

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

Thirteenth Congress
Second Regular Session

HOUSE BILL NO. 4997



Introduced by Honorable Roque R. Ablan, Jr.

EXPLANATORY NOTE

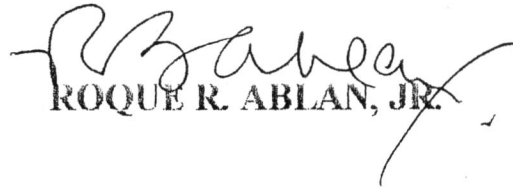
The Philippines and the community of nations are legitimately distressed by wanton terrorist attacks upon transportation systems and facilities in the light of the September 11, 2001 USA attacks (9/11); the Madrid (Spain) brutal train bombing, the Bali & Djakarta, Indonesia murderous bombing streaks and numerous others in the international stage coupled in the domestic theatre by the Super Ferry Sinking; the LRT Rizal Day bombings that has links to international terrorists ring; the Davao International Airport Bombing and others, resulting to tragic loss of irreplaceable lives and awesome damage to property and commerce. These national and international security incidents urges the state to formulate and earnestly implement a comprehensive air (civil aviation), water (maritime) and land (rail/overland) transport security programs under a singular administrative authority with law enforcement power to prevent if not eradicate security threats/incidents to precious human lives and critical transport facilities/infrastructures while in full compliance with the mandates of international agreements and conventions to halt the menacing transport terrorism.

Our country needs cogent measures to warrant an efficient and internationally compliant transport security systems with an effective law enforcement group in all ports, harbors, terminals, infrastructures and facilities in air, land and water nationwide. There is an urgent need to install and implement a comprehensive CIVIL AVIATION, MARITIME, LAND & RAIL NATIONAL SECURITY PROGRAMS throughout the country to contain & prevent, if not eradicate security incidents, to human lives and properties. It is of highest national honor and prestige that the Philippines is fully compliant with the minimum international standards in

all modes of transport security by being acquiescent with post 9/11 standards and practices prescribed for transportation security.

The State must enact a singular administrative agency in the transportation sector, the law enforcement agencies and such other allied agencies. Such legislation should likewise mandate the establishment of measures to prevent weapons, explosives or other dangerous materials, persons, elements, devices and cargoes which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized, from being introduced, by any means whatsoever, on board a transportation system. This legislation is in the interest of national honor and prestige that the State be in protocol footing with the minimum security requirements in inter-modal transportation systems by being fully compliant with the post 9/11 internationally accepted standards and practices prescribed for transportation security.

**THEREFORE, IMMEDIATE PASSAGE OF THIS BILL TO
STRENGTHEN AND ENFORCE THE LAWS ON SECURITY IN
ALL THE TRANSPORT SYSTEMS IS EARNESTLY SOUGHT.**


ROQUE R. ABLAN, JR.

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HOUSE BILL NO. 4997

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**AN ACT TO BE KNOWN AS THE "TRANSPORTATION SECURITY ACT OF
2004," CREATING THE PHILIPPINE TRANSPORTATION SECURITY
AUTHORITY (PTSA) AND AUTHORIZING THE APPROPRIATION OF FUNDS
THEREFOR AND FOR OTHER PURPOSES**

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

TITLE I GENERAL PROVISIONS

Section 1. This Act shall be known as the "Transportation Security Act of 2004".

Section 2. Declaration of Policy - The State recognizes the vital role of public transportation and commerce in nation building and in the promotion of international and domestic trade relations for economic growth and comity among nations.

The State in preserving and protecting the rights of its people to a secured public transportation system, hereby supports and promotes the installation and implementation of a consolidated transport security management to improve and maintain an effective inter-modal (air, land & water) transportation systems in full compliance with the international standards/practices and fostering state of the art security measures in the country's transportation systems.

The State further declares all out support in the implementation and enforcement of the strictest possible standards to stamp out terrorism, economic sabotage and all forms of unlawful interference that breach the integrity and security of international and domestic transportation systems.

The State finally adopts the generally accepted principles of international law and universal recommendations on standards and practices in transportation security

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measures as part of the laws of the land and adheres to the policy of comity and cooperation.

