



Republic of the Philippines
House of Representatives
Quezon City



SEVENTEENTH CONGRESS
Third Regular Session

COMMITTEE REPORT NO. 922

Submitted by the Committees on Government Reorganization, Science and Technology and Appropriations on NOV 05 2018;

Re: House Bill No. 8541

Recommending its approval in substitution of House Bills Numbered 3637, 4275, 4367 4623 and 6413;

Sponsors: Representatives Mariano Michael M. Velarde, Jr., Erico Aristotle C. Aumentado, and Maria Carmen S. Zamora

Madam Speaker:

The Committees on Government Reorganization, Science and Technology, and Appropriations, to which were referred:

House Bill No. 3637, introduced by Representatives Erico Aristotle C. Aumentado and Seth Frederick P. Jalosjos, entitled:

AN ACT

ESTABLISHING THE PHILIPPINE SPACE DEVELOPMENT AND UTILIZATION POLICY AND CREATING THE PHILIPPINE SPACE AGENCY (PSA) AND DEFINE THE PURPOSE AND SCOPE OF ITS ACTIVITIES

House Bill No. 4275, introduced by Representatives John Marvin "Yul Servo" Nieto and Edward Vera Perez Maceda, entitled:

AN ACT

ESTABLISHING THE PHILIPPINE SPACE DEVELOPMENT AND UTILIZATION POLICY AND CREATING THE PHILIPPINE SPACE AGENCY (PSA) AND DEFINE THE PURPOSE AND SCOPE OF ITS ACTIVITIES

House Bill No. 4367, introduced by Representative Joey Sarte Salceda, entitled:

AN ACT

ESTABLISHING THE PHILIPPINE SPACE DEVELOPMENT AND UTILIZATION POLICY AND CREATING THE PHILIPPINE SPACE AGENCY (PSA) AND DEFINE THE PURPOSE AND SCOPE OF ITS ACTIVITIES

House Bill No. 4623, introduced by Representative Maximo B. Rodriguez, Jr., entitled:

~~AN ACT~~

ESTABLISHING THE PHILIPPINE SPACE DEVELOPMENT AND UTILIZATION POLICY AND CREATING THE PHILIPPINE SPACE AGENCY (PSA) AND DEFINE THE PURPOSE AND SCOPE OF ITS ACTIVITIES"

House Bill No. 6413, introduced by Representative Salvador B. Belaro, Jr., entitled:

~~AN ACT~~

ESTABLISHING A PHILIPPINE SPACE DEVELOPMENT AND UTILIZATION FRAMEWORK AND CREATING THE PHILIPPINE SPACE AGENCY (PHILSA), DEFINING THE SCOPE OF ITS POWERS AND FOR OTHER PURPOSES

8541

have considered the same and recommend that the attached House Bill Number _____, entitled:

~~"AN ACT~~

ESTABLISHING THE PHILIPPINE SPACE DEVELOPMENT AND UTILIZATION POLICY AND CREATING THE PHILIPPINE SPACE AGENCY AND DEFINING THE PURPOSE AND SCOPE OF ITS ACTIVITIES."

be approved in substitution of House Bills Numbered 3637, 4275, 4367 and 4623 with Representatives Erico Aristotle C. Aumentado, Seth Frederick P. Jalosjos, John Marvin "Yul Servo" C. Nieto, Edward Vera Perez Maceda, Joey Sarte Salceda, Maximo B. Rodriguez, Jr., Jose Antonio "Kuya Jonathan" R. Sy-Alvarado, Rodol M. Batocabe, Ma. Lucille L. Nava, M.D., Arthur C. Yap, Ricardo T. Bemonte, Jr., Christopher V.P. De Venecia, Mariano Michael M. Velarde, Jr., Virgilio S. Lacson, Ron P. Salo, Mark Aeron H. Sambar, Benhur B. Lopez, Jr., Alberto T. Ungab, Aniceto "John" D. Bertiz III, Carlito S. Marquez, and Jesulito A. Manalo, Xavier Jesus D. Romualdo, Karlo Alexei B. Nograles, Jose Enrique "Joet" S. Garcia III, Joseph Stephen S. Paduano, Leopoldo N. Bataoil, Mark O. Go, Orestes T. Salon, Scot Davis S. Lanete, Juan Pablo "Rimpy" P. Bondoc, Bernadette C. Herrera-Dy, Jose L. Atienza, Jr., and Francisco G. Datol, Jr. as authors thereof.

