

MALACANANG
MANILA

EXECUTIVE ORDER NO. 311

DESIGNATING THE OFFICE FOR TRANSPORT SECURITY AS THE SINGULAR AUTHORITY RESPONSIBLE FOR THE SECURITY OF THE TRANSPORTATION SYSTEMS OF THE COUNTRY, EXPANDING ITS POWERS AND FUNCTIONS AS AN ATTACHED AGENCY UNDER DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS

WHEREAS, the State is committed to the maintenance of safe and dependable transportation systems as effective instruments for national recovery and economic progress;

WHEREAS, recent international and domestic events are stark reminders that the nation must constantly be vigilant in preventing weapons, explosives or other dangerous persons, elements, devices, hazardous materials and cargoes that may be used to commit an act of terrorism or unlawful interference, the carriage or bearing thereof is not authorized, from being introduced and carried by any means or mode whatsoever on board a transport system;

WHEREAS, it is considered necessary to formulate, implement and coordinate transportation security measures, programs, plans and activities that enhance security of transportation systems of the country;

WHEREAS, THE Department of Transportation and Communications (DOTC) is the primary policy, planning, programming, coordinating, implementing, regulating and administrative entity of the Executive Branch of the government in the promotion, development and regulation of dependable and coordinated networks of transportation;

WHEREAS, by virtue of Executive Order No. 277 dated January 30, 2004, the Office for Transportation Security was created under the DOTC to exercise primary responsibility for the implementation of Annex 17 of the International Civil Aviation Organization Convention on aviation security;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has continuing authority to reorganize the administrative structure of Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Single Authority. - The Office for Transportation Security (OTS) is hereby designated as the appropriate single authority responsible for the security of the transportation systems of the country including but not limited to:

- a. Civil Aviation by ensuring that Annex 17 to the Convention on International Civil Aviation, as amended, commonly referred to as Standards and Recommended Practices on Security and as enumerated in the Security Manual for Safeguarding International Civil Aviation Against Acts of Unlawful Interference; and, the National Civil Aviation Security Programme (NCASP) are implemented;
- b. Sea Transport and Maritime Infrastructure by ensuring that the International Maritime Organization International Ship and Port Facility Security Code (ISPS), and that a National Security Programme for Sea Transport and Maritime Infrastructure is formulated, developed and implemented;
- c. Land Transportation, Rail System and Infrastructure by ensuring that a National Security Programme for Land Transportation, Rail System and Infrastructure is formulated, developed and implemented.

SECTION 2. Powers and Functions. - The OTS shall exercise the following powers and functions:

- a. Assume the functions of the National Civil Aviation Committee (NCASC) enumerated in Section 4 of Executive Order No. 277 dated January 30, 2004 as well as all other powers and functions of the NCASC subject, however, to Section 3 of this Executive Order;
- b. Exercise operational control and supervision over all units of law enforcement agencies and agency personnel providing security services in the transportation systems, except for motor vehicles in land transportation, in coordination with the heads of the bureaus or agencies to which the units or personnel organically belong or are assigned;
- c. Exercise responsibility for the security operations including, but not limited to, security screening of passengers, baggage and cargoes, and hiring, retention, training and testing of security screening personnel;
- d. In coordination with the appropriate agencies and/or instrumentalities of the government, formulate, develop, promulgate and implement comprehensive security plans, policies, measures, strategies and programs to ably and decisively deal with any threat to the security of

transportation systems and continually review, assess and upgrade such security plans, policies, measures and programs to improve and enhance transportation security and to ensure the adequacy of these security measures;

