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SENATE

S. NO. 998

RECEIVED BY: *ji*

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

The Philippine coastal waters contain some of the world's most diverse and richest ecosystems, characterized by extensive coral reefs, sea grass beds, dense mangrove forests, and pristine and beautiful beaches. Indeed, the country's vast maritime zone truly deserves merit for its abundant and admirable marine resources.

Indisputably, marine resources have made significant contributions to the cultural, social and economic life of Philippine society. However, there is no collective repository for the valuable materials and relics these resources have contributed to our cultural heritage.

This bill aims to develop, preserve and maintain the national collection of maritime historical material and disseminate information relating to the country's maritime history through the establishment of the Philippine National Maritime Museum. It shall be a promising venue to educate the people on the challenges the marine resources have been confronted with. This further intends to conduct, arrange for and assist research into matters relating to the country's maritime history.

In view of the foregoing, passage of this measure is earnestly requested.

ANTONIO "SONNY" F. TRILLANES IV

Senator



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AN ACT
ESTABLISHING THE PHILIPPINE NATIONAL MARITIME MUSEUM,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

ARTICLE I
PRELIMINARY PROVISIONS

1 SECTION 1. *Short Title.* - This Act shall be known as the "*Philippine National*
2 *Maritime Museum Act*".

3 SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to take
4 necessary actions that endeavor to instill national pride and encourage the citizens to protect and
5 promote the richness of the country's maritime resources.

6 SEC. 3. *Objectives.* - The following shall be the objectives of this Act:

- 7 a) to create a Museum that develops a national collection of maritime historical material
8 b) to provide a repository for precious materials and other memorable objects related to
9 maritime history of the country, which shall consequently become part of the national
10 c) aims and disseminate information relating to the country's maritime history and
11 information relating to the Museum and its functions;
12 d) to provide museum which shall serve as the center for education and source of
13 information on the maritime' wealth in various historical periods thereby encouraging
14 support from the people to conserve and protect these assets of the country;
15 e) to conduct, arrange for and assist research into matters relating to the country's maritime
16 history.

17 SEC. 4. *Definition of Terms.* - The following terms shall mean:

- 18 a) acquire means acquire by means of purchase, lease, loan or otherwise;
19 b) marine environment includes the environment of:
20 1) the sea above the continental shelf adjacent to the coast of the country and the bed of
21 that sea; and
22 2) the waters and beds' of the lakes, rivers and other internal waters of the country.

- 1 c) maritime history includes:
- 2 1) the history, including biological and geological history, of the Philippine marine
- 3 environment;
- 4 2) the history of the interaction of human beings with the Philippine marine
- 5 environment;
- 6 3) the history of sea travel by Filipinos, and by persons to and from the Philippines,
- 7 whether for the purpose of migration, trade, exploration, defence or otherwise; and
- 8 4) the history of research into, and the recovery of materials related to, any of the
- 9 matters referred to in paragraphs (1), (2) and (3).
- 10 d) Chairperson means the Chairperson of the Council;
- 11 e) Council means the Council of the Philippine National Maritime Museum established in
- 12 this Act;
- 13 f) Director means the Director of the Museum;
- 14 g) Fund means the Philippine National Maritime Museum Fund established by this Act;
- 15 h) maritime historical material means material, whether in written form or in any other
- 16 form, relating to the country's maritime history;
- 17 i) member means a member of the Council;
- 18 j) Museum means the Philippine National Maritime Museum established in this Act;
- 19 k) national maritime collection means the national collection of maritime historical material
- 20 referred to in Section 9 of this Act;
- 21 l) President means the President of the Republic of the Philippines;
- 22 m) vessel means any kind of vessel or other craft that is, or has been, used in navigation by
- 23 water, whether above or below the surface and however propelled or moved.
- 24

25 **ARTICLE II**

26 **THE PHILIPPINE NATIONAL MARITIME MUSEUM**

27

28 **SEC. 5. *Establishment of the Museum.* –**

- 29 a) There is established by this section a museum by the name of the Philippine National
- 30 Maritime Museum, which shall also have the status and category of a national agency
- 31 attached to the Department of Education;
- 32 b) The Museum:
- 33 1) is a body corporate;
- 34 2) shall have a seal; and
- 35 3) may sue and be sued.
- 36 c) The seal of the Museum shall be kept in such custody as the Council directs and shall not
- 37 be used except as authorized by the Council.

