

[PRESIDENTIAL DECREE NO. 1084, February 04, 1977]

CREATING THE PUBLIC ESTATES AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

WHEREAS, there is a need to provide for a coordinated, economical and efficient administration of lands and real estate, especially reclaimed lands, belonging to, managed and/or operated by the government;

WHEREAS, a government-owned and/or controlled entity organized for the purpose is necessary;

NOW, THEREFORE, I, FERDINAND E. MARCOS , President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order;

SECTION 1. *Short titled.* —This decree shall be known as the Charter of the Public Estates Authority.

SEC. 2. *Declaration of policy.* —It is the declared policy of the State to provide for a coordinated, economical and efficient reclamation of lands, and the administration and operation of lands belonging to, managed and/or operated by the government, with the object of maximizing their utilization and hastening their development consistent with the public interest.

SEC. 3. *Creation, name, domicile and term.* —There is hereby created a body corporated to be known as the Public Estates Authority, hereinafter referred to as the "Authority", which shall have the attribute of perpetual succession and possessed of the powers of corporation, to be exercised inconformity with the provisions of this charter.

The principal office of the Authority shall be determined by its Board of Directors. It may establish such offices, agencies or branches in the Philippines as its business operations would require.

The Authority shall have a term of fifty (50) years from the issuance hereof, which shall be deemed for an equal period unless sooner dissolved by law.

SEC. 4. *Purpose.* —The Authority is hereby created for the following purposes:

(a) To reclaim land, including foreshore and submerged areas, by dredging; filling or other means, or to acquire reclaimed land;

(b) To develop, improve, acquire, administer, deal in, subdivide, dispose, lease and sell any and all kinds of lands, buildings, estates and other forms of real property, owned, managed, controlled and/or operated by the government;

(c) To provide for, operate or administer such service as may be necessary for the efficient, economical and beneficial utilization of the above properties.

SEC. 5. *Powers and functions of the Authority.* — The Authority shall, in carrying out the purposes for which it is created, have the following powers and functions:

(a) To prescribe its by-laws.

(b) To sue and be sued in its corporate name.

(c) To adopt and use a seal and alter it at its pleasure.

(d) To purchase, lease, build, alter construct, erect, enlarge, occupy, manage, sell, mortgage, dispose of, or otherwise deal in, buildings of every kind and character whatsoever, whether belonging to, or to be acquired by the Authority.

(e) To construct, maintain and operate mains, pipes, machinery, water reservoirs, artesian wells as may be reasonably and necessarily required for the transaction of the lawful business of the Authority.

(f) To own or operate railroads, tramways and other kinds of land transportation, vessels and pipelines, power house, hotels, restaurants, terminals, warehouses and to manufacture, produce, purchase, sell, dispose, encumber or otherwise deal in, rolling stock, equipment, tools and other appliances; to construct and operate in connection with its railroad lines toll viaducts, toll bridges and toll tunnels.

(g) To construct, maintain and operate such systems of sanitary sewers as may be necessary for the proper sanitation of its areas of operation; to charge and collect such sums for construction and rates for this service as may be determined by the Board to be equitable and just; and to process waste materials obtained in the sewers for fertilizing purposes.

(h) To construct, maintain and operate such storm drains as may be necessary.

(i) To hold lands of the public domain in excess of the area permitted to private corporations by statute.

(j) To reclaim lands and to construct work across, or otherwise, any stream, watercourse, canal, ditch, flume, street, avenue, highway or railway of private or public ownership, as the location of said works may require, provided that said works be constructed in such a manner as not to endanger life or property or in a manner not to impair unnecessarily their usefulness. Every person or entity whose property is crossed or intersected by said works shall not obstruct any such crossings or intersections and shall grant the Authority or its representatives, the proper authority for the execution of such work. The Authority is hereby given the right-of-way to locate, construct and maintain such works over and throughout the lands owned by the Republic of the Philippines or any of its branches and political subdivisions. The Authority or its representatives may also enter upon private property in the lawful performance or prosecution of its business and purposes; *Provided*, That the owner of such private property shall be indemnified for any actual damage caused thereby.

(k) To issue such regulations as may be necessary for the proper use by private parties of any or all of the highways, roads, utilities, buildings and/or any of its properties and to impose or collect fees or tolls for their use provided that all receipts by the Authority from fees, tolls and other charges are automatically appropriated for its use.

(l) To organize subsidiary companies' to undertake any of the activities mentioned herein. The capital stock of such subsidiary companies shall be subscribed in whole or in part by the Authority.