

**[ REPUBLIC ACT NO. 6958, July 31, 1990 ]**

**AN ACT CREATING THE MACTAN-CEBU INTERNATIONAL AIRPORT AUTHORITY, TRANSFERRING EXISTING ASSETS OF THE MACTAN INTERNATIONAL AIRPORT AND THE LAHUG AIRPORT TO THE AUTHORITY, VESTING THE AUTHORITY WITH POWER TO ADMINISTER AND OPERATE THE MACTAN INTERNATIONAL AIRPORT AND THE LAHUG AIRPORT, AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SECTION 1. *Title.* - This Act shall be known and cited as the "Charter of the Mactan-Cebu International Airport Authority."

SEC. 2. *Creation of the Mactan-Cebu International Airport Authority.* - There is hereby established a body corporate to be known as the Mactan-Cebu International Airport Authority which shall be attached to the Department of Transportation and Communications. The principal office of the Authority shall be located at the Mactan International Airport, Province of Cebu.

The Authority may have such branches, agencies or subsidiaries as it may deem proper and necessary.

SEC. 3. *Primary Purposes and Objectives.* - The Authority shall principally undertake the economical, efficient, and effective control, management and supervision of the Mactan International Airport in the Province of Cebu and the Lahug Airport in Cebu City, hereinafter collectively referred to as the airports, and such other airports as may be established in the Province of Cebu.

In addition, it shall have the following objectives:

- a. To encourage, promote and develop international and domestic air traffic in the central Visayas and Mindanao regions as a means of making the regions centers of international trade and tourism, and accelerating the development of the means of transportation and communications in the country; and
- b. To upgrade the services and facilities of the airports and to formulate internationally acceptable standards of airport accommodation and service.

SEC. 4. *Functions, Powers and Duties.* - The Authority shall have the following functions, powers and duties:

- a. To formulate a comprehensive and integrated development policy and program for the airports and to implement, review and update such policy and program periodically;

- b. To control, supervise, construct, maintain, operate and provide such facilities or services as shall be necessary for the efficient functioning of the airports;
- c. To promulgate rules and regulations governing the planning, development, maintenance, operation and improvement of the airports, and to control and supervise the construction of any structure or the rendition of any service within the airports;
- d. To exercise all the powers of a corporation under the Corporation Code of the Philippines, insofar as those powers are not inconsistent with the provisions of this Act;
- e. To acquire, purchase, own, administer, lease, mortgage, sell or otherwise dispose of any land, building, airport facility, or property of whatever kind and nature, whether movable or immovable, or any interest therein: *Provided*, That any asset located in the Mactan International Airport important to national security shall not be subject to alienation or mortgage by the Authority nor to transfer to any entity other than the National Government;
- f. To exercise the power of eminent domain in the pursuit of its purposes and objectives;
- g. To levy and collect dues, charges, fees or assessments for the use of airport premises, works, appliances, facilities or concessions, or for any service provided by the Authority;
- h. To retain and appropriate dues, fees, and charges collected by the Authority relative to the use of airport premises for such measures as may be necessary to make the Authority more effective and efficient in the discharge of its assigned tasks;
- i. To invest its idle funds, as it may deem proper, in government securities and other evidences of indebtedness; and
- j. To provide services, whether on its own or otherwise, within the airports and the approaches thereof as may be necessary or in connection with the maintenance and operation of the airports and their facilities.

SEC. 5. *Police Authority.* - The Authority shall have the power to exercise such police authority as may be necessary within its premises or areas of operation to carry out its functions and attain its purposes and objectives: *Provided*, That the Authority may request the assistance of law enforcement agencies, including request for deputization as may be required. Such police authority shall be exercised in connection with the following, among others:

- a. Maintenance of security to passengers, cargoes, aircraft, airport equipment, structures, facilities, personnel, funds and documents;
- b. Regulating the entry to, exit from and movement within the airports;
- c. Maintenance of peace and order within the premises of the Authority;
- d. Regulation and supervision of private security agencies operating in the airports;
- e. Enforcement of rules and regulations promulgated by the Authority pursuant to law; and
- f. In case of emergencies or imminent danger involving national security within the airport premises, the Philippine Air Force Security Command shall take charge.

SEC. 6. *Board of Directors.* - The corporate powers of the Authority shall be exercised by and vested in a Board of eleven (11) members, which shall be composed of a Chairman, a Vice-Chairman and nine (9) members. The Secretary of Transportation and Communications and the General Manager of the Authority shall

be the ex officio Chairman and Vice-Chairman of the Board, respectively. The Assistant Secretary of the Air Transportation Office and the Secretaries of the following executive departments or any Undersecretary or Assistant Secretary designated by the respective Secretaries shall be ex officio members, to wit: the Department of Finance, the Department of Justice and the Department of Tourism. In addition, four (4) members recommended by the governor of the Province of Cebu shall be appointed by the President of the Philippines for a term of four (4) years from the private sector. The governor of the Province of Cebu or his duly authorized representative shall be the ninth member.

The Board shall promulgate its rules relative to meetings, quorum requirements and compensation or allowances of the members of the Board.

*SEC. 7. Functions, Powers and Duties of the Board.* - In addition to the powers vested in the Board under the other sections of this Act, the Board shall have the following functions, powers and duties:

- a. To define and approve the programs, plans, policies, procedures and guidelines of the Authority for the development and operation of the airports;
- b. To appoint the General Manager of the Authority who shall be the chief executive officer of the Authority;
- c. To approve the Authority's organizational and administrative structure, staffing pattern, operating and capital expenditures, and financial budgets, upon recommendation of the General Manager, subject to existing laws, rules and regulations;
- d. To approve salary ranges, benefits and other terms and conditions of service for all officers and employees of the Authority, upon recommendation of the General Manager, which shall, as far as possible, be competitive with those offered in the private sector, subject to existing laws, rules and regulations;
- e. To fix the rate of dues, charges, fees or assessments for the use of airport premises, works, appliances, facilities, concessions, services and other fees and charges related to the activities of the airports, upon recommendation of the General Manager; and
- f. Generally, to exercise all the functions and powers necessary or incidental to attain the purposes and objectives of this Act.

*SEC. 8. Functions, Powers and Duties of the General Manager.* - The General Manager shall be directly responsible to the Board and shall have the following functions, powers and duties:

- a. To direct and supervise the day-to-day management, operation and administration of the airports;
- b. To implement and enforce decisions, orders, rules and regulations issued, prescribed or adopted by the Board;
- c. To undertake researches, studies, investigations and other activities related to the present operations and future improvement of the airports, and to submit comprehensive reports and appropriate recommendations to the Board for proper action;
- d. To appoint, transfer, suspend, remove or otherwise discipline any subordinate officer or employee of the Authority, subject to the approval of the Board and in accordance with the existing rules and regulations of the Civil Service Commission;