

[EXECUTIVE ORDER NO. 903, July 21, 1983]

**PROVIDING FOR A REVISION OF EXECUTIVE ORDER NO. 778
CREATING THE MANILA INTERNATIONAL AIRPORT AUTHORITY,
TRANSFERRING EXISTING ASSETS OF THE MANILA
INTERNATIONAL AIRPORT TO THE AUTHORITY, AND VESTING
THE AUTHORITY WITH POWER TO ADMINISTER AND OPERATE
THE MANILA INTERNATIONAL AIRPORT**

WHEREAS, the Manila International Airport as the principal airport of the Philippines for both international and domestic air traffic, is required to provide standards of airport accommodation and service comparable with the best airports in the world;

WHEREAS, domestic and other terminals, general aviation and other facilities, have to be upgraded to meet the current and future air traffic and other demands of aviation in Metro Manila;

WHEREAS, a management and organization study has indicated that the objectives of providing high standards of accommodation and service within the context of a financially viable operation, will best be achieved by a separate and autonomous body; and

WHEREAS, under Presidential Decree No. 1416, as amended by Presidential Decree No. 1772, the President of the Philippines is given continuing authority to reorganize the National Government, which authority includes the creation of new entities, agencies and instrumentalities of the Government;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, and pursuant to the authority vested in me by Presidential Decree No. 1416, as amended, do hereby order:

SECTION 1. Title. This Executive Order shall be known as the "Revised Charter of the Manila International Airport Authority."

SECTION 2. Definition. For the purpose of this Executive Order, the terms used herein shall have the following meaning:

(a) "Authority" shall mean the Manila International Airport Authority;

(b) "Board" shall mean the Board of Directors of the Authority appointed by the President under Section 7 of this Executive Order;

(c) "Airport" shall mean the new Manila International Airport, including the Manila Domestic Airport, and all its installations, facilities and equipment, and such other airports in Metro Manila as may, in the future, be constructed and administered by the Authority.

SECTION 3. Creation of the Manila International Airport Authority. There is hereby established a body corporate to be known as the Manila International Airport Authority which shall be attached to the Ministry of Transportation and Communications. The principal office of the Authority shall be located at the New Manila International Airport. The Authority may establish such offices, branches, agencies or subsidiaries as it may deem proper and necessary; Provided, That any subsidiary that may be organized shall have the prior approval of the President.

The land where the Airport is presently located as well as the surrounding land area of approximately six hundred hectares, are hereby transferred, conveyed and assigned to the ownership and administration of the Authority, subject to existing rights, if any. The Bureau of Lands and other appropriate government agencies shall undertake an actual survey of the area transferred within one year from the promulgation of this Executive Order and the corresponding title to be issued in the name of the Authority. Any portion thereof shall not be disposed through sale or through any other mode unless specifically approved by the President of the Philippines.

SECTION 4. Purposes and Objectives. The Authority shall have the following purposes and objectives:

- (a) To help encourage and promote international and domestic air traffic in the Philippines as a means of making the Philippines a center of international trade and tourism and accelerating the development of the means of transportation and communications in the country;
- (b) To formulate and adopt for application in the Airport internationally acceptable standards of airport accommodation and service; and
- (c) To upgrade and provide safe, efficient, and reliable airport facilities for international and domestic air travel.

SECTION 5. Functions, Powers, and Duties. The Authority shall have the following functions, powers and duties:

- (a) To formulate, in coordination with the Bureau of Air Transportation and other appropriate government agencies, a comprehensive and integrated policy and program for the Airport and to implement, review and update such policy and program periodically;
- (b) To control, supervise, construct, maintain, operate and provide such facilities or services as shall be necessary for the efficient functioning of the Airport;
- (c) To promulgate rules and regulations governing the planning, development, maintenance, operation and improvement of the Airport, and to control and/or supervise as may be necessary the construction of any structure or the rendition of any service within the Airport;
- (d) To sue and be sued in its corporate name;
- (e) To adopt and use a corporate seal;

- (f) To succeed by its corporate name;
- (g) To adopt its by-laws, and to amend or repeal the same from time to time;
- (h) To execute or enter into contracts of any kind or nature;
- (i) To acquire, purchase, own, administer, lease, mortgage, sell or otherwise dispose of any land, building, airport facility, or property of whatever kind and nature, whether movable or immovable, or any interest therein;
- (j) To exercise the power of eminent domain in the pursuit of its purposes and objectives;
- (k) To levy and collect dues, charges, fees or assessments for the use of the airport premises, works, appliances, facilities or concessions, or for any service provided by the Authority, subject to the approval of the Minister of Transportation and Communications in consultation with the Minister of Finance, and subject further to the provisions of Batas Pambansa Blg. 325 where applicable;
- (l) To invest its idle funds, as it may deem proper, in government securities and other evidences of indebtedness of the government;
- (m) To provide services, whether on its own or otherwise, within the Airport or the approaches thereof, which shall include but shall not be limited to, the following:
 - (1) Aircraft movement and allocation of parking areas of aircraft on the ground;
 - (2) Loading and unloading of aircrafts;
 - (3) Passenger handling and other services directed towards the care, convenience and security of passengers, visitors and other airport users; and
 - (4) Sorting, weighing, measuring, warehousing or handling of baggage and goods.
- (n) To perform such other acts and transact such other business, directly or indirectly necessary, incidental or conducive to the attainment of the purposes and objectives of the Authority, including the adoption of necessary measures to remedy congestion in the airport; and
- (o) To exercise all the powers of a corporation under the Corporation Law, insofar as these powers are not inconsistent with the provisions of this Executive Order.

