RESOLUTION FOR THE INSTITUTIONALIZATION OF THE NATIONAL SOLID WASTE MANAGEMENT COMMISSION AND THE OFFICES CREATED UNDER IT PARTICULARLY THE SECRETARIAT AND THE NATIONAL ECOLOGY CENTER

WHEREAS, it is the policy of the state to adopt a systematic, comprehensive and ecological solid waste management program in pursuit of sustainable development pursuant to Republic Act (R.A.) No. 9003, otherwise known as the “Ecological Solid Waste Management Act of 2000” (Section 2, R.A. No. 9003);

WHEREAS, R.A. No. 9003 created the National Solid Waste Management Commission (NSWMC) or “Commission” under the Office of the President (Section 4, R.A. No. 9003);

WHEREAS, the powers and functions of the Commission are prescribed under R.A. No. 9003 (Section 5, R.A. No. 9003);

WHEREAS, the Department of Environment and Natural Resources (DENR) or “Department”, through the Environmental Management Bureau (EMB), shall provide secretariat support to the Commission. The Secretariat shall be headed by an Executive Director who shall be nominated by the members of the Commission and appointed by the Chairman (Section 4, R.A. No. 9003);

WHEREAS, the functions of the Secretariat are specified in the Implementing Rules and Regulations (IRR) of the R.A. No. 9003 (Section 2, Rule V, IRR of R.A. No. 9003);

WHEREAS, there shall be established a National Ecology Center (NEC), under the Commission, which shall provide consulting, information, training, and networking services for the implementation of the provisions of R.A. 9003. The NEC shall be headed by the Director of the EMB in his ex officio capacity. It shall maintain a multi-sectoral, multi-disciplinary pool of experts including those from the academe, investors, practicing professionals, business and industry, youth, women and other concerned sectors, who shall be screened according to the qualifications set by the Commission (Section 7, R.A. No. 9003);

WHEREAS, in compliance with Executive Order (E.O.) No. 366 entitled “Directing a Strategic Review of the Operations and Organizations of the Executive Branch and Providing Options and Incentives for Government Employees Who may be Affected by the Rationalization of the Functions and Agencies of the Executive Branch”, EMB’s, Rationalization Plan has been approved by Department of Budget and Management (DBM) (Section 5, E.O. No. 366);

WHEREAS, the approved Rationalization Plan a Solid Waste Management Division, under the EMB, consisting of two (2) sections;

WHEREAS, the functions of the NEC are currently being performed by the Secretariat pursuant to NSWMC Resolution No. 34, Series of 2009;

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WHEREAS, the Commission, through the Office of the President, should annually submit to the DBM its proposed budget for inclusion in the General Appropriations Act. (Section 58, R.A. No. 9003);

WHEREAS, there is a need to create and institutionalize plantilla positions for the Executive Director of the Commission and staff of the NEC to effectively achieve the mandated functions and efficient performance of these offices.

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED:

1. The position of Executive Director for the Commission shall be created under the Office of the President pursuant to Section 4 of R.A. No. 9003 (see attached Organizational Structure);

2. The attached proposed plantilla positions for the NEC shall be created under the Office of the President pursuant to Section 7 of R.A. No. 9003;

3. The Commission shall, upon the approval of this resolution, define, recommend and submit to the Office of the President the Work and Financial Program incorporating the budgetary requirements (PS, MOOE and Capital Outlay) necessary to expeditiously implement the provisions of R.A. No. 9003;

4. Upon the formal creation of the NEC, all functions pertinent thereto that are being performed by EMB shall be transferred to the NEC.

APPROVED on this 5th day of July 2013.

ATTESTED BY:

CRISPIN N. LAO
Representative, Recycling Industry and
Vice Chairmen, National Solid Waste Management Commission (NSWMC)