

[PRESIDENTIAL DECREE NO. 1748, November 10, 1980]

AMENDING THE CHARTER OF THE INTRAMUROS ADMINISTRATION

WHEREAS, the restoration and development of In-tramuros is a major historical project of the Government;

WHEREAS, there is a need to strengthen the In-tramuros Administration to enable it to effectively implement its development Plan and to carry out its other responsibilities in relation thereto;

WHEREAS, the implementation of the Development Plan for Intramuros requires the joint effort of the government and the private sectors;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines by virtue of the powers vested in me by the Constitution do hereby Order and Decree:

SECTION 1. Section 3 of P.D. No. 1616 is amended to read as follows:

"SEC. 3. *Functions and Powers.*—The Administration shall have the following functions and powers:

- a. Formulate, coordinate and/or execute policies on the implementation of all the programs, projects and activities of the government affecting or relating to Intramuros;
- b. Enter into contracts with any private person or entity or any government agency, either domestic or foreign, whenever necessary for the effective discharge of its functions and responsibilities under such terms and conditions as it may deem proper and reasonable;
- c. Acquire through sale, expropriation or other means, and hold real and personal property as it deems necessary or convenient in the successful prosecution of its work, and lease, mortgage, sell alienate, or otherwise dispose of such personal and real property;
- d. Receive, take and hold by bequest, device, donation, gift, purchase or lease, from foreign or domestic sources, either absolutely or in trust for any of its purposes, any asset, grant or property, real or personal, subject to such limitations as are *provided* in existing laws and regulations; to convey such assets, grant or property; invest and reinvest the same and deal with and expand its assets and income in such manner as will best promote its objectives;
- e. Initiate, plan, undertake and supervise the restoration, upkeep and maintenance of the Intramuros Walls, including the ravelins, moat, Sunken Garden and public places or areas, plazas, streets and other government owned or managed properties situated within Intramuros;
- f. Prepare, adopt, revise and enforce such rules and regulations, implementing guidelines and standards as are necessary for the effective regulation of the land use and development activities in Intramuros of both the government and private entities and for the implementation of the Intramuros Plan, including, but not limited to development rules and regulations pertaining to the following:

1. Land use allocation, use of buildings, their height, dimensions, architectural style and designs and other specifications of the building construction to be undertaken therein;
 2. Traffic management, street usage and other related matters;
 3. Size and character of display signs, advertising billboards, and other external signs and advertisements in buildings, in open spaces lots or roads;
 4. Supervision and control of all activities involving archaeological diggings, excavations and exploration within Intramuros including the use, disposition, registration and maintenance of archaeological findings and discoveries;
- g. Expropriate properties within Intramuros;
 - h. Sponsor, conduct, or otherwise assist and support festivals and cultural activities in Intramuros, and charge and collect admission fees to the restored Gates and other attractions operated by the Administration;
 - i. Give grants, contributions and donations for the restoration, repair or maintenance of historic structures in Intramuros, including San Agustin Church, and of structures outside of Intramuros which are of similar nature and character as those which existed in Intramuros, for the conduct of historical, architectural, archaeological and other research, and for other purposes in furtherance of its objectives;
 - j. Prescribe and collect reasonable amounts to be charged as filing fees, inspection fees, permit fees, and other administrative or service fees necessary for the effective enforcement of its laws and regulatory measures, to be used and disbursed by it in the manner determined by it to promote its objectives;
 - k. Exercise all powers necessary or incidental to the attainment of the objectives of this Decree."

SEC. 2. Section 4 of P.O. No. 1616 is hereby amended to read as follows:

"SEC. 4. *Transfer of Administration and Properties—*

The ownership of the properties of national government agencies located within Intramuros shall, upon agreement with the agencies concerned, be transferred to the Administration. The properties of government corporations, on the other hand, shall, subject to mutually acceptable terms and conditions, be sold to the Administration. In the case of government financial institutions sale to the Administration of their properties shall also include acquired assets located within Intramuros.

The administration of Fort Santiago, the Sunken Garden, the Municipal Golf Links, including concessions within the Sunken Garden and elsewhere on public land and other public properties in Intramuros, are hereby transferred to the Administration, without prejudice to the operation of the Municipal Golf Links by the City of Manila or other organization as may be approved.

All proposed transactions affecting private properties within Intramuros shall be registered with the Administration. The Administration shall, in the case of sale, have the right of first refusal.

SEC. 3. A new Section 7 is hereby inserted between Sections 6 and 7 of P.D. No. 1616 as follows:

"SEC. 7. *Local Clearance, Construction and other Permits—*

All locational clearances and construction permits for the development of lands, introduction of improvements, and the use, change of use, construction, repair, alteration or reconstruction of buildings within Intramuros and other forms of permits such as for excavations or archaeological diggings shall be issued by the Administration on the basis of the approved Intramuros Development Plan, its architectural development standards and other implementing rules and regulations. The Administration may seek the assistance of Manila and Metro Manila offices insofar as the minimum standards of safety of buildings, electrical, plumbing and drainage requirements are concerned.

No structure, including stone walls, fences, light or other fixtures, steps and paving shall be erected, altered, restored, moved or demolished within Intramuros without the Administration's Certificate of Appropriateness as to external architectural features and its congruity with the historic district, including style, general design and arrangement, types of windows, doors, light and other fixtures and signs, material and location of advertisements and bill posters.

The provisions of P.D. No. 1096, otherwise known as the National Building Code and other related laws which are not inconsistent with this Decree and the rules and regulations promulgated by the Administration shall have a suppletory effect to this law and to the development control regulations promulgated by the Administration.

Section 7 of P.D. No. 1616 is hereby renumbered as Section 8 and the rest of the Sections are correspondingly renumbered.

SEC. 4. Section 7 of P.D. No. 1616 is hereby renumbered as Section 8 and amended as follows:

"SEC. 8. *Building Modifications.*—The Administration shall, after a transitory period fixed by it and approved by the President (Prime Minister), require in its rules and regulations the owners of existing buildings and structures within Intramuros to modify their architectural structure and design in order to conform to the design and architectural standards adopted by the Administration: *Provided*, That subject to the availability of funds, the Administration may utilize its funds to undertake the modification of existing buildings, whether publicly or privately owned, with or without the requirement of reimbursement by the owner, depending on mutually acceptable terms and conditions so as to modify their external appearance to comply with approved structure and designs; and *Provided*, Further, That no changes in the facade or external appearance of any existing buildings and structure in Intramuros, including ruins, shall be made without the approval of the Administration.

Owners, lessees or other persons with any interest in the property who voluntarily undertake at their own expense the modification of buildings and structures in Intramuros to conform to the architectural design standards of the Administration shall qualify to apply for the incentives, financial assistance and grants to be provided for in a program of incentives of the Administration."

SEC. 5. Section 8 of P.D. No. 1616 is hereby renumbered as Section 9 and amended to read as follows: