

**[OP MEMORANDUM ORDER NO. 131, May 21,
1993]**

**PRESCRIBING THE PROCEDURE AND GUIDELINES ON
APPLICATIONS FOR PERMITS TO LOCATE, DIG, AND EXCAVATE
HIDDEN TREASURE IN ACCORDANCE WITH THE PROVISIONS OF
PRESIDENTIAL DECREE NO. 1726-A**

1. All applications for permits to locate, dig, or excavate hidden treasure shall be filed with the Legal Office of the Office of the President. A non-refundable processing fee of P5,000.00 shall be collected for each application.
2. An application must be under oath and shall state, inter alia, the exact site where the digging and excavation is to be undertaken, the applicant's reasons for concluding that hidden treasure can be recovered from the site, the nature of the treasure expected to be recovered and its estimated value, the extent of work (location, digging, and excavation) to be done and the estimated cost thereof, the damage which may be suffered at the site, and the applicant's proposed restoration program therefor as well as the estimated cost thereof. The Legal Office shall devise the application form for the purpose, which may be revised, from time to time, when required.
3. The application must be accompanied by a vicinity/location plan duly certified by a licensed Geodetic Engineer or Surveyor specifically pinpointing and delineating the (a) exact site where the work is to be undertaken, which shall not be more than One (1) hectare for land or Two Hundred Thousand (200,000) square meters for bodies of water, the boundaries of which shall be superimposed in the plan, and (b) the actual boundaries of the affected parcel(s) of land as well as existing improvements and significant landmarks thereon, if any, or bodies of water, as the case may be.
4. The Legal Office shall evaluate the application and submit its recommendation to the President. If favorable, the recommendation shall state the amount of the bond (to guarantee the restoration of the excavation site) to be required from the applicant.
5. Upon approval of the application, the applicant shall be required to execute and sign a Contract to Locate and Excavate, which shall basically be in the form of Annex "1" hereof. For this purpose, the Head, Legal Office (presently, the Assistant Executive Secretary for Legal Affairs is hereby designated the government's authorized signatory for the contract. Upon execution of said contract and the submission of the bond required in the preceding paragraph, the Legal Office shall issue the permit applied for in favor of the applicant.
6. The validity period of the permit shall not exceed three (3) months but may be extended for another three (3) months for valid reasons.

7. The bond referred to in par. 4 hereof shall be obtained by the applicant from the Government Service Insurance System or, in case of latter's failure to provide the same, from any other reputable bondsman.

8. The information required to be disclosed by the applicant under par. 2 hereof shall be kept confidential for security purposes.

9. The Legal Office shall be responsible in monitoring all authorized excavations or diggings and shall submit monthly reports on the progress or result of such excavations or diggings to the President.

10. The National Intelligence Coordinating Agency shall continue to conduct surveillance of all unauthorized treasure hunting activities and shall submit monthly reports thereof to the President.

This Memorandum Order shall take effect immediately.

Adopted: 21 May 1993

(Sgd.) ANTONIO T. CARPIO
Chief Presidential Legal Counsel

ANNEX "1"

C O N T R A C T

KNOW ALL MEN BY THESE PRESENTS:

This contract for the location and excavation of hidden treasure executed and entered into by and between:

The REPUBLIC OF THE PHILIPPINES represented in this act by the Hon. _____,
Assistant Executive Secretary for Legal Affairs, hereinafter called the "GOP";

- a n d -

hereinafter referred to as the "Applicant"

W I T N E S S E T H: That —

WHEREAS, the Applicant claims that he has personal knowledge of hidden treasure consisting of monies, jewelry, spoils of war or booty, or other articles or objects of value; and has filed an application to excavate the same;

WHEREAS, both Presidential Decree No. 1726-A issued on 1 October 1980 and Memorandum Order No. ____ issued on ____ May 1993 provide guidelines on treasure hunting activities to protect the interest of the government and at the same time preserve the cultural heritage of the people, which guidelines must be strictly complied with by the parties hereto;

NOW, THEREFORE, for and in consideration of the premises and stipulations herein set forth, the

parties have hereunto mutually agreed:

I

This contract shall apply exclusively to a government property or portions of the public domain located at _____ with an area of _____ (_____) square meters, more or less, hereinafter referred to as the "Site", as pinpointed and delineated in the location plan attached hereto as Annex "A", and made an integral part hereof, Provided, that the GOP has the right to delimit at any time the area of the site where digging or excavation may proceed or continue.

II

From the date of this contract, the GOP hereby grants to the Applicant permission to enter the site and to explore or excavate the same to such extent as would be necessary and consistent with the purpose of locating any hidden treasure, the Applicant to furnish at his own expense all the materials, labor and equipment necessary for such work, Provided, that the permission herein granted shall not apply to government buildings, dams, watersheds, and other areas or sites reserved or used for purposes affecting vital national interest, military or naval camps, bases and reservations, and shrines and other hallowed places located within the place mentioned in paragraph I hereof, except upon prior written consent of and under such terms and conditions as may be determined by the GOP.

A committee is hereby created to be composed of three (3) members, namely: The Commander, Presidential Security Group, or his duly authorized representative to represent the GOP; another, to be designated by and to represent the Applicant; and the third who must be a citizen of the Philippines who shall be the chairman, to be designated by the first two. It shall be the duties and functions of the committee:

1. To oversee the Applicant's operations and activities under this contract;
2. To be present in the excavation or exploration site either in person or by representative during any period of operation;
3. To inventory and take possession of any and all monies, things or articles of value which may be found at the Site;
4. To place said monies, things or articles of value in safe containers to be securely sealed with the signature of all the members of the committee;
5. With the proper protection to be provided by the GOP, when so requested, to immediately transport any and all such monies, things or articles of value to the Central Bank of the Philippines for safekeeping;
6. With the assistance of experts from the Central Bank and upon previous notice to the Legal Office of the Office of the President, the Head of the National Museum, and the Applicant, who may be present personally or by representative, to evaluate and appraise the recovered monies, things or articles of value as to their monetary value, whose appraisal shall be final and binding on the parties. The evaluation, appraisal and inventory shall be made in a secured area in the premises of the Central Bank. Thereafter, said monies, things or articles of value shall be turned over to the Central Bank for safekeeping until finally disposed of as herein provided.