Respectfully submitted:

HON. ERICO ARISTOTLE C. AUMENTADO
Chairperson
Committee on Science and Technology

HON. MARIANO MICHAEL M. VELARDE JR.
Chairperson
Committee on Government Reorganization

HON. MARIA CARMEN S. ZAMORA
Senior Vice Chairperson
Committee on Appropriations

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **8541**

(In substitution of House Bills Numbered 3637, 4275, 4367, 4623 and 6413)

Introduced by Representatives

Erico Aristotle C. Aumentado, Seth Frederick P. Jalosjos, John Marvin “Yul Servo” C. Nieto, Edward Vera Perez Maceda, Joey Sarte Salceda, Maximo B. Rodriguez, Jr., Jose Antonio “Kuya Jonathan” R. Sy-Alvarado, Rodel M. Batocabe, Ma. Lucille L. Nava, M.D., Arthur C. Yap, Deogracias Victor “DV” B. Savellano, Ricardo T. Belmonte, Jr., Christopher V.P. De Venecia, Mariano Michael M. Velarde, Jr., Virgilio S. Lacson, Ron P. Salo, Salvador B. Belaro, Jr., Anthony M. Bravo, Ph.D., Estrellita B. Suansing, Eric L. Olivarez, Scott Davis S. Lanete, M.D., Rozzano Rufino B. Biazon, Mark Aeron H. Sambar, Benhur B. Lopez, Jr., Alberto T. Ungab, Aniceto “John” D. Bertiz III, Carlito S. Marquez, Jesulito A. Manalo, Xavier Jesus D. Romualdo, Karlo Alexei B. Nograles, Jose Enrique “Joet” S. Garcia III, Joseph Stephen S. Paduano, Leopoldo N. Bataoil, Mark O. Go, Orestes T. Salon, Juan Pablo “Rimpy” P. Bondoc, Bernadette C. Herrera-Dy, Jose L. Atienza, Jr., and Francisco G. Datol, Jr.

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 House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. *Short Title.* - This Act shall be known as the “Philippine Space
2 Development Act”.

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

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

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

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

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

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

6 (f) To ensure that the Philippines abides by the various international space treaties
7 and principles promulgated by the United Nations as an active participant in the international
8 space community.

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

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

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

14 SEC. 4. *The Philippine Space Development and Utilization Policy.* - The Philippine
15 Space Development and Utilization Policy shall serve as the country's primary strategic
16 roadmap for space development and shall embody the country's central goal of becoming a
17 space-capable and space-faring nation within the next decade. It shall focus on areas of SSTA
18 that shall address national issues, promote the efficient utilization of space assets and
19 resources, establish capacity-building measures for human resources development, and
20 enhance international cooperation.

21 SEC. 5. *Framework of the Space Policy.* - The Philippine Space Policy shall focus on
22 six (6) key development areas for SSTA development to ensure the Philippines' sustained
23 progress:

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

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

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

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

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

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

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

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

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

19 I. Policy and Planning, and Coordination

20 (a) Initiate the creation, development, and implementation of national and
21 international space policies;

22 (b) Plan, direct, manage, and implement programs and projects relating to scientific
23 space research and development and the application of space technology;

24 (c) Receive, administer, expend or dispose money, securities, personal or moveable
25 property by way of donation, gift, bequest, or grant subject to the terms, if any, on which the
26 donation, gift, bequest, or grant was made in such manner that shall best promote the
27 PhilSA’s objectives;

28 (d) Implement the Philippine Space Development and Utilization Policy;

29 (e) Coordinate all space activities of various sectors and stakeholders in the
30 Philippines; and

31 (f) Provide appropriate and accurate advice to the President of the Philippines and
32 other government agencies on space-related issues and concerns.

