

EXECUTIVE ORDER NO. 125-A

AMENDING EXECUTIVE ORDER NO. 125, ENTITLED “REORGANIZING THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS, DEFINING ITS POWERS AND FUNCTION, AND OTHER PURPOSES”

WHEREAS, considering the peculiar situation obtaining in the Department of Transportation and Communications (DOTC), there is a compelling need to clarify and or modify the structural and functional organization of the Department as provided under Executive Order No. 125 in order to ensure compliance with its mandate and the attainment of the corresponding objectives as specified in section 4 of said Executive Order.

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Republic of the Philippines, by virtue of the powers vested upon me by the Constitution, do hereby order:

Section 1. Section 5, 8, 9, 10 and 11 of Executive Order No. 125 otherwise known as the Reorganization Act of the Ministry of Transportation and Communications, are hereby amended to read as follows:

“Section 5. Powers and Functions. To accomplished its mandate, the Department shall have the following powers and functions.

- (a) Formulate and recommend national policies and guidelines for the preparation and implementation of integrated and comprehensive transportation and communications systems at the national, regional and local levels;
- (b) Established and administer comprehensive and integrated programs for transportation and communications, and for this purpose, may call on any agency, corporation, or organization whether public or private, whose development programs include transportation and communications as an integral part thereof, to participate and assist in the preparation and implementation of such programs;
- (c) Assess, review and provide direction to transportation and communications research and development programs of the government in coordination with other institutions concerned;
- (d) Administer and enforce all laws, rules and regulations in the field of transportation and communications;

- (e) Coordinate with the Department of Public Works and Highways in the design, location, development, rehabilitation, improvement, construction, maintenance and repair of all infrastructure projects and facilities of the Department. However, government corporate entities attached to the Department shall be authorized to undertake specialized telecommunications, ports, airports and railways projects and facilities as directed by the President of the Philippines or as provided by law;
- (f) Establish, operate and maintain a nationwide postal system that shall include mail processing, delivery services, and money order services and promote the art of philately;
- (g) Issue certificates of public convenience for the operation of public land and rail transportation utilities and services;
- (h) Accredite foreign aircraft manufacturers and/or international organization for aircraft certification in accordance with established procedures and standards;
- (i) Establish and prescribe rules and regulations for identification of routes, zones and/or areas of operation of particular operators of public land services;
- (j) Establish and prescribe rules and regulations for the establishment, operation and maintenance of such telecommunications facilities in areas not adequately served by the private sector in order to render such domestic and overseas service: that are necessary with due consideration for advances in technology;
- (k) Establish and prescribe rules and regulations for the operations and maintenance of a nationwide postal systems that shall include mail processing, delivery services, money order services and promotion of philately;
- (l) Establish and prescribe rules and regulations for the issuance of certificate of public convenience for public land transportation utilities, such as motor vehicle, trimobiles, and railways;
- (m) Establish and prescribe rules and regulations for the inspection and registration of air and land transportation facilities, such as motor vehicle, trimobiles, railways and aircrafts;
- (n) Establish and prescribe rules and regulations for the issuance of licenses to qualified motor vehicle drivers, conductors, and airmen;

- (o) Establish and prescribe corresponding rules and regulations for the enforcement of laws governing land transportation, air transportation and postal services, including the penalties for violations thereof, and for the deputation of appropriate law enforcement agencies in pursuance thereof;
- (p) Determine, fix and/or prescribe charges and or rater pertinent to the operation of public air and land transportation utility facilities and services, except such rates and/or charges as may be prescribed by the Civil Aeronautics board under its charter, and, in cases where charges or rate, are established by international bodies or association recognized by the Philippine government as the proper arbiter of such charges or rates;
- (q) Establish and prescribed the rules, regulations, procedure and standards for the accreditation of driving schools;
- (r) Administer and operate the Civil Aviation Training Center (CATC) and the National Telecommunications Training Institute (NTTI);
- (s) Perform such other powers and functions as may be prescribed by law, or as may be necessary, incidental, or proper to its mandate, or as may be assigned from time to time by the President of the Republic of the Philippines.”

“Section 8. Undersecretaries. The Secretary shall be assisted by four (4) Undersecretaries appointed by the President upon the recommendation of the Secretary.”

Section 9. Assistant Secretaries and Service Chiefs. The Secretary shall also be assisted by eight(8) Assistant secretaries appointed by the President upon the recommendation of the secretary, each of whom shall respectively be responsible for the following four (4) line offices, and shall report to the respective Undersecretaries assigned over said respective services and offices:

- (a) Office of the Assistant Secretary for Administration and Legal Affairs;
 - (1) Administrative Service, and
 - (2) Legal service
- (b) Office of the Assistant Secretary for Finance and Comptrollership;
 - (1) Finance and Management Service, and
 - (2) Comptrollership Service
- (c) Office of the Assistant Secretary for Planning and Project Development;
 - (1) Planning service, and
 - (2) Project Development Service

- (d) Office of the Assistant secretary for Management Information service and Project Management;
 - (1) Management Information Services, and
 - (2) Project Management Services
- (e) Office of the Assistant Secretary for Land Transportation;
- (f) Office of the Assistant Secretary for Postal Services;
- (g) Office of the Assistant Secretary for Telecommunications;
- (h) Office of the Assistant Secretary for Air Transportation.

Each of the Above-named services shall be headed by a service chief appointed by the President upon the recommendation of the Secretary.”

Section 10. Structural Organization. The Department, aside from the Department proper which is comprised of the Offices of the Secretary, Undersecretary and Assistant Secretaries shall include the Department Regional Offices and the attached agencies and corporations referred to in Section 14 hereof.

The Office of the Secretary shall have direct line supervision and control over the Department Regional Offices. The Department proper shall be responsible for developing and implementing policies, plans, programs and projects for the Department.”

