



(In Substitution of Senate Bill Nos. 312 and 1411)

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**AN ACT  
CREATING THE PHILIPPINE RISE DEVELOPMENT AUTHORITY (PRDA),  
DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR  
AND FOR OTHER PURPOSES**

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

1           Section 1. *Short Title.* – This Act shall be known as the "Philippine Rise  
2 Development Authority Act" or "PRDA Act".

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4           Sec. 2. *Declaration of Policy.* – It is hereby declared a policy of the State to  
5 tap and accelerate the sound management and sustainable development of the  
6 Philippine Rise, particularly on its potential to be a rich source of alternative energy  
7 and marine resources, and as a possible tourism destination. Towards this end, an  
8 effective institutional mechanism with due regard to the precautionary principle, as  
9 well as ecosystem-based and science-based approaches, shall be established to  
10 address the need for a coordinated and integrated approach in the formulation and  
11 implementation of various development plans, programs, and projects that will  
12 optimize the full potential of the Philippine Rise while conserving its ecology and  
13 resources for the benefit of future generations.

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15           Sec. 3. *Creation of the Philippine Rise Development Authority.* – There is  
16 hereby created a body corporate to be known as the Philippine Rise Development  
17 Authority, hereinafter referred to as the Authority, which shall promote, coordinate  
18 and facilitate the active and extensive participation of all sectors to effect the

1 exploration, study, and development, as well as the conservation and protection, of  
2 the natural resources within the Philippine Rise.

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4 The Authority shall also be the lead agency in conducting scientific research  
5 and exploration and shall secure the rights of the State over the area. Explorations  
6 must be done in partnership with the Department of Environment and Natural  
7 Resources–Biodiversity Management Bureau (DENR-BMB), Department of  
8 Agriculture–Bureau of Fisheries and Aquatic Resources (DA-BFAR), and academic  
9 institutions with the necessary competence to conduct rigorous and comprehensive  
10 studies in the Philippine Rise area.

11  
12 The Authority shall be organized within one hundred eighty (180) days after  
13 the approval of this Act. It shall have a term of fifty (50) years from its organization  
14 and may be renewed for another fifty (50) years, unless otherwise provided by law.  
15 It shall be an attached agency to the Office of the President. It shall establish its first  
16 office in the Aurora Pacific Economic and Freeport Zone and may put up such other  
17 offices as may be necessary to achieve the objectives of this Act.

18  
19 *Sec. 4. Coverage.* – The PRDA shall cover all natural resources located in the  
20 undersea feature known as the Philippine Rise Region, within the Philippine exclusive  
21 economic zone and continental shelf, as well as the outer limits of the extended  
22 continental shelf pursuant to the recommendations of the Commission on the Limits  
23 of the Continental Shelf (CLCS) issued on April 12, 2012, and bounded by the  
24 coordinates 12<sup>o</sup>30'N to 20<sup>o</sup>30'N latitude and 122<sup>o</sup>30'E to 129<sup>o</sup>30'E longitude, excluding  
25 the fifteen-kilometer municipal waters of adjacent coastal areas.

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27 *Sec. 5. Powers and Functions of the Philippine Rise Development Authority.* –  
28 In the exercise of its mandate, the Authority shall have the following powers and  
29 functions:

- 30  
31 a) Formulate and advocate national policies that will foster the integrated,  
32 balanced, and sustainable development framework for the Philippine

1 Rise that is consistent with the development initiatives of the national  
2 government, as far as practicable;

3  
4 b) Develop, plan, program, prioritize, integrate, and implement, whenever  
5 allowed and authorized by applicable laws, programs, projects, and  
6 activities at the Philippine Rise;

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8 c) Recommend to or coordinate with the proper government agencies  
9 programs, projects, and activities soliciting or requiring their direct or  
10 indirect assistance including, but not limited to, technical support and  
11 physical assistance for the prioritization of the region's environmental,  
12 agricultural, fisheries, marine and non-marine biodiversity, energy,  
13 industrial, commercial, infrastructure, tourism, technological, and  
14 scientific concerns;

15  
16 d) Review Philippine Rise programs, projects, and activities by the national  
17 government and donor agencies, subject to existing laws, rules, and  
18 regulations, for the purpose of ensuring consistency with national  
19 policies and plans, as well as monitor, evaluate, and formulate  
20 recommendations in the implementation of such programs, projects, and  
21 activities;

22  
23 e) Establish a complete, comprehensive, and integrated database on the  
24 Philippine Rise prior to the conduct of any exploration activities,  
25 whenever possible. For this purpose, the Authority may coordinate with  
26 academic institutions concerned to conduct comprehensive survey and  
27 assessment and generate resource map of the Philippine Rise which shall  
28 be the underlying foundation for all policy and management decisions;

