



HOUSE OF REPRESENTATIVES

H. No. 8541

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BY REPRESENTATIVES AUMENTADO, JALOSJOS, NIETO, MACEDA, SALCEDA, RODRIGUEZ (M.), SY-ALVARADO, BATOCABE, NAVA, YAP (A.), SAVELLANO, BELMONTE (R.), DE VENECIA, VELARDE, LACSON, SALO, BELARO, BRAVO (A.), SUANSING (E.), OLIVAREZ, LANETE, BIAZON, SAMBAR, LOPEZ (B.), UNGAB, BERTIZ, MARQUEZ, MANALO, ROMUALDO, NOGRALES (K.A.), GARCIA (J.E.), PADUANO, BATAOIL, GO (M.), SALON, BONDOC, HERRERA-DY, ATIENZA, DATOL, ANDAYA, MARCOLETA, DEFENSOR, ROA-PUNO, HOFER, CRISOLOGO, PALMA, NOEL, ESPINA, GONZALES (A.P.), ROMERO, PIMENTEL, ALONTE, GARIN (R.), VERGARA, ROBES, ORTEGA (V.N.), NOGRALES (J.J.), FORTUN, BAGATSING, PRIMICIAS-AGABAS, ANTONINO, SUAREZ, ABAYON, CAMPOS, MATUGAS, GULLAS, TAMBUNTING AND BRAVO (M.V.), PER COMMITTEE REPORT NO. 922

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AN ACT ESTABLISHING THE PHILIPPINE SPACE DEVELOPMENT AND UTILIZATION POLICY AND CREATING THE PHILIPPINE SPACE AGENCY, DEFINING THE PURPOSE AND SCOPE OF ITS ACTIVITIES, AND APPROPRIATING FUNDS THEREFOR

*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  
2 "Philippine Space Development Act".

3 SEC. 2. *Declaration of Policy.* - It is hereby declared the  
4 policy of the State:

1 (a) To safeguard Philippine sovereignty, territorial integrity,  
2 national interest, and the right to self-determination as mandated  
3 by Section 7, Article II of the Constitution;

4 (b) To support the development of science and technology that  
5 shall foster patriotism and nationalism and accelerate social  
6 progress, such as the development of space technology and  
7 applications for its national security and for the benefit of its  
8 citizens;

9 (c) To ensure access to space as a sovereign right and to  
10 create a national strategy for space development;

11 (d) To create a coherent and unified strategy for space  
12 development and utilization in order to keep abreast with trends in  
13 space science and technology;

14 (e) To ensure that the Philippines has official representation  
15 in the international space community by the establishment of  
16 cooperative agreements and linkages on space development; and

17 (f) To ensure that the Philippines abides by the various  
18 international space treaties and principles promulgated by the  
19 United Nations as an active participant in the international space  
20 community.

21 SEC. 3. *Definition of Terms.* – As used in this Act:

22 (a) *Satellites* refer to all objects launched into earth orbit and  
23 artificial objects to be placed in orbit of celestial bodies or to conduct  
24 space exploration; and

25 (b) *Space Science and Technology Application (SSTA)* refers  
26 to the scientific principles and their applications to space science,  
27 engineering, and other allied fields.

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

10           SEC. 5. *Framework of the Space Policy.* – The Philippine  
11 Space Policy shall focus on six (6) key development areas for SSTA  
12 development to ensure the Philippines' sustained progress:

13           (a) National Security and Development – The Philippines  
14 shall focus on space applications that can preserve and enhance the  
15 country's national security and promote development that is  
16 beneficial to all Filipinos;

17           (b) Hazard Management and Climate Studies – The  
18 Philippines shall develop and utilize SSTA to enhance its hazard  
19 management and disaster mitigation strategy as well as ensure the  
20 nation's resiliency to climate change;

21           (c) Space Research and Development – The Philippines shall  
22 focus on research and development endeavors in vital areas of space  
23 science, technology, and allied fields to spur rapid scientific growth;

