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

RECEIVED BY: 

SENATE

S.B. No. 1259

Introduced by SENATOR LOREN LEGARDA

AN ACT
ESTABLISHING A PHILIPPINE SPACE DEVELOPMENT POLICY AND
CREATING THE PHILIPPINE SPACE AGENCY (PhilSA), DEFINING ITS
PURPOSE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

Explanatory Note

This bill seeks to establish a National Space Development and Utilization Policy (NSDUP), which will serve as the country's primary strategic roadmap for space development and will embody the country's goal of becoming a space-capable and space-faring nation within the next decade.

It must be considered that the Philippines is lagging behind its neighboring countries such as Indonesia, Malaysia, Vietnam, and Singapore, each having Space Agencies with satellites devoted on telecommunications or earth monitoring. Due to lack of local support to this field, many of our globally-competitive Filipino space scientists have instead opted to serve in space agencies abroad.

Space programs and development are not limited to sending astronauts to space or engineering space crafts and technologies, but they, in fact, address basic needs in our daily lives such as the application of global navigation satellite systems which directly affects industries, transportation management, national security, health management, and the expansion of scientific and engineering resources.

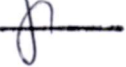
In view of the foregoing, the passage of this bill is earnestly sought.


LOREN LEGARDA
Senator

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

- 1 (c) Satellites include all objects launched into Earth orbit and artificial objects
2 to be placed in orbit of celestial bodies or conduct space exploration.
3

4 **SECTION 4. The Philippine Space Development and Utilization Policy.** The
5 Philippine Space Development and Utilization Policy, or the Philippine Space
6 Policy, will serve as the country's primary strategic roadmap for space development
7 and embodies the country's central goal of becoming a space-capable and space-
8 faring nation within the next decade. It shall focus on areas of SSTA that would
9 address national issues, promote the efficient utilization of space assets and
10 resources, establish capacity-building measures for human resources development
11 and enhance international cooperation.
12

13 **SECTION 5: Framework of the Space Policy.** The Philippine Space Policy will
14 focus on six (6) Key Development Areas (KDA) for SSTA development to ensure the
15 State's sustained progress:

- 16 a) National Security and Development – The Philippines will focus on space
17 applications that can preserve and enhance the country's national
18 security and promote development that is beneficial to all Filipinos;
19 b) Hazard Management and Climate Studies – The Philippines will develop
20 and utilize space science and technology applications to enhance its
21 hazard management and disaster mitigation strategy as well as ensure
22 the nation's resiliency to climate change;
23 c) Space Research and Development – To spur rapid scientific growth, the
24 Philippines will focus on conducting research and development endeavors
25 in vital areas of space science, technology and allied fields;
26 d) Space Industry Capacity Building – The Philippines will create a robust
27 and thriving space industry to support the country's space program
28 through private sector involvement and cooperation;
29 e) Space Education and Awareness – The Philippines aims to establish a
30 sustainable pool of trained space scientists, engineers and
31 communicators that will be critical for the country's future space
32 program and increasing public awareness on its value and benefits; and
33 f) International Cooperation – Through international partnerships and
34 collaborations, the Philippines will become a key player in the ASEAN and
35 global space community by providing significant contributions and
36 capabilities on space science and technology applications.
37

38 **SECTION 6. Creation of the Philippine Space Agency (PSA).** – A Philippine
39 Space Agency, hereinafter referred to as the "PhilSA", is hereby established as the
40 central government agency addressing all national issues and activities related to
41 space science and technology applications.
42

43 **SECTION 7. Mandate** – The PhilSA shall be the primary policy, planning,
44 coordinating, implementing, and administrative entity of the Executive Branch of
45 the government that will plan, develop, and promote the national space program in
46 line with the Philippine Space Policy.
47

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

50 I. Policy and Planning and Coordination

- 51 a. Assist the State in the creation, development and implementation of
52 national and international space policies;
53 b. Plan, direct, manage and implement programs and projects relating to
54 scientific space research and development and the application of space
55 technology;

- 1 c. Take hold of money, securities or other personal or moveable property
2 by gift or bequest and expend, administer or dispose of any such
3 money, securities or property subject to the terms, if any, on which
4 the gift or bequest was made in such manner as shall best promote
5 the PhilSA's objectives;
- 6 d. Implement the Philippine Space Development and Utilization Policy;
- 7 e. Coordinate all space activities of various sectors and stakeholders in
8 the Philippines;
- 9 f. Provide appropriate and accurate advice to the President of the
10 Philippines and other government agencies on space-related issues
11 and concerns;
- 12

