

[MEMORANDUM ORDER NO. 302, August 14, 1995]

GRANTING THE PHILIPPINE PORTS AUTHORITY THE RIGHT TO UTILIZE THE LAND SHARE OF THE PUBLIC ESTATE AUTHORITY OUT OF THE BATANGAS PORT RECLAMATION

WHEREAS, Presidential Decree 3-A dated January 11, 1973 mandates that all reclamation of foreshore, submerged and offshore areas shall be limited to the National Government or any person authorized by it under a proper contract;

WHEREAS, Presidential Decree 1084 dated February 04, 1977 creates and empowers the Public Estates Authority (PEA) to reclaim lands and Executive Order 525 dated February 14, 1979 designates the PEA as the agency primarily responsible for all reclamation projects for and on behalf of the National Government and mandates that all reclamation projects shall be approved by the President of the Philippines upon recommendation by the PEA or through a proper contract executed by it with any person or entity;

WHEREAS, by virtue of its mandates, the PEA has entered into contract with the Batangas Port Planners and Development, Inc. (BPPDI), a private corporation which, based on existing procedures as prescribed by law, has been authorized to undertake, at its own expense or at no cost to the government, a reclamation and land development project in Batangas City covering an area contiguous to the existing International Seaport Project of the Philippine Ports authority (PPA) in accordance with the plans and specifications as approved by the PEA and/or other government agencies concerned;

WHEREAS, the reclamation and land development contract as approved by the President of the Philippines stipulates a share for the PEA out of the reclaimed land at forty percent (40%) of the gross reclaimed area inclusive of roads and open spaces and contiguous saleable areas to be located at the portion abutting the existing PPA port facilities, as shown in Annex A* of this Memorandum Order;

WHEREAS, the PEA and PPA, being government agencies, have mutually agreed for the latter to use the PEA share, out of the net saleable areas of the Project, for future port extension purposes.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct the following:

SECTION 1. The PEA, upon completion of its Batangas Port Reclamation Project by its private joint venture partner, shall segregate its share out of the net saleable area of the entire reclamation project, in the portion as designated in Annex A* hereof, subject to final configuration of the area and approval of the technical description by the agency concerned.