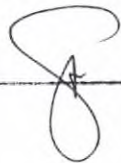


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 AUG -8 P1 :40

SENATE
S. No. 1089

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
DEFINING THE MARITIME ZONES UNDER THE JURISDICTION OF THE
REPUBLIC OF THE PHILIPPINES

EXPLANATORY NOTE

Following the enactment of Republic Act No. 9522 or the Archipelagic Baselines Act in May 2009 and the Supreme Court ruling in 2011 upholding its constitutionality, there was a push to further strengthen the domestic legal framework with respect to the nation's territory and maritime entitlements. The ruling also recognized RA 9522 as an important tool and starting point to demarcate and protect the country's maritime zones and continental shelf under UNCLOS.

During the 15th and 16th Congresses, the Legislative Executive Development Advisory Council (LEDAC) named the Maritime Zones Bill, as well as the Archipelagic Sea Lanes Bill, as part of the Common Legislative Agenda. In both instances, the House of Representatives approved on Third and Final Reading the Maritime Zones Bill; but the measure stalled in the Senate.

In expressing support to the legislation, the Department of Foreign Affairs (DFA) stressed the importance of passing the bill "at the soonest possible time" to "completely put the archipelagic house in order."¹ During the public hearings conducted by Senate Committee on Foreign Relations during the 16th Congress, the

¹ TSN, Senate Committee on Foreign Relations public hearing, April 27, 2012

bill was also met with overwhelming support from various stakeholders, including the DFA, Department of Justice (DOJ), Department of National Defense (DND), Philippine Coast Guard (PCG), Department of Environment and Natural Resources (DENR) and members of the academe. It is thus surprising that the bill languished in the halls of Congress and was never passed.

Consistent with the thrust of the national government in pursuing a rules-based approach to protecting the country's territory and sovereignty, and promoting peace, security and development in the region, the Maritime Zones Act could be a potent instrument that the State may employ and maximize in managing issues concerning its regional neighbors. Defining our maritime boundaries will not only further clarify the nation's maritime entitlements, rights and obligations in accordance with international law, but will also lay the solid foundation for other future strategic policies and government actions, such as law enforcement, resource management and environmental preservation.

This version is the one approved by the House of Representatives and transmitted to the Senate during the Eighteenth Congress. This measure is also one of the legislative priorities identified under the updated Philippine Development Plan in separate spheres of ensuring security, public order and safety, and of ensuring ecological integrity, clean and healthy environment.

In view of the foregoing considerations, this representation is making another pitch toward the immediate passage of this long overdue legislation.



JINGGOY EJERCITO ESTRADA

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



'22 AUG -8 P 1 :40

SENATE
S. No. 1089

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
DEFINING 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.* – The maritime zones of the Philippines comprise the
4 internal waters, archipelagic waters, territorial sea, contiguous zone, exclusive
5 economic zone (EEZ) and continental shelf. All territories of the Philippines shall
6 generate their respective maritime zones in accordance with international law.
- 7 Sec. 3. *Archipelagic Baselines.* – Archipelagic baselines, as used in this Act,
8 shall refer to the baselines as defined under Republic Act No. 9522, otherwise known
9 as the “Philippine Archipelagic Baselines Act of 2009.”
- 10 Sec. 4. *Internal Waters.* – The internal waters of the Philippines, as
11 appropriate, refer to the following:
- 12 a) Waters on the landward side of the archipelagic baselines not forming part
13 of the archipelagic waters under Section 5 of this Act and delineated in
14 accordance with Article 50 of the 1982 United Nations Convention on the
15 Law of the Sea (UNCLOS); and

1 b) Waters on the landward side of the baselines of the territorial sea of
2 territories outside of the archipelagic baselines, drawn in accordance with
3 Article 8 of the UNCLOS.

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

7 *Sec. 5. Archipelagic Waters.* – The archipelagic waters of the Philippines refer
8 to the waters on the landward side of the archipelagic baselines except as provided
9 for under Section 4 of this Act.

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

13 The Philippines exercises sovereignty and jurisdiction over its archipelagic
14 waters and the airspace over it as well as its seabed and subsoil in accordance with
15 the UNCLOS and other existing laws and treaties.

16 *Sec. 6. Territorial Sea.* – The territorial sea of the Philippines refers to the
17 adjacent belt of sea measured twelve (12) nautical miles from the baselines of the
18 territorial sea as determined in accordance with the provisions of Part II or Part IV of
19 the UNCLOS as appropriate.

20 The Philippines exercises sovereignty over its territorial sea and the airspace
21 over it as well as its seabed and subsoil in accordance with the UNCLOS and other
22 existing laws and treaties.

23 *Sec. 7. Contiguous Zone.* – The contiguous zone of the Philippines refers to
24 the waters beyond and adjacent to its territorial sea and up to the extent of twenty-
25 four (24) nautical miles from the baselines from which the breadth of the territorial
26 sea is measured.

27 In accordance with the UNCLOS, the Philippines exercises control over this
28 zone necessary to:

29 a) Prevent infringement of its customs, fiscal, immigration, or sanitary laws
30 and regulations within its territory or territorial sea; and

31 b) Punish infringement of the above laws and regulations committed within
32 its territory or territorial sea.

1 Sec. 8. *Exclusive Economic Zone.* – The exclusive economic zone (EEZ) of the
2 Philippines refers to the waters beyond and adjacent to its territorial sea and up to
3 the extent of two hundred (200) nautical miles from the baselines from which the
4 breadth of the territorial sea is measured, as established by Presidential Decree No.
5 1599, otherwise known as the “Philippine Exclusive Economic Zone of 1978”, and to
6 the extent consistent with the other provisions of this Act and with the provisions of
7 the UNCLOS.

