

H. No. 3111

**SECOND CONGRESS  
of the  
REPUBLIC OF THE PHILIPPINES  
Third Session**

Begun and held in the City of Manila on Monday; the twenty-eight day of January,  
nineteen hundred and fifty-two.

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**REPUBLIC ACT NO. 776**  
(As amended by PD No. 1462 & EO No. 217)

AN ACT, TO REORGANIZE THE CIVIL AERONAUTICS BOARD AND THE  
CIVIL AERONAUTICS ADMINISTRATION TO PROVIDE FOR THE REGULATION  
OF CIVIL AERONAUTICS IN THE PHILIPPINES AND AUTHORIZING THE APRO-  
PRIATION OF FUNDS THEREFOR.

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

CHAPTER 1 - Title and Purpose

SECTION 1. **Title of Act.** - The title of this Act shall be the “The Civil  
Aeronautics Act of the Philippines”.

SECTION 2. **Purpose and Scope of Act.** - The general purpose of this Act is the  
reorganization of the Civil Aeronautics Board and the Civil Aeronautics Ad-  
ministration, defining their powers and duties and making certain adjustment of funds and  
personnel in connection therewith; and the regulation of civil aeronautics.

The provisions of this Act and the rules and regulations issued pursuant thereto  
shall not apply except with respect to air traffic rules, to military aircraft and airmen of  
the Philippines and of foreign countries and to foreign civil and public aircraft and air-  
men other than those covered by Chapters III and IV hereof.

## CHAPTER II - General Provisions

SECTION 3. **Words and phrases defined.** - The following definitions shall control in the application and construction of this Act, unless the context otherwise requires:

- (a) "Administrator" means the Civil Aeronautics Administrator.
- (b) "Aerodrome" means a defined area on land or water, including any buildings, installations and equipment intended to be used either wholly or in part for the arrival, departure and movement of aircraft.
- (c) "Aeronautics" means the science and art of flight.
- (d) "Aeronautical telecommunication" means and includes any telegraph or telephone communication signs, signals, writings, images and sounds of any nature, by wire, radio or other systems or processes of signaling, used in the aeronautical service.
- (e) "Aeronautical telecommunication station" means any station operated to provide telecommunications for aeronautical purposes.
- (f) "Air Carrier" means a person who undertakes, whether directly or indirectly, or by a lease of any other arrangements, to engage in air transportation or air commerce.
- (g) "Air Commerce" means and includes air transportation for pay or hire, the navigation of aircraft in furtherance of a business, or the navigation of aircraft from one place to another for operation in the conduct of a business.
- (h) "Air transportation" means service or carriage of persons, property or mail, in whole or in part, by aircraft.
- (i) "Aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of, or flight in the air.
- (j) "Aircraft engine" means an engine used or intended to be used for propulsion of aircraft and includes all parts, appurtenances, and accessories thereof other than propellers.
- (k) "Aircraft radio station" means a radio station on board any aircraft.
- (l) "Airmen" means any individual who engages, as the person in command or as pilot, mechanic, flight radio operator or member of the crew, in the navigation of aircraft while under way, and any individual who is directly in charge of inspection, maintenance, overhauling or repair of aircraft engine, propellers, or appliances; and any individual who serves in the capacity of aircraft dispatcher or air-traffic control operator.
- (m) "Air navigation facility" means any facility used in, available for use in

or designed for use, in aid of air navigation, including areas, lights, any apparatus or equipment for disseminating weather information, for signaling, for radio-directional finding, or for radio or other electrical communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and take-off of aircraft.

(n) "Airways" means a path thru the navigable air space identified by an area of specified width on the surface of the earth designated or approved by the Administrator as suitable for air commerce or air transportation.

(o) "Airworthiness" means that an aircraft, its engines, propellers, and other components and accessories, are of proper design and construction being consistent with accepted engineering practice and in accordance with aerodynamic laws and aircraft science.

(p) "Appliances" means instruments, equipments, apparatus, parts, appurtenances, or accessories, of whatever description, which are used or are capable of being or intended to be used in navigation, operation, or control of aircraft in flight (including parachutes and communication equipment and any other mechanism or mechanisms installed in or attached to aircraft during flight), and which are not a part or parts of aircraft, aircraft engines or propellers.

(q) "Board" means the Civil Aeronautics Board

(r) "Citizen of the Philippines" means (a) an individual who is a citizen of the Philippines, or (b) a partnership of which each member is such an individual or (c) a corporation or association created or organized under the laws of the Philippines, of which the directing head and two-thirds or more of the Board of Directors and other managing officers are citizens of the Philippines, and in which sixty per centum of the voting interest is owned or controlled by persons who are citizens of the Philippines.

(s) "Civil Aircraft" means any aircraft other than a public aircraft.

(t) "Domestic Air Carrier" means an air carrier who is a citizen of the Philippines: Provided, That an air carrier who is not a citizen of the Philippines but who may be allowed to engage in domestic and/or foreign air transportation, or domestic and/or foreign air commerce, in accordance with the provisions of Section Twelve, Chapter IV of this Act, shall to all intents and purposes, be classified as a domestic air carrier.

(u) "Domestic air commerce" means and includes air commerce within the limits of the Philippine territory.

(v) "Domestic air transportation" means air transportation within the limits of the Philippine territory.

(w) "Flight radio operator" means and includes a member of the operating crew of aircraft who is granted a radio operator's license by the Civil Aeronautics Administrator to operate aircraft radio station.

(x) "Foreign air carrier" means an air carrier who is not a citizen of the Philippines, and/or an air carrier other than a domestic air carrier.

(y) "Foreign air commerce" means and includes air commerce between the Philippines and any place outside it.

(z) "Foreign air transportation" means air transportation between the Philippines and any place outside it, or wholly outside the Philippines.

(aa) "Landing field" means any locality either on water or on land, which is adapted for landing and taking-off of aircraft located along an airway and is intermediate to airports connected by the airway, whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo.

(bb) "Mail" means Philippine mail or foreign transit mail.

(cc) "Navigation of aircraft" or navigate aircraft includes the piloting of aircraft.

(dd) "Navigable air space" means air space above the minimum altitudes of flight prescribed by regulations issued under this Act.

(ee) "Permit" means Certificate of Public Convenience and Necessity.

(ff) "Persons" means any individual, firm, co-partnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

(gg) "Propeller" includes all parts, appurtenances and accessories thereof.

(hh) "Public aircraft" means an aircraft used exclusively in the service of the National Government of the Republic of the Philippines or of any political subdivision or instrumentality thereof, but not including any government-owned aircraft engaged in air commerce.

(ii) "Reasonable charges" are those which insure just and reasonable return on the capital invested, taking into consideration the cost of construction, operation and maintenance and non-aeronautical revenue of the air navigation facility affected, which shall be uniform.