Section 3. Unlawful interference to Transportation System, How Committed.

Acts of unlawful interference to transportation systems are any intentional or unintentional felonious act or acts directed upon any transportation systems (land, water & air) ports, harbors, infrastructure, hangars, terminals, service or facility, thereby causing death, physical injuries, danger and property damage/loss in great waste and ruin.

Section 4. Other acts of unlawful interference. -- Other acts of unlawful interference may be committed;

a) By any person or group of persons threatening to cause serious unlawful interference with, or actually causing unlawful interference/disruption of a public transport service, facility or system, whether public or private by providing material, financial or moral comfort except in the furtherance of legitimate protest, grievance or advocacy;

b) By maliciously reporting any felonious acts, whether isolated or habitual, independent or in conspiracy or concerted acts, in whatever criminal stage of execution, which tend to jeopardize or threaten or have jeopardized or threatened the security of public transportation in the Philippines;

c) By unauthorized release of any classified Transport Security information;

d) By failing to sanitize or implement security measures in a transport system;

e) By abusing transport franchise, permit and other certificates of public convenience;

f) By not disclosing or reporting information concerning breach in transport security;

g) By unlawful use of vehicles, vessels, sea crafts and aircrafts in the Transportation business for the purpose of committing unlawful interference;

h) By any other act of commission or omission which tend to endanger public Security and Convenience or breach the integrity and security of a transportation system;

Section 5, Conspiracy or proposal to commit Unlawful Interference. -- There is a conspiracy to commit unlawful interference when two or more persons come to an agreement to commit any act of unlawful interference defined herein and decide to commit;

There is proposal to commit unlawful interference when a person, who has decided to commit any act of unlawful interference as defined herein, proposes its execution to some other person or persons;

Section 6. Jurisdiction over cases involving unlawful interference. -- The

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Regional Trial Court or the Sandiganbayan, as the case may be, shall have jurisdiction to try all cases involving unlawful interference to the transportation system.

Those charged with or convicted for acts of unlawful interference are without prejudice to the prosecution for any other act or acts penalized under the Revised Penal Code or other existing laws.

Section 7. Bail. -- For offenses covered by this Act, all applications for bail shall be subject to the Revised Rules of Court (RRC).

Section 8. Provisional Remedies. -- After filing the crime of unlawful interference and upon a verified motion by the prosecution, the Court shall cause the issuance of a temporary restraining order (TRO); a writ of injunction; a writ of attachment; garnishment or such other equitable relief or issue appropriate order for the tracking, seizure, disabling, disposal, preservation, disarmament or destruction of the things used in the unlawful interference to prevent the same from being removed, concealed, dissipated, destroyed, activated, transferred, assigned or otherwise disposed of during the pendency of the criminal proceedings.

No temporary restraining order (TRO) or writ of injunction against any order, regulation circular or memorandum or other issuances issued by this appropriate agency (TSA) and pursuant to this Act can be issued but by the Court of Appeals or the Supreme Court.

Section 9. Mandates for compliance with International Conventions. -- As member of the community of nations and as signatory state to international conventions, it is hereby stated that a singular Transport Security Authority is mandated to comply with the provisions transportation security administration under Internal Maritime Organization as stated in the International Ship & port Security Code (ISPS CODE) and Annex 17 (for security) of the International Civil Aviation Organization (ICAO).

Section 10. Penal Provisions. -- a) Penalty for Acts of Unlawful Interference – The penalty of not less than six (6) months to life imprisonment and a fine of not less than Php20,000.00 and not more than Ten Million Pesos (Php10,000,000.00) shall be imposed upon any person or group of persons convicted under section three (3) of this Act; b) Penalty for Conspiracy or proposal to commit unlawful Interference – The penalty of imprisonment of not less than six (6) years but not more than twelve (12) years shall be imposed upon any person or persons convicted under section four (4) of this Act; c) Penalty for materially supporting or financing acts of unlawful interference – Penalty of not less than six (6) years but not more than twelve (12) years shall be imposed upon any person or group of persons convicted under section four (4) paragraph A of this Act; d) Penalties for malicious reporting – The penalty of two (2) year imprisonment and a fine of not less than Two Hundred Thousand Pesos (Php200,000.00) Phil. Currency but not more than Five Hundred Thousand Pesos (Php500,000.00) Phil. Currency shall be imposed upon any person convicted under section four (4) paragraph B of this Act; e)

