

## [ EXECUTIVE ORDER NO. 107, March 13, 2020 ]

### **RECONSTITUTING THE OFFICE FOR SECURITY AND THE NATIONAL CIVIL AVIATION SECURITY COMMITTEE, DEFINING THEIR POWERS AND FUNCTIONS, AMENDING EXECUTIVE ORDER NOS. 277 (S. 2004) AND 311 (S. 2004) AND FOR OTHER PURPOSES**

**WHEREAS**, Article II, Section 5 of the Constitution provides maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

**WHEREAS**, on 01 March 1947, the Philippines ratified the International Civil Aviation Organization (ICAO) Convention on Aviation Security (Chicago Convention), with the primary objective of safeguarding passengers, crew, ground personnel and the general public against acts of unlawful interference with civil aviation and all matters related thereto;

**WHEREAS**, Annex 17 of the Chicago Convention sets out the basis for the ICAO civil aviation security programme, seeks to safeguard civil aviation and its facilities against acts of unlawful interference, and highlights the administrative and coordination aspects, as well as the technical measures for the security of international air transportation;

**WHEREAS**, Executive Order (EO) No. 277 (s. 2004) created the Office for Transportation Security (OTS) under the Department of Transportation (DOTr) to be primarily responsible for the implementation of the Chicago Convention, and reconstituted the National Civil Aviation Security Committee (NCASC) for the implementation and maintenance of the National Civil Aviation Security Programme (NCASP);

**WHEREAS**, EO No, 311 is 2004 designated the OTS as the single authority responsible for the security of civil aviation, among others;

**WHEREAS**, there is a need to strengthen the OTS and NCASC, and rationalize their functions to be more responsive to the demands of civil aviation;

**WHEREAS**, EO No. 292 (s. 1987) or the Administrative Code of 1987," mandated the DOTr to promote, develop and regulate dependable and coordinated transportation systems, as well as fast, safe, efficient and reliable transportation services; and

**WHEREAS**, Article VII, Section 17 of the Constitution provides that the President shall have control of all the executive departments, bureaus and offices, and shall ensure that the laws are faithfully executed;

**NOW, THEREFORE, I, RODRIGO ROA DUTERTE**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order;

**SECTION 1. Designation of the Department of Transportation (DOTr) relative to the NCASP.** The DOTr is hereby designated as the appropriate authority to oversee the development, implementation and maintenance of the NCASP, in accordance with paragraph 3.1.2 of Annex 17 of the Chicago Convention.

**SECTION 2. Reconstitution of the OTS.** The OTS is hereby reconstituted as the Office for Civil Aviation Security (OCAS), which shall be primarily responsible for the following:

- a. Development and implementation of regulations, practices and procedures to safeguard civil aviation against acts of unlawful interference taking into account the safety, regularity and efficiency of flights, in accordance with paragraph 2.1.2 of Annex 17 of the Chicago Convention;
- b. Implementation of the NCASP to safeguard civil aviation operations against acts of unlawful interference, through regulations, practices and procedures which take into account the safety, regularity and efficiency of flights, as prescribed in paragraph 3.1.1 of Annex 17 of the Chicago Convention; and
- c. All other matters relating to aviation security including, among others, the overall implementation of the entire Annex 17 of the Chicago Convention.

The OCAS shall be under the direct supervision of the DOTr, and shall directly report to the DOTr Secretary or his duly designated representative. It shall be headed by an Administrator who shall have the rank of an Undersecretary.

The security of sea transport and maritime infrastructure shall remain with the Philippine Coast Guard. Philippine Ports Authority and Maritime Industry Authority, taking into consideration EO No. 197 (s. 2016), whereas the maintenance of the security of land and rail transportation systems and infrastructure shall be in accordance with the respective mandates of the Philippine National Police, Land Transportation Office, Metropolitan Manila Development Authority and Light Rail Transit Authority.

**SECTION 3. Powers and Functions of the OCAS.** The OCAS shall have the following powers and functions:

- a. Formulate, implement and maintain a national airport security program to with any threat to the security of any airport;
- b. Exercise responsibility for civil air transportation security operations including, but not limited to, security screening of passengers, baggage and cargoes, and hiring, retention and training of security screening personnel:
- c. In coordination with the appropriate agencies or instrumentalities of the government, implement comprehensive security plans, policies, measures, strategies and programs to ably and decisively deal with any threat to the security of civil air transportation systems:
- d. Examine and audit the performance of civil air transportation security personnel, equipment and facilities and establish, on a continuing basis, performance standards for such personnel, equipment and facilities;