



S E N A T E

S. No. 2492

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PREPARED BY THE SPECIAL COMMITTEE ON PHILIPPINE MARITIME  
AND ADMIRALTY ZONES WITH SENATORS REVILLA, JR.,  
ESTRADA, HONTIVEROS, LEGARDA, TOLENTINO,  
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POE AS AUTHORS THEREOF

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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  
2 the “Philippine Maritime Zones Act”.

3           SEC. 2. *Maritime Zones.* – In accordance with the  
4 1987 Constitution and international law, particularly, the  
5 1982 United Nations Convention on the Law of the Sea  
6 (UNCLOS):

7           (a) The maritime zones of the Philippine archipelago  
8 comprise of internal waters, archipelagic waters, territorial

1 sea, contiguous zone, Exclusive Economic Zone (EEZ), and  
2 continental shelf; and

3 (b) All other territories over which the Philippines  
4 has sovereignty or jurisdiction likewise have their  
5 respective maritime zones, as appropriate.

6 SEC. 3. *Baselines.* – The baselines of the Philippines  
7 pursuant to Republic Act No. 9522, entitled “An Act to  
8 Amend Certain Provisions of Republic Act No. 3046, as  
9 Amended by Republic Act No. 5446, to Define the  
10 Archipelagic Baselines of the Philippines, and for Other  
11 Purposes”, are the following:

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

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

1           SEC. 4. *Internal Waters.* – The internal waters of the  
2 Philippines shall refer to the following:

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

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

10          The Philippines exercises sovereignty over its  
11 internal waters and the airspace over it as well as its  
12 seabed and subsoil in accordance with UNCLOS and other  
13 existing laws and treaties.

14          SEC. 5. *Archipelagic Waters.* – The archipelagic  
15 waters of the Philippines refer to the waters on the  
16 landward side of the archipelagic baselines that do not  
17 constitute internal waters under Section 4 of this Act, and  
18 which are delineated from internal waters using closing  
19 lines under Article 50 of UNCLOS.

1           The Philippines exercises sovereignty and jurisdiction  
2 over its archipelagic waters and the airspace over it as well  
3 as its seabed and subsoil in accordance with UNCLOS and  
4 other existing laws and treaties, having due regard to the  
5 rights of other States, including the right of innocent  
6 passage as provided in Articles 17 to 26, and 52, and the  
7 right of archipelagic sea lanes passage in designated sea  
8 lanes as provided in Articles 53 and 54, of UNCLOS.

9           SEC. 6. *Territorial Sea.* – The territorial sea of the  
10 Philippines refers to the adjacent belt of sea measured  
11 twelve (12) nautical miles from the baselines as provided in  
12 Section 3 of this Act, and as determined in accordance with  
13 the provisions of Part II “Territorial Sea and Contiguous  
14 Zone”, Part IV “Archipelagic States”, and Part VIII  
15 “Regime of Islands” of UNCLOS, as appropriate.

16           The Philippines exercises sovereignty over its  
17 territorial sea and the airspace above it as well as its  
18 seabed and subsoil in accordance with UNCLOS and other  
19 existing laws and treaties, having due regard to the rights

1 of other States, including the right of innocent passage as  
2 provided in Part II, Section 3 of UNCLOS.

3 The high-tide features covered by the Kalayaan  
4 Island Group in the West Philippine Sea shall have a  
5 territorial sea of twelve (12) nautical miles from its  
6 baselines as determined above.

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

11 In accordance with UNCLOS, the Philippines  
12 exercises control over this zone necessary to:

13 (a) Prevent infringement of its customs, fiscal,  
14 immigration, or sanitary laws and regulations within its  
15 territory or territorial sea;

16 (b) Punish infringement of the above laws and  
17 regulations committed within its territory or territorial  
18 sea; and

19 (c) Regulate the removal of archaeological and  
20 historic objects from the seabed.

1           SEC. 8. *Exclusive Economic Zone.* – The EEZ of the  
2 Philippines refers to the waters beyond and adjacent to its  
3 territorial sea and up to the extent of two hundred (200)  
4 nautical miles from the baselines, as established by  
5 Presidential Decree No. 1599, “Establishing an Exclusive  
6 Economic Zone and for Other Purposes”, and to the extent  
7 consistent with the other provisions of this Act and with  
8 the provisions of UNCLOS. All other low-tide elevations  
9 within two hundred (200) nautical miles from the  
10 archipelagic baselines shall likewise form part of the  
11 Philippine EEZ.

12           In accordance with UNCLOS, within the EEZ, the  
13 Philippines has:

14           (a) Sovereign rights for the purpose of exploring and  
15 exploiting, conserving and managing the natural resources,  
16 whether living or nonliving, of the waters superjacent to  
17 the seabed, and the seabed and its subsoil, and with regard  
18 to other activities for the economic exploitation and  
19 exploration of the zone, such as the production of energy  
20 from the sun, water, currents and winds: *Provided*, That in

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

4 (b) Jurisdiction with regard to: (1) the establishment  
5 and use of artificial islands, installations and structures;  
6 (2) marine scientific research; (3) the protection and  
7 preservation of the marine environment; and

8 (c) Other rights and duties provided for in UNCLOS.