Penalties for violations of other provisions of this Act – The penalty of not less than six (6) months but not more than one (1) year imprisonment and a fine of not less than Twenty (20) Thousand Pesos but not more than Fifty Thousand (Php50,000.00) shall be imposed upon any person convicted of the offense involving violation of any other provision of this Act.

Title II Creation of the “Philippine Transportation Security Authority”

Section 1. Creation and Mandate of the Philippine Transportation Security Authority (PTSA). -- There is hereby created a single administrative agency to address the transportation security system of the country to be known as the “Philippine Transportation Security Authority” herein referred to as the “Authority”. It shall be an attached agency under the administration of the Secretary of the Department of Transportation and Communications (DOTC).

The Authority in compliance with the mandate of international conventions is hereby designated as the single administrative authority for the security of all modes (air, water & land) of transportation in the country. It shall be organized, trained and equipped to perform law enforcement purposes, reciprocal support, assistance and coordination with the Civil Aeronautics Board (CAB), the Air Transportation Office (ATO), Philippine Ports Authority (PPA), MARINA, SBMA, CPA, BCDA, PHIVIDEA, LTO, ITIRB, PNP, AFP, TMG, ASG, PCG, AIRPORT POLICE, CUSTOMS POLICE, and such other agencies related to transportation security.

The Authority is mandated to promote, formulate, implement and ensure the installation of security standards, measures and appropriate fees, protocol, procedure, practices and policies that are universally acceptable for the prevention of transportation security incident/disaster; the protection and security of passengers, crews, cargoes, baggage, personnel, facilities & infrastructure, properties and the general public.

Section 2. Powers & Functions. -- The Authority shall have the following powers and functions:

a) Exercises effective control and assumes supervision over all police and security agencies performing or rendering services in the transport security sector;

b) Responsible for the security of all modes and means of transportation systems in the Philippines that are exercised by the different government agencies including but not limited to screening of passengers, baggage or cargoes, hiring and retention of security screening personnel; training and testing of security screening, inspection verification & audit personnel

c) Advise the President directly or through the Secretary of Transportation and Communications (SOTC) and/or the National Security Council (NSC) on all matters involving transport security. In cases of urgency, the Authority by the Administrator may report directly to the President on urgent national and international transport security concern.

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d) Formulate, promulgate and develop in coordination with appropriate agencies, comprehensive transportation security plans, policies, regulations, measures, fees and programs to decisively deal with any threat to the security of the transport systems, and continually review, assess and upgrade such plans, regulations, policies, measures, fees, strategies and programs to improve and enhance transportation security and ensure the adequacy of these security measures, fees and programs to improve national transportation security upon contemporary concepts and principles;

f) Examine, verify and audit the transport security performance, activities and facilities of all modes of transportation system, and establish inter-modal transport security standards on a continuing review;

g) Prepare a comprehensive and separate National Transport Security Program, prescribing rules and regulations for the efficient operation of Land, Air and Water/Maritime transportation security, including procedures and screening for the issuance of security access pass and the determination of levels of security clearance on transportation facilities and infrastructures;

h) Prescribe transport security standards in all modes of transportation systems in the Philippines in accordance with existing rules, regulations and international conventions;

i) Exercise law enforcement power over all matters involving transport security, isolated or syndicated disruption or unlawful interference, upon all modes of transportation system. The Authority may, however, request assistance from other law enforcement agencies and may appoint or deputize other law enforcement personnel and or agencies to carry out its mandate;

j) Actively pursue *motu proprio* the investigation and prosecution of any felony, illegal act or unlawful interference committed at or directed against transportation system, facilities and infrastructure; Effect the arrest of offenders in accordance with law; And file appropriate charges related thereto through the appropriate government agencies;

