

S. No. 2492
H. No. 7819

Republic of the Philippines
Congress of the Philippines
Metro Manila

Nineteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-second day of July, two thousand twenty-four.

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[REPUBLIC ACT NO. 12064]

AN ACT DECLARING 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:*

SECTION 1. *Short Title.* – This Act shall be known as
the “Philippine Maritime Zones Act”.

SEC. 2. *Maritime Zones.* – In accordance with the 1987
Constitution and international law, particularly, the 1982
United Nations Convention on the Law of the Sea (UNCLOS):

(a) The maritime zones of the Philippine archipelago is
composed of the internal waters, archipelagic waters, territorial

sea, contiguous zone, Exclusive Economic Zone (EEZ), and continental shelf; and

(b) All other territories over which the Philippines has sovereignty or jurisdiction likewise have their respective maritime zones, as appropriate.

The maritime zones of the Philippines on the western side of the Philippine archipelago, including the Luzon Sea and the territorial seas of Bajo de Masinloc and the maritime features of the Kalayaan Island Group, shall be collectively called the West Philippine Sea.

SEC. 3. *Baselines.* – The baselines of the Philippines pursuant to Republic Act No. 9522, titled “An Act to Amend Certain Provisions of Republic Act No. 3046, as Amended by Republic Act No. 5446, to Define the Archipelagic Baselines of the Philippines, and for Other Purposes”, are the following:

(a) Archipelagic baselines for the Philippine archipelago, drawn in accordance with Article 47 of the UNCLOS; and

(b) Normal or straight baselines, as appropriate, for all other territories over which the Philippines has sovereignty or jurisdiction, drawn in accordance with Articles 5, 6, 7, 13, and 121 of the UNCLOS.

SEC. 4. *Waters Inside the Baselines of the Philippines.* – Consistent with the Constitution, the Philippines has sovereignty over all the waters inside its archipelagic baselines as established by Republic Act No. 9522, as well as all the waters on the landward side of the baselines of all Philippine territories located outside of the archipelagic baselines, including the airspace above these waters and the seabed and subsoil underneath.

The exercise of sovereignty by the Philippines over these waters is subject to its international obligations as provided in the UNCLOS and other relevant treaties to which the Philippines is a Party.

In harmony with these international obligations, the sovereign waters of the Philippines inside its baselines shall be treated as follows:

(a) The waters inside the archipelagic baselines of the Philippines are considered archipelagic waters, except for bays, estuaries and other waters considered as internal waters, as delimited from archipelagic waters in accordance with Article 50 of the UNCLOS.

The archipelagic sea lanes passage in these archipelagic waters shall be exercised in the sea lanes to be determined by law or a Presidential issuance, as appropriate.

The delimitation between archipelagic waters and internal waters shall be made by the National Mapping and Resource Information Authority (NAMRIA) and marked on the official charts of the Philippines. The archipelagic sea lanes shall also be marked on these charts. The charts shall be deposited with the Secretary-General of the United Nations, in accordance with Articles 16 and 53 of the UNCLOS.

(b) The internal waters of the Philippines comprise the waters delimited by NAMRIA from archipelagic waters and the waters on the landward side of the baselines of Philippine territories located outside of the archipelagic baselines.

Foreign vessels have no navigational rights in the internal waters of the Philippines, unless expressly authorized by the Philippine Government.

SEC. 5. *Territorial Sea.* – The territorial sea of the Philippines refers to the adjacent belt of sea measured twelve (12) nautical miles from the baselines as provided in Section 3 of this Act, and as determined in accordance with the provisions of Part II “Territorial Sea and Contiguous Zone”, Part IV “Archipelagic States”, and Part VIII “Regime of Islands” of the UNCLOS, as appropriate.

The Philippines exercises sovereignty over its territorial sea and the airspace above it as well as its seabed and subsoil in accordance with the UNCLOS and other existing laws and treaties, having due regard for the rights of other States,

including the right of innocent passage as provided in Part II, Section 3 of the UNCLOS.

The high-tide features covered by the Kalayaan Island Group in the West Philippine Sea shall have a territorial sea of twelve (12) nautical miles from its baselines as determined above.

