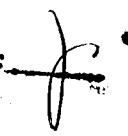




Senate  
Office of the Secretary

76 JUL 19 P4:43

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

RECEIVED BY: 

SENATE

S. No. 556

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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

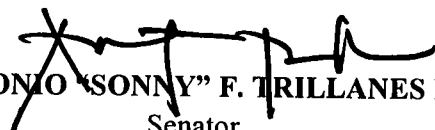
EXPLANATORY NOTE

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

Indisputably, 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.

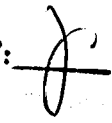


ANTONIO "SONNY" F. TRILLANES IV  
Senator



16 JUL 19 P4:43

SEVENTEENTH CONGRESS OF THE )  
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SENATE

S. No. 556

Introduced by Senator Antonio "Sonny" F. Trillanes IV

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

*Be it enacted by the Senate and the 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 the maritime history of the country, which shall consequently become part of the national collection of maritime historical material;
- c) aims to disseminate information relating to the country's maritime history and information relating to the Museum and its functions;
- d) to provide a museum which shall serve as the center for education and source of information on the maritime' wealth in various historical periods thereby encouraging support from people to conserve and protect these assets of the country; and
- e) to conduct, arrange for and assist research into matters relating to the country's maritime history.

SEC. 4. *Definition of Terms.* - The following terms shall mean:

- a) Acquire means acquire by means of purchase, lease, loan or otherwise;
- b) Marine environment includes the environment of:

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- 1) the sea above the continental shelf adjacent to the coast of the country and the bed of that sea; and
  - 2) the waters and beds of the lakes, rivers and other internal waters of the country.
- c) Maritime history includes:
- 1) the history, including biological and geological history, of the Philippine marine environment; and
  - 2) the history of the interaction of human beings with the Philippine marine environment;
  - 3) the history of sea travel by Filipinos, and by persons to and from the Philippines, whether for the purpose of migration, trade, exploration, defence or otherwise; and the history of research into, and the recovery of materials related to, any of the matters referred to in paragraphs (1), (2) and (3).
- d) Chairperson means the Chairperson of the Council;
- e) Council means the Council of the Philippine National Maritime Museum established in this Act;
- f) Director means the Director of the Museum;
- g) Fund means the Philippine National Maritime Museum Fund established by this Act;
- h) Maritime historical material means material, whether in written form or in any other form, relating to the country's maritime history;
- i) Member means a member of the Council;
- j) Museum means the Philippine National Maritime Museum established in this Act;
- k) National maritime collection means the national collection of maritime historical material referred to in Section 9 of this Act;
- l) President means the President of the Republic of the Philippines; and
- m) Vessel means any kind of vessel or other craft that is, or has been, used in navigation by water, whether above or below the surface, and however propelled or moved.

**ARTICLE II**  
**THE PHILIPPINE NATIONAL MARITIME MUSEUM**

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

- 1 a) There is, established by this section a museum by the name of Philippine National  
2 Maritime Museum, which shall also have the status and category of a national agency  
3 attached to the Department of Education;  
4
- 5 b) The Museum:  
6
- 7 1) is a corporate body;  
8
- 9 2) shall have a seal; and  
10
- 11 3) may sue and be sued.  
12
- 13 c) The seal of the Museum shall be kept in such custody as the Council directs, and shall  
14 not be used except as authorized by the Council.  
15
- 16 d) All courts, judges and persons acting judicially shall take judicial notice of the imprint  
17 of the seal of the Museum appearing on a document, and shall presume the document  
18 was duly sealed.  
19

20 **SEC. 6. *Functions of the Museum.*** - The functions of the Museum are:  
21

- 22 a) to exhibit, or to make available for exhibition by others, in the Philippines or  
23 elsewhere, the material included in the national maritime collection or the maritime  
24 historical material that is otherwise in the possession of the Museum;  
25
- 26 b) to cooperate with other public or private institutions in exhibiting, or in making  
27 available for exhibition, of such material; and  
28
- 29 c) to develop, preserve and maintain the national maritime collection in accordance with  
30 this Act.  
31

32 **SEC. 7. *Powers of the Museum.*** - The Museum has power to do all things necessary  
33 or convenient to be done for or in connection with the performance of its functions and, in  
34 particular, has power:  
35