(jj) "General sales agent" means a person not a bonafide employee of an air carrier, who pursuant to an authority from an airline, by itself or through an agent, sells or offers for sale any air transportation, or negotiates for, or holds himself out by solicitation, advertisement or otherwise as one who sells, provides, furnishes, contracts or arranges for, such air transportation.

(kk) "Cargo sales agent" means any person, who does not directly operate an aircraft for the purpose of engaging in air transportation or air commerce and not bonafide employee of an air carrier, who as principal or agent, sells or offers for sale any air transportation of cargo, or negotiates for, or holds himself out of solicitation, advertisement, or otherwise as one who sells, provides, furnished, contracts or arranges for such air transportation of cargo.

(ll) "Airfreight forwarder" means any indirect air carrier which, in the ordinary and usual course of its undertaking, assembles and consolidates or provides for assembling and consolidating such property or performs or provides for the performance of break-bulk and distributing operations with respect to consolidated shipments, and is responsible for the transportation of property from the point of receipt to point of destination and utilizes for the whole or any part of such transportation the services of a direct air carrier.

**SECTION 4. Declaration of policies.** - In the exercise and performance of its powers and duties under this Act, the Civil Aeronautics Board and the Civil Aeronautics Administration shall consider the following among other things, as being in the public interest, and in accordance with the public convenience and necessity:

- (a) The development and utilization of the air potential of the Philippines;
- (b) The encouragement and development of an air transportation system properly adapted to the present and future of foreign and domestic commerce of the Philippines, of the Postal Service, and of the National Defense;
- (c) The regulation of air transportation in such manner as to recognize and preserve the inherent advantages of, assure the highest degree of safety in and foster sound economic conditions in such transportation, and to improve the relations between, and coordinate transportation by air carriers;
- (d) The promotion of adequate, economical and efficient service by air carriers at reasonable charges without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices.
- (e) Competition between air carriers to the extent necessary to assure the sound development of an air transportation system properly adapted to the need of the foreign and domestic commerce of the Philippines, of the Postal Service, and of the National Defense.
- (f) To promote safety of flight in air commerce in the Philippines; and
- (g) The encouragement and development of civil aeronautics.

### CHAPTER III - CIVIL AERONAUTICS BOARD

SECTION 5. **Composition of the Board.** - The Civil Aeronautics Board shall be composed of the Secretary of Transportation and Communications or his designated representative as Chairman, the Assistant Secretary for Air Transportation of the Department of Transportation and Communications as Vice-Chairman, the Commanding General of the Philippine Air Force\* and two (2) members to be appointed by the President of the Philippines. They shall hold office at the pleasure of the President.

No member of the Board shall have any pecuniary interest in, or own any stock or bond of, any civil aeronautics enterprise.

SECTION 6. **Principal office and quorum.** - The Board shall have its principal office in Metro Manila and may hold hearings on any proceedings at such time and places within the Philippines as it may provide by order in writing. The Chairman or the Vice-Chairman and two members of the Board shall constitute a quorum.

SECTION 7. **Permanent personnel.** - The Board shall have an Executive Director, a Deputy Executive Director, and a Board Secretary who shall be a member of the Philippine Bar. The Executive Director shall be the Chief Executive of the Board and shall have a compensation of Thirty Seven Thousand Pesos per annum and such other allowances as may be authorized by the Board. He will be assisted by the Deputy Executive Director who shall receive a salary of Thirty Thousand Pesos per annum and such other allowances as the Board may authorize. The Board Secretary shall record all proceedings of the Board, take charge of and keep all its papers, and perform such other duties as may be prescribed by the Board. The Board shall have Chiefs of the Technical Divisions, and such other officers and employees as may be required by the Board in the performance of its functions and duties. The Board Secretary, together with the Chiefs of the Technical Divisions, shall receive a compensation of Twenty Four Thousand Pesos per annum and such other allowances as the Board may authorize.

In the absence of the Executive Director and the Deputy Executive Director, the Chairman may designate a senior member of the staff who shall act as Officer-in-Charge.

SECTION 8. **Temporary personnel.** - The Chairman upon recommendation of the Board, may engage, for temporary service such duly qualified persons as are necessary and shall fix their compensation.

SECTION 9. **Annual Report.** - The Board shall make an annual report of the President which shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the development of civil aeronautics, together with such recommendations as to additional legislation relating thereto as the Board may deem necessary.

\* See Section 5(4), Article XVII & Section 3, Article XVII of the Constitution

**SECTION 10. Powers and duties of the Board.** - (A) Except as otherwise provided herein, the Board shall have the power to regulate the economic aspect of air transportation, and shall have the general supervision and regulation of, the jurisdiction and control over, air carriers, general sales agents, cargo sales agents, and airfreight forwarders as well as their property, property rights, equipment, facilities, and franchise, in so far as may be necessary for the purpose of carrying out the provisions of this Act.

(B) The Board may perform such acts, conduct such investigations, issue and amend such orders, and make and amend such general and special rules, regulations, and procedures as it shall deem necessary to carry out the provisions of this Act.

(C) The Board shall have the following specific powers and duties:

(1) In accordance with the provisions of Chapter 4 of this Act, to issue, deny, amend, revise, alter, modify, cancel, suspend, or revoke, in whole or in part, upon petition or complaint, or upon its own initiative, any temporary operating permit or Certificate of Public Convenience and Necessity; Provided, however, That in the case of foreign air carriers, the permit shall be issued with the approval of the President of the Republic of the Philippines.

(2) To fix and determine reasonable individual, joint or special rates, charges or fares, which an air carrier may demand, collect or receive for any service in connection with air commerce. The Board may adopt any original, amended, or new individual, joint or special rates, charges or fares proposed by an air carrier if the proposed individual, joint, or special rates, charges for fares are not unduly preferential or unduly discriminatory or unreasonable. The burden of proof to show that the proposed individual, joint or special rates, charges or fares are just and reasonable shall be upon the air carrier proposing the same.

In fixing rates, charges, fares under the provisions of this Act, the Board shall take into consideration, among other factors:

(a) The effect of such rates upon the movement of traffic;

(b) The need in the public interest of adequate and efficient transportation of persons and property by air carriers at the lowest cost consistent with the furnishing of such service.

(c) Such standards respecting the character and quality of service to be rendered by air carriers as may be prescribed by or pursuant to law;

(d) The inherent advantages of transportation by aircraft; and

(e) The need of each air carrier for revenues sufficient to enable such air carrier, under honest, economical, and efficient management, to provide adequate and efficient air carrier service.