SEC. 6. *Contiguous Zone.* – The contiguous zone of the Philippines refers to the waters beyond and adjacent to its territorial sea and up to the extent of twenty-four (24) nautical miles from the baselines.

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

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

(b) Punish infringement of the above laws and regulations committed within its territory or territorial sea; and

(c) Regulate the removal of archaeological and historic objects from the seabed.

SEC. 7. *Exclusive Economic Zone.* – The EEZ of the Philippines refers to the waters beyond and adjacent to its territorial sea and up to two hundred (200) nautical miles from the baselines, as established by Presidential Decree No. 1599, “Establishing an Exclusive Economic Zone and for Other Purposes”, and to the extent consistent with the other provisions of this Act and with the provisions of the UNCLOS. All other low-tide elevations within two hundred (200) nautical miles from the archipelagic baselines shall likewise form part of the Philippine EEZ.

In accordance with the UNCLOS, within the EEZ, the Philippines has:

(a) Sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or nonliving, of the waters superjacent to the seabed, and the seabed and its subsoil, and with regard to

other activities for the economic exploitation and exploration of the zone, such as the production of energy from the sun, water, currents, and winds: *Provided*, That in the exercise of these rights, the Philippines shall enforce its laws and regulations consistent with Article 73 of the UNCLOS;

(b) Jurisdiction with regard to: (1) the establishment and use of artificial islands, installations, and structures; (2) marine scientific research; and (3) the protection and preservation of the marine environment; and

(c) Other rights and duties provided for in the UNCLOS.

Pursuant to Articles 56 and 60 of the UNCLOS, the Philippines has the exclusive right to construct and to authorize and regulate the construction, operation, and use of artificial islands, installations, and structures, and has exclusive right and jurisdiction over such artificial islands, installations, and structures. Violations of this exclusive right and jurisdiction of the Philippines shall be subject to Section 15 of this Act and the relevant provisions of the UNCLOS and other relevant international conventions.

SEC. 8. *Continental Shelf and Extended Continental Shelf.* – The continental shelf of the Philippines comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of two hundred (200) nautical miles from the baselines, where the outer edge of the continental margin does not extend up to that distance.

Where the continental shelf extends beyond two hundred (200) nautical miles from the baselines, the outer limits shall be delineated in accordance with Article 76 of the UNCLOS: *Provided*, That the limits of the continental shelf beyond two hundred (200) nautical miles in the Benham Rise Region, including the Philippine Rise, hereby renamed collectively as the *Talampas ng Pilipinas*, as submitted to the Commission on the Limits of the Continental Shelf (CLCS) and deposited to the United Nations Secretary General on July 02, 2012, are hereby incorporated into this Act: *Provided, further*, That this is without prejudice to the submission for an extended

continental shelf in the West Palawan Region, and to the making of other submissions for other areas at a future time.

The Philippines exercises sovereign rights to explore and exploit the mineral, petroleum and nonliving resources of the seabed and subsoil and living organisms belonging to the sedentary species, as well as jurisdiction with regard to the establishment and use of artificial islands, installations and structures on the seabed, marine scientific research, drilling and tunneling, and other rights as provided for in accordance with the UNCLOS, Philippine mining and petroleum laws, and other existing laws and treaties.

SEC. 9. *Areas Beyond National Jurisdiction.* – The Philippines has rights and privileges in the high seas and the international seabed area as provided in the UNCLOS and other existing laws and treaties.

SEC. 10. *Marine Scientific Research.* – The Government shall adopt measures in accordance with Part XIII “Marine Scientific Research” of the UNCLOS, and other existing laws and treaties, to ensure that marine scientific research, whether undertaken by local or foreign entities, in the maritime zones declared herein, shall redound to the benefit of the Filipino people.

SEC. 11. *Marine Environmental Protection.* – All States have the obligation to protect and preserve the marine environment. The Philippines shall enforce its laws and regulations on the protection and preservation of the marine environment of the maritime zones declared herein, taking into consideration the provisions of Part XII “Protection and Preservation of the Marine Environment” of the UNCLOS.