24           (d) Space Industry Capacity Building – The Philippines shall  
25 create a robust and thriving space industry to support the country's  
26 space program through private sector involvement and cooperation;

1 (e) Space Education and Awareness – The Philippines shall  
2 aim to establish a sustainable pool of trained space scientists,  
3 engineers, and communicators that shall be critical for the country's  
4 future space program and increasing public awareness on its value  
5 and benefits; and

6 (f) International Cooperation – The Philippines shall become  
7 a key player in the Association of Southeast Asian Nations (ASEAN)  
8 and global space community by providing significant contributions  
9 and upgrading its capabilities on SSTA through international  
10 partnerships and collaborations.

11 SEC. 6. *Creation of the Philippine Space Agency (PhilSA).* –  
12 A Philippine Space Agency, hereinafter referred to as the PhilSA, is  
13 hereby created as the central government agency that shall address  
14 all national issues and activities related to SSTA. The PhilSA shall  
15 be attached to the Department of Science and Technology (DOST)  
16 for purposes of policy and program coordination to ensure alignment  
17 in national policies and priorities.

18 SEC. 7. *Mandate.* – The PhilSA shall be the primary policy,  
19 planning, coordinating, implementing, and administrative entity of  
20 the national government that shall plan, develop, and promote the  
21 national space program in line with the Philippine Space  
22 Development and Utilization Policy (PSDUP).

23 SEC. 8. *Powers and Functions.* – The PhilSA shall exercise  
24 the following powers and functions:

25 (a) Policy and Planning, and Coordination

26 (1) Initiate the creation, development, and implementation of  
27 national and international space policies;

1           (2) Plan, direct, manage, and implement programs and  
2 projects relating to scientific space research and development and  
3 the application of space technology;

4           (3) Receive, administer, expend or dispose money, securities,  
5 personal or movable property by way of donation, gift, bequest, or  
6 grant subject to the terms, if any, on which the donation, gift,  
7 bequest, or grant was made in such manner that shall best promote  
8 the PhilSA's objectives;

9           (4) Implement the PSDUP;

10          (5) Coordinate all space activities of various sectors and  
11 stakeholders in the Philippines; and

12          (6) Provide appropriate and accurate advice to the President  
13 of the Philippines and other government agencies on space-related  
14 issues and concerns.

15          (b) Asset Operations, Resources Sharing and Coordination

16           (1) Develop, construct, acquire, manage, maintain, and  
17 operate space research facilities and systems on behalf of the  
18 Philippine government for the use of various government agencies;  
19 and

20           (2) Assist departments and other agencies of the Philippine  
21 government in the utilization of SSTA and in the performance of  
22 their respective mandates and duties.

23          (c) Research and Development

24           (1) Perform basic and applied research and development  
25 (R&D) activities relating to SSTA in collaboration with the  
26 academe, industry, and other institutions;



1           (2) Design, develop, and construct the necessary space  
2 systems and facilities, as well as launch, track, and operate the  
3 satellites on behalf of the Philippine government; and

4           (3) Promote the growth of space science and technology  
5 through R&D.

6           (d) Education and Capacity Building

7           (1) Establish programs that shall develop space education  
8 and promote public awareness;

9           (2) Provide grants and contributions in support of programs  
10 or projects relating to scientific or industrial space R&D and  
11 application of space technology; and

12           (3) Provide services and facilities for the use of entities  
13 conducting academic R&D relating to SSTA.

14           (e) Industry Development

15           (1) Promote the development of a robust and vibrant local  
16 space industry and economy;

17           (2) Promote the transfer and diffusion of space technology  
18 throughout the country;

19           (3) Encourage the commercial exploitation of space  
20 capabilities, technology, and information facilities and systems;

21           (4) License, sell, or otherwise make available any patent,  
22 copyright, industrial design, trademark, trade secret, or other  
23 similar property under its control; and

24           (5) Disseminate the results of R&D activities and promote  
25 their utilization to the stakeholders, except when information is  
26 deemed confidential for national defense and security, and for the  
27 protection of intellectual property rights.

