

AN ACT TO CREATE A PUBLIC CORPORATION TO BE KNOWN AS THE ”NATIONAL AIRPORTS CORPORATION,” TO DEFINE ITS POWERS AND DUTIES, TO APPROPRIATE THE NECESSARY FUNDS THEREFOR, AND FOR ...

REPUBLIC ACT NO. 224, June 05, 1948

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

SECTION 1. There is hereby created a public corporation to be known as the "National Airports Corporation," hereinafter called and designated the Corporation, to serve as an agency of the Republic of the Philippines for the development, administration, operation and management of government owned landing fields in the Philippines.

The said Corporation shall exist for a term of fifty years from the date of the approval of this Act, and shall have its principal place of business at Nichols Field, municipality of Paranaque, Province of Rizal.

SEC. 2. The "National Airports Corporation" shall have the following objects:

- To take over the use, management, operation, maintenance, development, control, regulation and policing of Nichols Field as a public airport for national and international air traffic, and of all other government airfields, except those controlled and/or operated by the Armed Forces of the Republic, and of any other airfields which it may acquire or construct;
- To plan, design, equip, expand, improve, repair, alter, or construct these airports or any navigation facilities appurtenant thereto with a view to providing the public with an efficient and modern air transportation service;
- To assist in the development and utilization of the air potential of the Philippines, and in the encouragement and promotion of civil aeronautics.

SEC. 3. The said Corporation shall be subject to the provisions of the Corporation Law in so far as they are not inconsistent with the provisions of this Act, or the purpose for which the Corporation is formed, and it shall enjoy the general powers mentioned in said Corporation Law in addition to the following powers:

- To enter into, make and execute contracts of any kind as may be necessary or incidental to the attainment of its objects, with any person, firm, or public or private corporation or entity, or, subject to the approval of the President, with any foreign government;
- To acquire, hold, purchase, or lease any personal or real property, rights of way, and easements which may be proper or necessary for the furtherance of the purposes of the corporation;
- To exercise the right of eminent domain for the purposes for which it was created, in the manner provided by law for condemnation proceedings by the national, provincial and municipal governments;
- To sell, pledge, mortgage, alienate or otherwise dispose of any property, or interest therein, or part thereof, whenever in the judgment of the Board of Directors said property, or interest therein, or part thereof, is no longer needed or required for the purposes for which the corporation is formed; or to lease the same when the lease thereof for any purpose shall not interfere with the main use of the airport: Provided, however, That no

real property of whatever value, nor fixed installations of any kind having a book value of one hundred thousand pesos or over, may be sold or otherwise disposed of by the Corporation without the approval of the President of the Philippines;

- To contract loans, to issue bonds and other obligations as security therefor: Provided, however, That at no time shall bonded indebtedness of the corporation exceed ten million pesos. In order that the corporation may validly issue bonds, the resolution of the Board of Directors authorizing the issuance thereof shall state the purpose and the terms and conditions of the bonds, which resolution shall be subject to the approval of the President of the Philippines upon recommendation of the Secretary of Finance. All bonds issued by the Corporation shall be exempt from taxation by the Republic of the Philippines or by any political subdivision thereof, and shall be receivable as security in any transaction with the Government of the Republic of the Philippines in which security is required. As security for any and all loans which it may contract, the Corporation is authorized to mortgage any and all airfields, installations and equipment which it has or may control.

- With the exception only of the amounts to be charged as landing fees, parking-space fees for transient aircraft, and royalties on sales or deliveries, direct or indirect, to an aircraft for its use of aviation gasoline, oil and lubricants, spare parts, accessories and supplies which shall be subject to the approval of the Civil Aeronautics Board, the Corporation shall have authority to determine, impose, collect and receive all charges, tolls, royalties, fees or rentals for the use of any of the property under its management and control; and to prescribe the terms and conditions under which such property may be used. As used in this section:

- "Landing fees" refer to all charges for the use of any landing strip or runway by any aircraft landing or taking off at the airport;

- "Terminal fees" refer to all charges for parking at or near the ramp, terminal area or building for purposes of loading or unloading passengers and/or cargo;

- "Transient aircraft" refers to all those which do not have, at the airport, any fixed base, area, or parking space;

- "Royalties" refer to all charges based on gross business or sales, or gross or net profit.

- "Supplies" include any and all items of whatever nature or description which may be necessary for, or incidental to, the operation of an aircraft.

