

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 1710

Introduced by Honorable Roque R. Ablan, Jr.

EXPLANATORY NOTE

This bill seeks to repeal Republic Act No. 9103 granting Laoag International Airlines, Inc. (LIA), a franchise to establish, operate and maintain domestic and international air transport services.

In the early morning of November 11, 2002, one of the aircrafts of LIA, an F-27 MK600 Fokker plane, met an accident resulting to the death of several passengers and injuries to some. Rescued by early joggers, fishermen and members of the Philippine Coast Guard, witnesses noted that the airplane was not in its normal air flight.

The investigation initially conducted by the Civil Aeronautics Board and then by the Department of Transportation and Communications, chaired by Undersecretary Arturo T. Valdez, revealed that the primary cause of the accident was attributed to the failure of the crew to operate the F-27 aircraft according to the Standard Operating Procedure for every flight of such engine. The fuel rotary selector knobs for the isolation valves of the collector tanks were not set to the open position prior to the engine start. The investigation also showed that the training conducted by LIA for the pilots to achieve the desired level of competence was inadequate. Moreover, the LIA maintenance crew failed to properly pre-flight check the aircraft prior to its release to the line for passenger flight. Considering that the airline crew, especially the pilots, have the awesome responsibility for the lives and well

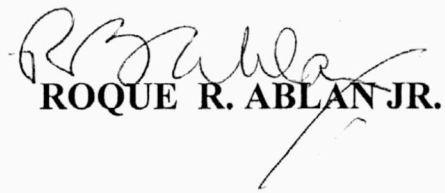
being of passengers, the management of the LIA should have imposed the maximum safety measures. Clearly, LIA had violated Section 2 of Republic Act 9103 which provides that all aircrafts must at all times be *airworthy*.

Under the law, a franchise granted is not to be interpreted as an exclusive grant of privilege. Specifically, Section 16 of the franchise provides that:

“Repealability and. Non-exclusivity Clause.- This Franchise shall be subject to amendment, alteration or repeal by the Congress of the Philippines when the public interest so requires and shall not be interpreted as an exclusive grant of the privileges herein provided for.”

Human life is precious. It is not a merchandise that can be replaced, ignored or disposed of at will. It is to be noted that the accident happened on a very clear day as attested to by the early joggers and fishermen who responded to the emergency. How much more perilous it would have been if flights occur during the rainy season. We cannot afford to have the lives of our loved ones and countrymen at peril in the hands of inadequately equipped airline and deficiently trained crew. The franchise granted to the LIA should be withdrawn.

Early approval of this bill is, therefore, earnestly sought.


ROQUE R. ABLAN JR.

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AN ACT
REPEALING REPUBLIC ACT NUMBERED 9103, GRANTING
LAOAG INTERNATIONAL AIRLINES, INC. A FRANCHISE TO
ESTABLISH, OPERATE AND MAINTAIN DOMESTIC AND
INTERNATIONAL AIR TRANSPORT SERVICES

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

Section 1. Republic Act No. 9103, entitled, “An Act Granting the Laoag International Airlines, Inc. a Franchise to Establish, Operate and Maintain Domestic and International Air Transport Services” is hereby repealed.

Section 2. This Act shall take effect upon its approval.

Approved,