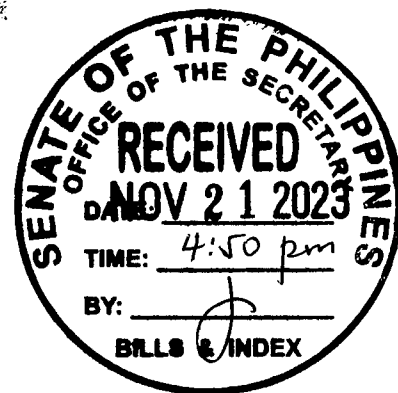


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



**SENATE**

**S. B. No. 2492**

(In substitution of Senate Bill Nos. 852, 1089, 1353, 1649, 2294, 2394,  
2411, and 2437)

---

Prepared by the Special Committee on Philippine Maritime and Admiralty Zones with Senators Revilla, Ejercito Estrada, Hontiveros, Legarda, Tolentino, Villanueva, Gatchalian, Dela Rosa, and Tulfo as authors thereof.

---

**AN ACT**  
**DECLARING THE MARITIME ZONES UNDER THE JURISDICTION OF THE**  
**REPUBLIC OF THE PHILIPPINES**

*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 Maritime  
2 Zones Act”.
- 3           **SEC. 2.** *Maritime Zones.* - In accordance with the 1987 Constitution and  
4 international law, particularly, the 1982 United Nations Convention on the Law of the  
5 Sea (UNCLOS) and the 2016 South China Sea arbitration (PCA case number 2013-19):
- 6           1) The maritime zones of the Philippine archipelago comprise of internal waters,  
7           archipelagic waters, territorial sea, contiguous zone, Exclusive Economic Zone  
8           (EEZ), and continental shelf; and
- 9           2) All other territories over which the Philippines has sovereignty or jurisdiction  
10           likewise have their respective maritime zones, as appropriate.

1           **SEC. 3. *Baselines.*** - The baselines of the Philippines pursuant to Republic Act  
2 No. 9522, entitled "An Act to Amend Certain Provisions of Republic Act No. 3046, as  
3 Amended by Republic Act No. 5446, to define the Archipelagic Baselines of the  
4 Philippines, and for Other Purposes," are the following:

5           (a) Archipelagic baselines for the Philippine archipelago, drawn in  
6 accordance with Article 47 of UNCLOS; and

7           (b) Normal or straight baselines, as appropriate, for all other territories over  
8 which the Philippines has sovereignty or jurisdiction, drawn in  
9 accordance with article 5, 6, 7, 13 and 121 of UNCLOS.

10          **SEC. 4. *Internal Waters.*** – The internal waters of the Philippines, as  
11 appropriate, shall refer to the following:

12          (a) Waters on the landward side of the archipelagic baselines not forming part of  
13 archipelagic waters under Section 5 of this Act and delineated in accordance  
14 with Article 50 of UNCLOS; and

15          (b) Waters on the landward side of the baselines of the territories outside of the  
16 archipelagic baselines, drawn in accordance with Article 8 of UNCLOS.

17          The Philippines exercises sovereignty over its internal waters and the airspace  
18 over it as well as its seabed and subsoil in accordance with UNCLOS and other existing  
19 laws and treaties.

20          **SEC. 5. *Archipelagic Waters.*** – The archipelagic waters of the Philippines refer  
21 to the waters on the landward side of the archipelagic baselines except as provided  
22 for under Section 4 of this Act.

23          Within the archipelagic waters, closing lines for the delineation of internal  
24 waters shall be drawn pursuant to Article 50 of UNCLOS and other existing laws and  
25 treaties.

26          The Philippines exercises sovereignty and jurisdiction over its archipelagic  
27 waters and the airspace over it as well as its seabed and subsoil in accordance with  
28 UNCLOS and other existing laws and treaties, having due regard to the rights of other  
29 states, including the right of innocent passage as provided in Articles 17-26, and 52,  
30 and the right of archipelagic sea lanes passage in designated sea lanes as provided in  
31 Articles 53 and 54, of UNCLOS.

