

[EXECUTIVE ORDER NO. 311, April 26, 2004]

DESIGNATING THE OFFICE FOR TRANSPORTATION SECURITY AS THE SINGLE AUTHORITY RESPONSIBLE FOR THE SECURITY OF THE TRANSPORTATION SYSTEMS OF THE COUNTRY, EXPANDING ITS POWERS AND FUNCTIONS AND FOR OTHER PURPOSES

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 to prevent weapons, explosives, other dangerous elements or devices, hazardous materials and cargoes, which may be used to commit an act of terrorism and the carriage or bearing of which is not authorized, from being introduced into and carried on board a public transport system;

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

WHEREAS, to address the range of transnational crimes affecting our country, Executive Order No. 62 issued on 15 January 1999 creating the Philippine Center on Transnational Crime to formulate and implement a concerted program of action of all law enforcement intelligence and other agencies for the prevention and control of transnational crime;

WHEREAS, to ensure the effective and efficient implementation and coordination of transportation security measures, programs, plans and activities which will enhance the security and safety of the transportation systems of the country;

WHEREAS, to ensure the effective and efficient implementation and coordination of transportation security measures, there is a need for a single authority which shall be responsible therefore;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to recognize the administrative structure of the 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 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 the Standards and Recommended Practices on Security and as enumerated in the Security Manual for Safeguarding International Civil Aviation Against Acts of Unlawful Interference, as well as 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) is implemented, and that a National Security Programme for Sea Transport and Maritime Infrastructure is formulated, developed and implemented; and 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 Security 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, jointly with the heads of the bureaus or agencies to which the units or personnel organically belong or are assigned; c. Exercise responsibility for transportation 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, strategies and programs, to improve and enhance transportation security and ensure the adequacy of these security measures; e. Examine and audit the 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, prior screening or profiling of 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 for all transportation systems in accordance with existing laws, rules, regulations and international conventions; h. Subject to the approval of the Secretary of the DOTC, issue Transportation Security Regulations/Rules and amend, rescind or revise such regulations or rules as may be necessary for the security of the transportation