1 (f) International Cooperation

2 (1) Collaborate with space-related agencies of other countries  
3 in the peaceful use and development of space technology;

4 (2) Enter into contracts, memoranda of understanding or  
5 agreement, or other arrangements in behalf of the Philippine  
6 government; and

7 (3) Establish and maintain linkages with other national space  
8 agencies and organizations.

9 SEC. 9. *Composition.* - The PhilSA shall be composed of the  
10 Office of the Director General, the Offices of the Deputy Directors  
11 General, and various divisions and offices to be created as deemed  
12 necessary. The PhilSA shall be headed by a Director General.

13 SEC. 10. *Director General of the PhilSA.* - The Director  
14 General shall have the rank and compensation of an  
15 Undersecretary and shall be appointed by the President of the  
16 Philippines, upon the recommendation of the Secretary of the  
17 DOST. The Director General shall have the following functions:

18 (a) Provide executive direction and supervision over the  
19 entire operations of the PhilSA;

20 (b) Establish policies and standards for the effective, efficient,  
21 and economical operation of the PhilSA, in accordance with the  
22 programs of the Philippine government;

23 (c) Serve as the Presidential Adviser on Space Matters for the  
24 promulgation of executive and administrative orders and  
25 formulation of regulatory and legislative proposals on matters  
26 pertaining to SSTA development;

1 (d) Review and approve requests for financial and manpower  
2 resources of all operating offices of the PhilSA;

3 (e) Designate and appoint officers and employees of the  
4 PhilSA, excluding the Deputy Directors General, in accordance with  
5 civil service laws, rules and regulations;

6 (f) Exercise disciplinary powers over officers and employees  
7 of the PhilSA in accordance with law, including the creation of a  
8 committee for the purpose or the designation of an officer to conduct  
9 such investigation;

10 (g) Coordinate with other departments, agencies, and public  
11 and private interest groups, including nongovernment  
12 organizations (NGOs) and people's organizations (POs) on PhilSA  
13 policies and initiatives;

14 (h) Prepare and submit to the President, through the  
15 Department of Budget and Management (DBM), an estimate of the  
16 necessary expenditures during the next fiscal year, on the basis of  
17 the reports and estimates submitted by the divisions and offices;

18 (i) Formulate such rules and regulations and exercise such  
19 other powers as may be required to implement the objectives of this  
20 Act; and

21 (j) Perform such other functions as may be provided by law.

22 SEC. 11. *Deputy Director General.* - The Director General  
23 shall be assisted by three (3) Deputy Directors General with the  
24 rank and compensation of an Assistant Secretary who shall be  
25 appointed by the President of the Philippines upon the  
26 recommendation of the DOST Secretary: *Provided, That* two (2) of  
27 the Deputy Directors General shall be career executive officers.



1           SEC. 12. *Qualifications.* – The person appointed Director  
2 General or Deputy Director General of the PhilSA shall have the  
3 following qualifications: (a) a citizen and resident of the Philippines;  
4 (b) of good moral character and proven integrity; (c) holds an  
5 advanced degree in Space Science, Astronomy, Physics, Engineering  
6 or related fields of study; and (d) has at least five (5) years of  
7 competent experience and expertise in any of the following fields:  
8 astrophysics, space science, aerospace engineering, space systems  
9 engineering, remote sensing space industry, or human capital  
10 development in the SSTA sector.

11           SEC. 13. *Transfer of Astronomical and Space-related*  
12 *Functions.* – To consolidate the functions relating to space science  
13 and technology, the following offices shall be transferred from their  
14 parent agency to the PhilSA:

15           (a) Philippine Aerospace Development Corporation of the  
16 Department of Transportation (DOTr); and

17           (b) The Space Program of the Science Education Institute of  
18 the DOST.

