



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 107

RECONSTITUTING THE OFFICE FOR TRANSPORTATION 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 that the 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 (s. 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;

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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 deal 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;
- e. Ensure that airport security services at international airports are provided with the necessary supporting facilities, including office space, telecommunications equipment, appropriate security equipment and training facilities; and
- f. Perform such functions as may be necessary to effectively carry out the provisions of this Order or as may be directed by the DOTr Secretary.

SECTION 4. Reconstitution of the NCASC. The NCASC shall hereby be composed of the following:

Secretary, DOTr	Chairman
Secretary, Department of National Defense	Vice-Chairman
Secretary, Department of Justice	Member
Secretary, Department of the Interior and Local Government	Member
Commissioner, Bureau of Customs	Member
Commissioner, Bureau of Immigration	Member
Director General, Civil Aviation Authority of the Philippines (CAAP)	Member

Each member may designate a representative to the NCASC, who shall hold a rank not lower than Undersecretary or its equivalent.

SECTION 5. Powers and Functions of the NCASC. The NCASC shall coordinate civil air transportation security activities among the departments and other government agencies, airport and aircraft operators, air traffic service providers and other entities concerned with or responsible for the implementation of various aspects of the NCASP, in accordance with paragraph 3.1.5 of Annex 17 of the Chicago Convention. The OCAS shall serve as Secretariat to the NCASC.

SECTION 6. Assistance from the Military. As may be deemed necessary by the NCASC, members of the Philippine Air Force or when necessary, other branches of the Armed Forces of the Philippines shall join visibility patrols conducted by OCAS personnel to curb criminality and to preserve the security of airports against threats to national security.

SECTION 7. Coverage. This Order shall apply to all civilian airports in the Philippines including, but not limited to, those under the jurisdiction of the Manila International Airport Authority, Clark International Airport Corporation, Mactan-Cebu International Airport Authority and the CAAP, as well as those operated pursuant to public-private partnerships, to the extent consistent with their respective concession agreements.

SECTION 8. Implementing Rules and Regulations. Subject to the approval of the DOTr Secretary, the OCAS shall promulgate such guidelines and protocols as may be necessary for the effective implementation of this Order.

SECTION 9. Separability. If any part of this Order is held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 10. Repeal. Except for the foregoing, all other provisions of EO Nos. 277 and 311 shall remain in full force and effect. All other orders, rules, regulations and issuances or parts thereof which are inconsistent with this Order are hereby repealed, amended or modified accordingly.

SECTION 11. Effectivity. This Order shall take effect immediately after its publication in the Official Gazette or in a newspaper of general circulation.

DONE, in the City of Manila, this 13th day of **March** in the year of our Lord, Two Thousand Twenty.



By the President:



SALVADOR C. MEDIALDEA
Executive Secretary