- 1 d) All courts, judges and persons acting judicially shall take judicial notice of the imprint of
2 the seal of the Museum appearing on a document and shall presume the document was
3 duly sealed.

4 **SEC. 6. *Functions of the Museum.*** - The functions of the Museum are:

- 5 a) to exhibit, or to make available for exhibition by others, in the Philippines or elsewhere,
6 material included in the national maritime collection or maritime historical material that
7 is otherwise in the possession of the Museum;
8 b) to cooperate with other public or private institutions in the exhibiting, or in the making
9 available for exhibition, of such material;
10 c) to develop, preserve and maintain the national maritime collection in accordance with
11 this Act.

12 **SEC. 7. *Powers of the Museum.*** - The Museum has power to do all things necessary or
13 convenient to be done for or in connection with the performance of its functions and, in
14 particular, has power:

- 15 a) to purchase, commission the creation of or take on hire, deposit or loan, maritime
16 historical material;
17 b) to lend or hire out or otherwise deal with maritime historical material;
18 c) to recover, or to arrange for or assist in the recovery of, maritime historical material from
19 the Philippine marine environment and from other areas;
20 d) to dispose of, in accordance, with this Act, material included in the national maritime
21 collection and to dispose of maritime historical material that is otherwise in the
22 possession of the Museum;
23 e) from time to time as the occasion requires, to exhibit in the Philippines or elsewhere,
24 material, whether in written' form or in any other form and whether relating to the
25 Philippines or to a foreign country;
26 f) to accept gifts, devises, bequests or assignments made to the Museum, whether on trust or
27 otherwise, and whether unconditionally or subject to a condition and, if a gift, devise,
28 bequest or assignment is accepted by the Museum on trust or subject to a condition, to act
29 as trustee or to comply with the condition, as the case may be;
30 g) to acquire and operate vessels, whether in Philippine waters or otherwise and whether or
31 not the vessels are maritime historical material
32 h) to collect, and make available, whether in writing or in any other form and whether by
33 sale or otherwise, information relating to Philippine maritime history;
34 i) to make available information relating to the Museum and its functions;
35 j) to make available, whether by sale or otherwise, reproductions, replicas or other
36 representations, whether in writing or in any other form, of maritime historical material;

- 1 k) to arrange for the manufacture and distribution of, whether by sale or otherwise, any
2 article or thing bearing a mark, symbol or writing that is associated with the Museum;
- 3 l) to enter into contracts;
- 4 m) to acquire, hold and dispose of real or personal property;
- 5 n) to erect buildings and structures and carry out works;
- 6 o) to take on leases of land or buildings and to grant leases and sub-leases of land or
7 buildings;
- 8 p) to fix charges for entry onto any land or water, or into any building, structure or vessel,
9 owned by, or under the control of the Museum, being charges that:
- 10 1) are in addition to the charges fixed by the regulations; and
11 2) relate to special exhibitions or other special events;
- 12 q) to purchase or take on hire, deposit or loan, and to dispose of or otherwise deal with,
13 furnishings, equipment and other goods;
- 14 r) to raise money for the purposes of the Museum by appropriate means, having regard to
15 the proper performance of the functions of the Museum;
- 16 s) to charge such fees and impose such charges, in addition to the charges fixed by
17 regulations, as are reasonable in respect of services rendered by the Museum; and
18 t) to appoint agents and attorneys and act as an agent for other persons.

19 **SEC. 8. *Land for the Museum.* –**

- 20 a) The national government may make available to the Museum for the purposes of the
21 Museum areas of land including any buildings, structures or other improvements on those
22 area, and such areas of water owned or held under lease by, or otherwise under the
23 control of the national government;
- 24 b) The national government may;
- 25 1) where the Council so requests, transfer or cause to be transferred to the Museum
26 maritime historical material owned by the national government; and
27 2) transfer or cause to be transferred to the Museum such other goods or equipment
28 owned by the national government as the chief executive considers would be of use to
29 the Museum.

30
31 **SEC. 9. *National Maritime Collection.* –**

- 32 a) The Museum shall develop a national collection of maritime historical material.
- 33 b) The national maritime collection shall consist of all maritime historical material in the
34 sole ownership of the Museum that the Council has determined in accordance with this
35 Act should be included in the national maritime collection.