19           Nothing in this Act shall diminish the functions and  
20 responsibilities of these agencies.

21           SEC. 14. *Separation and Retirement from Service.* –  
22 Employees who are separated from service from the effectivity of  
23 this Act as a result of the consolidation or reorganization herein  
24 provided shall receive separation benefits to which they may be  
25 entitled under Republic Act No. 6656, otherwise known as the  
26 Government Reorganization Act: *Provided, That* those who are  
27 qualified to retire under existing retirement laws shall be allowed to

1 retire and receive retirement benefits to which they may be entitled  
2 under applicable laws and issuances.

3 SEC. 15. *Structure and Staffing Pattern.* – In coordination  
4 with the DBM, the PhilSA shall determine its organizational  
5 structure and create new divisions or units as it may deem  
6 necessary, and appoint officers and employees in accordance with  
7 civil service laws, rules and regulations.

8 SEC. 16. *Official Site of the PhilSA.* – A land area equivalent  
9 to at least thirty (30) hectares out of the area of lands which are  
10 under the administration of the Bases Conversion and Development  
11 Authority (BCDA) within the Clark Special Economic Zone in  
12 Pampanga and Tarlac shall be allocated exclusively for the PhilSA  
13 office and its research facilities: *Provided*, That the PhilSA shall  
14 establish additional offices and research facilities in strategic areas  
15 as it may deem necessary: *Provided, further*, That the boundaries  
16 and technical descriptions of these land areas shall be determined  
17 jointly by the PhilSA and the BCDA.

18 SEC. 17. *Magna Carta for Science and Technology Personnel.*  
19 – Qualified employees of the PhilSA and its attached units shall be  
20 covered by Republic Act No. 8439, otherwise known as the “Magna  
21 Carta for Scientists, Engineers, Researchers and other S & T  
22 Personnel in the Government”.

23 SEC. 18. *Annual Report.* – The PhilSA shall submit to the  
24 President of the Philippines and to Congress, not later than March  
25 30 of every year following the effectivity of this Act, a report giving a  
26 detailed account of the status of the implementation of this Act and,

1 whenever applicable and necessary, any recommended piece of  
2 legislation.

3       SEC. 19. *Appropriations.* - The amount necessary to cover  
4 the initial implementation of this Act shall be charged against the  
5 current year's appropriations of the Philippine Aerospace  
6 Development Corporation, the DOST-Office of the Secretary  
7 (DOST-OSEC) Grants-in-Aid and the Space Program of the Science  
8 Education Institute of the DOST. Thereafter, such sums as may be  
9 necessary for the continued implementation of this Act shall be  
10 included in the annual General Appropriations Act.

11       In addition, the PhilSA is authorized to receive contributions,  
12 grants, bequests, gifts, and donations, in cash or in kind, whether  
13 from local or foreign sources: *Provided*, That acceptance of  
14 contributions, grants, bequests, and donations from foreign  
15 governments shall be subject to the approval of the President of the  
16 Philippines, upon the recommendation of the Director General of  
17 the PhilSA and the Secretary of the Department of Foreign Affairs  
18 (DFA).

19       SEC. 20. *Implementing Rules and Regulations.* - The  
20 PhilSA, in coordination with the DBM, the Civil Service  
21 Commission (CSC), the DOST, the Department of National Defense-  
22 Armed Forces of the Philippines (DND-AFP) and the BCDA, shall  
23 issue within one hundred eighty (180) days from the effectivity of  
24 this Act, the necessary rules and regulations for the effective  
25 implementation of this Act.

1           SEC. 21. *Separability Clause.* – If any provision of this Act  
2 shall be declared unconstitutional or invalid, the other provisions  
3 not otherwise affected shall remain in full force and effect.

4           SEC. 22. *Repealing Clause.* – All laws, decrees, executive  
5 orders, rules and regulations and other issuances or parts thereof  
6 which are inconsistent with this Act are hereby repealed or  
7 amended accordingly.

8           SEC. 23. *Effectivity.* – This Act shall take effect fifteen (15)  
9 days after its publication in the *Official Gazette* or in a newspaper  
10 of general circulation.

Approved,

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