- To grant to any person, firm or company such concession or concession rights as may be necessary or convenient to the airports upon such terms and conditions as the corporation may deem proper: Provided, however, That the exclusive use of any landing strip or runway within any airport shall not be granted to any person, firm, or corporation.

- To determine the types of aircraft that may be allowed to use the airports and to limit their use to certain types of aircraft only, in the interest of public safety;

- To prescribe, adopt, establish and enforce such rules and regulations, consistent with existing laws, rules and regulations, as may be necessary for the safety, health, and welfare of the public within the airport;

- In general, to do everything, directly or indirectly, necessary or incidental to, or in furtherance of, the purposes of the corporation; and the enumeration of the specific powers herein granted shall not be constructed as a limitation upon the general and incidental powers of the corporation;

- In the transaction of its business, to perform all acts which a co partnership or natural person is authorized to perform under the laws existing or which may be enacted hereafter.

SEC. 4. The governing body of the Corporation shall consist of a Board of Directors composed of five members

to be appointed by the President of the Philippines, with the consent of the Commission on Appointments of the Congress of the Philippines. The President of the Philippines shall designate from among the members of the Board a Chairman and a Vice-Chairman who shall act as Chairman during the absence or temporary disability of the former.

Of the directors first appointed as above prescribed, the President of the Philippines shall designate one to serve for five years, one to serve for four years, one for three years, one for two years, and one for one year; and thereafter, each director appointed shall serve for four "years. Whenever a vacancy occurs among the directors, the person appointed director to fill such vacancy shall hold office for the unexpired portion of the term of the member whose place he is selected to fill. Any director shall be subject to removal by the President of the Philippines. Three members of the Board of Directors shall constitute a quorum for the transaction of business.

Before entering upon the discharge of their duties, each of the directors shall take the oath prescribed in section twenty-three of the Revised Administrative Code and in the Constitution of the Philippines.

The members of the board shall each receive a per diem of not to exceed thirty pesos for each meeting actually attended by them.

SEC. 5. The board shall submit its annual report and balance sheets to the President of the Philippines and to the Congress of the Philippines, as provided in sections five hundred and seventy-four to five hundred seventy-seven of the Revised Administrative Code.

SEC. 6. The direct and active management of the affairs and business of the Corporation shall be performed by the General Manager, subject to the supervision and control of the Board of Directors.

The General Manager shall be appointed by the President of the Philippines with the consent of the Commission on Appointments of the Congress of the Philippines; shall be entitled to a compensation to be fixed by the President of the Philippines, and shall hold office at his pleasure.

The General Manager shall, with the approval of the Board of Directors, appoint and fix the number and salaries of such technical and other officers and employees as way be necessary for the performance of the functions and activities of the Corporation; shall sit at all meetings of the Board of Directors and may participate in its deliberations but shall have no right to vote, and shall render and submit such report or reports to the board as may be required of him from time to time.

SEC. 7. The Office of the Administrator of the Manila International Airport established under the provisions of Executive Order Numbered One hundred, dated October twenty-one, nineteen hundred and forty-seven, is hereby abolished, and all personnel, records, properties, assets, rights, obligations, liabilities, appropriations and unexpended balances thereof are hereby transferred to, and assumed, by, the "National Airports Corporation". All works, construction and improvements made by the Civil Aeronautics Administration or any agency of the National Government in or upon government airfields, as well as the appropriations or the unexpended balances thereof shall belong to this Corporation.

SEC. 8. All laws, executive orders and rules and regulations governing the operation of aircraft in the Philippines shall be applicable to any aircraft using the landing fields of the National Airports Corporation.

SEC. 9. In order to enable the Corporation to carry out its purposes as set forth in this Act, there is hereby appropriated out of any funds in the National Treasury not otherwise appropriated, the sum of one million pesos, which, together with the appropriations and unexpended balances mentioned in section seven of this Act, shall constitute the capital of this Corporation and will be placed at the disposal of the Board of Directors for the

attainment of the objectives of the Corporation.

The funds herein appropriated shall not be released unless and until the Secretary of Finance and the Auditor General shall have certified to the President of the Philippines that there are existing and available funds in the National Treasury in excess of the sums appropriated in the General Appropriation Law for the fiscal year ending June thirtieth, nineteen hundred and forty-nine and the priority appropriations established by law.

SEC. 10. All acts or parts of acts and executive orders, administrative orders, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed.

SEC. 11. This Act shall take effect on its approval.

Approved, June 5, 1948.

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