(3) To authorize any type of charters whether domestic or international and special air services or flight under such terms and conditions as in its judgment public interest requires. Notwithstanding the existence of bilateral air agreement, the CAB is authorized to grant any foreign airline increase in frequencies and/or capacities on international routes when in its judgment the national interest requires it, provided that the utilization of the increase frequencies and capacities is not more than thirty days. All grants of frequencies and/or capacities shall be subject to the approval of the President.

(4) To approve or disapprove increase and/or decrease of capital, lease, purchase, sales of aircraft of air carrier engaged in air commerce; consolidation, merger, purchase, lease and acquisition and control of operating contracts between domestic foreign air carriers, or between domestic air carriers or any person engaged in any phase of aeronautics.

(5) To inquire into the management of the business of any air carrier and, to the extent reasonably necessary for such inquiry, to obtain from such carrier, and from any person controlling, or controlled by, or under common control with, such air carrier, full and complete reports and other informations. Such reports shall be under oath whenever the Board so requires.

(6) To require annual, monthly, periodical, and special reports from any air carrier, to prescribe the manner and form in which such reports shall be made, and to require from any air carrier specific answers to all questions upon which the Board may deem information to be necessary. Such reports shall be under oath whenever the Board so requires. The Board may also require any air carrier to file with it any contract, agreement, understanding or arrangement, or a true copy thereof, between such air carrier and any other carrier or person, in relation to any traffic affected by the provisions of this Act.

(7) To prescribe the forms of any and all accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of money, and the length of times such accounts, records and memoranda shall be preserved: Provided, that any air carrier may keep additional accounts, records, or memoranda if they do not impair the integrity of the accounts, records, or memoranda prescribed or approved by the Board and do not constitute an undue financial burden on such air carrier.

(8) To require each officer and director of any air carrier to transmit a report describing the shares of stock with any persons engaged in any phase or other interest held by such air carrier of aeronautics, and the holding of the stock in and control of, other persons engaged in any phase of aeronautics.

(D) The Board may investigate, upon complaint or upon its own initiative whether any individual or air carrier, domestic or foreign, is violating any provision of this Act, or the rules and regulations issued thereunder, and shall take such action consistent with the provisions of this Act, as may be necessary to prevent further violation of such provision, or rules and regulations so issued.

(E) The Board may issue subpoena or subpoena duces tecum require the attendance and testimony of witness in any matter or inquiry pending before the Board or its duly authorized representatives, and require the production of books, papers, tariffs, contracts, agreements and all other documents submitted for purposes of this section to be under oath and verified by the person in custody thereof as to the truth and correctness of data appearing in such books, papers, tariffs, contracts, agreements and all other documents.

(F) The Board may review, revise, reverse, modify or affirm on appeal any administrative decision or order of the Administrator on matter pertaining to:

(1) Grounding of airmen and aircraft or

(2) Revocation of any certificate or the denial by the Administrator of issuance of any certificate; or

(3) Imposition of civil penalty of fine in connection with the violation of any provision of this Act or rules and regulations issued thereunder.

(G) The Board shall have the power, either on its own initiative or upon review on appeal from an order or decision of the Administrator, to determine whether to impose, remit, mitigate, increase, or compromise, such fines and civil penalties as the case may be.

(H) (1) The Civil Aeronautics Board shall be advised of, and shall consult with the Department of Foreign Affairs concerning the negotiation of any air agreement with foreign governments for the promotion, establishment, or development of foreign air transportation.

(2) In exercising and performing its powers and duties under the provisions of this Act, the Civil Aeronautics Board shall take into consideration the obligation assumed by the Republic of the Philippines in any treaty, convention or agreement with foreign countries on matters affecting civil aviation.

#### **CHAPTER IV - Certificate of Public Convenience and Necessity**

**SECTION 11. Nature, terms and conditions.** - Certificate of Public Convenience and Necessity is a permit issued by the Board authorizing a person to engage in air commerce and/or transportation, foreign and/or domestic. No person shall engage in air commerce unless there is in force a permit issued by the Board.

No general sales agent, cargo sales agent or airfreight forwarder shall engage in any of the activities mentioned in Section 3 paragraphs (jj), (kk) and (ll) respectively, unless there is in force a permit or any other form of authorization issued by the Board.

Any permit may be altered, amended, modified, suspended, canceled or revoked

by the Board in whole or in part, upon complaints or petition or upon the Board's initiative as hereinafter provided, whenever the Board finds such action to be in the public interest.

There shall be attached to the exercise of the privileges granted by the permit, or amendment thereto, such reasonable terms, conditions, or limitations as, in the judgment of the Board, the public interest may require.

No permit shall confer any proprietary, property, or exclusive right in the use of any air space, civil airway, landing area of government air navigation facility.

The permit shall, among others specify the terminal and intermediate points, if any, between which the air carrier is authorized to operate the service to be rendered, the time of arrival and departure at each point, and the frequency of flights. Provided, that no change in routes, rates, schedules or frequency nor supplemental or additional flights to those covered by an air commerce permit or franchise shall be affected without prior approval of the Civil Aeronautics Board. In so far as the operation is to take place within the Philippines, the permit shall designate the terminal and intermediate points only insofar as the Board shall deem practicable, and otherwise shall designate only the general route or routes to be followed.

No carrier shall abandon any route, or part thereof for which a permit has been issued, unless upon findings by the Civil Aeronautics Board that such an abandonment is uneconomical and is in the public interest.

**SECTION 12. Citizenship requirement.** - Except as otherwise provided, in the Constitution and existing treaty or treaties, permit authorizing a person to engage in domestic air commerce and/or transportation shall be issued only to citizens of the Philippines.

**SECTION 13. Conduct of Proceedings.** - The Board shall conduct its proceedings in such manner as will be conducive to the proper dispatch of business and to the ends of justice. All hearings and investigations before the Civil Aeronautics Board shall be governed by the rules of procedure adopted by the Board and in the conduct thereof the Board shall not be bound by the technical rules of evidence.

**SECTION 14. Delegation of authority to conduct hearings.** The Board may designate in writing any of its members or any of its officer to conduct hearings and investigations on any matter pending before the Board and for that purpose the person so designated shall have authority to administer oaths, issue subpoena and subpoena duces tecum, require the attendance and testimony of witnesses, examine witnesses, make ocular inspection of or enter into any airline establishment, building, place or premise in the performance of its official business.

**SECTION 15. Application of permit.** - Application for permit shall be made to the Board in writing and shall be verified. Said application shall be in such form, shall contain such information, and shall be accompanied by such proof of service upon such interested persons as the Board shall by regulation require.