13 II. Improved Public Access and Resource-Sharing

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

21 III. Research and Development

- 22 a. Perform basic and applied research and development relating to SSTA
23 in collaboration with universities, industries and other institutions;
- 24 b. Design, develop and construct space systems and facilities necessary
25 thereof, as well as launch, track and operate the satellites on behalf of
26 the Philippine government;
- 27 c. Promote the growth of space science and technology through research
28 and development;
- 29

30 IV. Education and Capacity Building

- 31 a. Establish programs that would develop space education and promote
32 public awareness;
- 33 b. Provide grants and contributions in support of programs or projects
34 relating to scientific or industrial space R&D and application of space
35 technology;
- 36 c. Provide services and facilities for the use by entities conducting
37 academic R&D relating to SSTA;
- 38

39 V. Industry Development

- 40 a. Promote the development of a robust and vibrant local space industry
41 and economy;
- 42 b. Promote the transfer and diffusion of space technology throughout the
43 Philippine industry;
- 44 c. Encourage the commercial exploitation of space capabilities,
45 technology, information, facilities and systems.
- 46 d. License, sell or otherwise make available any patent, copyright,
47 industrial design, trademark, trade secret or other like property
48 controlled;
- 49 e. Disseminate the results of R&D activities and promote the utilization
50 thereof, except when information is deemed confidential for national

1 welfare and security and for the protection of intellectual property
2 rights;

3
4 VI. International Cooperation

- 5 a. Cooperate with space-related agencies of other countries in the
6 peaceful use and development of space;
- 7 b. Enter into contracts, memoranda of understanding/agreement or
8 other arrangements in behalf of the State;
- 9 c. Establish and maintain linkages with other national space agencies
10 and organizations;

11
12 **SECTION 9. Composition.** – The PhilSA shall be an attached agency of the Office
13 of the President for purposes of policy and program coordination, to ensure
14 alignment in national policies and priorities. It shall be headed by a Director
15 General. The PhilSA proper shall be composed of the Office of the Director General,
16 the Offices of the Deputy Directors and various Divisions to be created as deemed
17 necessary.

18
19 **SECTION 10. Director General of the PhilSA.** – The Director General shall have
20 the rank and compensation of a Cabinet Secretary and shall be appointed by the
21 President, subject to the confirmation by the Commission on Appointments. The
22 Director General shall have the following functions:

- 23 a) Provide executive direction and supervision over the entire operations of
24 the PhilSA and its attached units;
- 25 b) Establish policies and standards for the effective, efficient and economical
26 operation of the PhilSA, in accordance with the programs of the
27 government;
- 28 c) Review and approve requests for financial and manpower resources of all
29 operating offices of the PhilSA;
- 30 d) Designate and appoint officers and employees of the PhilSA, excluding the
31 Deputy Directors, in accordance with the civil service laws, rules and
32 regulations;
- 33 e) Exercise disciplinary powers over officers and employees of the PhilSA in
34 accordance with law, including their investigation and the designation of
35 a committee or officer to conduct such investigation;
- 36 f) Coordinate with other Departments, agencies and public and private
37 interest groups, including non-government organizations (NGOs) and
38 people's organizations (POs) on PhilSA policies and initiatives;
- 39 g) Prepare and submit to the President through the Department of Budget
40 and Management (DBM) an estimate of the necessary expenditures
41 during the next fiscal year, on the basis of the reports and estimates
42 submitted by the divisions and offices under him/her;
- 43 h) Serve as a member of the Government Procurement Policy Board (GPPB)
44 as established by Republic Act No. 9184, also known as the Government
45 Procurement Reform Act;
- 46 i) Serve as the Presidential Adviser on Space Matters and advise the
47 President on the promulgation of executive and administrative orders and
48 formulation of regulatory and legislative proposals on matters pertaining
49 to SSTA development;
- 50 j) Formulate such rules and regulations and exercise such other powers as
51 may be required to implement the objectives of this Act: and
- 52 k) Perform such other tasks as may be provided by law or assigned by the
53 President.