33 II. Asset Operations, Resources Sharing and Coordination

1 (a) Develop, construct, acquire, manage, maintain and operate space research facilities
2 and systems on behalf of the Philippine government for the use of various government
3 agencies; and

4 (b) Assist Departments and other agencies of the Philippine Government in the
5 utilization of SSTA and in the performance of their respective mandates and duties.

6 III. Research and Development

7 (a) Perform basic and applied research and development (R&D) activities relating to
8 SSTA in collaboration with the academe, industry, and other institutions;

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

11 (c) Promote the growth of space science and technology through research and
12 development.

13 IV. Education and Capacity Building

14 (a) Establish programs that shall develop space education and promote public
15 awareness;

16 (b) Provide grants and contributions in support of programs or projects relating to
17 scientific or industrial space R&D and application of space technology; and

18 (c) Provide services and facilities for the use of entities conducting academic R&D
19 relating to SSTA.

20 V. Industry Development

21 (a) Promote the development of a robust and vibrant local space industry and
22 economy;

23 (b) Promote the transfer and diffusion of space technology throughout the country;

24 (c) Encourage the commercial exploitation of space capabilities, technology, and
25 information facilities and systems;

26 (d) License, sell, or otherwise make available any patent, copyright, industrial design,
27 trademark, trade secret, or other similar property under its control; and

28 (e) Disseminate the results of R&D activities and promote their utilization to the
29 stakeholders, except when information is deemed confidential for national defense and
30 security, and for the protection of intellectual property rights.

31 VI. International Cooperation

32 (a) Collaborate with space-related agencies of other countries in the peaceful use and
33 development of space technology;

34 (b) Enter into contracts, memoranda of understanding or agreement, or other
35 arrangements in behalf of the Philippine Government; and

1 (c) Establish and maintain linkages with other national space agencies and
2 organizations.

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

6 SEC. 10. *Director General of the PhilSA.* - The Director General shall have the rank
7 and compensation of an Undersecretary and shall be appointed by the President of the
8 Philippines, upon the recommendation of the Secretary of the DOST. The Director General
9 shall have the following functions:

10 (a) Provide executive direction and supervision over the entire operations of the
11 PhilSA;

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

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

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

19 (e) Designate and appoint officers and employees of the PhilSA, excluding the
20 Deputy Director General, in accordance with civil service laws, rules and regulations;

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

24 (g) Coordinate with other Departments, agencies, and public and private interest
25 groups, including non-government organizations (NGOs) and people's organizations (POs)
26 on PhilSA policies and initiatives;

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

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

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

33 SEC. 11. *Deputy Director General.* - The Director General shall be assisted by three
34 (3) Deputy Directors with the rank and compensation of an Assistant Secretary who shall be
35 appointed by the President of the Philippines upon the recommendation of the DOST

1 Secretary: *Provided*, That two (2) of the Deputy Directors General shall be career executive
2 officers.

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

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

13 (a) Philippine Aerospace Development Corporation of the Department of
14 Transportation (DOTr); and

15 (b) The Space Program of the Science Education Institute of the Department of
16 Science and Technology (DOST).

17 *Nothing in this Act shall diminish the functions and responsibilities of these agencies.*

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

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

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

1 SEC. 17. *Magna Carta for Science and Technology Personnel.* – Qualified employees
2 of the PhilSA and its attached units shall be covered by Republic Act No. 8439, otherwise
3 known as the “Magna Carta for Scientists, Engineers, Researchers and other Science and
4 Technology Personnel in the Government”.

5 SEC. 18. *Annual Report.* – The PhilSA shall submit to the President of the Philippines
6 and to Congress, not later than March 30 of every year following the effectivity of this Act,
7 a report giving a detailed account of the status of the implementation of this Act and,
8 whenever applicable and necessary, any recommended piece of legislation.

9 SEC. 19. *Appropriations.* – The amount necessary to cover the initial implementation
10 of this Act shall be charged against the current year’s appropriations of the Philippine
11 Aerospace Development Corporation, the DOST-OSEC Grants-in-Aid and the Space
12 Program of the Science Education Institute of DOST. Thereafter, such sums as may be
13 necessary for the continued implementation of this Act shall be included in the annual
14 General Appropriations Act.