9 All artificial islands constructed within the Philippine  
10 EEZ shall belong to the Philippine government.

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

19 Where the continental shelf extends beyond two  
20 hundred (200) nautical miles from the baselines, the outer

1 limits shall be delineated in accordance with Article 76 of  
2 UNCLOS: *Provided*, That the limits of the continental  
3 shelf beyond two hundred (200) nautical miles in the  
4 Benham Rise Region, including the Philippine Rise, hereby  
5 renamed collectively as the *Talampas ng Pilipinas*, as  
6 submitted to the Commission on the Limits of the  
7 Continental Shelf (CLCS) and deposited to the United  
8 Nations Secretary General on July 02, 2012, are hereby  
9 incorporated into this Act: *Provided, further*, That this is  
10 without prejudice to the making of other submissions for  
11 other areas at a future time.

12 The Philippines exercises sovereign rights to explore  
13 and exploit the mineral, petroleum and nonliving resources  
14 of the seabed and subsoil and living organisms belonging to  
15 the sedentary species, as well as jurisdiction with regard to  
16 the establishment and use of artificial islands,  
17 installations and structures on the seabed, marine  
18 scientific research, drilling and tunneling, and other rights  
19 as provided for in accordance with UNCLOS, Philippine



1 mining and petroleum laws, and other existing laws and  
2 treaties.

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

7       SEC. 11. *Marine Scientific Research.* – The  
8 Government shall adopt measures in accordance with Part  
9 XIII “Marine Scientific Research” of UNCLOS, and other  
10 existing laws and treaties, to ensure that marine scientific  
11 research, whether undertaken by local or foreign entities,  
12 in the maritime zones declared herein, shall redound to the  
13 benefit of the Filipino people.

14       SEC. 12. *Marine Environmental Protection.* – All  
15 States have the obligation to protect and preserve the  
16 marine environment. The Philippines shall enforce its laws  
17 and regulations on the protection and preservation of the  
18 marine environment of the maritime zones declared  
19 herein, taking into consideration the provisions of Part XII

1 “Protection and Preservation of the Marine Environment”  
2 of UNCLOS.

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

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

19 SEC. 15. *Other Maritime Rights and Jurisdictions.* –  
20 The Philippines shall exercise all other maritime rights

1 and jurisdictions in accordance with UNCLOS, the 2016  
2 South China Sea arbitral award, international law, and  
3 other pertinent laws and regulations of the Philippines.

4       SEC. 16. *Penal Sanctions.* – Any violation of the rights  
5 of the Philippines as provided under this Act shall be  
6 addressed and penalized through pertinent existing laws  
7 and regulations. In the absence thereof, any violation shall  
8 be subject to an administrative fine of not less than Six  
9 hundred thousand US dollars (US\$ 600,000.00) but not  
10 more than One million US dollars (US\$ 1,000,000.00), or  
11 the equivalent in Philippine currency.

12       SEC. 17. *Joint Congressional Oversight Committee.* –  
13 There shall be a Joint Congressional Oversight Committee  
14 on the Law of the Sea (JCOC-LOS). The President of the  
15 Senate and the Speaker of the House of Representatives  
16 shall each designate six (6) Senators and six (6) Members  
17 of the House of Representatives, respectively, as members  
18 of the JCOC-LOS: *Provided,* That the minority in the  
19 Senate and the House of Representatives shall each have  
20 at least one (1) seat in the JCOC-LOS.

1           The JCOC-LOS shall conduct a hearing at least once  
2 every quarter to review the implementation of this Act and  
3 to identify other necessary legislation.

4           SEC. 18. *Separability Clause.* – If any portion or  
5 provision of this Act is declared unconstitutional or invalid,  
6 the other portions or provisions hereof not affected thereby  
7 shall continue to be in full force and effect.

8           SEC. 19. *Repealing Clause.* – The second, third, and  
9 fourth whereas clauses and Section 2 of Republic Act No.  
10 3046, entitled “An Act to Define the Baselines of the  
11 Territorial Sea of the Philippines”, are hereby repealed.

12           The following laws or their specified provisions are  
13 hereby amended:

14           (a) Section 1 of Presidential Decree No. 1596  
15 “Declaring Certain Area Part of the Philippine Territory  
16 and Providing for Their Government and Administration”;

17           (b) Presidential Decree No. 1599; and

18           (c) Section 3(e) and 3(ai) of Republic Act No. 7942,  
19 also known as the “Philippine Mining Act of 1995”.

1 All other laws, presidential decrees, executive orders,  
2 rules and regulations, proclamations, and other issuances  
3 inconsistent with or contrary to the provisions of this Act  
4 are deemed amended or repealed accordingly: *Provided,*  
5 That nothing in this Act shall be construed as repealing  
6 Section 2 of Republic Act No. 5446, as amended, and  
7 Section 2 of Republic Act No. 9522.

8 SEC. 20. *Effectivity.* – This Act shall take effect fifteen  
9 (15) days after its publication in the *Official Gazette* or in a  
10 newspaper of general circulation.

Approved,