29  
30 f) Create an area research plan and coordinate research initiatives and  
31 exploration in the Philippine Rise region, establish a repository of

1 research data, and provide incentives for such research and exploration  
2 activities;

3  
4 g) Promote the protection and conservation of important marine  
5 biodiversity and fishery resources, including marine genetic resources,  
6 which are important for ensuring climate change resiliency and food  
7 security;

8  
9 h) Promote and facilitate public and private investments that would  
10 enhance the integrated, balanced, and sustainable development of the  
11 Philippine Rise, and explore other sources of financing for priority  
12 Philippine Rise related programs, projects, and activities, in close  
13 coordination with agencies primarily mandated to undertake such  
14 functions;

15  
16 i) Receive and administer donations, contributions, grants, bequests, or  
17 gifts, in cash or in kind, from foreign governments, international  
18 agencies, private entities, and other sources, including Official  
19 Development Assistance, subject to existing laws, rules, and regulations;

20  
21 j) Sue and be sued, and as approved by the Board, enter into contracts,  
22 acquire, purchase, hold, lease, transfer, or dispose of properties of any  
23 kind or nature to carry out the purposes of this Act;

24  
25 k) Issue clearances, including the necessary rules and standards, for all  
26 proposals, plans, programs, projects, or any activity involving the  
27 Philippine Rise Region including, but not limited to, marine science  
28 research, exploration, and exploitation, whether conducted by Filipino or  
29 foreign nationals, in accordance with Sec. 7 of this Act;

30  
31 l) Request the President of the Philippines and other government agencies  
32 for any needed assistance in the enforcement of all applicable laws,  
33 rules, and regulations, the exploration and scientific study of the entire

1 region, the sustainable exploitation of its natural bounties, and the  
2 protection of national security and national interests, including law  
3 enforcement against illegal intruders and poachers; and

- 4  
5 m) Discharge such other functions as may be deemed necessary to carry  
6 out its mandate under this Act or as may be provided by law.

7  
8 The Authority, through its Administrator, shall submit to the President and  
9 both Houses of Congress annual reports on its accomplishments and activities.

10  
11 Sec. 6. *Board of Directors.* – The power of the Authority shall be vested in  
12 and exercised by a Board of Directors, hereinafter referred to as the Board, which  
13 shall manage and supervise the overall directions and thrusts. It shall be composed  
14 of the following:

- 15  
16 a) The President of the Philippines who shall act as the Chairperson of the  
17 Board;
- 18  
19 b) The Administrator of the Philippine Rise Development Authority who shall  
20 act as the Vice-Chairperson of the Board; and
- 21  
22 c) Thirteen (13) other members composed of the following:
- 23  
24 1. The NEDA Director-General or the duly authorized representative;
- 25  
26 2. The Department of Environment and Natural Resources (DENR)  
27 Secretary or the duly authorized representative;
- 28  
29 3. The Department of Energy (DOE) Secretary or the duly authorized  
30 representative;
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32 4. The Department of Agriculture (DA) Secretary or the duly authorized  
33 representative;

- 1           5. The Department of Science and Technology (DOST) Secretary or the  
2           duly authorized representative;
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- 4           6. The Department of Finance (DOF) Secretary or the duly authorized  
5           representative;
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- 7           7. The Department of Budget and Management (DBM) Secretary or the  
8           duly authorized representative;
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- 10          8. The Department of National Defense (DND) Secretary or the duly  
11          authorized representative;
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- 13          9. The Department of Foreign Affairs (DFA) Secretary or the duly  
14          authorized representative;
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- 16          10. The Department of Transportation (DOTr) Secretary or the duly  
17          authorized representative;
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- 19          11. The National Coast Watch Council (NCWC) Executive Director or the duly  
20          authorized representative;
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- 22          12. The National Security Council (NSC) National Security Adviser and  
23          Director General or the duly authorized representative; and
- 24
- 25          13. The University of the Philippines (UP) President or the duly authorized  
26          representative.

27           The members of the Board shall receive a per diem at a rate to be determined  
28 by the Governance Commission for Government Owned or Controlled Corporations  
29 (GCG), in accordance with existing rules and regulations: *Provided, however,* That the  
30 per diem collected per month does not exceed the equivalent per diem of four (4)  
31 meetings: *Provided, further,* That the amount of per diem for every Board meeting  
32 may be increased by the President or GCG but such amount shall not be increased  
33 within two (2) years from its last increase.