1
2 **SECTION 11. Deputy Directors.** – The Director General shall be assisted by three
3 (3) Deputy Directors with the rank and compensation of a Department
4 Undersecretary who shall be appointed by the President upon the recommendation
5 of the Director General: Provided, that two (2) of the Deputy Directors shall be
6 career executive officers.
7

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

17 **SECTION 13. Transfer of Astronomical and Space-related Functions.** – To
18 consolidate the functions of PSA the following office/units shall be transferred
19 from its parent agency;

- 20 a) Philippine Aerospace Development Corporation, Department of
21 Transportation and Communication (DOTC)
22 b) Manila Planetarium, National Museum
23 c) Philippines Space Education Institute (DOST-SEI)
24

25 Non-Diminution of Mandates – Nothing in this Act shall diminish the
26 functions and responsibilities of the support agencies.
27

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

36 **SECTION 15. Structure and Staffing Pattern.** – Subject to the approval of the
37 DBM, the PhilSA shall determine its organizational structure and create new
38 divisions or units as it may deem necessary, and shall appoint officers and
39 employees of the PhilSA in accordance with the civil service law, rules and
40 regulations.
41

42 **SECTION 16. Magna Carta.** – Qualified employees of the PhilSA and its attached
43 units shall be covered by Republic Act No. 8439, known as the Magna Carta for
44 Scientists, Engineers, Researchers and Other Science and Technology personnel in
45 the Government.
46

47 **SECTION 17. Annual Report.** - The PhilSA shall submit to the President and to
48 both Houses of Congress, not later than March 30 of every year following the
49 effectivity of this Act, a report giving a detailed account of the status of the
50 implementation of this Act and recommended legislation, where applicable and
51 necessary.
52

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

- 54 a) the annual General Appropriation for the PhilSA;
55 b) Income, fees, royalties and other revenues obtained from any other
56 sources;

1 The funds shall be administered by the Director General of the PhilSA in
2 accordance with existing government budgeting, accounting and auditing rules
3 and regulations.
4

5 **SECTION 19. Philippine Space Development Fund.** – There is hereby created
6 the Philippine Space Development Fund to be used exclusively for the PhilSA. The
7 Philippine Space Development Fund shall be administered by the Director General
8 of the PhilSA in accordance with existing government budgeting, accounting and
9 auditing rules and regulations. The Philippine Space Development Fund shall be
10 sourced from the following:

- 11 a) The amount of ten billion pesos (P 10,000,000,000.00) to be taken from
12 the share of the National Government in the gross income of the
13 Philippine Amusement and Gaming Corporation (PAGCOR) and the Bases
14 Conversion and Development Authority (BCDA). For five (5) years after
15 the effectivity of this Act, an amount of two billion pesos (P
16 2,000,000,000.00) per year shall be released to the PSA. The entire
17 amount of ten billion pesos (P 10,000,000,000.00), including any interest
18 income thereon, shall be used exclusively for capital outlay.
- 19 b) Income from specialized products, services, and royalties produced by the
20 PhilSA.
- 21 c) Loans, contributions, grants, bequests, gifts, and donations whether from
22 local or foreign sources. Provided, that the acceptance of grants,
23 bequests, contributions and donations from foreign governments shall be
24 subject to the approval of the President upon the recommendation of the
25 Director General of the PhilSA and Secretary of the Department of Foreign
26 Affairs (DFA). The Director General with the approval of the NEDA and
27 subsequently the Department of Finance (DOF) is hereby granted the
28 authority to enter into loan agreements with foreign financial institutions.
29

30 **SECTION 20. Appropriations.** – The sum of One Billion Pesos (PHP
31 1,000,000,000.00) is hereby appropriated as initial operating fund of the PhilSA,
32 taken from the current fiscal year's appropriation of the Office of the President,
33 Department of Science and Technology, and Department of National Defense.
34 Thereafter, the amount needed for the operation and maintenance of the PhilSA
35 shall be included in the General Appropriations Act.
36

37 **SECTION 21. Implementing Rules and Regulations.** – The PhilSA, DBM, CSC
38 and other government agencies concerned shall issue within ninety (90) days from
39 the effectivity of this Act the necessary rules and regulations for the effective
40 implementation of this Act.

41 **SECTION 22. Separability Clause.** – If any provision of this Act shall be declared
42 unconstitutional or invalid, the other provisions not otherwise affected shall
43 remain in full force and effect.
44

45 **SECTION 23. Repealing Clause.** – All laws, decrees, executive orders, rules and
46 regulations and other issuances or parts thereof which are inconsistent with this
47 Act are hereby repealed, amended or modified accordingly.
48

49 **SECTION 24. Effectivity.** – This Act shall take effect fifteen (15) days after its
50 publication in at least two (2) newspapers of general circulation.
51

52 Approved,