



DEPARTMENT OF
ENVIRONMENT AND
NATURAL RESOURCES

05 APRIL 1993

SPECIAL ORDER
NO. 433
Series of 1993

SUBJECT: Constituting a Special Committee to Execute the Supreme Court Decision in the case of FGE Mining Association/PHILEX Mining Corporation versus Macawiwili Gold Mining and Development Co., Inc./OMICO Mining and Industrial Corp. (GR No. 89093)

In connection with the execution of the Supreme Court decision rendered on October 2, 1991 in the case of FGE Mining Association, et al., versus Macawiwili Gold Mining and Development, Co., Inc., et al., a Special Committee is hereby constituted with herein powers, functions and responsibilities to execute with finality the said decision.

Chairman: OIC-RTD Samuel T. Paragas, DENR-CAR

Members : Atty. Emilio D. Vidad, DENR-Central Office
Rolando L. Diamampo, DENR-CAR

The Committee in furtherance to the March 11, 1993, of RED Sabado T. Batcagan shall implement the previous Orders issued by then OIC-RED Oscar M. Hamada within the following context:

1. Put Macawiwili/Omico as the prevailing party in actual possession of the 21.9 hectare area subject of the Supreme Court decision; Macawiwili/Omico shall upon possession, conduct the required exploration activities in the area in accordance with existing policies, rules and regulations on the matter;
2. Upon putting the prevailing party in possession, the Committee shall, among others, resolve the following issues:
 - the request of Philex for easement rights and recommend approval/denial thereof to the Secretary
 - if required, the assessment of the improvements found in the area together with a representative each from Omico and Philex and settle the issue on just compensations in accordance with existing regulations on the matter; and

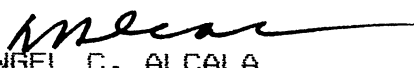
- if needed, plan and direct for the orderly removal/transfer of Philex facilities found therein.

3. The Special Committee shall perform other vital tasks as may be required and proper under the circumstances.

In the pursuit of all the above, the Committee shall call upon any government entity including the Provincial PNP, having been duly deputized to assist in the peaceful turnover and maintenance of the area, if warranted.

This Order revoked Regional Special Order No. 61, Series 1992.

SO ORDERED.


ANGEL C. ALCALA
Secretary 