



MANILA
INTERNATIONAL
AIRPORT
AUTHORITY



REPUBLIC OF THE PHILIPPINES
Civil Aviation Authority of the Philippines
Civil Aeronautics Board
Manila International Airport Authority
Clark International Airport Corporation

JOINT MEMORANDUM CIRCULAR NO. 2021-01
08 January 2021

FOR : ALL SCHEDULED AIR OPERATORS

SUBJECT : VIOLATION OF COVID-19-RELATED DIRECTIVES

1.0 OBJECTIVES

WHEREAS, Section 15 Article II of the 1987 Constitution states that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, on March 8, 2020, recognizing the threat of the Coronavirus Disease 2019 (COVID-19) to national security, President Rodrigo Roa Duterte issued Proclamation No. 922 (s. 2020) placing the entire Philippines under a State of Public Health Emergency;

WHEREAS, on March 16, 2020, the Philippines was placed under the State of Calamity for six (6) months through Proclamation No. 929 (s. 2020);

WHEREAS, on 27 July 2020, Republic Act 11494 was enacted allowing the regulation and limitation of the operation of all sectors of transportation through land, sea or air, whether private or public, as one of the COVID-19 response and recovery interventions and mechanisms to accelerate the recovery and bolster the resiliency of the Philippine economy by preventing and controlling disease outbreaks, and mitigating economic cost and losses stemming from the COVID-19 pandemic;

WHEREAS, on September 16, 2020, the President issued Proclamation No. 1021 (s.2020) extending the period of the State of Calamity throughout the Philippines until September 21, 2021;

WHEREAS, Section 2(b) of Executive Order No. 168 mandates the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) to prevent and/or minimize the entry of suspected or confirmed patients with emerging infectious diseases into the country;

WHEREAS, the National Government established protocols recommended by the IATF and the National Task Force against Covid-19 (NTF), and approved by the President. These measures include travel restrictions and limitations;

WHEREAS, under Annex 9 (Facilitation) of the Chicago Convention, a Contracting State shall establish a national aviation plan in preparation for an outbreak of a communicable disease posing a public health risk or public health emergency of international concern;

WHEREAS, in order prevent the spread of COVID-19 disease, all scheduled air operators are reminded to strictly observe the advisories, orders, rules and regulations issued by aviation related agencies [Civil Aviation Authority of the Philippines (CAAP), Civil Aeronautics Board (CAB), Manila International Airport Authority (MIAA) and Clark International Airport Corporation (CIAC)] in relation to COVID-19-related protocols and guidelines;

WHEREAS, the CAAP, by virtue of Republic Act No. 9497, is a government agency with quasi-judicial and quasi-legislative powers mandated to provide safe and efficient air transport and regulatory services with jurisdiction over the restructuring of the civil aviation system, the promotion, development and regulation of the technical, operational, safety and aviation security functions under the civil aviation authority;

WHEREAS, the CAB is a government agency mandated by R.A. No. 776, otherwise known as the "Civil Aeronautics Act of the Philippines," as amended, to regulate the economic aspect of air transportation, and shall have the general supervision, control, and jurisdiction over air carriers, general sales agents, cargo sales agents, and air freight forwarders as well as their property, property rights, equipment facilities, and franchise;

WHEREAS, under Republic Act No. 776, the CAB, in the exercise and performance of its powers and duties shall consider, as being in the public interest, and in accordance with the public convenience and necessity, 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;

WHEREAS, Executive Order No. 778, as amended by Executive Order No. 903 mandates the MIAA to upgrade and provide safe, efficient and reliable airport facilities for international and domestic air travel;

WHEREAS, Executive Order No. 193, s. 2003, as amended by Executive Order No. 716, s. 2008, mandated the CIAC to operate and manage the Clark Civil Aviation Complex;

NOW, THEREFORE, the CAAP, CAB, MIAA and CIAC hereby resolve to promulgate the guidelines for violations of COVID-19 related directives of pertinent government authorities:

2.0 SANCTIONS

A. For CAAP

Any violation of the provisions or any issuances duly mandated by the IATF, NTF, and CAAP regarding travel protocols and restrictions in connection with the COVID-19 pandemic shall be punishable by a fine ranging from Three Hundred Thousand Pesos

(Php300,000.00) to Five Hundred Thousand Pesos (Php500,000.00) for each violation, pursuant to the penal provisions under Republic Act No. 9497.

B. For CAB

Any air carrier who violates or fails to comply with any directive or any advisories, orders, rules, or regulations, or terms and conditions attached to the permit or obligations incumbent to an air carrier, issued by the Board, shall be subject to a fine, suspension or revocation of permit; or

An airline that continues to violate may be relegated to a lower priority in future slot allocations, or imposition of recall slot approval and/or suspend or cancel slot allocations of the erring airline pursuant to the Revised Guidelines for Filing and Approval of Timeslots and Joint Memorandum Circular No. 2019-01.

C. For MIAA and CIAC

Any airline whose passenger numbers will exceed the allowed number per flight as monitored by OSS Repat Group, shall be penalized in the amount of Php10, 000 per excess passenger, unless otherwise allowed by the OSS Repat Group.

D. General Provision

Continuous and excessive violation of the same shall merit the appropriate sanction as may be determined by the appropriate agency.

3.0 FINAL PROVISIONS

1. All previous Orders, Memoranda, and Issuances that are inconsistent herewith are superseded, amended, revoked, and/or nullified accordingly.
2. This Memorandum Circular shall take effect immediately.



EDDIE V. MONREAL
General Manager

Manila International Airport Authority



AARON AQUINO
President

Clark International Airport Corporation



JIM C. SYDIONGCO
Director General

**Civil Aviation Authority of the
Philippines**



CARMELO L. ARCILLA
Executive Director

Civil Aeronautics Board