- 36 a) to purchase, commission the creation of or take on hire, deposit or loan maritime  
37 historical material;  
38
- 39 b) to lend or hire out or otherwise deal with maritime historical material;  
40
- 41 c) to recover, or to arrange for or assist in the recovery of, maritime historical material  
42 from the Philippine marine environment and from other areas;  
43
- 44 d) to dispose of, in accordance, with this Act, material included in the national maritime  
45 collection and to dispose of maritime historical material that is otherwise in the  
46 possession of the Museum;  
47
- 48 e) from time to time as the occasion requires, to exhibit in the Philippines or elsewhere,  
49 material, whether in written form or in any other form and whether relating to the  
50 Philippines or to a foreign country;

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- f) to accept gifts, devises, bequests or assignments made to the Museum, whether on trust or otherwise, and whether unconditionally or subject to a condition and, if a gift, devise, bequest or assignment is accepted by the Museum on trust or subject to a condition, to act as trustee or to comply with the condition, as the case may be;
- g) to acquire and operate vessels, whether in Philippine waters or otherwise and whether or not the vessels are maritime historical material;
- h) to collect, and make available, whether in writing or in any other form and whether by sale or otherwise, information relating to Philippine maritime history;
- i) to make available information relating to the Museum and its functions;
- j) to make available, whether by sale or otherwise, reproductions, replicas or other representations, whether in writing or in any other form, of maritime historical material;
- k) to arrange for the manufacture and distribution of, whether by sale or otherwise, any article or thing bearing a mark, symbol or writing that is associated with the Museum;
- l) to enter into contracts;
- m) to acquire, hold and dispose of real or personal property;
- n) to erect buildings and structures and carry out works;
- o) to take on leases of land or buildings and to grant leases and sub-leases of land or buildings;
- p) to fix charges for entry onto any land or water, or into any building, structure or vessel, owned by, or under the control of the Museum, being charges that:
  - 1) are in addition to the charges fixed by the regulations; and
  - 2) relate to special exhibitions or other special events;
- q) to purchase or take on hire, deposit or loan, and to dispose of or otherwise deal with, furnishings, equipment and other goods;
- r) to raise money for the purposes of the Museum by appropriate means, having regard to the proper performance of the functions of the Museum;
- s) to charge such fees and impose such charges, in addition to the charges fixed by regulations, as are reasonable in respect of services rendered by the Museum; and
- t) to appoint agents and attorneys and act as an agent for other persons.

**SEC. 8. Land for the Museum. -**

- 1 a) The national government may make available to the Museum for the purposes of the  
2 Museum areas of land including any buildings, structures or other improvements on  
3 those area, and such areas of water owned or held under lease by, or otherwise under  
4 the control of the national government;  
5
- 6 b) The national government may:  
7
- 8 1) where the Council so requests, transfer or cause to be transferred the Museum  
9 maritime historical material owned by the national government; and  
10
- 11 2) transfer or cause to be transferred to the Museum such other goods or  
12 equipment owned by the national government as the chief executive considers  
13 would be of use to the Museum.  
14

15 **SEC. 9. *National Maritime Collection.* –**  
16

- 17 a) The Museum shall develop a national collection of maritime historical material.  
18
- 19 b) The national maritime collection shall consist of all maritime historical material in the  
20 sole ownership of the Museum that the Council has determined in accordance with  
21 this Act should be included in the national maritime collection.  
22
- 23 c) The Council shall, from time to time, determine which of the maritime historical  
24 material that comes into the sole ownership of the Museum should be included in the  
25 national maritime collection.  
26
- 27 d) Any determination made by the Council for the purposes of subsection (c) shall be  
28 based upon criteria, and made in accordance with guidelines, approved by the  
29 President.  
30
- 31 e) The Museum shall not sell or otherwise dispose of material included in the national  
32 maritime collection except in accordance with Section 10 of this Act.  
33

34 **SEC. 10. *Disposal of Material in National Maritime Collection.* –**  
35

- 36 a) Subject to subsections (b) and (c), where the Council is satisfied that material  
37 included in the national maritime collection is unfit for the collection or is not  
38 required as part of the collection, the Council may determine that the material be  
39 disposed of by sale, exchange, gift or destruction.  
40
- 41 b) The Council shall not determine that material included in the national maritime  
42 collection be disposed of until the Council has obtained and considered reports from  
43 two (2) independent experts 'setting out the views of those experts on the importance  
44 of the material to the national maritime collection.  
45
- 46 c) The Council shall not determine that material included in the national maritime  
47 collection be disposed of by destruction unless the Council is satisfied that the  
48 material cannot be disposed of by sale, exchange or gift.  
49