k) Acquire, purchase, own, administer, lease, mortgage, sell or otherwise dispose of or encumber any real or personal property, equipment, assets and rights in furtherance of its mandate. The Authority shall be exempt from payment of any or all direct and indirect taxes, import fees and charges, capital gains taxes, local and national taxes, interests, import duties, fees, taxes and charges of any kind or nature on all of its real and personal properties, assets, income and revenues, importations, transactions, loans and obligations (principal or interests) as acquired and incurred in the exercise of its mandate under the provisions of this Act;

l) Sue and be sued with its consent;

m) Procure, own and carry firearms, and have the authority to issue mission orders thereon, subject to existing laws, rules and regulations;

n) Perform such other functions necessary to effectively carry out the provisions of this Act and as the President of the Philippines or the Secretary of Transportation and Communications may direct.

Section 3. Organizational Structure—Administrator and Deputy Administrator: Qualifications, appointments and terms of office -- The head of the Authority shall be designated as the Administrator with the rank of an Undersecretary, and is responsible for the general administration and management of the agency. He must be a natural born citizen of the Philippines; at least forty five (45) years of age; Have experience in a field directly related to transportation or security; At least five (5) years experience in the management of a field directly related to security or allied services;

The Administrator shall be appointed by the President of the Philippines upon recommendation of the Secretary of Transportation and Communications (SOTC). The Administrator shall serve a fixed term of seven (7) counted from the time he takes his oath to assume office. The Administrator is assisted by a Deputy Administrator with the rank of Assistant Secretary and shall have the same qualifications and term of office as the Administrator.

For purposes of law enforcement in the exercise of police functions, the Administrator and the Deputy Administrator are deemed persons in authority. All subordinate officials and personnel are deemed agents of persons in authority.

Section 4. Major Services -- For purposes of carrying out its duties and powers as provided for in the succeeding sections, the TSA shall have the following major services: CIVIL AVIATION SECURITY SERVICES; MARITIME SECURITY SERVICES; LAND & RAIL SECURITY SERVICES; INTELLIGENCE & COMMUNICATIONS SECURITY SERVICES; FINANCE & ADMINISTRATION SERVICES; and LEGAL, POLICY RESEARCH & ADJUDICATION SERVICES. The major services are to be headed by DIRECTORS.

a) Civil Aviation Security Services (CASS) – Which shall conduct continuous inspection, monitoring, audit of facilities and operations at all levels of air transportation system and shall monitor the implementation of the Authority's projects, programs and regulations relative to security of air transportation; to conduct investigation on all matters involving illegal acts or unlawful interference committed upon or directed to air transportation facility and submit recommendation relative thereto;

b) Maritime Security Services (MARSS) – This shall conduct continuous inspection, monitoring, audit of facilities and operations at all levels of maritime transportation system; and shall monitor the rules, regulations relative to security of maritime transportation system; and shall monitor the rules, regulations relative to security of maritime transportation; to conduct investigation on all matters involving illegal acts or unlawful interference committed upon or directed to maritime transportation facility and submit recommendation relative thereto;

c) Land & Rail Security Services (LARSS) – Which shall conduct continuous inspection, monitoring and audit of facilities and operations at all levels of land and rail transportation system and shall monitor the implementation of the Authority's projects, programs and regulations relative to security of land and rail transport facility against

illegal acts or unlawful interference committed upon or directed to land and rail transport facility and submit recommendation relative thereto;

d) Administrative & Finance Services (AFS) – Which shall provide necessary services relating to finance & administrative matters; Keeps records, correspondence, supplies, property equipment & general services; and the maintenance and utilization of facilities; and provide services relating to manpower, career planning and development, personnel placements and employees welfare;

e) Legal, Policy Research & Adjudication Services (LPRAS) – Which shall provide the Authority with efficient and effective service as legal counsel of the Authority; Draft or study contracts affecting the Authority; Review reports relative to investigation conducted by the Authority and submit recommendations pertaining thereto; Render legal opinions arising from the administration and operation of the Authority and Adjudicate matters affecting the regulatory powers of the Authority; Be responsible for information and data gathering of regulatory issuances relative to matters of national policy on civil aviation, maritime and land & rail transportation security;

f) Intelligence & Communications Security Services (ICSS) – Which shall conduct continuous intelligence gathering and evaluation to direct and substantiate policy directions of the agency. It shall likewise promulgate programs to strengthen the intelligence capability of the Authority in securing the different modes of transportation including transportation communication systems, facilities, services and infrastructure in the country.