1 The Board shall have the following functions:  
2

- 3 a) Provide direction and guidance for the Authority's work and thrusts for the  
4 Philippine Rise;
- 5  
6 b) Ensure that the goals and policies of the Authority are consistent with the  
7 overall national development goals and objectives, and that the programs  
8 of the Authority are consistent with regional and local development plans,  
9 programs, and projects, and vice versa, for purposes of harmonization;  
10
- 11 c) Explore sources for financing of priority Philippine Rise plans, programs,  
12 projects, and activities;
- 13  
14 d) Create committees or task forces as may be deemed necessary in the  
15 accomplishment of its functions;
- 16  
17 e) Determine schedules, establish voting procedures, criteria for the  
18 constitution of a quorum, and other rules and regulations in the conduct  
19 of Board meetings;  
20
- 21 f) Approve contracts and enter into agreements to carry out the purposes of  
22 this Act, except when authority to sign such contracts and/or agreements  
23 is vested in a specific government officer or entity; and  
24
- 25 g) Perform such other functions as may be necessary to carry out the  
26 purposes of this Act.

27  
28 *Sec. 7. Issuance of Clearances by the Authority.* – No proposals, plans,  
29 programs, projects, or activities involving the Philippine Rise Region including, but not  
30 limited to, marine science research, exploration, and exploitation, whether conducted  
31 by Filipino and foreign nationals, shall be carried out, nor shall any license or permit  
32 be issued in relation to the same, without the clearance of the Authority.

1 The Authority shall issue the necessary clearance for all approved proposals,  
2 plans, programs, projects, or activities within twenty (20) calendar days from  
3 submission thereof. In cases where the Authority fails to act within the same 20-day  
4 period, the submissions shall be deemed approved. Any decision of disapproval by  
5 the Authority may be appealed within fifteen (15) calendar days from receipt thereof  
6 to the Office of the President whose decision shall be final.

7  
8 The Authority shall issue rules and standards concerning the clearance required  
9 under this section: *Provided, that,* Such clearance must be secured before all other  
10 permits and/or licenses required under existing and applicable laws shall be issued:  
11 *Provided, further,* That the grant or denial of an application for clearance shall be  
12 made on the basis of this Act, other laws and regulations applicable to the Philippine  
13 Rise, and the integrated, balanced, and sustainable development framework  
14 formulated under Sec. 5(a) of this Act.

15  
16 *Sec. 8. Accrual of Revenues and Receipts to the General Fund. –* All revenues  
17 and receipts from any and all sources including the government share representing  
18 royalties, rentals, production share on service contracts, and similar payments on the  
19 development, exploration, and exploitation of energy resources within the Philippine  
20 Rise shall be remitted to the National Treasury and shall accrue to the General Fund.

21  
22 *Sec. 9. Advisory Panel of Technical Experts. –* The Authority shall constitute  
23 an advisory panel of technical experts consisting of practitioners in disciplines that are  
24 related to oil and gas extraction and processing, hydrography, marine ecology,  
25 surveying, hydrology, including, but not limited to, oceanography.

26  
27 The Advisory Panel shall perform research and development and provide  
28 technical advice to the Authority in maritime science, technologies, and best practices  
29 for the extraction and development of oil and gas fields.

30  
31 The Authority shall set the qualifications and compensation for the technical  
32 experts. It shall provide resources for the operations and activities of the Advisory  
33 Panel.



1           Sec. 10. *Administrator.* – The Authority shall have an Administrator who shall  
2 be appointed by the President of the Philippines, upon recommendation of the Board.  
3 The Administrator shall serve a term of six (6) years from the date of his/her  
4 appointment unless sooner separated from service due to death, voluntary  
5 resignation, or removal for cause: *Provided,* That no person shall be appointed as  
6 Administrator unless he/she is a Filipino citizen, holder of a degree in law or a masters  
7 degree in any of the following fields: economics, business, public administration, law,  
8 management, or their equivalent, and have at least ten (10) years of relevant  
9 experience in said fields: *Provided, further,* That he/she shall be a resident of the  
10 Philippines for at least five (5) years before the appointment.

