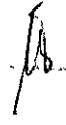


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY
10 JUL -6 4:58

SENATE
S. No. 315

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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 beaches¹. Indeed, the country's vast maritime zone truly deserves merit for its abundant and admirable marine resources.

Undisputably, 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

¹ *Philippines Environment Monitor* 2005. Data retrieved at www.web.worldbank.org on 27 April 2009.

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S. No. 315

OFFICE OF THE SECRETARY

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RECEIVED BY [Signature]

Introduced by Senator Antonio "Sonny" F. Trillanes IV

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

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

ARTICLE I

PRELIMINARY PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “*Philippine National Maritime Museum Act*”.

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

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

- a) to create a Museum that develops a national collection of maritime historical material
- b) to provide a repository for precious materials and other memorable objects related to maritime history of the country, which shall consequently become part of the national cultural heritage;
- c) aims and disseminate information relating to the country’s maritime history and information relating to the Museum and its functions;

- 1 d) to provide museum which shall serve as the center for education and source of
2 information on the maritime wealth in various historical periods thereby encouraging
3 support from the people to conserve and protect these assets of the country;
4 e) to conduct, arrange for and assist research into matters relating to the country's
5 maritime history.

6
7 **SEC. 4. Definition of Terms.** – The following terms shall mean:

- 8 a) *acquire* means acquire by means of purchase, lease, loan or otherwise;
9 b) *marine environment* includes the environment of:
10 1) the sea above the continental shelf adjacent to the coast of the country and the
11 bed of that sea; and
12 2) the waters and beds of the lakes, rivers and other internal waters of the
13 country.
14 c) *maritime history* includes:
15 1) the history, including biological and geological history, of the Philippine
16 marine environment;
17 2) the history of the interaction of human beings with the Philippine marine
18 environment;
19 3) the history of sea travel by Filipinos, and by persons to and from the
20 Philippines, whether for the purpose of migration, trade, exploration, defence
21 or otherwise; and
22 4) the history of research into, and the recovery of materials related to, any of the
23 matters referred to in paragraphs (1), (2) and (3).
24 d) *Chairperson* means the Chairperson of the Council;
25 e) *Council* means the Council of the Philippine National Maritime Museum established
26 in this Act;
27 f) *Director* means the Director of the Museum;
28 g) *Fund* means the Philippine National Maritime Museum Fund established by this Act;

- 1 h) *maritime historical material* means material, whether in written form or in any other
2 form, relating to the country's maritime history;
- 3 i) *member* means a member of the Council;
- 4 j) *Museum* means the Philippine National Maritime Museum established in this Act;
- 5 k) *national maritime collection* means the national collection of maritime historical
6 material referred to in Section 9 of this Act;
- 7 l) *President* means the President of the Republic of the Philippines;
- 8 m) *vessel* means any kind of vessel or other craft that is, or has been, used in navigation
9 by water, whether above or below the surface and however propelled or moved.
- 10

11 **ARTICLE II**

12 **THE PHILIPPINE NATIONAL MARITIME MUSEUM**

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

- 14 a) There is established by this section a museum by the name of the Philippine National
15 Maritime Museum, which shall also have the status and category of a national agency
16 attached to the Department of Education;
- 17 b) The Museum:
- 18 1) is a body corporate;
- 19 2) shall have a seal; and
- 20 3) may sue and be sued.
- 21 c) The seal of the Museum shall be kept in such custody as the Council directs and shall
22 not be used except as authorized by the Council.
- 23 d) All courts, judges and persons acting judicially shall take judicial notice of the
24 imprint of the seal of the Museum appearing on a document and shall presume the
25 document was duly sealed.

1 **SEC.6. *Functions of the Museum.*** – The functions of the Museum are:

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

9

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

- 13 a) to purchase, commission the creation of or take on hire, deposit or loan, maritime
14 historical material;
- 15 b) to lend or hire out or otherwise deal with maritime historical material;
- 16 c) to recover, or to arrange for or assist in the recovery of, maritime historical material
17 from the Philippine marine environment and from other areas;
- 18 d) to dispose of, in accordance with this Act, material included in the national maritime
19 collection and to dispose of maritime historical material that is otherwise in the
20 possession of the Museum;
- 21 e) from time to time as the occasion requires, to exhibit in the Philippines or elsewhere,
22 material, whether in written form or in any other form and whether relating to the
23 Philippines or to a foreign country;
- 24 f) to accept gifts, devises, bequests or assignments made to the Museum, whether on
25 trust or otherwise, and whether unconditionally or subject to a condition and, if a gift,
26 devise, bequest or assignment is accepted by the Museum on trust or subject to a
27 condition, to act as trustee or to comply with the condition, as the case may be;

