



SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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RECEIVED BY: 

SENATE
S.B. No. 1211

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT
ESTABLISHING THE PHILIPPINE SPACE DEVELOPMENT AND UTILIZATION POLICY AND
CREATING THE PHILIPPINE SPACE AGENCY, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Rocket ships, astronauts, and scenes from outer space are what often come to mind at the mention of Space Science, but there are much more practical technological applications to this discipline that can benefit countries like the Philippines.

In fact, both developed and developing countries alike, including our ASEAN neighbors, have respective aeronautics and space agencies to build their own spaceships and join the ranks of space-faring nations.

Little known to many Filipinos is that our country has a number of existing programs related to space science including PAGASA, which has astronomical science programs; the National Mapping & Resource Information Agency (NAMRIA), which requires gathering satellite information; and the National Disaster Risk Reduction and Management Council (NDRRMC), which handles disaster risk management.

Other applications of space science and technology crucial to our country's welfare are protection of national territory, natural resources accounting, and capacity building for telecommunications.

This bill seeks the creation of a Philippine Space Agency (PhilSA), which shall be responsible for creating and enacting our nation's roadmap toward becoming fully participative in global space activity.

The PhilSA would be responsible for developing space science technology policies, implementing research and education programs, and establishing industry linkages between private and public sector stakeholders. Lastly, the PhilSA would be our country's representation for international space agreements and arbitrations.

A Philippine Space Agency, with its consolidated programs and strategies for space science and technology, will pave the way for future Filipino astronomers, space scientists, and astronauts by laying down a strong foundation in space science education and research.


In view of the foregoing, the passing of this bill is earnestly sought.


Senator Paolo Benigno "Bam" A. Aquino IV



SEVENTEENTH CONGRESS OF THE REPUBLIC)
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

- 1 **SECTION 1. *Short Title.*** - This Act shall be known as the "*Philippine Space Act.*"
- 2 **SECTION 2. *Declaration of Policy.*** – It is hereby declared the policy of the State:
- 3 (a) To safeguard Philippine sovereignty, territorial integrity, Philippine interest, and the
- 4 right to self-determination as mandated by the Article II Section 7 of the 1987
- 5 Constitution;
- 6 (b) To support and commit to the development of science and technology that will
- 7 foster patriotism and nationalism and accelerate social progress, such as the
- 8 development of space technology and applications for its security and for the benefit
- 9 of its citizens;
- 10 (c) To ensure access to space and its environs as a sovereign right and stipulates the
- 11 need to create a national strategy for space development;
- 12 (d) To recognize that there is an urgent need to create a coherent and unified strategy
- 13 for space development and utilization to keep up with other nations in terms of
- 14 space science and technology;
- 15 (e) To ensure that the Philippines has official representation in the international space
- 16 community for establishing cooperation agreements and linkages on space
- 17 development; and
- 18 (f) To ensure that the Philippines abides by the various international space treaties and
- 19 principles promulgated by the United Nations and is an active participant in the
- 20 international space community.
- 21 **SECTION 3. *Definition of Terms.*** – As used in this Act the following terms shall mean:
- 22 (a) *PhilSA* refers to the Philippine Space Agency created by virtue of this Act.
- 23 (b) *Space Science and Technology Applications (SSTA)* refers to the scientific principles
- 24 and their applications to space science, engineering and other allied fields.

1 (c) **Satellites** include all objects launched into Earth orbit and artificial objects to be
2 placed in orbit of celestial bodies or conduct space exploration.

3 **SECTION 4. *The Philippine Space Development and Utilization Policy.*** – The Philippine
4 Space Development and Utilization Policy, or the Philippine Space Policy, will serve as the
5 country’s primary strategic roadmap for space development and will embody the country’s
6 central goal of becoming a space-capable and space-faring nation within the next decade. It
7 shall focus on areas of SSTA that would address national issues, promote the efficient
8 utilization of space assets and resources, establish capacity-building measures for human
9 resources development and enhance international cooperation.

