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Senate
Office of the Secretary

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SENATE

Senate Bill No. 2195

RECEIVED BY. *Ji*

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
CREATING THE AKLAN AIRPORT AUTHORITY, AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

The world famous resort Boracay of Province of Aklan is one of the top tourist destinations of the Philippines. Business activities also flourish in the area to cater to foreign and local visitors.

Records show that volume of passenger air traffic flying the Kalibo-Manila-Kalibo, Manila-Caticlan-Manila and Kalibo-Cebu-Kalibo routes have steadily grown. There are now also a number of airlines operating along these routes. Hence, the need to improve, expand and upgrade the facilities in the two airports including night landing and all weather airport equipment and system. This bill seeks to achieve this by establishing the "Aklan Airport Authority" which shall have the power to administer and operate the Kalibo and Caticlan airports in the Province of Aklan.

The approval of this bill is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator



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

SECTION 1. Title. This Act shall be known and cited as the "**Charter of Aklan Airport Authority**".

SEC. 2. Creation of the Aklan Airport Authority. There is hereby established a body corporate to be known as Aklan Airport Authority which shall be attached to the Department of Transportation and Communications. The principal office of the Authority shall be located at Kalibo, Province of Aklan.

The Authority may have such branches, agencies or subsidiaries as it may deem proper and necessary.

SEC. 3. Primary Purpose and Objectives. The authority shall principally undertake the economical, efficient and effective control, management and supervision of the Kalibo Airport in the Municipality of Kalibo and the Caticlan Airport in the Municipality of Malay, herein after collectively referred to as the airports, such as either airports as may be established in the province of Aklan. In addition, it shall have the following objectives:

- (a) To encourage, promote and develop international and air traffic in the central and western Visayas regions as a means of making the regions centers of international trade and tourism, and accelerating the development of the means of transportation and communication in the country; and
- (b) To upgrade the services and facilities of the airports and to formulate internationally acceptable standards of airports accommodation and service.

SEC. 4. Functions, Powers and Duties. The Authority shall have the following functions, powers and duties:

- (a) To formulate a comprehensive and integrated development policy and programs of the airport and to implement, review and update such policy and program periodically;
- (b) To control supervise, construct, maintain, operate and provide such facilities or services as shall be necessary for the efficient functioning of the airports;
- (c) To promulgate rules and regulations governing the planning, development maintenance, operation and improvement of the airports, and to control and supervise the construction of any structure of the rendition of any service within the airports;
- (d) To exercise all the power of a corporation under the Corporation Code of the Philippines, insofar as those powers are not inconsistent with the provisions of this Act;
- (e) To acquire, purchase, own administer, lease, mortgage, sell or otherwise dispose of any land, building, airport facility, or property of whatever kind and nature, whether movable or immovable, or any interest therein: *Provided that*, any asset located in the Kalibo Airport important to national security shall not be subject to alienation or mortgage by the Authority nor to transfer to any entity other than the National government;
- (f) To exercise the power of eminent domain in the pursuit of its purposes and objectives;
- (g) To levy and collect dues, charges, fees or assessment of the use of airport premises, works, appliances, facilities or concessions, or for any service provided by the Authority;
- (h) To retain and appropriate dues, and charges collected by the Authority relative to the use of airport premises for such measures as may be necessary to make the Authority more effective in the discharge of its assigned tasks;
- (i) To invest its idle funds, as it may deem proper, in government securities and other evidences of indebtedness; and
- (j) To provide services, whether on its own or otherwise, within the airports and the approaches thereof as may be necessary or in connection with maintenance and operation of the airports and their facilities.

SEC. 5. Policy Authority. The Authority shall have the power to exercise such police authority as may be necessary.

SEC. 6. Composition of the Board. The Board shall consist of:

- the Secretary of Agriculture and Food, Chairman;
- the Secretaries (or representatives) of the Department of Science and Technology, Environment and Natural Resources, Education and Culture and Sports, and Local Government;
- the Chairman of the Fertilizer and Pesticides Authority (PFA)
- two (2) representatives of small farmers;
- two (2) representatives of non-government organizations involved in sustainable agriculture for at least three (3) years; and
- two (2) representatives of agriculture state and private colleges and universities, Members.

The representatives of small farmers and of NGOs, and of agricultural state and private colleges shall be chosen by the Secretaries of Agriculture and Food and Science and Technology, respectively, from among nominees

submitted to the agency concerned by their respective national organizations. They shall be conversant with bio-organic farming and committed to the policies and program provided under this Act.

SEC. 7. Organization of the Board. Within sixty (60) working days from the effectivity of this Act, the national organizations of small farmer, of NGOs, and agricultural colleges and universities shall submit respective nominees the Secretary of Science and technology, as the case may be, who shall evaluate the qualifications of the nominees and appoint the most qualifies member of the Board.

The Chairman shall call the members of he Board, or a majority thereof in not all have designated, a meeting organize themselves and prescribe its rule and procedures for the attainment of the objectives of this Act. A majority if al the members of the Board shall constitute a quorum.

They shall also determine its budget, including travel expenses, allowances and per diems of its non-governmental members when attending official Board meetings or attending to them, and costs of office space, equipment and supplies.

The Board may appoint full-time assistants, Secretaries, and other employees, subject to existing Civil Service rules and regulations.