**SECTION 16. Notice.** - Upon the filing of any such application, the Board shall give due notice thereof: (1) to the public, by posting a notice of such application in

the Office of the Civil Aeronautics Board and by publication once a week for three consecutive weeks, at the expense of the applicant, in a newspaper of general circulation, and (2) to such other persons as the Board may be regulation determine: Provided, however, That notice or publication may be dispensed with the Board wherever, in its judgment, the public interest so require. Any interested person may file with the Board a memorandum in support of, or in opposition to, the issuance of the permit.

**SECTION 17. Time and place of meeting.** - Within a week after the last publication of the application as provided in Section 16 of this Act, the Board or its duly designated representative shall set the time and the place for the meeting of the parties interested in said application or their attorneys, and shall notify said parties or their attorneys in writing to appear: Provided, That, if publication has been dispensed with, the Board shall immediately set the time and place for the meeting of the parties.

**SECTION 18. Non-appearance.** - If a party interested in the application fails to appear or if no party appears at the designated time and place, the Board or its duly designated representative may proceed ex parte or, in his discretion adjourn the proceeding for a future date, giving notice to the absent party or parties of the adjournment.

**SECTION 19. Deposition.** - The Board or its duly designated representative may, in any investigation or hearing, by order in writing, cause the depositions of witnesses residing within or without the Philippines to be taken in the manner prescribed by the Rules of Court.

Witnesses whose depositions are necessary shall be entitled to mileage fees at the same rate as those allowed in the Courts of First Instance.

**SECTION 20. Hearings and records of proceedings.** - Hearings on all applications shall be open to the public unless the Board shall determine otherwise for reasons of national security.

Proceedings shall be recorded in such form and manner as may be determined by the Board and the record of proceedings shall become part of the records of the application.

**SECTION 21. Issuance of permit.** - The Board shall issue a permit authorizing the whole or any part of the service covered by the application, if it finds; (1) that the applicant is fit, willing and able to perform such service properly in conformity with the provisions of this act and the rules, regulations, and requirements issued thereunder, and (2) that such service is required by the public convenience and necessity, otherwise the application shall be denied.

**SECTION 22. Modification, suspension or revocation.** - The Board, upon petition or complaint or upon its own initiative, may, by order entered after notice and

opportunity for hearing, alter, amend, modify or suspend any permit, in whole or in part, if public convenience and necessity so require, or may revoke any permit in whole or in part, for intentional failure to comply with any provision of this Act or any order, rule or regulation issued thereunder, or any term condition or limitation of such permit: Provided, That the Board, for good cause, may by order without notice and hearings suspend, for a period not to exceed thirty days, any permit or the exercise or any privilege or authority issued or granted under this Act whenever such step shall, in the judgment of the Board, be necessary to avoid serious or irreparable damage or inconvenience to the public. Any interested person may file with the Board a protest or memorandum in support of or opposition to the alteration, amendment, modification, suspension, or revocation of any permit.

**SECTION 23. Transfer of permit.** - No permit may be transferred without the prior approval of the Board.

**SECTION 24. Effective date and duration of permit.** - Each permit shall be effective from the date specified therein and shall continue in effect until suspended or revoked or until the Board shall certify that operation thereunder has ceased: Provided, That if any service authorized by a permit is not inaugurated within a period of ninety days after the date of authorization as shall be fixed by the Board or after such other period as may be designated by the Board, the Board may by order direct that such permit shall thereupon cease to be effective to the extent of such service; Provided, further, That no permit shall be issued for a period of more than twenty five (25) years.

## **CHAPTER V - Civil Aeronautics Administration**

**SECTION 25. Organization of the Civil Aeronautics Administration.** - The Civil Aeronautics Administration shall be under the Administrative supervision and control of the Department of Commerce and Industry. The Civil Aeronautics Administration shall have one Chief and one Deputy Chief who shall be known as "Administrator" and "Deputy Administrator", respectively.

**SECTION 26. The Civil Aeronautics Administrator.** - The Administrator shall be appointed by the President of the Philippines with the consent of the Commission on Appointments, and shall receive an annual basic salary of seven thousand two hundred pesos and, subject to the approval of the President, additional salary of one thousand eight hundred pesos per annum. He shall be the Administrative head of the Civil Aeronautics Administration and shall possess the powers generally conferred upon bureau heads. He shall administer all laws relating to civil aviation in the Philippines. He shall submit in writing to the Department head annually or as often as may be required, reports of the activities and transactions of his office.

**SECTION 27. The Deputy Administrator.** - The Deputy Administrator shall be appointed by the President with the consent of the Commission on Appointments. He shall receive an annual basic salary of six thousand pesos.

**SECTION 28. Authority of the Officers of the Civil Aeronautics Administration to administer oaths.** - Besides the Administrator, the Deputy Administrator, Chief of the Divisions, and duly designated members of the Examining and

Investigating Committees of the Civil Aeronautics Administrations shall have authority to administer oaths in the transaction of official business.

**SECTION 29. Permanent divisions.** - The Civil Aeronautics Administration shall have such permanent divisions as may be determined by Administrative regulations or office orders duly approved by the Secretary of Commerce and Industry, which shall likewise determine the rate of compensation for the chiefs of division and their subordinate personnel, as well as other matters of detail concerning internal organization.

**SECTION 30. Officials and employees.** - Upon recommendation of the Administrator, such officers, assistants and employees as may be necessary for the proper functioning of the Civil Aeronautics Administration shall be appointed by the Secretary of Commerce and Industry. The Administrator may assign within the limits of available funds, officers, assistants, and other personnel for study and training abroad.

All rated and/or licensed airmen and such other authorized personnel of the Civil Aeronautics Board and/or Civil Aeronautics Administration who may be required to undertake or perform regular and frequent aerial flights in connection with their duties, shall at the discretion of the head of the office receive an increase in compensation equivalent to fifty per centum of their respective base pay. Provided, however, That the total flying hours per month shall not be less than four hours.

Whenever the Administrator shall require the personnel of the Civil Aeronautics Administration to work beyond the usual office hours, the employees concerned shall in all cases be entitled to receive, as additional compensation for the overtime work performed, at least twenty-five per centum of their regular salaries.

**SECTION 31. Temporary personnel.** - The Administrator may, with the approval of the President, engage for temporary service such duly qualified consulting experts or other qualified persons as he may find necessary, and fix their compensation.

**SECTION 32. Powers and duties of the Administrator.** - Subject to the general control and supervision of the Department Head, the Administrator shall have among others, the following powers and duties:

(1) To carry out the purposes and policies established in this Act; to enforce the provisions of, the rules and regulations issued in pursuant to, said Act, and he shall primarily be vested with authority to take charge of the technical and operational phase of civil aviation matters.

(2) To designate and establish civil airways, and to acquire, control, operate and maintain along such airways, air navigation facilities and to chart such airways and arrange for their publication including the aeronautical charts or maps required by the international aeronautical agencies by utilizing the equipment, supplies or assistance of existing agencies of the governments as far as practicable.

