TRANSFERRING THE PHILIPPINE COAST GUARD FROM THE DEPARTMENT OF NATIONAL DEFENSE TO THE OFFICE OF THE PRESIDENT, AND FOR OTHER PURPOSES

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WHEREAS, the Philippine Coast Guard (PCG) is an agency created and established as a major unit of the Philippine Navy pursuant to Republic Act No. 5173;

WHEREAS, the mandate of the PCG and the program of government to rationalize Philippine maritime administration could be better pursued, and coordination with the private sector and the different departments and agencies of government which require the services of the PCG could be properly managed, if the PCG is placed under the Office of the President;

WHEREAS, the PCG remains a major subordinate unit of the Philippine Navy by virtue of Sec. 54, Chapter 8, Subtitle II, Title VIII, Book IV of EO 292 dated 25 July 1987, otherwise known as the "Administrative Code of 1987", and assigned functions pertaining to the promotion of safety of life at sea and the protection of the marine environment;

WHEREAS, Sec. 31, Chapter 10, Title III, Book III of EO 292 grants the President the continuing authority to reorganize the Office of the President by, among others, transferring any agency or function to the Office of the President;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order that:

SECTION 1. Transfer. The PCG is hereby transferred from the Philippine Navy, Armed Forces of the Philippines, Department of National Defense to the Office of the President.

SECTION 2. Powers and Functions. The PCG shall continue to be the agency primarily responsible for the promotion of safety of life at sea and the protection of the marine environment pursuant to the provisions of RA 5173, PD 600, PD 601, PD 602, PD 979, as amended.

SECTION 3. Implementing Requirements. There is hereby created a Transition and Liquidation Committee to be composed of the DOTC as Chairman, the Philippine Navy, PCG, Department of Budget and Management and the Office of the President as members. These agencies shall designate their respective representatives to this Committee which shall recommend to the President the necessary plans and measures to effect the transfer within 30 days from the signing of this EO. The Committee shall likewise, undertake the appropriate inventory and disposition of all PCG properties.

SECTION 4. PCG Assets. The current appropriations of the PCG and assets presently under its possession, supervision and/or control shall be deemed PCG properties such as, inter alia, vessels, watercraft, firearms, armaments, munitions, communications and electronic equipment, vehicles, buildings, real estate, and lighthouses. Such properties and their records are hereby transferred to the PCG.

SECTION 5. Appropriations. Such sums as may be needed to carry out the provisions of this Executive Order

which are appropriated for the PCG at the time of the approval of this Executive Order shall continue to be carried in subsequent annual General Appropriations Act. Thereafter, the PCG shall prepare its own budget as a Key Budgetary Item (KBI).

SECTION 6. Pay, Allowances and Retirement of Uniformed Personnel. PCG uniformed personnel shall continue to receive the same base pay, longevity pay, and other allowances and benefits as authorized for corresponding grades and ranks in the AFP. PCG uniformed personnel shall continue to be covered by PD 1638 (AFP Retirement Law), as amended until such time as the PCG is able to establish its own retirement system under a regime and timetable agreed upon by the Committee.

SECTION 7. Repealing Clause. All Executive Orders, Rules and Regulations or parts thereof contrary to or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 8. Effectivity. This Executive Order shall take effect immediately.

Adopted: 30 Jan. 1998

BY THE PRESIDENT:

(SGD.) ALEXANDER P. AGUIRRE
Acting Executive Secretary

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