10 **SECTION 5. *Framework of the Space Policy.*** – The Philippine Space Policy will focus on six
11 (6) Key Development Areas (KDAs) for SSTA development to ensure the State’s sustained
12 progress:

13 (a) National Security and Development – The Philippines will focus on space applications
14 that can preserve and enhance the country’s national security and promote
15 development that is beneficial to all Filipinos;

16 (b) Hazard Management and Climate Studies – The Philippines will develop and utilize
17 space science and technology applications to enhance its hazard management and
18 disaster mitigation strategy as well as ensure the nation’s resiliency to climate
19 change;

20 (c) Space Research and Development – To spur rapid scientific growth, the Philippines
21 will focus on conducting research and development endeavors in vital areas of space
22 science, technology and allied fields;

23 (d) Space Industry Capacity Building – The Philippines will create a robust and thriving
24 space industry to support the country’s space program through private sector
25 involvement and cooperation;

26 (e) Space Education and Awareness – The Philippines aims to establish a sustainable
27 pool of trained space scientists, engineers and communicators that will be critical for
28 the country’s future space program and increasing public awareness on its value and
29 benefits;

30 (f) International Cooperation – Through international partnerships and collaborations,
31 the Philippines will become a key player in the ASEAN and global space community
32 by providing significant contributions and capabilities on space science and
33 technology applications.

34 **SECTION 6. *Creation of the Philippine Space Agency (PhilSA).*** – A Philippine Space Agency,
35 hereinafter referred to as the PhilSA, is hereby established as the central government
36 agency addressing all national issues and activities related to space science and technology
37 applications.

38 **SECTION 7. *Mandate.*** – The PhilSA shall be the primary policy, planning, coordinating,
39 implementing, and administrative entity of the Executive Branch of the government that will
40 plan, develop, and promote the national space program in line with the Philippine Space
41 Policy.

1 **SECTION 8. Powers and Functions.** – The PhilSA shall exercise the following powers and
2 functions:

3 I. Policy, Planning and Coordination

- 4 (a) Assist the State in the creation, development and implementation of national and
5 international space policies;
6 (b) Plan, direct, manage and implement programs and projects relating to scientific
7 space research and development and the application of space technology;
8 (c) Take hold of money, securities or other personal or moveable property by gift or
9 bequest and expend, administer or dispose of any such money, securities or
10 property subject to the terms, if any, on which the gift or bequest was made in such
11 manner as shall best promote the PhilSA's objectives;
12 (d) Implement the Philippine Space Development and Utilization Policy;
13 (e) Coordinate all space activities of various sectors and stakeholders in the Philippines;
14 (f) Provide appropriate and accurate advice to the President of the Philippines and
15 other government agencies on space-related issues and concerns;

16 II. Improved Public Access and Resource-Sharing

- 17 (a) Develop, construct, acquire, manage, maintain and operate space research,
18 development and operation facilities and systems on behalf of the Philippine
19 government for use of various government agencies;
20 (b) Assist Departments and other agencies of the State in the utilization of SSTA to aid in
21 the performance of their respective mandates and duties;

22 III. Research and Development

- 23 (a) Perform basic and applied research and development relating to SSTA in
24 collaboration with universities, industries and other institutions;
25 (b) Design, develop and construct space systems and facilities necessary thereof, as well
26 as launch, track and operate the satellites on behalf of the Philippine government;
27 (c) Promote the growth of space science and technology through research and
28 development;

29 IV. Education and Capacity Building

- 30 (a) Establish programs that would develop space education and promote public
31 awareness;
32 (b) Provide grants and contributions in support of programs or projects relating to
33 scientific or industrial space R&D and application of space technology;
34 (c) Provide services and facilities for the use by entities conducting academic R&D
35 relating to SSTA;

36 V. Industry Development

- 37 (a) Promote the development of a robust and vibrant local space industry and economy;

- 1 (b) Promote the transfer and diffusion of space technology throughout the Philippine
2 industry;
- 3 (c) Encourage the commercial exploitation of space capabilities, technology,
4 information, facilities and systems.
- 5 (d) License, sell or otherwise make available any patent, copyright, industrial design,
6 trademark, trade secret or other like property controlled;
- 7 (e) Disseminate the results of R&D activities and promote the utilization thereof, except
8 when information is deemed confidential for national welfare and security and for
9 the protection of intellectual property rights;

10 VI. International Cooperation

- 11 (a) Cooperate with space-related agencies of other countries in the peaceful use and
12 development of space;
- 13 (b) Enter into contracts, memoranda of understanding/agreement or other
14 arrangements in behalf of the State;
- 15 (c) Establish and maintain linkages with other national space agencies and
16 organizations.