32          **SEC. 6. *Territorial Sea.*** – The territorial sea of the Philippines refers to the

1 adjacent belt of sea measured twelve (12) nautical miles from the baselines of the  
2 territorial sea as provided in Section 3 of this Act, and as determined in accordance  
3 with the provisions of Part II "TERRITORIAL SEA AND CONTIGUOUS ZONE," Part IV  
4 "ARCHIPELAGIC STATES," and Part VIII "REGIME OF ISLANDS" of UNCLOS, as  
5 appropriate.

6 The Philippines exercises sovereignty over its territorial sea and the airspace  
7 above it as well as its seabed and subsoil in accordance with UNCLOS and other  
8 existing laws and treaties, having due regard to the rights of other States, including  
9 the right of innocent passage as provided in Part II, Section 3 of UNCLOS.

10 **SEC. 7. *Contiguous Zone.*** – The contiguous zone of the Philippines refers to  
11 the waters beyond and adjacent to its territorial sea up to twenty-four (24) nautical  
12 miles from the baselines.

13 In accordance with UNCLOS, the Philippines exercises control over this zone  
14 necessary to:

- 15 a. Prevent infringement of its customs, fiscal, immigration, or sanitary laws  
16 and regulations within its territory or territorial sea;
- 17 b. Punish infringement of the above laws and regulations committed within  
18 its territory or territorial sea; and
- 19 c. Regulate the removal of archaeological and historic objects from the  
20 seabed.

21 **SEC. 8. *Exclusive Economic Zone.*** – The exclusive economic zone (EEZ) of the  
22 Philippines refers to the waters beyond and adjacent to its territorial sea and up to the  
23 extent of two hundred (200) nautical miles from the baselines, as established by  
24 Presidential Decree No. 1599, otherwise known as the "Philippine Exclusive Economic  
25 Zone of 1978", and to the extent consistent with the other provisions of this Act and  
26 with the provisions of UNCLOS.

27 In accordance with UNCLOS, within the EEZ, the Philippines has:

- 28 a. Sovereign rights-for the purpose of exploring and exploiting, conserving  
29 and managing the natural resources, whether living or nonliving, of the waters  
30 superjacent to the seabed, and the seabed and its subsoil, and with regard to  
31 other activities for the economic exploitation and exploration of the zone, such  
32 as the production of energy from the sun, water, currents and winds; *Provided*

1           *That*, in the exercise of these rights, the Philippines shall enforce its laws and  
2 regulations consistent with Article 73 of UNCLOS;

3           b.     Jurisdiction with regard to: (i) the establishment and use of artificial  
4 islands, installations and structures; (ii) marine scientific research; and (iii) the  
5 protection and preservation of the marine environment; and

6           c.     Other rights and duties provided for in UNCLOS.

7           **SEC. 9. *Continental Shelf.*** – The continental shelf of the Philippines comprises  
8 the seabed and subsoil of the submarine areas that extend beyond its territorial sea  
9 throughout the natural prolongation of its land territory to the outer edge of the  
10 continental margin, or to a distance of two hundred (200) nautical miles from the  
11 baselines, where the outer edge of the continental margin does not extend up to that  
12 distance.

13           Where the continental shelf extends beyond two hundred (200) nautical miles  
14 from the baselines, the outer limits shall be delineated in accordance with Article 76  
15 of UNCLOS; *Provided That* the limits of the continental shelf beyond two hundred  
16 (200) nautical miles in the Benham Rise Region, including the Philippine Rise, as  
17 submitted to the Commission on the Limits of the Continental Shelf (CLCS) and  
18 deposited to the United Nations Secretary General on July 02, 2012, are hereby  
19 incorporated into this Act; *Provided Further, That* this is without prejudice to the  
20 making of other submissions for other areas at a future time.

