

[EXECUTIVE ORDER NO. 197, February 04, 2016]

DESIGNATING THE SECRETARY OF TRANSPORTATION AND COMMUNICATIONS AS THE AUTHORITY RESPONSIBLE FOR THE SECURITY OF SEA TRANSPORT AND MARITIME INFRASTRUCTURE IN THE COUNTRY, AND FOR OTHER PURPOSES

WHEREAS, the Philippines is a Contracting Party to the 1974 International Convention on the Safety of Life at Sea (SOLAS), as amended, including Chapter XI-2 thereof, on Special Measures to Enhance Maritime Security, that adopts the International Ship and Port Facility Security (ISPS) Code, which is an international framework through which governments, shipping companies, and port authorities can cooperate to detect and deter acts that threaten security of the maritime transportation system;

WHEREAS, pursuant to Executive Order (EO) No. 292 (s. 1987) or the "Administrative Code of 1987," the Department of Transportation and Communications (DOTC) shall be the primary policy, planning, programming, coordinating, implementing, regulating, and administrative entity of the Executive Branch in the promotion, development, and regulation of dependable and coordinated networks of transportation and communication system, as well as in the fast, efficient, and reliable postal, transportation, and communication services;

WHEREAS, pursuant to EO No. 125 (s. 1987), the Secretary of Transportation and Communications (SOTC) shall have the authority and responsibility for the discharge of the powers and functions of the DOTC;

WHEREAS, under Section 17, Article VII of the 1987 Constitution, the President shall have control of all the executive departments, bureaus, and offices and ensure that the laws be faithfully executed;

WHEREAS, under Section 1, Chapter 1, Title 1, Book II of EO No. 292 (s. 1987), the President shall have control of all executive departments, bureaus, and offices;

WHEREAS, under Section 89 of Republic Act No. 10717 or the "General Appropriations Act of 2016," the President is authorized to create new offices and modify the existing organizational structure of the agencies in the Executive Branch, as well as create new positions or modify existing ones whenever public interest so requires; and

WHEREAS, the power of the President to reorganize the offices and agencies in the Executive Department is implied from his constitutionally granted power of control, recognized by the legislature, and upheld by the courts.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines by virtue of the powers vested in me by law, do hereby order: