.



1 SEC. 17. *Hiring of Retired Energy Personnel.* An employee retired under any existing  
2 law, who, in the judgment of the Secretary of the Department, possesses managerial or  
3 technical qualifications and the capability to undertake energy related activities, may be  
4 rehired on contractual basis without refunding the unexpired portion of the gratuity  
5 and accumulated leave benefits received by him/her from the Government: *Provided,*  
6 That no qualified energy expert or applicant is available to undertake said energy  
7 activities.

8  
9 SEC. 18. *Government Scholars and Training Grantees.* - Graduates or grantees of  
10 government energy scholarship programs or trainings shall be given temporary waiver  
11 of CSC eligibilities for at least two (2) years and preferential access to financial grants  
12 from any government agency authorized to extend grants and loans with easy terms  
13 from government financing institutes, for energy projects which are viable and in line  
14 with the development thrust of the country.

15  
16 SEC. 19. *Enhancement of Corporate Social Responsibility (CSR) Programs in the*  
17 *Energy Sector.* - The Department shall devise mechanism that shall enhance the  
18 Corporate Social Responsibility (CSR) Programs of the energy sector which shall  
19 redound to the benefit of the general welfare of the host local government units (LGUs)  
20 and of energy activities or projects.

21  
22 The CSR commitment fund of every energy contractor shall be determined by the  
23 Department and the same be integrated in the service or operating contracts to be  
24 executed between the Department and the contractor subject to applicable laws, rules  
25 and regulations.

26  
27 The duly accredited Affiliated Energy Centers shall be given preference as partner of  
28 energy contractors in the implementation of the CSR programs in their respective areas  
29 consistent with relevant policies to be issued by the Department.

30  
31 SEC. 20. *Energy Awards.* - There shall be established Energy Awards Committee which  
32 shall confer annually the Energy Awards for outstanding achievement/s and excellence  
33 or original contribution to energy development, exploration, commercialization,  
34 utilization, transmission and distribution.

35  
36 The Committee, to be constituted by the Secretary of the Department within fifteen days  
37 upon the effectivity of this Act, shall promulgate the guidelines in implementing this  
38 Section and shall specify the categories of awards to be given and the amount of  
39 financial reward for each category. Further, the Chair, Vice Chair and Members  
40 including the Technical Staff of the Committee shall be entitled with the benefits  
41 provided under 2<sup>nd</sup> paragraph of Section 7 (a) of this Act.

42  
43 SEC. 21. *Congressional Commission on Energy.* - There is hereby created a  
44 Congressional Commission on Energy (Energy Com) to review and assess among  
45 others, the state of the Philippine human resources development in energy sector, the  
46 state of computerization and information technology in the energy activities and  
47 projects, and the implementation of this Act.

48  
49 The Commission shall be composed of five (5) Members of the House of  
50 Representatives and five (5) Members of the Senate. It shall be Co-chaired by the  
51 Chairpersons of the Committee on Energy of both Houses of Congress. Such  
52 congressional review shall be undertaken at least once every two (2) years.

53

1 SEC. 22. *Authority of the Department to Collect, Manage and Disburse Income.* – To  
2 supplement the implementation of this Act, the Department is hereby authorized to  
3 collect any amount for the royalties from the energy activities and projects due for the  
4 government as provided under Section 7 (b) including, among others, the application,  
5 processing or supervision and regulation fees, signing bonus, training assistance,  
6 scholarship programs, and development assistance and such other reasonable fees and  
7 charges for the application and awarded service and operating contracts.

8  
9 All incomes generated by the Department shall be deposited in trust accounts in the  
10 authorized government depository banks to be exclusively managed and disbursed by  
11 the Department subject to usual accounting and auditing rules and regulations.

12  
13 To attain the mandate and objective of this provision, the Secretary of the Department  
14 shall create separate Compliance Services with divisions for renewable energy  
15 resources, conventional energy resources, and the DOE-administered funds from power  
16 producer/energy resource developers and such other units. The organizational staffing  
17 patterns of these Compliance Services and its divisions or units shall be submitted to  
18 the Department of Budget and Management for approval.

19  
20 SEC. 23. *Establishment and Management of the Regional Offices.* – To further enhance  
21 the efforts proper and efficient protection and utilization of energy resources there is a  
22 need to strengthen the regulatory powers and functions of the Department of Energy.  
23 Toward this end, the Secretary of the Department is hereby authorized to create a  
24 Regional Office for every regional subdivision in the Philippines with adequate  
25 manpower, facilities, equipment and resources necessary in carrying out their  
26 respective mandates, regulatory authority, and duties.

27  
28 The Regional Offices shall be under the direct administrative supervision and control of  
29 the Office of the Secretary or any designated official of the Department and each shall  
30 be headed by a Regional Director who shall be assisted by at least two (2) Assistant  
31 Regional Directors and Chiefs and staff of various administrative and technical  
32 divisions in accordance with the organizational staffing patterns approved by the  
33 Department of Budget and Management.

34  
35 The current employees of the Department of Energy in its field offices shall be given  
36 priority in the hiring and filling-up of positions in various Regional Offices so created.

37  
38 Hiring, promotions and other personnel actions of the officials and employees shall be  
39 subject to applicable laws, rules and regulations.

40  
41 SEC. 24. *Research and Development (R&D) on Energy.* The Department shall, in  
42 consultation with the stakeholders, formulate a short-term, medium-term and long-  
43 term Research and Development (R&D) on Energy complementary to the Philippine  
44 Energy Plan (PEP) and local and national development plans and thrusts.

45  
46 To fully implement this provision, the Department Secretary is hereby authorized to  
47 create and prescribe the functions and duties of the Energy Research and Development  
48 Office (ERDO) under the direct supervision of the Office of the Secretary or his  
49 authorized representative. The organizational and staff pattern including the hiring of  
50 the Director, Division Chiefs and other personnel of the ERDO shall be subject to the  
51 approval of the DBM and in accordance with the pertinent Civil Service Commission  
52 and other applicable laws, rules and regulations.

1 SEC. 25. *Funding.* – The amount necessary to fully implement this Act shall be provided  
2 in the General Appropriations Act (GAA) of the year following its enactment into law  
3 under the budgetary appropriations of the DOE and concerned agencies.  
4

5 SEC. 26. *Annual Report.* – The Secretary of the Department shall submit to the  
6 Congressional Commission on Energy, an annual report of the status of implementation  
7 of this Act.  
8

9 SEC. 27. *Implementing Rules and Regulations (IRR).* – The Secretary of the Department,  
10 in consultation with government and nongovernment agencies involved in energy  
11 activities and projects, shall formulate the implementing rules and regulations to carry  
12 out the provisions of this Act.  
13

14 SEC. 28. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or parts  
15 thereof, inconsistent with the provisions of this Act are hereby amended or repealed  
16 accordingly.  
17

18 SEC. 29. *Separability Clause.* – The provisions of this Act are hereby declared separable.  
19 In the event that any provision hereof is rendered unconstitutional, those that are not  
20 affected shall remain valid and effective.  
21

22 SEC. 30. *Effectivity.* – This Act shall take effect immediately after publication in two (2)  
23 newspapers of general circulation.  
24

25 Approved,