(3) To issue airman's certificate specifying the capacity in which the holder thereof is authorized to serve as airman in connection with aircraft and shall be issued only upon the finding that the applicant is properly qualified and physically able to perform the duties of the position. The certificate shall contain such terms, conditions and

limitations as the Administrator may determine to be necessary to assure safety in air commerce: Provided, however, That the airman's license shall be issued only to qualified persons who are citizens of the Philippines or qualified citizens of countries granting similar rights and privileges to citizens of the Philippines.

(4) To issue airworthiness certificate for aircraft which shall prescribe the duration of such certificate, the type of service for which the aircraft may be used, and such other terms and conditions and limitations as are required.

(5) To issue air carrier operating certificate and to establish minimum safety standards for the operation of the air carrier to whom such certificate is issued. The air carrier operating certificate shall be issued only to aircraft registered under the provisions of this Act.

(6) To issue type certificate for aircraft, aircraft engine, propellers and appliances.

(7) To inspect, classify and rate any air navigation facilities and aerodromes available for the use of aircraft as to its suitability for such use and to issue a certificate for such air navigation facility and aerodrome; and to determine the suitability of foreign aerodromes, and navigation facilities as well as air routes to be used prior to the operation of Philippine registered aircraft in foreign air transportation and from time to time thereafter, as may be required in the interest of safety in air commerce.

(8) To issue certificates of persons or civil aviation schools giving instruction in flying, repair stations, and other air agencies and provide for the examination and rating thereof.

(9) To promulgate rules and regulations as may be necessary in the interest of safety in air commerce pertaining to the issuance of the airman's certificate including licensing of operating and mechanical personnel, type certificate for aircraft, aircraft engines, propellers and appliances, airworthiness certificate, air carrier operating certificate, air agency certificate, navigation facility and aerodrome certificate, air traffic routes, radio and aeronautical telecommunications and air navigation aids, aircraft accident inquiry, aerodromes, both public and private owned; constructing of obstructions to aerodromes, registration of aircraft, search and rescue, facilitation of air transport; operations of aircraft, both for domestic and meteorology in relation to civil aviation; rules of the air; air traffic services; rules for prevention of collision of aircraft; identification aircraft, rules for safe altitudes of flight; and such other rules; regulations, standards, governing other practices, methods, procedures as the administrator may find necessary and appropriate to provide adequately for safety regularity and efficiency in air commerce and air navigation.

(10) To provide for the enforcement of the rules and regulations issued under the provisions of this Act and to conduct investigations for violations thereto. In undertaking such investigation, to require by subpoena or subpoena duces tecum, the attendance and testimony of witness, the production of books, papers, documents, exhibits

matter, evidence, or the taking of depositions before any person authorized to administer oath. Refusal to submit to the reasonable requirements of the investigation committee shall be punishable in accordance with the provisions of this Act.

(11) To investigate accidents involving aircraft and report to the Civil Aeronautics Board as may tend to prevent similar accidents in the future: Provided, That when any accident has resulted in serious or fatal injury the Civil Aeronautics Board shall make public such report and recommendations; and provided, further, that no report on any accident or any statement made during any investigation or during hearing relative to such accident may be admitted as evidence or used for any purpose in any civil suit growing out of any matter revealed within any such report, statement, investigation or hearing.

(12) To collect and disseminate information relative to civil aeronautics and the development of air commerce and the aeronautical industry; to exchange with foreign governments, information pertaining to civil aeronautics and to provide for direct communication all matters relating to the technical or operational phase of aeronautics with international agencies.

(13) To acquire and operate such aircraft as may be necessary to execute the duties and functions as the Civil Administration prescribed in this Act.

(14) To plan, design, acquire, establish, construct, operate, improve, maintain, and repair necessary aerodromes and other air navigation facilities.

(15) To impose and fix, except those mentioned in section forty, paragraph twenty-five and hereinafter provided, reasonable charges and fees for the use of government aerodromes or air navigation facilities, civil services rendered by the Civil Aeronautics Administration in aviation school and instructions, aircraft repair stations, and aircraft radio and aeronautical telecommunications stations. To collect and receive charges and fees for registration of a aircraft and for the issuance and/or renewal of licenses or certificates for aircraft, aircraft engines, propellers and appliances and airmen as provided in this Act.

(16) To fix the reasonable charges to be imposed in the use of privately owned air navigation facilities and aerodromes.

(17) To impose fines and/or civil penalties and make compromises in respect thereto.

(18) To adopt a system for registration of aircraft as hereinafter provided.

(19) To participate actively with the largest possible degree in the development of international standardization of practices in aviation matters important to safe, expeditious, and easy navigation, and to implement as far as practicable the international standards, recommended practices, and policies adopted by appropriate international aeronautical agencies.

(20) To exercise and perform its powers and duties under this Act consistent with any obligation assumed by the Republic of the Philippines in any treaty, convention

or agreement on civil aviation matters.

(21) To cooperate, assist and coordinate with any research and technical studies on design, materials, workmanship, construction, performance, maintenance, and operation of aircraft, aircraft engines, propellers, appliances and air navigation facilities including aircraft fuel and oil; Provided, That nothing in this Act shall be construed to authorize the duplication of the laboratory research, activities or technical studies of any existing governmental agency.

(22) To designate such prohibited and danger areas, in consonance with the requirements of the international aeronautical agencies and national security.

(23) To issue, deny, cancel or revoke any certificate, permit or license pertaining to aircraft, airmen, and air agencies: Provided, That any order denying, canceling, revoking the certificate, permit or license may be appealed to the Civil Aeronautics Board, whose decisions shall be final, within fifteen days from the date of notification of such denial, cancellation or revocation.

(24) To administer, operate, manage, control, maintain and develop the Manila International Airport and all government owned aerodromes except those controlled or operated by the Armed Forces of the Philippines, including such powers and duties as: (a) To plan, design, construct, equip, expand, improve, repair or alter aerodromes or such structures, improvements, or air navigation facilities; (b) to enter into, make and execute contracts of any kind with any persons, firm, or public or private corporation or entity; (c) to acquire, hold, purchase, or lease any personal or real property, right of ways, and easement which may be proper or necessary; Provided, That no real property thus acquired and any other real property of the Civil Aeronautics Administration shall be sold without the approval of the President of the Philippines; (d) to grant to any person, such concession rights on space or property within or upon the aerodrome for purposes essential or appropriate to the operation of the aerodrome upon such terms and conditions as the Administrator may deem proper; Provided, however, That the exclusive use of any landing strip or runway within the aerodrome shall not be granted to any person; (e) to determine the types of aircraft that may be allowed to use any of the aerodromes under its management and control in the interest of public safety; (f) to prescribe, adopt, establish and enforce such rules and regulations consistent with existing laws, rules and regulations, as may be necessary for the safety, health and welfare of the public within the aerodrome.