Section 11. Department Regional Offices. The Department shall have three (3) department Regional Offices in each of the administrative regions or the country: the Department Regional Office for Land transportation, the Department Regional Office for Telecommunications and the Department Regional Office for Postal Services. The present Regional Offices of the land Transportation Commission are hereby abolished and their functions are transferred to the respective Department Regional Offices for Land Transportation. The present Regional Offices of the Bureau of Telecommunications are hereby abolished and their functions are transferred to the respective Department Regional Offices for Telecommunications. The present Regional Offices of the Bureau of Ports are hereby abolished and their functions are transferred to the corresponding department Regional Offices for Postal Services. Each Department Regional Offices shall be headed by a Department Regional Director and assisted by a Department Assistant Regional director. The present airport Offices of the Bureau of Air Transportation are hereby abolished and their functions are transferred to the Department Airport Offices. The abolition of the herein regional Offices and the transfer of their function shall be governed by the provision of section 15 (b) hereof.

The Department Regional offices shall essentially be line in character and shall be responsible for the delivery of all front line services of the Department.

For such purposes, the Department regional Offices shall have, within their respective administrative regions, the following functions:

- (a) Implement laws, and policies, plans, programs, projects, rules and regulations of the Department;
- (b) Provide efficient, and effective service to the people;
- (c) Coordinate with regional offices of other departments, offices and agencies;
- (d) Coordinate with local government units;
- (e) Perform such other functions as may be provided by law.”

Section 2. Section 12, 13, 15, and 16 of said Executive Order are hereby deleted.

Section 3. Section 14 of said Executive Order is hereby renumbered as Section 12 and amended to read as follows:

“Section 12. Maritime Industry Authority. The Maritime Industry Authority is hereby retained and shall have the following functions:

- (a) Develop and formulate plans, policies, programs, projects, standards, promotion and development of the maritime industry, the growth and effective regulation of shipping enterprises, and for the national security objective of the country;
- (b) Establish, prescribe and regulate routes, zones and/or areas of operation of particular operators of public water services;
- (c) Issue certificate of Public Convenience for the operation of domestic and overseas water carriers;
- (d) Register vessels as well as issue certificates, licenses or document necessary or incident thereto;
- (e) Undertake the safety regulatory functions pertaining to vessel construction and operation including the determination of manning levels and issuance of certificates of competency to seamen;

- (f) Enforce laws, prescribe and enforce rules and regulations, including penalties for violations thereof, governing water transportation and the Philippine merchant marine, and deputized the Philippine Coast Guard and other law enforcement agencies to effectively discharge these functions;
- (g) Undertake the issuance of license to qualified seamen and harbor bay river pilots;
- (h) Determine, fix and/or prescribe charges and/or rates pertinent to the operation of public water transport utilities, facilities and services except in cases where charges or rates are established by international bodies or associations of which the Philippines is a participating member or by bodies or associations recognized by the Philippine Government as the proper arbiter of such charges or rates.
- (i) Accredite marine surveyors and maritime enterprises engaged in shipbuilding, ship repair, shipbreaking, domestic and overseas shipping, ship management and agency;
- (j) Issue and register the continuous discharge book of Filipino seamen;
- (k) Establish and prescribe rules and regulations, standards and procedures for the different and effective discharge of the above functions;
- (l) Perform such other functions as may now or hereafter be provided by law.”

Section 4. Section 17 of Executive Order No. 123 is hereby renumbered as Section 13 and amended to read as follows:

“Section 13. Abolition/Transfer/Consolidation:

- (a) The Land Transportation Commission is hereby abolished and its staff functions are transferred to the service offices of the Department Proper and the line functions are transferred to the Department Regional Offices for Land Transportation as provided in Section 11 herein. Such transfer of functions is subject to the provisions of Section 15(b) hereof. The quasi-judicial powers and functions of the Commission are transferred to the Department. The corresponding position structure and staffing pattern shall be approved and prescribed by the Secretary pursuant to Section 16 hereof.
- (b) PNL Leasing, Inc. is hereby abolished and its functions are transferred to Philippine National Lines, Inc. subject to the provisions of Section 15 (b) hereof. The Secretary of Transportation and Communications or his designated representative shall be the Chairman of the Board.

- (c) The National Aero Manufacturing, Inc. and the Philippine Aero Systems, Inc. are hereby abolished in accordance with the provisions of Section 15(b) hereof.
- (d) The Civil Aeronautics Board is hereby transferred from the Department of Tourism to the Department as an attached agency in accordance with the provision of Section 15 (a) hereof. The Secretary of Transportation and Communications or his designated representative shall be the Chairman of the Board.
- (e) The Maritime Training Council's function of issuing certificates of competency to seamen under LOI 1404 is hereby transferred to the Maritime Industry Authority."

Section 5. Section 18, 19, 20, 21, 22, 23, 24, 25, and 26 of said Executive Order are hereby renumbered as Sections 14, 15, 16, 17, 18, 19, 20, 21, and 22 respectively.

Section 6. section 27 of said Executive Order is hereby renumbered as Section 23 and amended to read as follows:

"Section 23. Repealing Clause. Presidential Decree No. 890, Letter of Instructions Nos. 263 and 371 Executive Order No. 1011 dated March 20, 1985 are hereby repealed. All laws, ordinances, rules, regulations, other issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly."

Section 7. Section 28 of said Executive Order is hereby renumbered as Section 24.

Section 8. This Executive Order shall take effect immediately upon approval.

Done in the City of Manila, Philippines, this 13th day of April, in the Year of Our Lord, Nineteen Hundred and Eighty - Seven.

(SGD.) CORAZON AQUINO

By the President:

JOKER P ARROYO
Executive Secretary