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SENATE
P.S. Res. No. 537

RECEIVED BY: 

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

RESOLUTION

DIRECTING THE COMMITTEE ON PUBLIC SERVICES TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON INSTANCES OF AIR TRAFFIC OBSTRUCTIONS ALLOWED BY THE CIVIL AVIATION AUTHORITY OF THE PHILIPPINES, WITH THE END IN VIEW OF REVIEWING, AMENDING, AND PROPOSING NEW LAWS AND REGULATIONS TO ENSURE SAFE AND EFFICIENT AIR TRANSPORT SYSTEM AND CIVIL AVIATION IN THE COUNTRY

WHEREAS, it is a policy of the State to ensure the establishment, promotion, development, operation, maintenance and regulation of viable, efficient, fast, safe and dependable transportation and communications systems as effective instruments for national recovery and economic progress. In this regard, the Administrative Code of 1987 designates the Department of Transportation and Communications (now the Department of Transportation) as the primary planning, implementing, regulating entity of the Executive Branch in the pursuit of these goals;

WHEREAS, Republic Act No. 9497 (RA 9497) created the Civil Aviation Authority of the Philippines (CAAP) to establish and prescribe the corresponding rules and regulations for the enforcement of laws with the goal of providing the public safe and efficient air transportation;

WHEREAS, Section 76 of RA 9497 gives CAAP the power to regulate the height of buildings, towers, antennae, and other edifices, situated within the vicinity of or in close proximity to airports estimated to endanger the flight of aircrafts;

WHEREAS, on October 24, 2017, Davao City Mayor Sara Duterte-Carpio issued a 5-day ultimatum to Aeon Towers developer FTC Group of Companies to lower down a crane mounted on top of their 33-storey project that is said to have obstructed air traffic;

WHEREAS, the Aeon Towers project sits some 7 kilometers away from the Davao International Airport (DIA). Due to the obstruction, CAAP issued Notice to Airmen (NOTAR) and closed runway 5 for all pilots approaching DIA;

WHEREAS, since February 2017, the CAAP has sent notices to the developer to have their cranes lowered, if not removed, as pilots of commercial airlines point out it is obstructing air traffic;

WHEREAS, in 2016, there were complaints that Cypress Towers along C-5 in Taguig City is blocking the path of incoming aircraft to NAIA which contributes to frequent flight diversions to Clark International Airport. Because of this, adjustments on the minimum decision altitude (MDA) were made to make sure that aircraft have enough allowance from the building during landing.;

WHEREAS, a maintenance, repair, and overhaul (MRO) hangar was allowed to be built at the end of the two parallel runways of the Clark International Airport. It has been reported that the construction of the hangar located along the flight path may cause accidents and obstruct flight paths despite the issued Height Clearance Permit (HCP).

WHEREAS, the safety and convenience of Filipino and foreign travellers in the Philippines is of paramount importance;

WHEREAS, allowing such obstructions to air traffic adversely affect tourism and the people's trust in the Government's integrity, credibility and ability to perform its mandate to provide for efficient, fast and safe transportation system;

WHEREAS, it is the responsibility of Congress to ensure that the State continues to provide safe and efficient air transport and regulatory services;

WHEREAS, there is a need to review the civil aviation system, particularly, the development and regulation of the technical, operational, safety, and aviation security functions under the CAAP;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to conduct an inquiry in aid of legislation on instances of air traffic obstructions allowed by the Civil Aviation Authority of the Philippines, with the end in view of reviewing, amending, and proposing new laws and regulations to ensure safe and efficient air transport system and civil aviation in the country.

Adopted,



JOSEPH VICTOR G. EJERCITO