21           The Philippines exercises sovereign rights to explore and exploit the mineral,  
22 petroleum and nonliving resources of the seabed and subsoil and living organisms  
23 belonging to the sedentary species, as well as jurisdiction with regard to the  
24 establishment and use of artificial islands, installations and structures on the seabed,  
25 marine scientific research, drilling and tunneling, and other rights as provided for in  
26 accordance with UNCLOS, Philippine mining and petroleum laws, and other existing  
27 laws and treaties.

28           **SEC. 10. *Areas Beyond National Jurisdiction.*** – The Philippines has rights and  
29 privileges in the high seas and the international seabed area as provided for in the  
30 UNCLOS and other existing laws and treaties.

31           **SEC. 11. *Marine Scientific Research.*** – The Government shall adopt measures  
32 in accordance with Part XIII "MARINE SCIENTIFIC RESEARCH" of UNCLOS, and other

1 laws and treaties, to ensure that marine scientific research, whether undertaken by  
2 local or foreign entities, in the maritime zones declared herein shall redound to the  
3 benefit of the Filipino people.

4 **SEC. 12. *Marine Environmental Protection.*** – All states have the obligation to  
5 protect and preserve the marine environment. The Philippines shall enforce its laws  
6 and regulations on the protection and preservation of the marine environment of the  
7 maritime zones declared herein, taking into consideration the provisions of Part XII  
8 “PROTECTION AND PRESERVATION OF THE MARINE ENVIRONMENT” of UNCLOS

9 **SEC.13. *Delimitations.*** – Where the maritime zones defined in this Act overlap  
10 with the maritime zones of a neighboring State based on the UNCLOS, the common  
11 boundaries shall be determined by agreement with that State in accordance with the  
12 relevant principles of delimitation under international law; *Provided, That,* where no  
13 agreement has been reached within a reasonable time, the Philippines may resort to  
14 the procedures provided under Part XV “SETTLEMENT OF DISPUTES” of UNCLOS.

15 **SEC. 14. *Rights and Duties of Foreign States.*** – the Philippines shall give due  
16 regard to the rights and duties of foreign states, and foreign states shall act with due  
17 regard to the rights and duties of the Philippines, relative to the maritime zones as  
18 provided under this Act, UNCLOS, and international law.

19 **SEC. 15. *Adherence to Existing Laws.*** – Other rights of the Philippines relative  
20 to its maritime zones and entitlements shall be exercised in accordance with UNCLOS,  
21 the awards rendered in the South China Sea Arbitration (PCA case no. 2013-19), and  
22 other pertinent laws and regulations of the Philippines and international law.

23 **SEC. 16. *Penal Sanctions.*** – Any violation of this Act shall be addressed and  
24 penalized through pertinent existing laws and regulations. In the absence thereof, any  
25 violation of this Act shall be subject to an administrative fine of not less than six  
26 hundred thousand US dollars (US\$ 600,000.00) but not more than one million US  
27 dollars (US\$ 1,000,000.00), or the equivalent in Philippine currency.

28 **SEC. 17. *Separability Clause.*** – If any portion or provision of this Act is declared  
29 unconstitutional or invalid, the other portions or provisions hereof not affected thereby  
30 shall continue to be in full force and effect.

31 **SEC. 18. *Repealing Clause.*** – Except for section 1, the provisions of Republic

1 Act No. 3046, entitled "An Act to Define the Baselines of the Territorial Sea of the  
2 Philippines", are hereby repealed.

3 The following laws or their specified provisions are hereby amended:

- 4 1. Section 1 of Presidential Decree No. 1596 "Declaring certain area part of the  
5 Philippine territory and providing for their government and administration";
- 6 2. Presidential Decree No. 1599 "Establishing an Exclusive Economic Zone and for  
7 Other Purposes"; and
- 8 3. Section 3(e) and 3(ai) of Republic Act No. 7942, also known as "the Philippine  
9 Mining Act of 1995",

10 All other laws, presidential decrees, executive orders, rules and regulations,  
11 proclamations, and other issuances inconsistent with or contrary to the provisions of  
12 this Act are deemed amended or repealed accordingly.

13 **SEC. 19. Effectivity.** – This Act shall take effect fifteen (15) days after its  
14 publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*