Incidental matters that may be uncovered and which may pertain to another office, agency, bureau or division, holding or operating within the transportation facilities and complexes must be reported to the appropriate enforcement agencies and the same may be subjected to direct control and police action by the operatives and elements of the Authority.

The Authority may from time to time change its organizational structure and thus, may create, merge, consolidate or abolish such other functional offices or divisions, as it may deem proper and appropriate to achieve in maximum its mandates.

The Authority shall establish and maintain regional offices in the different regions of the country which shall be responsible for the implementation of this Act and the policies, programs and projects of the Authority in their respective regions.

Section 5. Removal; Filling of Vacancy – The Administrator may be removed from office by the President only for cause in accordance with the Civil Service laws, rules and regulations and due process.

In case of vacancy in the Authority due to death, resignation, removal or permanent disability of the incumbent Administrator, the Deputy Administrator shall serve as acting Administrator in a concurrent capacity until a new Administrator is appointed, has qualified and assumed office for the full term.

Section 6. Prohibition – The Administrator, Deputy Administrator, Directors and all other officials, officers, entire staff and personnel of the Authority shall not own stock

in or bonds of a transportation or security enterprise or in an enterprise that manufactures equipment that could be used for transport security purposes.

Any violation of this prohibition shall be dealt with in accordance with the existing concept of conflict of interest as defined in the rules and regulations concerning accountability of public officers.

Section 7. Membership in the National Security Council – The Administrator or his duly qualified representative/designate possessing the same high security clearance is hereby designated as member of the National Security Council and reports directly to the President of the Philippines regarding sensitive transportation security information.

Section 8. Functions, Powers and Duties of the Administrator – The Administrator shall have the following functions, powers and duties:

1) The sole exclusive power to interpret the provisions of this Act subject to review on certiorari by the Court of Appeals on ground of grave abuse of discretion amounting to excess or utter lack of jurisdiction;

2) The power to promulgate rules, regulations and thereto charge fees to effectively implement the provisions of this Act;

3) The sole and unilateral responsibility to determine sensitive security information (SSI). The Administrator prohibits the disclosure of information, files or records or data of any sort, if in his opinion, the disclosure of such information is: a) detrimental to the security of persons and things in transportation; b) will reveal trade secrets or privileged or confidential information obtained from any person, natural or juridical; c) will constitute unwarranted invasion of privacy of persons, including but not limited to information contained in any personnel, medical or similar file; d) will undermine public trust and confidence in duly constituted authorities in the exercise of judgment calls and discretion in any or all risk managements and preventive/preemptive actions undertaken. In view hereof, the Authority and all of its officers, staff and personnel shall not be compelled to bear witness, report information or testimony in any inquiry or forum of whatever nature called for the purpose unless authorized in writing and within the scope of authorized inquiry by the President of the Republic of the Philippines.

4) To administer and implement, subject to existing laws, rules and regulations, the mandate, powers and functions of the Authority; Provided that, the Administrator may designate an officer and/or employee of the Authority to serve as a law enforcement officer;

5) To direct and supervise the management, operation, and administration of the Authority in complying with international standards of transportation security measures and to ensure transportation security in accordance with the approved Programs plans, policies, procedures and guidelines;

6) To administer, implement and enforce decisions, orders, fees and transportation Security rules & regulations prescribed by law and/or issued by the Authority;

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7) To exercise visitorial and inspection powers over all transportation facilities, Complexes, buildings, offices, seaports and airports, tarmacs, wharves, terminals, infrastructures and the like; and issue travel and mission orders for the foregoing purpose; and coordinate with corresponding transport entities for the implementation of the same. All transportation operators or entities shall be obliged to accommodate on non-revenue basis the enforcement and regulatory teams duly designated by the Authority for the purpose. All transportation systems must provide within its premises adequate operational space and quarters for the localized security functions of the Authority;

