

[OTS Memorandum Circular No. 01, s. 2015, May 01, 2015]

GUIDANCE IN THE IMPLEMENTATION OF THE NCASP (PURSUANT TO EO#277 AS AMENDED BY EO#311)

*Adopted: 1 May 2015
Date Filed: 28 July 2015*

Pursuant to E.O. No. 277 as amended by E.O. No. 311, in reference to "Annex A" thereof otherwise known as the National Civil Aviation Security Program (NCASP), in compliance with the ICAO standards and recommended practices (SARPS) provided in Chapter 3, paragraph 3.1.1 and 3.1.2 of Annex 17 (ICAO Convention), this office as the Appropriate Authority, and pursuant to Executive Order 292 otherwise known as the Administrative Code of the Philippines, hereby adopts and issues this clarification and guidance:

I. RATIONALE AND OBJECTIVE

This memorandum circular clarifies and updates for effective and efficient implementation the National Civil Aviation Security Program (NCASP) as adopted and approved by the President pursuant to Executive Order #277 by incorporating ICAO convention updating amendments to the standards and recommended practices (SARPS) of Annex 17 (Security) to the ICAO Convention by the issuance of needed revising editions.

II. COVERAGE

This will cover the NCASP (2004) and its updating editions, incorporating the amendments to Annex 17 (ICAO) for update in accordance with the Convention.

III. GUIDANCE

III.a. Annex 17 (security) to the International Civil Aviation Organization (ICAO) Convention and all its amendments are part of the law of the land and has the force of a domestic law by way of incorporation (Sec 2, Article 11, 1987 Constitution; Chap 2, Title 1, Book III of the Admin Code of 1987 [EO292]; DOJ Opinion, dated 22 September 2014, LML-L-22I14-1282).

III.b. The President pursuant to section 1 of Executive Order no. 277 approved and adopted the National Civil Aviation Security Program (NCASP, herein TAB 1) under his Ordinance power. Corollary thereto, specifically Sec. 4 of the law mandated the National Civil Aviation Security Committee (NCASC) to implement and maintain the NCASP.

III.c. Executive Order No. 311 amended Executive Order No. 277 and transferred to