- 1 g) to acquire and operate vessels, whether in Philippine waters or otherwise and whether
2 or not the vessels are maritime historical material
- 3 h) to collect, and make available, whether in writing or in any other form and whether
4 by sale or otherwise, information relating to Philippine maritime history;
- 5 i) to make available information relating to the Museum and its functions;
- 6 j) to make available, whether by sale or otherwise, reproductions, replicas or other
7 representations, whether in writing or in any other form, of maritime historical
8 material;
- 9 k) to arrange for the manufacture and distribution of, whether by sale or otherwise, any
10 article or thing bearing a mark, symbol or writing that is associated with the Museum;
- 11 l) to enter into contracts;
- 12 m) to acquire, hold and dispose of real or personal property;
- 13 n) to erect buildings and structures and carry out works;
- 14 o) to take on leases of land or buildings and to grant leases and sub-leases of land or
15 buildings;
- 16 p) to fix charges for entry onto any land or water, or into any building, structure or
17 vessel, owned by, or under the control of the Museum, being charges that:
- 18 1) are in addition to the charges fixed by the regulations; and
19 2) relate to special exhibitions or other special events;
- 20 q) to purchase or take on hire, deposit or loan, and to dispose of or otherwise deal with,
21 furnishings, equipment and other goods;
- 22 r) to raise money for the purposes of the Museum by appropriate means, having regard
23 to the proper performance of the functions of the Museum;
- 24 s) to charge such fees and impose such charges, in addition to the charges fixed by
25 regulations, as are reasonable in respect of services rendered by the Museum; and
- 26 t) to appoint agents and attorneys and act as an agent for other persons.
- 27

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

2 a) The national government may make available to the Museum for the purposes of the
3 Museum areas of land including any buildings, structures or other improvements on
4 those area, and such areas of water owned or held under lease by, or otherwise under
5 the control of the national government;

6 b) The national government may;

- 7 1) where the Council so requests, transfer or cause to be transferred to the
8 Museum maritime historical material owned by the national government; and
9 2) transfer or cause to be transferred to the Museum such other goods or
10 equipment owned by the national government as the chief executive considers
11 would be of use to the Museum.

12
13 **SEC. 9. *National Maritime Collection.* –**

14 a) The Museum shall develop a national collection of maritime historical material.

15 b) The national maritime collection shall consist of all maritime historical material in the
16 sole ownership of the Museum that the Council has determined in accordance with
17 this Act should be included in the national maritime collection.

18 c) The Council shall, from time to time, determine which of the maritime historical
19 material that comes into the sole ownership of the Museum should be included in the
20 national maritime collection.

21 d) Any determination made by the Council for the purposes of subsection (c) shall be
22 based upon criteria, and made in accordance with guidelines, approved by the
23 President.

24 e) The Museum shall not sell or otherwise dispose of material included in the national
25 maritime collection except in accordance with Section 10 of this Act.

1 **SEC. 10. *Disposal of Material in National Maritime Collection.* –**

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

16
17 **ARTICLE III**

18 **THE COUNCIL OF THE MUSEUM**

19 **SEC. 11. *Establishment of Council.* –** There is established by this section a council by
20 the name of the Council of the Philippine National Maritime Museum.

21
22 **SEC.12. *Functions of Council.* –** The functions of the Council are to ensure the proper
23 and efficient performance of the functions of the Museum and to determine the policy of the
24 Museum with respect to any matter.

25
26 **SEC. 13. *Membership of Council.* –** The Council shall consist of not fewer than six (6)
27 nor more than nine (9) other members, appointed by the President. An appointed member shall
28 be 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)
9 members, 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;

1 b) The Director shall hold office on such terms and conditions (if any) in respect of
2 matters not provided for by this Act as are determined by the President.

3
4 **SEC. 17. *Duties of Director.* –**

5 a) The Director shall manage the affairs of the Museum subject to the directions of, and
6 in accordance with policies determined by, the Council.

7 b) All acts and things done in the name of, or on behalf of, the Museum by the Director
8 shall be deemed to have been done by the Museum.

9
10 **ARTICLE V**

11 **FINAL PROVISIONS**

12 **SEC.18. *Appropriations.* –** The funds necessary for the implementation of this Act shall
13 be charged to the appropriations for the Department of Education under the current General
14 Appropriations Act.

15
16 **SEC. 19. *Separability Clause.* –** If any provision of this Act shall at any time be found to
17 be unconstitutional or invalid, the remainder thereof not affected by such declaration shall
18 remain in full force and effect.

19
20 **SEC. 20. *Repealing Clause.* –** All laws, decrees, rules or regulations inconsistent with
21 the provisions of this Act are hereby repealed or modified accordingly.

22
23 **SEC. 21. *Effectivity Clause.* –** This Act shall take effect after fifteen (15) days following
24 its complete publication in two (2) newspapers of general circulation.

Approved,