8) To undertake researches, studies, investigations and other activities related to Contemporary transportation system security and future innovative requirements thereof, on his own initiative to or upon instruction of higher authorities, and to submit comprehensive reports and appropriate recommendations to the Secretary of the Department of Transportation and Communications (SOTC) for his information and action;

9) To formulate, implement, revise and update inter-modal (Air, Land & Water) National Transport Security Programs and Operational Plans;

10) To prescribe collection procedures and schedules of security fees, rates and Charges consistent with prevailing international standards for the use of airports, seaports, terminals and other transportation facilities/infrastructure. The revenues collected thereon shall be reported to the Philippine Treasury and shall thereafter be disbursed by the Authority for the continuing support and upgrading the administration, operation and services of the Authority, and for effectively carrying out the mandates of this Act, subject to existing auditing and accounting laws, rules, regulations and procedures;

11) To appoint, transfer, suspend, remove or otherwise discipline any subordinate Officer or employee of the Authority, subject to Civil Service laws, rules and regulations;

12) To provide for employees benefit program and policies on promotions and salary Standardizations at par with the international security service but subject to approval by the Civil Service Commission;

13) To organize or reorganize the structure of the Authority to meet the changing Conditions, subject to existing & rules on the Matter;

14) To assess threats to transport security and to receive, assess and distribute on a timely basis, all intelligence information related to transport security;

15) To develop policies, strategies, and plans for dealing with prevention and Management of crises and threats to transportation security; and ensure the installation of and enforcement of the national security plan in all transportation systems in the Philippines;

16) To perform such other functions necessary to carry out the provisions of this Act and as the President of the Philippines or the Secretary of Transportation and Communications may direct.

Section 9. Police Control, Supervision and Delegation of Powers. – The Authority shall have priority jurisdiction and precedence in the control over the

movement of persons, cargoes, or both, within the operation area of any mode of transportation system and shall therefore, possess authority to prescribe and issue security access passes within any transport operational area.

The designated law enforcement officer and personnel of the Authority or those that may be deputized to carry law enforcement power, shall have the power to effect arrest or take police action on any criminal act committed within its jurisdictional area or in their presence and may endorse the records of arrest and apprehension to the local police officer of jurisdiction where the transport system security incident happened.

The Authority exercises primary jurisdiction over acts of unlawful interference, felony or acts of terrorism committed against any transport system but may delegate or endorse same to any government agency for effective enforcement, who is likewise obliged to accept the same and see to its prompt conclusion. The Authority reserves its right to supervise, monitor and coordinate the stages of such investigation.

Section 10. Integration of Personnel Complement-- For purposes of implementing the provisions of this Act, the Philippine Coast Guard (PCG), Philippine Ports Authority Police (PPAP), Airport Police, Customs Police, PNP Maritime, Airport Security Group, Traffic Management Group (TMG), Aviation Security Group (ASG) and all other government agencies having the primary duty and function of providing transportation security shall be operationally and if necessitated by the exigency of the service, administratively integrated into and under the sole control and supervision of the Authority.

Provided, That subject to the limitations of this Act, Executive Order No. 277, and Executive Order No. 311, the Office for Transportation Security under the Department of Transportation and Communications (OTS-DOTC) is hereby abolished and the present Officers and staff of the said office (OTS-DOTC) are hereby absorbed and shall serve as the initial personnel complement of the Authority.

Section 11. Entry Level into the Authority – The entry eligibility of the absorbed (OTS-DOTC) personnel and integrated personnel (Sec. 10, this Act) for the Authority, including the Administrator, the Deputy Administrator and the Service Directors, shall be waived by the Civil Service Commission, provided that the absorbed and integrated personnel possesses equivalent qualifications in terms of training in basic security of not less than one hundred (100) hours and extensive experience for at least two (2) years in actual investigation, intelligence and security functions or assignments in a non-revenue generating office or agency.