17 **SECTION 9. Composition.** – The PhilSA shall be an attached agency of the Office of the
18 President for purposes of policy and program coordination, to ensure alignment in national
19 policies and priorities. It shall be headed by a Director General. The PhilSA proper shall be
20 composed of the Office of the Director General, the Offices of the Deputy Directors and
21 various Divisions to be created as deemed necessary.

22 **SECTION 10. Director General of the PhilSA.** – The Director General shall have the rank and
23 compensation of a Cabinet Secretary and shall be appointed by the President, subject to the
24 confirmation by the Commission on Appointments. The Director General shall have the
25 following functions:

- 26 (a) Provide executive direction and supervision over the entire operations of the PhilSA
27 and its attached units;
- 28 (b) Establish policies and standards for the effective, efficient and economical operation
29 of the PhilSA, in accordance with the programs of the government;
- 30 (c) Review and approve requests for financial and manpower resources of all operating
31 offices of the PhilSA;
- 32 (d) Designate and appoint officers and employees of the PhilSA, excluding the Deputy
33 Directors, in accordance with the civil service laws, rules and regulations;
- 34 (e) Exercise disciplinary powers over officers and employees of the PhilSA in accordance
35 with law, including their investigation and the designation of a committee or officer
36 to conduct such investigation;
- 37 (f) Coordinate with other Departments, agencies and public and private interest groups,
38 including non-government organizations (NGOs) and people's organizations (POs) on
39 PhilSA policies and initiatives;
- 40 (g) Prepare and submit to the President through the Department of Budget and
41 Management (DBM) an estimate of the necessary expenditures during the next fiscal

- 1 year, on the basis of the reports and estimates submitted by the divisions and offices
2 under him/her;
- 3 (h) Serve as a member of the Government Procurement Policy Board (GPPB) as
4 established by Republic Act No. 9184;
- 5 (i) Serve as the Presidential Adviser on Space Matters and advise the President on the
6 promulgation of executive and administrative orders and formulation of regulatory
7 and legislative proposals on matters pertaining to SSTA development;
- 8 (j) Formulate such rules and regulations and exercise such other powers as may be
9 required to implement the objectives of this Act; and
- 10 (k) Perform such other tasks as may be provided by law or assigned by the President.

11 **SECTION 11. Deputy Directors.** – The Director General shall be assisted by three (3) Deputy
12 Directors with the rank and compensation of a Department Undersecretary who shall be
13 appointed by the President upon the recommendation of the Director General: *Provided,*
14 That two (2) of the Deputy Directors shall be career executive officers.

15 **SECTION 12. Qualifications.** – No person shall be appointed Director General or Deputy
16 Director of the PhilSA unless he or she is a citizen and resident of the Philippines, of good
17 moral character, of proven integrity, with an advanced degree in Space Science, Astronomy,
18 Physics, Engineering or related fields of study, with at least five (5) years of competence and
19 expertise in any of the following: astrophysics, space science, aerospace engineering, space
20 systems engineering, remote sensing space industry, or human capital development in the
21 SSTA sector.

22 **SECTION 13. Transfer of Astronomical and Space-related Functions.** – To consolidate the
23 functions of PhilSA the following shall be transferred from their parent agency:

- 24 (a) Philippines Aerospace Development Corporation - Department of Transportation
25 (DOTr)
- 26 (b) Manila Planetarium, National Museum
- 27 (c) Philippines Space Education Institute, Department of Science and Technology-
28 Science Education Institute (DOST-SEI)

29 Nothing in this Act shall diminish the functions and responsibilities of the support agencies.

30 **SECTION 14. Separation and Retirement from Service.** – Employees who are separated from
31 service within six (6) months from the effectivity of this Act as a result of consolidation
32 and/or reorganization under the provisions of this Act shall receive separation benefits to
33 which they may be entitled under Executive Order No. 366, series of 2004: *Provided,* That
34 those who are qualified to retire under existing retirement laws shall be allowed to retire
35 and receive retirement benefits to which they may be entitled under applicable laws and
36 issuances.