SECTION 6. Police Authority. The Authority shall have the power to exercise such police authority as may be necessary within its premises to carry out its functions and attain its purposes and objectives, without prejudice to the exercise of functions within the same premises by the Ministry of National Defense through the Aviation Security Command (AVSECOM) as provided in LOI 961: Provided, That the Authority may request the assistance of law enforcement agencies, including request for deputization as may be required. Such police authority shall be exercised in connection with the following, among others:

- (a) Maintenance of security to passengers, cargoes, aircraft, airport equipment, structures, facilities, personnel, funds and documents;
- (b) Regulating the entry to, exit from and movement within the Airport;
- (c) Maintenance of peace and order within the premises of the Authority in coordination with local police authorities and other authorized peace-keeping entities within the Airport;
- (d) Regulation and supervision of private security agencies operating in the Airport; and
- (e) Enforcement of rules and regulations promulgated by the Authority pursuant to law.

SECTION 7. Board of Directors. The corporate powers of the Authority shall be exercised by and vested in a Board of seven (7) members, which shall be composed of a Chairman, a Vice-Chairman and five (5) members. The Minister of Transportation and Communications shall be the ex-officio Chairman of the Board. The General Manager of the Authority shall be the ex-officio Vice-Chairman of the Board. The Minister of Finance, the Minister of Tourism, the Presidential Executive Assistant, the Chief of Staff of the Armed Forces of the Philippines, and the Commissioner of Immigration and Deportation shall be ex-officio members.

In the absence of the Chairman, the Vice-Chairman shall act as Chairman. The Chairman, the Vice-Chairman and the Board members may designate their respective representatives to attend Board meetings in their absence. Such representatives shall attend Board meetings and the meetings of any committee assigned to their principals, and receive the corresponding per diems.

The Board shall meet regularly once a month and as often as the exigencies of the service demand. The presence of at least four (4) members or their representatives shall constitute a quorum; and the vote of a majority of the members or representatives present there being a quorum shall be necessary for the adoption of any rule, regulation, resolution, decision or any other act of the Board.

The Members of the Board or their representatives shall receive per diems, as the Board may approve, for each Board meeting actually attended by them: Provided, That such per diem shall not exceed One Thousand Pesos (P1,000.00) during any one (1) month for each member or representative.

SECTION 8. Functions, Powers and Duties of the Board. Without prejudice to the powers vested in the Board by virtue of the other Sections herein, the Board shall have the following functions, powers and duties:

- (a) To define and approve the programs, plans, policies, procedures and guidelines of the Authority for the development and operation of the Airport within the context of the overall Government objectives, and to control the management, operation and administration of the Authority.
- (b) To recommend to the President of the Philippines, for appointment, a General Manager of the Authority who shall be the Chief Executive Officer of the Authority;

(c) To approve the Authority's organizational and administrative structure, staffing pattern, operating and capital expenditures, and financial budgets, prepared in accordance with the corporate plan of the Authority, upon recommendation of the General Manager;

(d) To approve salary ranges, benefits and other terms and conditions of service for all officers and employees of the Authority, upon recommendation of the General Manager, which shall, as far as possible, be competitive with those offered in the private sector, subject to existing laws, rules and regulations;

(e) To fix the rate of dues, charges, fees or assessments for the use of the Airport premises, works, appliances, facilities, concessions, services and other fees and charges related to the activities of the Airport, upon recommendation of the General Manager; and

(f) Generally, to exercise all the functions and powers necessary or incidental to attain the purposes and objectives of this Executive Order.

SECTION 9. Functions, Powers and Duties of the General Manager. The General Manager shall be directly responsible to the Board, and shall have the following functions, powers and duties:

(a) To direct and supervise the management, operation and administration of the Authority, and its integral units including its buildings, runways, facilities and equipment, so as to provide international standards of service to airport users, and to ensure its financial stability in accordance with the programs, plans, policies, procedures and guidelines of the Board;

(b) To provide general supervision and overall coordination of all government agencies operating in the Airport with respect to the allocation and use of building space and airport premises.

(c) To undertake researches, studies, investigations, and other activities related to the present operations and future development requirements of the Airport, on his own initiative or upon instructions of the Board, and to submit comprehensive reports and appropriate recommendations to the Board for its information and action;

(d) To appoint transfer, suspend, remove or otherwise discipline any subordinate officer or employee of the Authority, subject to the approval of the Board and to engage either on contractual basis and other suitable arrangements the services of highly qualified professionals, experts, technical advisers or consulting firms and to determine their compensation or fees including other terms and conditions of employment as may be authorized by the Board;

(e) To enter into a memorandum of agreement/understanding, contracts or such other arrangements as may be feasible with such government agencies or private entities operating or providing services in the Authority to ensure proper coordination and integration of all activities in the Authority, subject to the approval of the Board or such laws, rules and regulations as are applicable in the exercise of such authority;