(25) To determine, fix, impose, collect and receive landing fees, parking space fees, royalties on sales or deliveries, direct or indirect, to any aircraft for its use of aviation gasoline, oil and lubricants, spare parts, accessories, and supplies, tools, other royalties, fees or rental for the use of any of the property under its management and control, as used in this sub-section:

(1) "Landing fees" refer to all charges for the use of any landing strip or runway by any aircraft landing or taking off at an aerodrome.

(2) "Terminal fees" refer to charges for parking at or near the ramp, terminal area, or building, for purposes of loading or unloading passengers and/or cargo.

(3) "Royalties" refer to all charges based on gross business or sales, or gross or net profit.

(4) "Supplies" include any and all items of whatever nature or description which may be necessary for, or incident to, the operation of an aircraft.

(26) To grant permit to civil aircraft or persons to carry instrument or photographic device to be used for aerial photography or taking of pictures by photograph or sketching of any part of the Philippines.

SECTION 33. The Civil Aeronautics Administration shall make an annual report on the Department Head which shall contain such information and data as may be considered of value in the development of civil aeronautics and such recommendation as to additional legislation on civil aeronautics as may be deemed necessary.

## **CHAPTER VI - Registration and Record**

SECTION 34. **Eligibility for registration.** - Except as otherwise provided in the Constitution and existing treaty or treaties, no aircraft shall be eligible for registration unless it is owned by a citizen or citizens of the Philippines and is not registered under the laws of any foreign country.

Such certificate shall be conclusived evidence of nationality for international purposes, but not in any proceedings under the laws of the Republic of the Philippines.

The certificate of registration is conclusive evidence of ownership, except in a proceeding where such ownership is, or may be, at issue.

SECTION 35. **Application for aircraft registration.** - Application for certificate of registration shall be made in writing, signed and sworn to by the owner of any aircraft eligible for registration. The application shall also state: (1) the date and place of filing; (2) the specification, construction, and technical description of the aircraft, and (3) such other information as may be required by the Administrator in such manner and form as the Administrator may by regulations prescribe.

SECTION 36. **Issuance of certificate of registration.** - Should the Administrator, upon considering the application for registration, find the aircraft eligible for registration, such aircraft shall be registered by the Administrator, and the Administrator shall issue to the owner thereof a certificate of registration.

SECTION 37. **Revocation.** - Any certificate of registration may be revoked by the Administrator for any cause which renders the aircraft ineligible for registration.

SECTION 38. **Conveyance to be recorded.** - No conveyance made or executed,

which affects the title to, or interest in, any civil aircraft of Philippine registry, or any portion thereof shall be valid in respect to such aircraft or portion thereof against any person other than the person by whom the conveyance is made or executed, his heirs, assignees, executors, administrator, devisees or successors in interest, and any person having actual notice thereof, until such conveyance is recorded in the Office of the Civil Aeronautics Administration. Every such conveyance so recorded in the Civil Aeronautics Administration shall be valid as against all person, any instrument, recording of which is required by the provisions of this Act, shall take effect from the date of its record in the books of the Civil Aeronautics Administration, and not from the date of its execution.

**SECTION 39. Form of conveyance.** - No conveyance may be recorded under the provisions of this Act unless it complies with the requirements for the registration of documents affecting land. The conveyance to be recorded shall also state: (1) the interest in the aircraft of the person by whom such conveyance is made or executed or, in the case of a contract of conditional sale, the interest of the vender; and (2) the interest transferred by the conveyance.

**section 40. Method of recording.** - The Administrator shall record conveyance delivered to it in the order of their receipt, in files kept for that purpose, indexed to show:

- (a) The identifying description of the aircraft;
- (b) The names of the parties to the conveyance;
- (c) The date of the instrument and the date and time it is recorded;
- (d) The interest in the aircraft transferred by the conveyance;
- (e) If such conveyance is made as security for indebtedness, the amount and date of security of such indebtedness; and
- (f) All particular estates, mortgages, liens, lease, orders, and other encumbrances and all decree, instruments, attachments, or entries affecting aircraft and other matters properly determined under this Act.

**SECTION 41. Previously unrecorded ownership.** - Applications for the issuance or renewal of an airworthiness certificate for aircraft whose ownership has not been recorded as provided in this Act shall contain such information with respect to the ownership of the aircraft as the Administrator shall deem necessary to show who have property interests in such aircraft and the nature and extent of such interest.

## **CHAPTER VII - Violation and Penalties**

**SECTION 42. Specific Penalties.** - (A) Any person engaging in air commerce without a permit issued by the Board as provided in this Act shall be punished by a

fine not exceeding five thousand pesos or by imprisonment for not more than one year, or both, in the discretion of the court: Provided, That a person engaging in air commerce on the date of the approval of this Act may continue so to engage until such time as the Board shall pass upon an application for a permit for such service, which application must be filed, as provided in Chapter IV of this Act within one hundred and twenty days after the approval of this Act.

(B) Any air carrier or person who violates or fails to comply with any provision of this Act of the terms, conditions, or limitations in a permit or amendment thereto or any orders, rules, or regulations, issued by the Board, shall be subject to a fine not exceeding five thousand pesos for each violation. In addition thereto, a fine not exceeding two hundred pesos per day for every day during which such default or violation continues shall likewise be imposed. The Board is hereby empowered to impose such fine, after due notice and hearing.

The fines so imposed shall be paid to the government of the Philippines through the Board, and failure to pay fine in any case within the time specified in the order or decision of the Board shall be a ground for the suspension of the permit of such air carrier until payment shall be made. Payment may also be enforced by appropriate action brought to a court of competent jurisdiction.

The other fines as penalty for violation prescribed elsewhere under this Section are amended and/or modified accordingly.

(C) Any air carrier violating any order, rule or regulation issued by the Board shall be punished by a fine not exceeding one thousand pesos for each offense:

(1) Discounts or rebates on authorized rates, fares and charges;

(2) Adopting rates, fares and charges which have been found or determine by the Board to be unjust, unreasonable, unduly preferential or unjustly discriminatory in a final order; or which have not been previously approved and authorized by the Board.

(3) Issuing any free pass, free tickets or free or reduced rates, fares or charges for passengers except to the following persons: (a) officers agents, employees of the air carrier and their immediate families; (b) witnesses and attorneys attending any legal investigation into accidents or any legal investigation in which such air carrier is interested; (c) persons injured in aircraft accidents and physicians and nurses attending such persons; (d) members of the Board; (e) officers and personnel of the Civil Aeronautics Administration when traveling on official business upon the exhibition of their credentials; (f) members of Congress of the Philippines; and (g) such other persons dully approved by the Board.