37 **SECTION 15. Structure and Staffing Pattern.** – Subject to the approval of the DBM, the
38 PhilSA shall determine its organizational structure and create new divisions or units as it
39 may deem necessary, and shall appoint officers and employees of the PhilSA in accordance
40 with the civil service law, rules and regulations.

1 **SECTION 16. *Magna Carta.*** – Qualified employees of the PhilSA and its attached units shall
2 be covered by Republic Act No. 3439, known as Magna Carta for Scientists, Engineers,
3 Researchers and other Science and Technology Personnel in the Government.

4 **SECTION 17. *Annual Report.*** - The PhilSA shall submit to the President and to both Houses
5 of Congress, not later than the 30th of March of every year following the effectivity of this
6 Act, a report giving a detailed account of the status of the implementation of this Act and
7 recommended legislation, where applicable and necessary.

8 **SECTION 18. *Funds of the PhilSA.*** – The funds of the PhilSA shall consist of:

- 9 (a) The Annual General Appropriation for the PhilSA;
10 (b) Income, fees, royalties and other revenues obtained from any other sources.

11 The funds shall be administered by the Director General of the PhilSA in accordance with
12 existing government budgeting, accounting and auditing rules and regulations.

13 **SECTION 19. *Philippine Space Development Fund.*** – There is hereby created the Philippine
14 Space Development Fund to be used exclusively for the PhilSA. The Philippine Space
15 Development Fund shall be administered by the Director General of the PhilSA in
16 accordance with existing government budgeting, accounting and auditing rules and
17 regulations. The Philippine Space Development Fund shall be sourced from the following:

- 18 (a) The amount of ten billion pesos (P 10,000,000,000.00) to be taken from the share of
19 the National Government in the gross income of the Philippine Amusement and
20 Gaming Corporation (PAGCOR) and the Bases Conversion and Development
21 Authority (BCDA). For five (5) years after the effectivity of this Act, an amount of two
22 billion pesos (P 2,000,000,000.00) per year shall be released to the PhilSA. The entire
23 amount of ten billion pesos (P 10,000,000,000.00), including any interest income
24 thereon, shall be used exclusively for capital outlay.
25 (b) Income from specialized products, services, and royalties produced by the PhilSA.
26 (c) Loans, contributions, grants, bequests, gifts, and donations whether from local or
27 foreign sources. *Provided,* That acceptance of grants, bequests, contributions and
28 donations from foreign governments shall be subject to the approval of the
29 President upon the recommendation of the Director General of the PhilSA and
30 Secretary of the Department of Foreign Affairs (DFA). The Director General with the
31 approval of the NEDA and subsequently the Department of Finance (DOF) is hereby
32 granted the authority to enter into loan agreements with foreign financial
33 institutions.

34 **SECTION 20. *Appropriations.*** – The sum of One Billion Pesos (PHP 1,000,000,000.00) is
35 hereby appropriated as initial operating fund of the PhilSA, taken from the current fiscal
36 year's appropriation of the Office of the President, Department of Science and Technology,
37 and Department of National Defense. Thereafter, the amount needed for the operation and
38 maintenance of the PhilSA shall be included in the General Appropriations Act.

1 **SECTION 21. *Implementing Rules and Regulations.*** – Within ninety (90) days from the
2 effectivity of this Act, PhilSA, in coordination with DBM, CSC and other relevant government
3 agencies, shall promulgate the necessary rules and regulations for the effective
4 implementation of this Act.

5 **SECTION 22. *Separability Clause.*** – Should any provision herein be declared
6 unconstitutional, the same shall not affect the validity of the other provisions of this Act.

7 **SECTION 23. *Repealing Clause.*** – All laws, decrees, orders, rules, and regulations or other
8 issuances or parts inconsistent with the provisions of this Act are hereby repealed or
9 modified accordingly.

10 **SECTION 24. *Effectivity.*** – This Act shall take effect fifteen (15) days after publication in the
11 Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

12 *Approved,*