- 1 c) The Council shall, from time to time, determine which of the maritime historical material
2 that comes into the sole ownership of the Museum should be included in the national
3 maritime collection.
- 4 d) Any determination made by the Council for the purposes of subsection (c) shall be based
5 upon criteria, and made in accordance with guidelines, approved by the President.
- 6 e) The Museum shall not sell or otherwise dispose of material included in the national
7 maritime collection except in accordance with Section 10 of this Act.

8 **SEC. 10. *Disposal of Material in National Maritime Collection.* --**

- 9 a) Subject to subsections (b) and (c), where the Council is satisfied that material included in
10 the national maritime collection is unfit for the collection or is not required as part of the
11 collection; the Council may determine that the material be disposed of by sale, exchange,
12 gift or destruction.
- 13 b) The Council shall not determine that material included in the national maritime collection
14 be disposed of until the Council has obtained and considered reports from two (2)
15 independent experts 'setting out the views of those experts on the importance of the
16 material to the national maritime collection.
- 17 c) The Council shall not determine that material included in the national maritime collection
18 be disposed of by destruction unless the Council is satisfied that the material cannot be
19 disposed of by sale, exchange or gift.
- 20 d) The Museum may dispose of the material accordingly when the Council has determined,
21 in accordance with this section, that material included in the national maritime collection
22 should be disposed of
23

24 **ARTICLE III**
25 **THE COUNCIL OF THE MUSEUM**
26

27 **SEC. 11. *Establishment of Council.*** - There is established by this section a council by
28 the name of the Council of the Philippine National Maritime Museum.
29

30 **SEC.12. *Functions of Council.*** - The functions of the Council are to ensure the proper
31 and efficient performance of the functions of the Museum and to determine the policy of the
32 Museum with respect to any matter.
33

34 **SEC. 13. *Membership of Council.*** - The Council shall consist of not fewer than six (6)
35 nor more than nine (9) other members appointed by the President. An appointed member shall be
36 a person having knowledge and experience with respect to matters relating to Philippine

1 maritime history or with respect to any other area of knowledge relevant to the affairs of the
2 Museum.

3

4 **SEC.14. *Meetings of Council.* –**

5 a) The Chairperson of the Council:

6 1) shall convene such meetings of the Council as are necessary for the efficient
7 conduct of its functions; and

8 2) shall, on receipt of a written request signed by not fewer than four (4) members,
9 convene a meeting of the Council.

10 b) The President may at any time convene a meeting of the Council.

11 c) The Chairperson shall preside at all meetings of the Council at which he or she is
12 present.

13 d) In the event of the absence of the Chairperson from a meeting of the Council, the
14 members present shall elect one of their number to preside at that meeting.

15 e) At a meeting of the Council, a quorum is constituted by a majority of the members.

16 f) In the event of an equality of votes on a resolution proposed at a meeting of the
17 Council, the resolution shall be taken not to be passed but, if the same resolution is
18 proposed at the first meeting of the Council held after the date of that first-mentioned
19 meeting and there is again an equality of votes, the member presiding has a casting
20 vote on the resolution.

21 g) The Council may regulate the conduct of proceedings at its meetings as it thinks fit

22 h) The Council shall keep minutes of proceedings at its meetings and shall forward a
23 copy of those minutes to the President and the Congress.

24 i) If the Council so determines, a member of the Council may participate in, and form
25 part of a quorum at, a meeting of the Council by means of any of the following
26 methods of communication

27 1) telephone;

28 2) close circuit television;

29 3) any other method of communication determined by the Council.

30 j) A determination of the Council under subsection (i) may be made in respect of a
31 particular meeting, or in respect of all meetings, of the Council.

32 k) A member of the Council who participates in a meeting as provided by subsection (i)
33 shall be taken for the purposes of this Act to be present at the meeting.

34 l) If the Council so determines, a resolution shall be taken to have been passed at a
35 meeting of the Council if, without meeting, a majority of the members who would, if
36 present at a meeting of the Council and entitled to vote on the resolution at that
37 meeting, have constituted a quorum of the Council indicate agreement with the
38 resolution in accordance with the method determined by the Council.

1 **SEC. 21. Effectivity Clause.** - This Act shall take effect after fifteen (15) days following
2 its complete publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,