Section 12. The Promotions and Selection Board -- There shall be a promotion Board within the Authority which shall screen and evaluate organiz personnel for promotion. Appointment and promotion process shall follow the procedures prescribed in this Act.

All positions in the Authority hereinafter created shall be filled up in accordance with the Authority's organizational/administrative and operational structure/manual,

which shall thereto define the qualification standards consistent with the minimum requirements of the Civil Service Commission..

The Service Directors shall be regularly appointed by the President of the Philippines upon the recommendation of the Secretary of the Department of Transportation and Communications (SOTC). However, the Secretary of the Department of Transportation and Communications may in the interim and in the exigency of the service, appoint the initial batch of service directors upon the recommendations of the Administrator. These appointed Directors shall be the members of the Ad-Hoc Committee for the preparation and development of the Implementing Rules and Regulations (IRR) of the Authority covering all aspects of the administration, management, operations, logistics/finance, legal service & policy research, law enforcements, standard measures and practices of transportation security and all other matters affecting or related to the full operation of the Authority, consistent and updated with prevailing technological breakthrough.

There shall be a Selection and Qualification Committee, which shall recommend to the Administrator, the appointment of all other personnel not herein provided.

Section 13. Transfer of Existing Facilities – All existing facilities, equipment and all other assets and properties, rights, interests and privileges belonging to the absorbed and integrated agencies are hereby transferred to the Authority.

Immediately upon appointment and assumption of powers and authority by the Administrator, all financial and logistical resources, facilities, and equipment shall be released and put under the control of the Authority. All organizations and agencies integrated and absorbed by the Authority shall use funds or resources on quarterly basis upon enactment of this Act.

Section 14. Transfer and Integration of personnel, facilities, equipment, property and other assets -- Immediately upon completion of the Implementing Rules and Regulations (IRR) of this Act, the absorption and integration process shall commence on the first day of the quarter of the year following such completion.

Initially appointed directors and members of the Ad Hoc Committee may continue to serve in their official capacity with the Authority if duly qualified and appointed in accordance with CSC laws, rules and regulations on eligibility.

Member employees and personnel of the integrated agencies may opt to remain with their original government agency affiliation or be transferred to and absorbed by the Authority, which option must be exercised within ninety (90) days from notice of the absorption.

Section 15. Headquarters, Offices and Location -- The Transportation Security Authority (TSA) shall have its central office and headquarters at the Transport Security Authority Hangar (formerly PADC Hangar 4) along the Domestic Road, Pasay City or at the OTS-DOTC office at corner Andrews Avenue & Tramo (property owned

by the MIAA), Pasay City or to any place in Metro Manila as the Authority may deem proper and appropriate.

The amount of Php50,000,000.00 or at least Ten per cent (10%) of the initial funding of the Authority shall be appropriated to refurbish and renovate the PADC hangar/OTS-DOTC office into a security center as well as to relocate the PADC to another hangar of its choice for its offices, if necessary.

Section 16. Appropriation – For purposes of reorganizing and constituting the Authority, and for carrying out the provisions of this Act, the Authority shall have an initial funding of FIVE HUNDRED MILLION PESOS (Php500,000,000.00). In addition, the appropriation, funding and/or budget of the absorbed and integrated agencies under Section 13 of this Act, shall be transferred to the Authority. Appropriating for the succeeding years shall be included in the annual General Appropriations Act.

Section 17. Suppletory effect of the Revised Penal Code – The Revised Penal Code shall have a suppletory effect to the provisions of this Act.

Section 18. Implementing Rules and Regulations – The Transport Security Authority shall promulgate within sixty (60) working days from effectivity of this Act, Rules and Regulations as may be necessary to ensure the efficient and the effective implementation of the provisions of this Act.

Section 19. Repealing Clause – All laws, executive orders, letters of instruction, rules and regulations and other issuances, or provisions thereof, which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 20. Separability Clause – The provisions of this Act are hereby declared separable. If any provision or portion thereof shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions which will remain in full force and effect.

Section 21. Effectivity -- This Act shall take effect after fifteen (15) following its publication in two (2) national newspapers of general circulation, or in the Official Gazette, whichever comes first.

APPROVED.