

# Committee Daily Bulletin



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COMMITTEE MEETING		
COMMITTEE	SUBJECT MATTER	ACTION TAKEN/DISCUSSION
Special Committee on Bases Conversion jt. w/ Ad Hoc Committee on the North and Central Luzon Familiarization and Inspection Trip	Inquiry into the conflicting provisions of Republic Act 7227, otherwise known as the Bases Conversion and Development Act of 1992, and Executive Order 340, reorganizing the Board of Directors of the Subic Bay Metropolitan Authority (SBMA) and defining the powers, functions and duties of the chairman of the Board of Directors and the SBMA administrator	<p>The Special Committee on Bases Conversion, chaired by Pasay City Rep. Emi Calixto-Rubiano, and the Ad Hoc Committee on the North and Central Luzon Familiarization and Inspection Trip, chaired by no less than Speaker Pantaleon "Bebot" Alvarez (1<sup>st</sup> District, Davao del Norte), held a joint inquiry into the purported conflicting provisions of RA 7227 and EO 340.</p> <p>It was Majority Leader Rodolfo Fariñas (1<sup>st</sup> District, Ilocos Norte) who presided over the meeting.</p> <p>The inquiry stemmed from the letter of Malabon City Rep. Federico "Ricky" Sandoval II, addressed to the Majority Leader, where he criticized the acts of the current SBMA Chair Martin Diño as going beyond his powers and duties under RA 7227 and EO 340.</p> <p>Referring particularly to Administrative Order (AO) 01-2017 issued by Diño, Rep. Sandoval pointed out that the AO has encroached upon the powers and duties of the SBMA administrator and has sown confusion and affected the operations of the SBMA. Rep. Sandoval asked that the AO be held in abeyance until the issues raised have been resolved.</p> <p>AO 01-2017 created the Task Force on Business Operations and Financial Safety and Security to inspect, monitor, and implement the laws, rules and regulations in the conduct of business and financial operations and collections of the SBMA.</p> <p>Rep. Calixto-Rubiano and the Members of the Committee present in the meeting underscored the need to address the situation immediately in order not to disrupt the business operations within the freeport zone.</p> <p>Majority Leader Fariñas questioned the legality of EO 340, issued by then President now Rep. Gloria Macapagal-Arroyo (2<sup>nd</sup> District, Pampanga) in August 2004, which separated the powers and duties of the SBMA administrator and chairman. He argued that the EO is contrary to RA 7227 which is clear that there is only one position for the SBMA chair and administrator. He emphasized that a mere EO cannot supersede a law.</p> <p>The Majority Leader said that the conflicting provisions resulted in a power struggle between Diño and SBMA Administrator and Chief Executive Officer (CEO) Wilma Eisma.</p> <p>Department of Justice (DOJ) State Counsel Analiza Ite-Manito agreed with the Majority Leader as she quoted the pertinent provision of RA 7227, as follows: "Section 13 (d) Chairman/administrator - The President shall appoint a professional manager as administrator of the Subic Authority (SBMA) with a compensation to be determined by the Board subject to the approval of the Secretary of Budget, who shall be the <i>ex-officio</i> chairman of the Board and who shall serve as the chief executive officer of the Subic Authority."</p> <p>Rep. Juan Pablo "Rimpy" Bondoc (4<sup>th</sup> District, Pampanga) advised all the resource persons to inform the heads of their respective offices to attend the next meeting of the Joint Committee, otherwise a subpoena will be issued to them to compel their attendance.</p>