



S E N A T E

S. No. 2220

PREPARED BY THE COMMITTEE ON ENERGY WITH SENATOR
GATCHALIAN AS AUTHOR THEREOF

AN ACT ENHANCING THE POWERS AND FUNCTIONS
OF THE JOINT CONGRESSIONAL ENERGY
COMMISSION, FURTHER AMENDING FOR THE
PURPOSE SECTION 62 OF REPUBLIC ACT NO.
9136, OTHERWISE KNOWN AS THE “ELECTRIC
POWER INDUSTRY REFORM ACT OF 2001”, AS
AMENDED

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

1 SECTION 1. *Short Title.* – This Act shall be referred to
2 as the “JCEC Enhancement Act”.

3 SEC. 2. *Term of the Joint Congressional Energy*
4 *Commission.* – Section 62 of Republic Act No. 9136
5 otherwise known as the Electric Power Industry Reform
6 Act of 2001, as amended, is hereby further amended to
7 read as follows:

1
2 “SEC. 62. Joint Congressional Energy
3 Commission. –

4 “x x x

5 “The Energy Commission shall adopt its
6 internal rules of procedures; conduct hearings
7 and receive testimonies, reports and technical
8 advice; invite or summon by *subpoena ad*
9 *testificandum* any public official, private citizen
10 or any other person to testify before it, or
11 require any person by *subpoena duces tecum* to
12 produce before it such records, reports,
13 documents or other materials as it may
14 require; and generally require all the powers
15 necessary to attain the purposes for which it is
16 created. The Energy Commission shall be
17 assisted by a secretariat to be composed of
18 personnel who may be seconded from the
19 Senate and the House of Representatives and
20 may retain consultants. The secretariat shall

1 be headed by an executive director who has
2 sufficient background and competence on the
3 policies and issues relating to electricity
4 industry reforms as provided in this Act. To
5 carry out its powers and functions, the initial
6 sum of Twenty-five million pesos
7 (P25,000,000.00) shall be charged against the
8 current appropriations of the Senate.
9 Thereafter, such amount necessary for its
10 continued operation shall be included in the
11 annual General Appropriations Act.

12 [~~The Joint Congressional Energy~~
13 ~~Commission shall exist for a period of ten (10)~~
14 ~~years from the effectivity of this Act and may~~
15 ~~be extended by a joint concurrent resolution].”~~

16 SEC. 3. *Jurisdiction of the Joint Congressional Energy*

17 *Commission.* – The Joint Congressional Energy
18 Commission shall exercise oversight functions in the
19 implementation of all existing energy laws at the time of
20 the effectivity of this Act such as, but not limited to,

1 Presidential Decree No. 87, otherwise known as the “Oil
2 Exploration and Development Act of 1972”, Presidential
3 Decree No. 972, otherwise known as the “Coal
4 Development Act of 1976, and Republic Act No. 8479,
5 otherwise known as the “Downstream Oil Industry
6 Deregulation Act of 1998”, except Republic Act No. 9367,
7 otherwise known as the “Biofuels Act of 2006”.

8 SEC. 4. *Separability Clause.* – Any portion or
9 provision of this Act, which may be declared
10 unconstitutional or invalid shall not have the effect of
11 nullifying other portions or provisions hereof.

12 SEC. 5. *Repealing Clause.* – All laws, decrees, orders,
13 rules, and regulations or parts thereof inconsistent with
14 any of the provisions of this Act are hereby repealed,
15 amended, or modified accordingly.

16 SEC. 6. *Effectivity Clause.* – This Act shall take effect
17 fifteen (15) days after its publication in the *Official Gazette*
18 or in one (1) newspaper of general circulation.

Approved,