(E) Any person who operates any civil aircraft in violation of any rule, regulation or order issued by the Administrator relating to aeronautical safety standards or practices or procedures shall be punished by a fine not exceeding five thousand pesos or by imprisonment for not more than one year, or both, in the discretion of the Court.

(F) Any person who, without the previous approval of the Civil Aeronautics Board, effects any consolidation, merger, purchase, lease, operating contract or acquisition and control between domestic air carriers, or between domestic carrier and any

person engaged in any phase of aeronautics shall be punished by a fine of five thousand pesos or by imprisonment for not more than one year, or both, in the discretion of the Court.

(G) No person shall use an unregistered aircraft eligible for registration under the provisions of this Act, any person who operates such aircraft shall be punished by a fine not exceeding five thousand pesos or by imprisonment for not more than six months, or both, in the discretion of the Court.

(H) Any person serving in any capacity as an airman in connection with any civil aircraft without an airman certificate, or in violation of the terms of any such certificate or in excess of the rating of such certificate shall be punished by a fine not exceeding five thousand pesos. The repetition of this offense shall be sufficient cause for the revocation of the airman's certificate.

(I) Any person who employs in connection with any civil aircraft used in air commerce and airman who does not have an airman's certificate authorizing him to serve in the capacity for which he is employed, shall be punished by a fine not exceeding five thousand pesos. A repetition of the offense shall be sufficient cause for revocation of the permit.

(J) Any person who operates any civil aircraft for which there is not currently in effect an airworthiness certificate or in violation of the terms of such certificate shall be punished by a fine not exceeding five thousand pesos. The repetition of this offense shall be sufficient cause for the revocation of the permit.

(K) Any person who without previous approval and authorization of the Board, shall adopt, establish, maintain, change, revise, abandon, alter, amend, defer, reject, discontinue, suspend, or restore, any classification, rule or regulation or practice affecting routes, itineraries, schedules, classifications, increase or decrease of frequency of flights, in any manner whatsoever, shall be punished by a fine of five thousand pesos. The repetition of such offense shall be sufficient cause for revocation of the permit.

(L) No person shall interfere, obstruct, hinder, or delay the Civil Aeronautics Board or any person duly delegated by the Board in the performance of its duties in the public interest. A fine not exceeding five thousand pesos shall be imposed upon anyone who:

(1) With intent to interfere with the performance of the duties of the Board or any person duly delegated by the Board, shall knowingly or willfully alter, falsify, mutilate any report, accounts, records, books, papers, contracts, agreements and all other documents, or

(2) shall knowingly and willfully fail or refuse: (a) to make and/or submit the books, contracts, tariffs, papers, agreements, reports and all other documents required to be submitted by him for consideration before the Administrator or his duly authorized representative or before the Board; or (b) to keep or preserve accounts, records,

memoranda, books, reports, papers and all other documents required by the Administrator or his duly authorized representative, or by the Civil Aeronautics Board; or

(3) is guilty of misconduct in the presence of the Board or so near the same as to obstruct or interrupt the hearing or session or any proceedings before the Board and/or the Administrator or any representative duly authorized by them; or shall conduct himself in a rude or disorderly manner before the Administrator or his duly authorized representative or any member of the Board engaged in the discharge of official duty; or shall orally or in writing disrespectfully offend or insult any of the above named bodies or persons on the occasion of or in the performance of their official duty or during any hearing session, or investigation held by either the Board or Administrator or their duly designated representative; or

(4) refuses to be sworn in as a witness or to answer as such when lawfully required to do: Provided, that the Board or the Administrator or their duly authorized representative shall, if necessary, be entitled to the assistance of the municipal police for the execution of any order to compel a witness to be present or to testify; or

(5) without lawful justification or excuse, hinders, obstructs, or delays the Civil Aeronautics Board, the Administrator or their duly designated representative in the inspection or examination of the books and/or accounts of an air carrier for the purpose of ascertaining the correctness in any material particular of any report, papers, documents submitted by such air carrier, or for any other purpose deemed by the Board and/or the Civil Aeronautics Administration to be in accordance with the public interest; or

(6) neglects or refuses to attend and/or testify and/or to answer any lawful inquiry or to produce books, papers, or documents, if in his power to do so, in obedience to the subpoena or lawful requirements of the Civil Aeronautics Board or the Civil Aeronautics Administration; or

(7) testifies falsely or makes false affidavits or both before the Board or Civil Aeronautics Administration or any duly designated representative of either.

(M) No person shall interfere with air navigation. A fine not exceeding five thousand pesos or imprisonment for not more than one year, or both, in the discretion of the court, shall be imposed upon any person who:

(1) with intent to interfere with air navigation within the Philippines, exhibits within the Philippines, any light or signal at such place or in such manner that it is likely to be mistaken for a true light or signal established pursuant to this Act or for a true light or signal in connection with an airport or other air navigation facility; or

(2) after due warning by the Administrator, continuously maintains any misleading light or signal; or

(3) knowingly removes, extinguishes, or interferes with the operation of any true light or signal.

(N) Any person, who shall knowingly and willfully forge, counterfeit, alter, or falsely make any certificate authorized to be issued under this Act or knowingly use or attempt to use any fraudulent certificate shall be punished by a fine not exceeding five thousand pesos or imprisonment for not more than one year, or both in the discretion of the court.

(O) For the purpose of carrying out the provisions of this section, the manager, or general manager or business manager, or person in charge of the business of the firm or corporation committing an unlawful act shall be held personally liable.

(P) The Administrator may file the necessary complaints for the imposition of the penalties provided by this Act.

**SECTION 43. General Penalty.** - Any violation of the provisions of this Act, or any order, rules or regulation issued thereunder, or any term, condition or limitation of any certificate or permit issued under this Act for which no penalty is expressly provided shall be punished by a fine not exceeding five hundred pesos for each violation.

**SECTION 44. Compromise Regarding Penalty.** - The Civil Aeronautics Board may enter into compromise with respect to any penalty or fine imposed by virtue of the provisions of this Act. Failure to comply with the order or decision of the Board respecting such compromise shall deemed good and sufficient reason for the suspension of the permit or any certificate until compliance is made. Compliance may also be enforced by appropriate action brought in a court of competent jurisdiction.

## **CHAPTER VIII - Orders and Judicial Review**

**SECTION 45. Enforcement of Orders.** - The orders, decisions, and regulations of the Board and the terms and conditions of any certificate issued by it may be enforced by any of the Civil remedies provided by existing law.