- 1 d) The Museum may dispose of the material accordingly when the Council has  
2 determined, in accordance with this section, that material included in the national  
3 maritime collection should be disposed of.  
4

5 **ARTICLE III**  
6 **THE COUNCIL OF THE MUSEUM**  
7

8 **SEC. 11. *Establishment of Council.*** - There is, established by this section, a council  
9 by the name of the Council of the Philippine National Maritime Museum.  
10

11 **SEC. 12. *Functions of Council.*** - The functions of the Council are to ensure the  
12 proper and efficient performance of the functions of the Museum and to determine the policy  
13 of the Museum with respect to any matter.  
14

15 **SEC. 13. *Membership of Council.*** - The Council shall consist of not fewer than six (6)  
16 nor more than nine (9) other members appointed by the President. An appointed member  
17 shall be a person having knowledge and experience with respect to matters relating to  
18 Philippine maritime history or with respect to any other area of knowledge relevant to the  
19 affairs of the Museum.  
20

21 **SEC.14. *Meetings of Council.*** -  
22

- 23 a) The Chairperson of the Council:  
24  
25 1) shall convene such meetings of the Council as necessary for the efficient  
26 conduct of its functions; and  
27  
28 2) shall, on receipt of a written request signed by not fewer than four (4)  
29 members, convene a meeting of the Council.  
30  
31 b) The President may, at any time convene a meeting of the Council.  
32  
33 c) The Chairperson shall preside at all meetings of the Council in which he or she is  
34 present.  
35  
36 d) In the event of the absence of the Chairperson from a meeting of the Council, the  
37 members present shall elect one of their members to preside at that meeting.  
38  
39 e) At a meeting of the Council, a quorum is constituted by a majority of the members.  
40  
41 f) In the event of an equality of votes on a resolution proposed at a meeting of the  
42 Council, the resolution shall be taken not to be passed; but, if the same resolution is  
43 proposed at the first meeting of the Council held after the date of that first-mentioned  
44 meeting and there is again an equality of votes, the member presiding has a casting  
45 vote on the resolution.  
46  
47 g) The Council may regulate the conduct of proceedings at its meetings as it thinks fit.  
48  
49 h) The Council shall keep minutes of proceedings at its meetings and shall forward a  
50 copy of those minutes to the President and the Congress.

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- i) If the Council so determines, a member of the Council may participate in, and form part of a quorum at a meeting of the Council by means of any of the following methods of communication:
  - 1) telephone;
  - 2) close circuit television; and
  - 3) any other method of communication determined by the Council.
- j) A determination of the Council under subsection (i) may be made in respect of a particular meeting, or in respect of all meetings, of the Council.
- k) A member of the Council who participates in a meeting as provided by subsection (i) shall be taken for the purposes of this Act to be present at the meeting.
- l) If the Council so determines, a resolution shall be taken to have been passed at a meeting of the Council if, without meeting, a majority of the members who would, if present at a meeting of the Council and entitled to vote on the resolution at that meeting, have constituted a quorum of the Council indicate agreement with the resolution in accordance with the method determined by the Council.

**SEC.15. Strategic Plans. –**

- a) The Council shall develop, and prepare in writing, for each successive period determined in accordance with subsection (b) a strategic plan setting out the manner in which it is proposed that its functions will be performed during that period.
- b) The first strategic plan prepared in accordance with this section shall be expressed to relate to a period of three (3) years commencing on a day occurring within twelve (12) months after the commencement of this Act and each subsequent strategic plan shall be expressed to relate to the period of three (3) years commencing at the end of the period to which the immediately preceding strategic plan relates.
- c) A strategic plan prepared in accordance with this section shall be laid before each Houses of the Congress within fifteen (15) sitting days of that House after approval of the plan.

**ARTICLE IV  
THE DIRECTOR OF THE MUSEUM**

**SEC.16. Director.-**

- a) There shall be a Director of the Museum who shall be appointed by the President.
- b) The Director shall hold office on such terms and conditions (if any) in respect of matters not provided for by this Act as are determined by the President.



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**SEC. 17. Duties of Director. –**

- a) The Director shall manage the affairs of the Museum subject to the directions of, and in accordance with policies determined by, the Council.
- b) All acts and things done in the name of, or on behalf of, the Museum by the Director shall be deemed to have been done by the Museum.

**ARTICLE V  
FINAL PROVISIONS**

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

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

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

**SEC. 21. Effectivity Clause.**- This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*