

[MEMORANDUM ORDER NO. 64, May 31, 1999]

**PRESCRIBING THE CRITERIA FOR THE TECHNICAL EVALUATION
OF ALL APPLICATIONS FOR INLAND TREASURE HUNTING AND
SHIPWRECK RECOVERY PERMITS IN ACCORDANCE WITH THE
PROVISIONS OF PRESIDENTIAL DECREE NO. 1726-A AND
MEMORANDUM ORDER NO. 389, SERIES OF 1996**

In order to rationalize the system of evaluation of applications for inland treasure hunting or shipwreck recovery permits, and as recommended by the Technical Review Committee on Treasure Hunting constituted under Memorandum Order No. 48 dated January 27, 1999, the following criteria are hereby issued pursuant to Memorandum Order No. 389 dated July 26, 1996 and in accordance with Presidential Decree No. 1726-A dated October 1, 1980.

Section 1. Scope and Coverage. — Treasure hunting permits shall be issued for the following:

a. *All inland treasure hunting activities in government properties or portions of the public domain.* These involve any and all inland activities such as but not limited to locating, digging or excavating, securing, transporting and disposition of recovered treasures.

b. *All shipwreck recovery activities.* These involve any and all underwater activities such as but not limited to surveying, locating and exploring, salvaging and recovery of sunken vessels and all cargoes and other valuable items therein, including the process of securing, preservation, documentation and disposition of the salvaged or recovered valuables.

Treasures found in private properties shall be governed by the Civil Code, in accordance with Sec. 7 of P.D. No. 1726-A.

Section 2. Qualified Applicants. — The following individuals or entities may apply for treasure hunting permits:

a. *For inland treasure hunting activities:* Individuals, single proprietorships, partnerships or corporations may apply for inland treasure hunting permit. Applicants must be able to show verifiable documentary and/or testimonial proof of existence of the claimed hidden treasures. They must also prove personal and/or corporate integrity, and financial and technical capability to undertake the project.

b. *For shipwreck recovery:* Only corporations or partnerships duly registered with the Securities and Exchange Commission (SEC) may apply for shipwreck recovery permit. Applicants must be able to show verifiable documentary and/or testimonial proof of existence of the shipwreck and valuable cargo, and prove financial and technical capability to undertake shipwreck recovery operation.

Section 3. Criteria/Guidelines for the Technical Evaluation. — The legal, technical, financial and operational capabilities of the applicant shall be evaluated in accordance with the following criteria or guidelines:

a. Legal and Administrative Capability

1. The applicant must accomplish and submit the prescribed Personal and/or Corporate Information Sheet.
2. To validate personal and/or corporate circumstances, the following documents should be submitted:
 - 2.1. National Bureau of Investigation (NBI) clearance
 - 2.2. Philippine National Police (PNP) clearance
 - 2.3. Local Police clearance and
 - 2.4. Provincial/City Prosecutor's clearance.

The same clearances apply to all project consultants and personnel.

3. Applicants of foreign nationality shall also submit:

- 3.1. a copy of their Alien Certificate of Registration (ACR)
- 3.2. a certification of good moral character
- 3.3. technical and financial capability authenticated by their respective Consular Offices and validated by the Philippine Consular offices.

4. For corporations and/or partnerships:

- 4.1 the applicant must secure from the SEC a certificate of good corporate standing
- 4.2 the applicant must show evidence of corporate mandate to engage in the Project.
- 4.3 submit certified true copies of the following:
 - 4.3.1 SEC Articles of Registration
 - 4.3.2 Board resolutions authorizing the Project and appointing a Project Officer, and
 - 4.3.3 Mayor's Permit where the business is located.

5. Where the area to be affected involves both public and private land, i.e. it is situated in government property or a portion of public domain but the diggings are bound to affect neighboring lands which are privately owned, the applicant must show proof of the consent of