- e. Examine and audit performance of transportation security personnel, equipment and facilities, and, thereafter, establish, on a continuing basis, performance standards for such personnel, equipment and facilities, including for the training of personnel;
- f. Prepare a security manual/master plan or programme which shall prescribe the rules and regulations for the efficient and safe operation of all transportation systems, including standards for security screening procedures and prior screening or profiling of persons or individuals for the issuance of security access passes, and determination of levels of security clearances for personnel of the OTS, the DOTC and its attached agencies, and other agencies of the government;
- g. Prescribe security and safety standards in all transportation systems in accordance with existing laws, rules, regulations and international treaties and conventions;
- h. Subject to the approval of the Secretary of the DOTC, issue Transportation Security Regulation/Rules and amend, rescind or revise such regulations or rules as may be necessary for the security of the transportation systems of the country.
- i. Enlist the assistance of any department, bureau, office, instrumentality, or government owned or controlled corporations, to carry out its functions and mandate including but not limited to the use of their respective personnel, facilities and resources;
- j. Actively coordinate with law enforcement agencies in the investigation and prosecution of any illegal act or unlawful interference committed at or directed to any public transportation system;
- k. Perform such other functions necessary to effectively carry out the provisions of this Executive Order or as may be directed by the Secretary of the DOTC.

SECTION 3. National Civil Aviation Security Committee; Secretariat. – The NCASC shall henceforth act as an advisory body to and consultative forum for the Secretary of the DOTC in matters relative to civil aviation security. For this purpose, the NCASC is hereby transferred from the Department of Interior

and Local Government (DILG) to the DOTC and is hereby reconstituted and shall be composed of the following:

Secretary, DOTC	Chairman
Secretary, DILG	Vice-Chairman
Undersecretary, Office for Transportation Security	Member
Assistant Secretary, Air Transportation Office	Member
General Manager, Manila International Airport Authority	Member
General Manager, Mactan-Cebu International Airport Authority	Member
General Manager, Clark International Airport Corporation	Member
General Manager, Subic Bay International Airport Authority	Member
Manager, Davao International Airport	Member
Manager, General Santos International Airport	Member
Manager, Laoag International Airport	Member
Manager, Zamboanga International Airport	Member
Director, Philippine National Police Aviation Security Group	Member
Commissioner, Bureau of Customs	Member
Commissioner, Bureau of Immigration	Member
Administrator, Philippine Overseas Employment Administration	Member
Administrator, Overseas Worker Welfare Administration	Member
Executive Director, Department of Tourism	Member
Protocol Officer, Department of Foreign Affairs	Member
Director, National Bureau of Investigation	Member
Group Commander, Intelligence Service of the Armed Forces of the Philippines	Member
Director General, National Intelligence Coordinating Agency	Member
Group Commander, Presidential Security Group	Member
Director, DA Bureau of Plant Industry	Member
Director, DA Bureau of Animal Industry	Member
Chief, Superintendent, Bureau of Fire Protection	Member
Director, DOH Bureau of Quarantine and International Health Surveillance	Member

The OTS shall continue to serve as the Secretariat of the NCASC and qualified DILG personnel performing secretariat functions for the NCASC shall have the option to transfer to the DOTC and be absorbed by the OTS.

SECTION 4. Security Committees. – The Secretary of the DOTC shall have the power to create other security committees, composed of concerned agencies of the government and stakeholders, which shall provide assistance in the formulation, development and implementation of national security programmes for sea transport and maritime infrastructure and for land transportation, rail system and infrastructure.

SECTION 5. Funding. - The amount necessary for the initial operation and administration of the OTS shall be chargeable against funds for the purpose and other sources recommended by the Department of Budget and Management. Thereafter, appropriations for the OTS shall be included in the budget proposals under the DOTC. SECTION 6. Implementing Rule and Regulations. - Within NINETY (90) days from the effectivity of this Executive Order and subject to the approval of the Secretary of DOTC, the OTS shall promulgate rules and regulations necessary to ensure the effective implementation of this Executive Order.

SECTION 7. Repeal. - Executive Order No. 277 dated January 30, 2004 is hereby modified accordingly. All other orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 6. Effectivity. - This Executive Order shall take effect immediately.

City of Manila, 26th day of April 2004

By the President:

(SGD)ALBERTO G. ROMULO
Executive Secretary