# AUTHORIZING THE PHILIPPINE PORTS AUTHORITY (PPA) TO RECLAIM AND DEVELOP SUBMERGED AREAS VESTED IN THE PPA FOR PORT-RELATED PURPOSES

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WHEREAS, Article IV of Section 6 (b) x of Presidential Decree 857, series of 1975, as amended, otherwise known as the Revised Charter of the Philippine Ports Authority (PPA), granted the latter the power to reclaim, excavate, enclose or raise any part of the lands vested in the Authority;

WHEREAS, under subsection (a) iv of the same section, PPA has the duty to license, control, regulate and supervise any construction or structure within any Port District;

WHEREAS, the substantial increase in domestic and international seaborne trade requires the addition of facilities in identified major ports;

WHEREAS, due to limited available land areas, the expansion of these ports necessitate the reclamation of the contiguous submerged areas;

WHEREAS, land reclamation and development projects are capital intensive requiring huge financial outlays beyond the resources of the PPA;

WHEREAS, it is a declared government policy to encourage and harness private sector participation in undertaking infrastructure projects vital to economic development;

WHEREAS, proposals have been received from the private sector for the reclamation and development of reclaimed areas for port-related purposes;

WHEREAS, Section 6 of RA No. 6957, otherwise known as the Build-Operate-and-Transfer-Law, authorizes the grant of a portion or percentage of the reclaimed land as a repayment scheme, subject to constitutional requirements with respect to ownership of lands;

WHEREAS, Section 1 of Executive Order No. 525, series of 1979, requires all reclamation projects of any government agency or entity authorized by its charter shall be undertaken in consultation with the Public Estate Authority (PEA) upon approval of the President;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Philippine Ports Authority to reclaim and develop submerged areas vested in the PPA exclusively for port-related purposes.

SECTION 1. Joint Venture Agreements. — Considering the capital intensive nature of reclamation projects, PPA is authorized to undertake said projects in conjunction with the private sector, in accordance with existing laws.

SECTION 2. Consultation with PEA. — All reclamation projects undertaken pursuant to this issuance shall be in consultation with PEA and subject to the approval of the President.

SECTION 3. Issuance of Patents. — The Department of Environment and Natural Resources (DENR), through the Land Management Bureau (LMB) shall, later reclamation, conduct an actual survey of the reclaimed area and

thereafter issue the corresponding patent(s) in the name of the Philippine Ports Authority, subject to private rights, if any.

SECTION 4. Administration Over Reclaimed Areas. — The authority to administer, develop or dispose the land reclaimed pursuant to this Order is hereby vested in the PPA, subject to the provisions or existing laws.

SECTION 5. Implementing Rules and Regulations. — The PPA, in coordination with the proper agencies, is hereby directed to issue the rules and regulations to implement this Order within thirty (30) days from the date of issuance hereof.

SECTION 6. Repealing Clause. — All executive orders and issuances inconsistent with this Order are hereby repealed, amended or modified accordingly.

SECTION 7. Effectivity. — This Executive Order shall take effect immediately.

Adopted: 17 July 1997

By the President:

(SGD.) RUBEN D. TORRES
Executive Secretary


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