

MALACAÑANG  
MANILA

MFN 1078

EXECUTIVE ORDER NO. 298

AMENDING SECTIONS 7, 10, 11 AND 13 OF EXECUTIVE ORDER NO. 778, AS AMENDED BY EXECUTIVE ORDERS NOS. 903 AND 909, CREATING THE MANILA INTERNATIONAL AIRPORT AUTHORITY

WHEREAS, Executive Order No. 778, dated March 4, 1982, was issued creating the Manila International Airport Authority, a separate and autonomous body, for the purpose of providing, among others, high standards of accommodation and service comparable with the best airports in the world;

WHEREAS, the amendment introduced by Executive Order No. 903 drastically reduced the capital of the Authority to be contributed by the National Government from ten billion (P10,000,000,000.00) Pesos to two and one-half billion (P2,500,000,000.00) Pesos. Considering the substantial increase in the value of the Authority's properties and assets said capitalization is no longer realistic;

WHEREAS, Executive Order No. 903 mandated that sixty-five percentum (65%) of the annual gross operating income of the Authority shall revert to the General Fund in the National Treasury and to be used for the maintenance and operation of other international and domestic airports in the country;

WHEREAS, Executive Order No. 903, as amended by Executive Order No. 909, increased the number of members of the Board of Directors to nine;

WHEREAS, there is a need to modify the present composition of the MIA-Authority Board of Directors to afford the MIA-Authority better coordination;

WHEREAS, there is a need for the services of the Solicitor General and/or the Government Corporate Counsel to assist the Authority's existing Legal Department in handling cases in order to meet the present exigencies;

WHEREAS, in view of the multifarious requirements, functions and responsibilities of the Authority, there is a need to amend Sections 7, 10, 11 and 13 in order to ensure the viability and flexibility of the Authority in running and operating its affairs.

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the Constitution of the Philippines, do hereby order and decree the following:

SECTION 1. Section 7 of Executive Order NO. 909, dated September 16, 1983, is hereby amended to read as follows:

"Section 7. Board of Directors. - The corporate powers of the Authority shall be exercised by and vested in a Board of nine (9) members composed of the following: Representative from the Department of Transportation and Communications as Chairman, the General Manager of the Manila International Airport Authority as Vice-Chairman, representative from the Office of the President, representative from the Department of Finance or Bureau of Customs, representative from the Department of Tourism, representative from the Department of Justice or Commission on Immigration and Deportation, representative from the Office of Assistant Secretary for Air Transportation, and two (2) representatives coming from the private sector to be appointed by the President of the Philippines.

The Board shall meet regularly once a month and as often as the exigencies of the service demand. The presence of at least five (5) members shall constitute a quorum, and the vote of a majority of the members present, there being a quorum shall be necessary for the adoption of any rule, regulation, resolution, decision or any other act of the Board.

The members of the Board shall receive per diems, as the Board may approve, for each Board meeting actually attended by them: Provided, That such per diem shall not exceed One Thousand Pesos (P1,000.00) during any one (1) month for each member."

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Section 2. Section 10 of Executive Order NO. 903 dated July 21, 1983 is hereby amended to read as follows:

"Section 10. Capital. - The capital of the Authority to be contributed by the National Government shall be increased from Two and One-half Billion (P2,500,000,000.00) Pesos to Ten Billion (P10,000,000,000.00) Pesos to consist of:

(a) The value of fixed assets (including airport facilities, runways and equipment) and such other properties, movable and immovable which may be contributed by the National Government or transferred by it from any of its agencies, the valuation of which shall be determined jointly with the Department of Budget and Management and the Commission on Audit on the date of such contribution or transfer after making due allowances for depreciation and other deductions taking into account the loans and other liabilities of the Authority at the time of the takeover of the Assets and other properties;

(b) That the amount of P605 million as of December 31, 1986 representing about seventy percentum (70%) of the unremitted share of the National Government from 1983 to 1986 to be remitted to the National Treasury as provided for in Section 11 of E. O. 903 as amended, shall be converted into the equity of the National Government in the Authority.

Thereafter, the Government contribution to the capital of the Authority shall be provided in the General Appropriations Act.

Section 3. Section 11 of Executive Order No. 903 dated July 21, 1983 is hereby amended to read as follows:

"Section 11. Contribution to the General Fund for the Maintenance and Operation of other Airports.  
Within thirty (30) days after the close of each quarter, twenty percentum (20%) of the gross operating income, excluding payments for utilities of tenants and concessionaires and terminal fee collections, shall be remitted to the General Fund in the National Treasury to be used for the maintenance and operation of other international and domestic airports in the country. Adjustments in the amount paid by the Authority to the National Treasury under this Section shall be made at the end of each year based on the audited financial statements of the Authority.

Section 4. Section 13 of Executive Order No. 903 dated July 21, 1983 is hereby amended to read as follows:

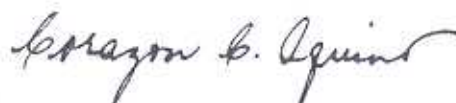


"Section 13. Legal Counsel. - The Government Corporate Counsel and/or the Solicitor General shall be the counsel of the Authority.

Section 5. All laws, executive orders, letters of instructions, rules and regulations, or provisions thereof, except those which are provided for in PD 1957, which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

Section 6. This Executive Order shall take effect fifteen (15) days after its publication in the Official Gazette.

DONE in the City of Manila, this 26th day of July, in the year of Our Lord, nineteen hundred and eighty-seven.



By the President:



JOVITO P. ARROYO  
Executive Secretary