SEC. 8. Executive Directorate. The Executive Directorate, hereinafter referred to as the Directorate, shall be headed by a full-time Executive Director who shall appointed by the President of the Philippines not later than thirty (30) working days organizational meeting and whose compensation shall be fixed by the Board. The Executive Director shall be assisted the members of the Directorate, who shall be composed of the following officials and public representatives of private groups, and who are hereby directed to full support and cooperation;

- The Director, Bureau of Soils and Water Management, DAF
- The Director, Bureau of Plant Industry, DAF
- The Director, Agriculture Trading Institute, DAF
- The Director, Bureau Research. DAF
- The Executive Director, Fertilizer Pesticide Authority (FPA)
- A representative, to be designated by the Secretary of the Department of Science and Technology;
- A representative, to be designated by the Secretary of the Department of Environment Reosurces
- A representative, to be designated by the Secretary of the Department of Education.
- A representative, to be designated by the Secretary of the Department of Interior and Local Government;
- The Executive Director, Philippine Council for Agriculture, Forestry and Natural Resources Research and Development (PCARRD)
- A representative from the Farmers Cooperative Sector;
- Two (2) other NGOs involved in sustainable agriculture or development from the past three (3) years be chosen by the Secretary of Agriculture and Food from among the nominees of the NGOs sector;
- A representative each of agricultural state and private collages and universities, to be chosen from among the nominees of national organizations of said colleges universities; and

- Three (3) representatives of small farmers to be chosen by the Secretary of Agriculture and Food from among the nominees of national organizations of small farmers;

All the members or representatives in the Executive Directorate shall conversant with bio-organic farming and committed to the policies and program provided under this Act.

The Executive Director is hereby empowered to call upon any government agency for assistance in the performance of his tasks.

The Department of Agriculture and Food and of Science and Technology shall jointly provide an office and staff for the Directorate.

The salary and office expenses of the Executive Director and the members and staff of the Directorate well as the traveling expenses, allowances and per diem private representatives in the Directorate attending official Directorate meetings and performing other tasks assigned to them, shall be taken from the appropriations provided under this Act.

SEC. 9. *Appointment of Task.* The Executive Director shall apportion and coordinate the tasks embraced by the program provided in this Act among the various members of the Directorate according to their field(s) of specialization. Such shall include, but are not limited to education, research, extension, training of farmers, training of trainers including the giving or acquisition scholarships and observation grants of here and abroad, pesticide-free IPM, small scale and commercial production of organic farm inputs, an accreditation system to insure sustained their quality, and sustained promotional campaigns. The members the Directorate shall at all times observe cooperation with one another, complement and/or supplement offices and/or organizations in the accomplishment of such tasks.

SEC. 10. *Bio-organic Farming and Protection of the Environment.* Within sixty (60) working days after assuming office and after the first organizational meeting of Directorate, the Executive Director shall and after the first organizational meeting of Directorate, the Executive Director shall submit to the office of the President for approval.

- (a) A report on the setting-up and organization of the Directorate and staff;
- (b) A scheme of distribution and complementation of functions among the members Directorate;
- (c) A plan of bringing the program down to the grassroots, utilizing available personnel and facilities on the local level and those of local government units;
- (d) A pattern of cooperation and mutual assistance with local Government units, POS and NGOs, which will maximize people empowering and participatory approaches to program formulation, implementation and monitoring; and
- (e) A schedule of short-term, medium-term, and long-term targets.

SEC. 11. *Bio-organic Farming and Protection of the Environment.* The BOFA shall constantly devise implement ways and means not only producing bio-organic of fertilizers other farm inputs and needs on and off the farm but also of helping alleviate to the problems of industrial waste and

community garbage disposal through appropriate methods of sorting, collecting, and composting.

Likewise, the BOFA in coordination with the Department of Education shall set-up Bio-organic demonstration farms in various schools nationwide.

The Executive Director shall conduct continuing studies, with consultations among the people and officials as Pos and NGOs, in order to advise local, governments, from the Barangay to the Provincial level, on collection and disposal of garbage and waste in such a way as to provide for the production of organic fertilizer and other farm inputs.

SEC. 12. *Incentives.* The Government shall extend incentives for manufacture and propagation of bio-organic farm inputs by maximizing their use in all government-supported agricultural production, research and programs. The Department of Agriculture (DAF), Department of Science and Technology (DOST), Department of Education (DepEd), Department of Interior and Local Government (DILG), Department of Trade and Industry (DTI), Land Bank and other government lending non-leading institutions shall assist organic input procedures through marketing and other services and resources.

SEC. 13. *Appropriations.* The sum of Fifty Million Pesos (P50,000,000.00) for the effective implementation this Act is hereby appropriated out of any funds in the National Treasury not otherwise appropriated. Thereafter, such amount as maybe necessary for the continuous implementation of the program shall be included in the annual General Appropriations Act.

At least seventy-five percent (75%) of the BOFA's percent budget shall be allotted holistic and integrated scientific research, information, and training of farmers and demonstrations on the farm level, including the provisions of full-time bio-farming extention workers who will work with farmers' associations and cooperatives, Pos, NGOs, barangay assemblies, rural communities, and other groups.

SEC. 14. *Separability Clause.* If any provision of this Act or the application of such provision to any person or circumstance is held invalid for any reason, the other provisions or their application to other persons or circumstances and effect.

SEC. 15. *Repealing Clause.* All laws, decrees, orders, rules, regulations and issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 16. *Effectivity.* This shall take effect upon its approval.

Approved,