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

21 SEC. 20. *Implementing Rules and Regulations.* – The PhilSA, in coordination with
22 DBM, CSC, DOST, DND-AFP and BCDA shall issue within one hundred eighty (180) days
23 from the effectivity of this Act, the necessary rules and regulations for the effective
24 implementation of this Act.

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

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

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

33 Approved,

FACT SHEET

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House Bill No. _____

PHILIPPINE SPACE DEVELOPMENT ACT

Introduced by: Erico Aristotle C. Aumentado, Seth Frederick P. Jalosjos, John Marvin "Yul Servo" C. Nieto, Edward Vera Perez Maceda, Joey Sarte Salceda, Maximo B. Rodriguez, Jr., Jose Antonio "Kuya Jonathan" R. Sy-Alvarado, Rodel M. Batocabe, Ma. Lucille L. Nava, M.D., Arthur C. Yap, Deogracias Victor "DV" B. Savellano, Ricardo T. Belmonte, Jr., Christopher V.P. De Venecia, Mariano Michael M. Velarde, Jr., Virgilio S. Lacson, Ron P. Salo, Salvador B. Belaro, Jr., Anthony M. Bravo, Estrellita B. Suansing, Eric L. Olivarez, Scott Davis S. Lanete, Rozzano Rufino B. Biazon, Mark Aeron H. Sambar, Benhur B. Lopez, Jr., Alberto T. Ungab, Aniceto "John" D. Bertiz III, Carlito S. Marquez, Jesulito A. Manalo, Xavier Jesus D. Romualdo, Karlo Alexei B. Nograles, Jose Enrique "Joet" S. Garcia III, Joseph Stephen S. Paduano, Leopoldo N. Bataoil, Mark O. Go, Orestes T. Salon, Juan Pablo "Rimpy" P. Bondoc, Bernadette C. Herrera-Dy, Jose L. Atienza, Jr., and Francisco G. Datol, Jr.

Committee Referral: Committee on Government Reorganization (Primary)

Committee Chairperson: Hon. Mariano Michael M. Velarde, Jr.

Committee Referral: Committee on Science and Technology (Secondary)

Committee Chairperson: Hon. Erico Aristotle C. Aumentado

Committee Referral: Committee on Appropriations (Secondary)

Committee Senior Vice Chairperson: Hon. Maria Carmen S. Zamora

OBJECTIVES:

- To provide a framework to serve as the country's primary strategic roadmap for space development and becoming a space-capable and space-faring nation within the next decade.
- To promote the efficient utilization of space assets and resources to establish capacity-building measures for human resources development and enhance international cooperation in space technology.

KEY PROVISIONS:

- Creates the Philippine Space Agency that shall be the primary policy, planning, coordinating, implementing, and administrative entity of the Executive Branch that shall plan, develop, and promote the national space program in line with the Philippine Space Development and Utilization Policy (PSDUP)
- Provides a framework of the space policy that shall focus on six (6) key development areas for SSTA development to ensure the Philippines' sustained progress: National Security and Development, Hazard Management and Climate Studies, Space Research and Development, Space Industry

Capacity Building, Space Education and Awareness, and International Cooperation

- Attaches the Philippine Space Agency to the Department of Science and Technology for purposes of policy and program coordination to ensure alignment in national policies and priorities
- Provides that the PhilSA shall be headed by a Director General, appointed by the President with a rank of Undersecretary, and subject to confirmation by the Commission on Appointments
- Transfers the Astronomical and Space-related functions of the Philippine Aerospace Development Corporation of the DOTr and the Space Program of the Science Education Institute of the Department of Science and Technology to the Philippine Space Agency
- Provides that a land area equivalent to at least thirty (30) hectares out of the area of lands which are under the administration of the Bases Conversion and Development Authority (BCDA) within the Clark Special Economic Zone in Pampanga and Tarlac as the official site of PhilSA
- Creates the Philippine Space Development Fund to be used exclusively for operation of the Philippine Space Agency

RELATED LAW:

- RA No. 3439, otherwise known as the Magna Carta for scientists, engineers, researchers and other science and technology personnel in the government
- EO No. 366 series of 2004, otherwise known as the Rationalization Plan