SEC. 12. *Delimitations.* – Where the maritime zones defined in this Act overlap with the maritime zones of a neighboring State based on the UNCLOS, the common boundaries shall be determined by agreement with that State in accordance with the relevant principles of delimitation under international law: *Provided*, That where no agreement has been reached within a reasonable time, the Philippines may resort to the procedures provided under Part XV “Settlement of Disputes” of the UNCLOS.

SEC. 13. *Due Regard and Mutual Respect.* – The Philippines shall give due regard to the rights and duties of foreign states, and foreign states shall act with due regard to the rights and duties of the Philippines, relative to the maritime zones as provided under this Act, the UNCLOS, and international law.

The Philippines shall recognize the rights and privileges of foreign vessels and aircraft in its maritime zones under conditions of reciprocity and mutual respect, and reserves the right to take necessary legal and diplomatic actions against States whose vessels and aircraft do not abide by, or act inconsistently with, the UNCLOS and international law.

SEC. 14. *Other Maritime Rights and Jurisdictions.* – The Philippines shall exercise all other maritime rights and jurisdictions in accordance with the UNCLOS, the South China Sea Arbitration (PCA Case No. 2013-19), international law, and other pertinent laws and regulations of the Philippines.

SEC. 15. *Penal Sanctions.* – Any violation of the rights of the Philippines as provided under this Act shall be addressed and penalized through pertinent existing laws and regulations. In the absence thereof, any violation shall be subject to an administrative fine of not less than Six hundred thousand US dollars (US\$600,000.00) but not more than One million US dollars (US\$1,000,000.00), or the equivalent in Philippine currency.

SEC. 16. *Joint Congressional Oversight Committee.* – There shall be a Joint Congressional Oversight Committee on the Law of the Sea (JCOC-LOS). The President of the Senate and the Speaker of the House of Representatives shall each designate six (6) Senators and six (6) Members of the House of Representatives, respectively, as members of the JCOC-LOS: *Provided*, That the minority in the Senate and the House of Representatives shall each have at least one (1) seat in the JCOC-LOS.

The JCOC-LOS shall conduct a hearing at least once every quarter to review the implementation of this Act and identify other necessary legislation.

SEC. 17. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional or invalid, the other portions or provisions hereof not affected thereby shall continue to be in full force and effect.

SEC. 18. *Repealing Clause.* – The second, third, and fourth whereas clauses and Section 2 of Republic Act No. 3046, titled “An Act to Define the Baselines of the Territorial Sea of the Philippines”, are hereby repealed.

The following laws or their specified provisions are hereby amended:

(a) Section 1 of Presidential Decree No. 1596 “Declaring Certain Area Part of the Philippine Territory and Providing for Their Government and Administration”;


(b) Presidential Decree No. 1599; and

(c) Section 3(e) and 3(ai) of Republic Act No. 7942, titled the “Philippine Mining Act of 1995”.

All other laws, presidential decrees, executive orders, rules and regulations, proclamations, and other issuances inconsistent with or contrary to the provisions of this Act are deemed amended or repealed accordingly: *Provided*, That nothing in this Act shall be construed as repealing Section 2 of Republic Act No. 5446, as amended, and Section 2 of Republic Act No. 9522.

SEC. 19. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,


FERDINAND MARTIN G. ROMUALDEZ
*Speaker of the House
of Representatives*

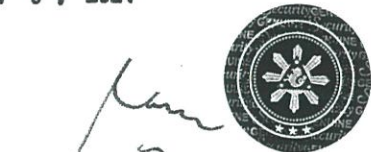

FRANCIS “CHIZ” G. ESCUDERO
President of the Senate

This Act, which is a consolidation of Senate Bill No. 2492 and House Bill No. 7819, was passed by the Senate of the Philippines and the House of Representatives on August 19, 2024 and August 20, 2024, respectively.


REGINALD S. VELASCO
*Secretary General
House of Representatives*


RENATO N. BANTUG JR.
Secretary of the Senate

Approved: **NOV 07 2024**




FERDINAND ROMUALDEZ MARCOS JR.
President of the Philippines