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12           Sec. 11. *Powers and Duties of the Administrator; Secretariat.* – The  
13 Administrator shall have the following powers and duties:

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- 15           a) Direct and manage the affairs of the Authority in accordance with the  
16               policies of the Board;
  - 17
  - 18           b) Call and preside over meetings of the Board in the absence of the  
19               Chairperson, and supervise and direct its Secretariat;
  - 20

21           A Secretariat is hereby established to serve and assist the Board in the  
22               effective implementation of this Act. The Head of the Secretariat shall be  
23               appointed by the Administrator upon recommendation by the Board:  
24               *Provided,* That no person shall be appointed as Head of the Secretariat  
25               unless he/she is a Filipino citizen, holder of a degree in any of the  
26               following fields: economics, business, public administration, law,  
27               management, or their equivalent, and have at least five (5) years of  
28               relevant experience in said fields: *Provided, further,* That he/she shall be  
29               a resident of the Philippines for at least five (5) years prior to his/her  
30               appointment and has the requisite eligibilities for third level career  
31               service position pursuant to the career executive rank system;

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- c) Ensure the proper implementation of applicable policies, programs, and rules and regulations, including the resolutions of the Board;
- d) Identify solutions to key issues and concerns, taking into account related risks, affected parties, and impact, in coordination with the Board and key stakeholders;
- e) Advocate the Authority's work among the various concerned sectors and stakeholders;
- f) Call on any agency, group, individual member of the Board, local government unit, and host community to address issues and concerns relating to the implementation of major programs, projects, and activities;
- g) Supervise the monitoring and timely implementation of Philippine Rise related programs, projects, and activities;
- h) Endorse to the Board all policy recommendations, plans, and programs for approval;
- i) Accept, on behalf and upon approval of the Authority, donations, contributions, grants, gifts, bequests, or devises, in cash or in kind, from members, foreign governments, international agencies, private entities, or any individual for purposes that will realize the functions of the Authority;
- j) Supervise administrative operations, including disbursement of any fund of the Authority, subject to the usual accounting and auditing procedures, and submit reports thereon;
- k) Execute and administer the policies and measures approved by the Board;

- 1 l) Appoint all employees of the Authority, and remove, dismiss, or  
2 otherwise discipline for cause, such employees in accordance with the  
3 standard guidelines for recruitment, employment, and discipline under  
4 civil service law, rules, and regulations;
- 5  
6 m) Represent the Authority in all dealings with other offices, agencies, and  
7 instrumentalities of the government and with all persons and entities,  
8 public or private;
- 9  
10 n) Sign agreements and/or contracts, on behalf of the Authority and upon  
11 the Board's approval, including those for expert and consultant services  
12 and other reports of accountabilities emanating from the Authority,  
13 except when authority to sign such agreements, contracts, or reports is  
14 vested in a specific government entity; and
- 15  
16 o) Perform such other functions that the Board may direct to carry out the  
17 provisions of this Act or which are necessary or incidental to his/her  
18 office.
- 19

20 *Sec. 12. Organizational Structure.* – The Administrator shall determine the  
21 organizational structure, staffing pattern, and pay scales of the Authority subject to  
22 existing civil service and compensation laws. Subject to the approval of the Board,  
23 the Administrator may reorganize the Authority and may create or abolish divisions,  
24 units, or branches therein as the exigencies of the affairs of the Authority may require.

25

26 *Sec. 13. Merit System.* – All officials and employees of the Authority shall be  
27 selected and appointed on the basis of merit and fitness in accordance with civil  
28 service law, rules, and regulations. The recruitment, transfer, promotion, and  
29 dismissal of all its personnel, including temporary workers, shall be governed by a  
30 merit system that will be established by the Authority in compliance with existing  
31 laws, rules, and regulations.

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1           Sec. 14. *Appropriations.* – Such amounts necessary to finance the initial  
2 implementation of this Act shall be sourced from the unprogrammed funds in the  
3 current General Appropriations Act (GAA). Thereafter, such amounts necessary for its  
4 continued implementation shall be included in the annual GAA.

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6           Sec. 15. *Implementing Rules and Regulations.* – The Authority, subject to the  
7 approval of the Board and in consultation with other stakeholders shall, within sixty  
8 (60) days from the date of effectivity of this Act, promulgate and publish the rules and  
9 regulations for the effective and faithful implementation of this Act: *Provided,* That  
10 the failure of the promulgation of the said rules and regulations shall not prevent the  
11 implementation of this Act upon its effectivity.

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13           Sec. 16. *Separability Clause.* – If any portion or provision of this Act is  
14 subsequently declared invalid or unconstitutional, other provisions hereof which are  
15 not affected thereby shall remain in full force and effect.

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17           Sec. 17. *Repealing Clause.* – All other laws, acts, presidential decrees,  
18 executive orders, presidential proclamations, issuances, rules and regulations, or parts  
19 thereof which are contrary to or inconsistent with any of the provisions of this Act are  
20 hereby repealed, amended, or modified accordingly.

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22           Sec. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
23 publication in the Official Gazette or in at least two (2) newspapers of general  
24 circulation.

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26           Approved,