

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 64

TRANSFERRING THE CLARK INTERNATIONAL AIRPORT CORPORATION (CIAC) FROM THE OFFICE OF THE PRESIDENT TO THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS (DOTC), MAKING CIAC AN AGENCY ATTACHED TO THE DOTC, AND FURTHER TRANSFERRING THE SHARES OF STOCK OF CIAC

WHEREAS, CIAC was incorporated and registered with the Securities and Exchange Commission (SEC) as a wholly-owned subsidiary of the Clark Development Corporation (CDC) pursuant to Executive Order No. (EO) 192 (s. 1994), with the primary purpose of operating and managing the Clark Civil Aviation Complex (CCAC);

WHEREAS, EO 360 (s. 1996) was issued making CIAC a subsidiary of the Bases Conversion and Development Authority (BCDA), consistent with the provisions of Republic Act No. (RA) 7227, as amended, otherwise known as the "*Bases Conversion and Development Act of 1992*,"

WHEREAS, EO 7 (s. 2001), authorized the merger of CIAC and CDC, with CDC as the surviving corporation, in order that there will be effective and efficient coordination in pursuing their policies and operations;

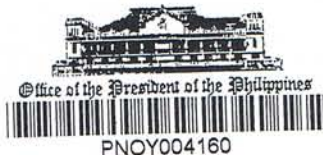
WHEREAS, EO 186 (s. 2003) re-established CIAC as a subsidiary of the BCDA;

WHEREAS, EO 193 (s. 2003) repealed EO 186 (s. 2003), and established CIAC as a subsidiary of CDC;

WHEREAS, EO 341 (s. 2004) directed the Manila International Airport Authority (MIAA) to exercise administrative supervision and control over all international airports in the Philippines, including the Diosdado Macapagal International Airport (DMIA), which is within the CCAC;

WHEREAS, CIAC was transformed from a subsidiary of CDC to a subsidiary of BCDA and made subject to the policy supervision of DOTC under EO 716 (s. 2008);

WHEREAS, EO 716 further provides that CIAC shall exercise jurisdiction over CCAC, which is comprised of 2,200 hectares, as well as over the area of approximately 166.9 hectares within the Clark Industrial Estate 5 (IE5), which is bounded on the East by the East Perimeter Wall; on the West by the Subic-



Clark-Tarlac Expressway (SCTEX) Interchange; and on the North by the SCTEX Logistics Interchange.

WHEREAS, the CCAC is envisioned to be the Philippines' premier international airport;

WHEREAS, the DOTC is the primary policy, planning, programming, coordinating, implementing and administrative entity in the Executive Branch in charge of the promotion, development, and regulation of dependable and coordinated networks of transportation and communications system, as well as of the fast, safe, efficient and reliable postal, transportation and communications services;

WHEREAS, to ensure the continued development of the CCAC, there is a need to establish clear lines of authority and accountability by directing a specific cabinet office to exercise primary oversight functions over the same;

WHEREAS, in order for the DOTC to effectively oversee and monitor the development of the CCAC, there is a need to transfer administrative control and supervision over CIAC to the DOTC; and

WHEREAS, the Administrative Code of 1987 grants the President the continuing authority to reorganize the administrative structure of the Executive Branch.

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

SECTION 1. CIAC as an attached agency of the DOTC. CIAC is hereby attached to the DOTC which shall exercise administrative control and supervision over CIAC.

SECTION 2. Board of Directors. The powers and functions of the CIAC shall be vested in and exercised by a Board of Directors to be composed of eleven (11) members, as follows:

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| Chairperson | : | Secretary of Transportation and Communications; |
| Vice Chairperson | : | Secretary of Tourism; |
| Members | : | General Manager, MIAA; |
| | | Director General, Civil Aviation Authority of the Philippines (CAAP); and |



Office of the President of the Philippines



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Seven (7) other members to be appointed by the President of the Philippines, upon consultation with the Secretary of Transportation and Communications, representing the equity in the capital stock of the National Government in CIAC, provided each one of them is a Filipino citizen, of good moral character, and of recognized competence in a relevant field, including, but not limited to civil aviation, economics, tourism, law or engineering; *Provided*, however, that the nomination and appointment of the seven (7) appointive directors shall comply with the provisions of RA 10149, otherwise known as the "GOCC Governance Act of 2011."

SECTION 3. Transfer of Shares of Stock and Control Over Assets and Facilities. The BCDA, or the entity or persons in whose names the shares of stock of CIAC are registered at present, are hereby ordered to transfer and convey immediately to the National Government all the shares of stock of CIAC in order for the National Government to own and hold all such shares of stock as the registered stockholder of record and deliver all the shares in the name of the National Government to the Secretary of Transportation and Communications on behalf of the Republic of the Philippines; *Provided*, however, that any delay in the execution of such documents of transfer and conveyance of the shares of stock of the National Government shall not, in any event, delay, hinder or deter the immediate exercise of all powers of control and supervision over CIAC by the Secretary of Transportation and Communications, including without limitation, the power to recommend the appointment or removal and replacement of the members of the Board of Directors and officers of CIAC, subject to the provisions of RA 10149.

SECTION 4. Role of Departments, Bureaus, Offices, Agencies, Instrumentalities of the Government. The Secretary of Transportation and Communications may call upon the Department of Finance (DOF), Department of Budget and Management (DBM), National Economic and Development Authority (NEDA), BCDA, CDC, and any other agency of the Government for such assistance as may be necessary or appropriate in the performance of his functions.

All heads of departments, agencies, bureaus, offices, including government-owned or -controlled corporations, are hereby enjoined to render full assistance and cooperation to the Secretary of Transportation and Communications and provide such information and data as may be required to carry out his functions pursuant to this Order.



SECTION 5. Repeal. All issuances, orders, rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 6. Separability. If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions unaffected shall remain valid and subsisting.

SECTION 7. Effectivity. This Executive Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE, in the City of Manila, this 21st day of December, in the Year of our Lord, Two Thousand and Eleven.




By the President:



PAQUITO N. OCHOA, JR.
Executive Secretary



CERTIFIED COPY:



MARIANTU M. DIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE

12-29-2011 jmr/ma/s