**SECTION 46. Effective date of orders and decisions.** - All orders, rules and regulations of the Civil Aeronautics Board shall take effect at such time the Board may prescribe. Whenever the Board is of the opinion that an emergency requiring immediate action exists in respect to safety in air navigation, it may, upon complaint or upon its initiative, make such just and reasonable orders, rules and regulations as may be essential in the interest of safety in air navigation to meet such emergency with answer or other form of pleading by the interested person or persons, with or without notice, hearing, or the making or filing of a report: Provided, that the Board shall immediately initiate proceeding relating to the matters embraced in any such order, rule, or regulation and shall, insofar as practicable, give preference to such proceedings over all others under this Act.

**SECTION 47. Reconsideration of Orders.** - Any interested party may request the reconsideration or any order, ruling or decision of the Civil Aeronautics Board by petition filed within fifteen days from the date of the notice of the said order, ruling or decision made by the Board. The petition shall clearly and specifically state the grounds for reconsideration. Copies of said petition shall be served on all parties interested in the

matter. It shall be the duty of the Board to call a hearing on said petition without delay; after notice to all parties concerned, and after hearing, to decide the same as soon as practicable.

**SECTION 48. Finality of Decision, Order or Ruling.** - Decisions, order and/or ruling of the Board shall become final and conclusive after fifteen days from the date thereof unless appealed within said period to the Supreme Court by certiorari.

**SECTION 49. Judicial Review.** - The Supreme Court may review any order, ruling or decision of the Board and modify or set aside such order, ruling or decision when it clearly appears that there was no evidence before the Board to support reasonably such order, ruling, or decision, or that the same is contrary to law or that the Board has no or has exceed its jurisdiction. The evidence presented to the Board together with the record of proceedings before the Board shall be certified by the Secretary of the Board to the Supreme Court.

Any ruling, order, decision or award of the Civil Aeronautics Board, except such ruling, order, decision or award with respect to the issuance of a permit, may be reviewed by the Supreme Court upon a writ of certioraris in proper cases. The procedure for review, except as herein provided, shall be prescribed by the Supreme Court.

Except as otherwise provided in the preceding paragraph, all orders, rulings, or decisions of the Board may be reviewed on the application of any person affected thereby by certioraris in appropriate cases of by petition to be known as Petition for Review, such order, ruling or decision, or, in case a petition for the reconsideration of such order is filed in accordance with the preceding section and the same is denied, within fifteen days after notice of the order denying the petition for reconsideration. Said petition shall be placed on file in the Office of the Supreme Court, which shall be filed within fifteen days from the notification of such order, ruling or decision, or, in case a petition for the reconsideration of such order is filed in accordance with the preceding section and the same is denied, within fifteen days after notice of the order denying the petition for reconsideration. Said petition shall be placed on file in the Office of the Supreme Court, which shall furnish copies thereof to the Secretary of the Board and other parties interested.

## **CHAPTER IX - Receipts of the Civil Aeronautics Administration and Civil Aeronautics Board**

**SECTION 50. Fees.** - For services rendered and documents issued by the Civil Aeronautics Administration and/or Civil Aeronautics Board, the following fees shall be charged and collected:

- (1) For filing of an application to engage in air commerce, two hundred and fifty pesos;
- (2) For filing of an application for ratings of aviation schools and other agencies, one hundred pesos;
- (3) For each airman's certificate issued, a maximum charge of fifty pesos;

(4) For certifying copies of official documents and orders in the files of the Civil Aeronautics Administration and Civil Aeronautics Board, fifty centavos per copy, plus twenty centavos for each page of folio so certified;

(5) For certified transcripts of notes of the Civil Aeronautics Administration or Civil Aeronautics Board, thirty centavos for each page of not less than two hundred words;

(6) For the registration of aircraft, a maximum fee of fifty pesos for every aircraft registered, regardless of type;

(7) For the registration of engines, propellers and/or appliances, a fee of ten pesos for every engine, propeller and/or appliance registered.

**SECTION 51. Other Fees.** - When any act of service has been performed or rendered by the Civil Aeronautics Administration or the Civil Aeronautics Board under the provisions of this Act for which no fee has been fixed by law, such fees shall be collected as may from time to time be prescribed by the Civil Aeronautics Administration or the Civil Aeronautics Board, as the case may be: Provided, however, That those to be prescribed by the Civil Aeronautics Administration shall be with the approval of the Department Head.

**SECTION 52. Disposition of receipt.** - All money collected by the Civil Aeronautics Administration under the provisions of this Act shall constitute a revolving fund and shall be disbursed for the construction, repair, maintenance and improvement of government air navigation facilities; Provided, however, That any and all sums to be derived and collected for the Manila International Airport as well as cash and collections on accounts receivable standing to the credit of the National Airports Corporation and the Manila International Airport Division shall accrue to the Manila International Airport revolving fund which shall be disbursed by the Civil Aeronautics Administration for the operation of the Manila International Airport and for such other expenses as may be necessary, appropriate or incidental in connection therewith.

## **CHAPTER X - Miscellaneous Provisions**

**SECTION 53. Separability of Unconstitutional Provisions.** - The unconstitutionality of any section, subsection, sentence, clause, or term of this Act shall not affect the validity of the other provisions thereof.

**SECTION 54.** The provisions of Commonwealth Act Numbered Ninety-Seven Commonwealth Act Numbered One Hundred and Sixty-Eight as amended by Commonwealth Act Numbered Five Hundred and Twenty-Five, section One Hundred and Thirty-Six to One Hundred and Fifty of Executive Order Numbered Ninety-Four dated October Four, Nineteen Hundred and Forty-Seven, sections Two, Three, Four and Six of Executive Order Numbered Three Hundred and Sixty-Five dated November Ten, Nineteen Hundred and Fifty, and Republic Act Numbered One Hundred and Fifty Eight, and all other laws, executive orders, administrative orders or proclamations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

The present personnel, of, and all unexpended balances of appropriations available to, the Civil Aeronautics Administration created under the aforementioned Executive Orders shall be transferred to, and shall be available for use by the Civil Aeronautics Administration reorganized under this Act, respectively.

**SECTION 55. Appropriation.** - The sum of sixty thousand pesos or so much thereof as may be necessary is authorized to be appropriated out of any funds in the National Treasury not otherwise appropriated for the purpose of carrying out the provisions of sections Seven and Eight, Chapter III, of this Act, and the sum of sixty thousand pesos or so much thereof as may be necessary, is authorized to be appropriated out of any funds in the said Treasury not otherwise appropriated for carrying out the provisions of sections Twenty-Six, Thirty and Thirty-One, Chapter V, of this Act.

**SECTION 56. Effectivity.** - This Act shall take effect upon its approval.

Approved, June 20, 1952.