8 In accordance with the UNCLOS, the Philippines exercises within the EEZ the
9 following rights:

- 10 a) Sovereign rights over this area for the purpose of exploring and exploiting,
11 conserving and managing the natural resources, whether living or non-
12 living, of the waters superjacent to the seabed and of the seabed and its
13 subsoil, and with regard to other activities for the economic exploitation
14 and exploration of the zone, such as the production of energy from the
15 water, tide, and wind; and
16 b) Jurisdiction with regard to: i) the establishment and use of artificial
17 islands, installations and structures; ii) marine scientific research; iii) the
18 protection and preservation of the marine environment; and iv) other
19 rights and duties provided for in the UNCLOS.

20 Sec. 9. *Continental Shelf.* – The continental shelf of the Philippines comprises
21 the seabed and subsoil of the submarine areas that extend beyond its territorial sea
22 throughout the natural prolongation of its land territory to the outer edge of the
23 continental margin, or to a distance of two hundred (200) nautical miles from the
24 baselines from which the breadth of the territorial sea is measured, where the outer
25 edge of the continental margin does not extend up to that distance.

26 Continental shelves extending beyond two hundred (200) nautical miles from
27 the baselines shall be delineated in accordance with Article 76 of the UNCLOS.

28 The Philippines exercises sovereign rights to explore and exploit the mineral,
29 petroleum and nonliving resources of the seabed and subsoil and living organisms
30 belonging to the sedentary species, as well as jurisdiction with regard to the
31 establishment and use of artificial islands, installations and structures on the seabed,
32 drilling and tunneling, and other rights as provided for in accordance with the

1 UNCLOS, Republic Act No. 7942, otherwise known as the "Philippine Mining Act of
2 1995," and other existing laws and treaties.

3 Sec. 10. *Adherence to Existing Laws.* – Other rights of the Philippines relative
4 to its maritime zones and entitlements shall be exercised in accordance with the
5 UNCLOS, the awards rendered by the Arbitral Tribunal in Permanent Court of
6 Arbitration (PCA) Case No. 2013-19, in the matter of the South China Sea Arbitration
7 between the Republic of the Philippines and the People's Republic of China, handed
8 down on July 12, 2016 at The Hague, The Netherlands and other laws and
9 regulations on maritime zones and entitlements of the Philippines and international
10 law.

11 Sec. 11. *Delimitations.* – Where the maritime zones defined in this Act overlap
12 with the maritime zones of a neighboring State, the common boundaries shall be
13 determined by agreement with that State in accordance with the relevant principles
14 of delimitation under international law, including the UNCLOS.

15 Sec. 12. *Separability Clause.* – If any section or part of this Act is held
16 unconstitutional or invalid, the other sections or provisions not otherwise affected
17 shall remain in full force and effect.

18 Sec. 13. *Repealing Clause.* - All laws, decrees, executive orders, rules and
19 regulations, issuances or any part thereof inconsistent with the provisions of this Act,
20 are deemed repealed and modified accordingly.

21 Sec. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its
22 publication in the *Official Gazette* or at least two (2) national newspapers of general
23 circulation, whichever comes earlier.

Approved,

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



Senate
Office of the Secretary

'22 AUG -8 P1:41

SENATE

S. No. 1090

RECEIVED BY: _____

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
TO AMEND CERTAIN SECTIONS OF REPUBLIC ACT SEVEN THOUSAND FOUR
HUNDRED THIRTY-ONE (R.A. 7431) OTHERWISE KNOWN AS THE
"RADIOLOGIC TECHNOLOGY ACT OF 1992, AND FOR OTHER PURPOSES"**

EXPLANATORY NOTE

In 1992, Republic Act 7431 was enacted in order to regulate, and at the same time, upgrade the practice of radiologic technology in the Philippines. Through this law, the government sought to protect the public from the hazards posed by radiation as well as to ensure safe and proper diagnosis, treatment, and research through the application of machines and/or equipment using radiation.

In order to uphold such policy, RA 7431 created the Board of Radiologic Technology composed of three (3) radiologic technologist, one (1) radiologist, and one (1) medical physicist. However, including a radiologist and a medical physicist in the board defeats the intent of the law. Under the law, a radiologist is a licensed physician who specializes in the diagnosis or treatment of diseases with the use of radiation while a medical physicist specializes in the application of the principles and techniques of physics in medicine. These are entirely different from those who practice radiologic technology-related professions. Whereas this specific technology is an auxiliary branch of radiology which deals with the application of radio frequency rays

in the diagnosis and treatment of diseases, this set up then does not call for representation of radiologists and medical physicists to the Board.

This proposed measure then seeks to address this loophole in the law by excluding the radiologist and medical physicist from the Board of Radiologic Technology. Also, the bill changes the scope of examinations for radiologic and x-ray technologists to more practical subjects with their corresponding weights also modified.

Equally important is that this measure also seeks to promote the incorporation of the x-ray technology and radiologic technology profession into the Accredited and Integrated Professional Organization (AIPO) of x-ray technologists and radiologic technologists sanctioned by the Profession Regulation Commission (PRC).

This proposed bill was adopted from the pertinent committee report filed in the Seventeenth Congress by the Committee Civil Service, Government Reorganization and Professional Regulation, with some modifications.

In view of the foregoing, passage of the bill is earnestly sought.



JINGGOY EJERCITO ESTRADA
Senator