

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY

THIRTEENTH CONGRESS
Second Regular Session
House Bill No. 4604



Introduced by CONGRESSMAN ANTONIO H. CERILLES

EXPLANATORY NOTE

In line with the Nation's vision of a strong Republic and the Philippine Armed Forces Modernization Plan, the Philippines must have a strong Navy to keep apace with the demands of modern technology and to protect the country from external threats, implement environmental laws, promote safety of life, safeguard our resources, and protect the national territory.

In view of the above, the officers and members of the Philippine Navy should come from a specialized Naval Academy. In advance countries like the United States of America and others, the reason why their Navy is very effective and efficient is because they have an institution that focuses in educating their future naval officers, unlike in our country we have a Military Institution (PMA) that is too generalized.

In 1963, the Philippine Government established a Merchant Marine Academy who is receiving an annual budget from the Republic of the Philippines but the graduates are not obliged to served the Armed Forces of the Philippines specifically the Philippine Navy, for in reality they served the interest of private employers and in most cases this vessels are foreign vessels plying the flags of other countries.

At present, the private sector has established **79 maritime schools** scattered all over the country and there are more than **10 State Colleges and Universities** who is serving the purpose of the Philippine Merchant Marine Academy. The existing record of the Commission on Higher Education (CHED) shows that as far as the private school is concerned there were 91,886 enrollees for the school year 2001-2002 and have considerably increase thru the years, and to date more than 100,000 students are enrolled.

Our country should support **free-enterprise**, considering that the private sector have invested so much for the establishment of maritime schools, the government with its scarce resources should now withdraw its financial support to an institution who does not served the interest of the Filipino people.

It is now the need of time that the Philippine Naval Academy be established to keep abreast with the modernized navy of other countries and to effectively build a credible naval force.

Thus, the need to establish a Naval Academy to be known as Philippine Naval Academy (PNA) for the preparation of future naval officers of the Armed Forces of the Philippines.

Approval of this bill is earnestly sought.



ANTONIO H. CERILLES

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AN ACT
ESTABLISHING THE PHILIPPINE NAVAL ACADEMY (PNA) AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Applicability. -The provision of this Act shall apply to the establishment of the Philippine Naval Academy which is concerned with the admission of cadets; organization and administration of the Academy; compulsory appointment to the regular force as officers in the Philippine Navy from those who successfully pass the training and the academic requirement of the Philippine Naval Academy and the composition of the Academy Board.

SECTION 2. Definition of terms- For purposes of this Act, the following are hereby defined:

- a. **AFP** - Armed Forces of the Philippines.
- b. **PNA** - Philippine Naval Academy.
- c. **Midshipman** – a cadet in the Philippine Naval Academy who is pursuing a baccalaureate degree and being trained as an officer of the Philippine Navy.
- d. **CM** (Corps of Midshipmen) –Student body of the Phil. Naval Academy.
- e. **PCM** – President of the Corps of Midshipmen.
- f. **NEDA** - National Economic Development Authority.
- g. **CHED** - Commission on Higher Education.
- h. **DBM** - Department of Budget and Management.
- i. **Commission** - A status conferred to an individual by the President of the Republic of the Philippines.
- j. **Regular Officer** - a commissioned officer in the regular forces of the AFP appointed as such by the President of the Republic of the Philippines.
- k. **Academy Board** - The governing body of the Phil. Naval Academy.
- l. **Hazing** - an initiation rite or practice as a prerequisite for

admission into membership in a fraternity, sorority or organization by placing the recruit neophyte, or applicant in some embarrassing or humiliating situations such as forcing him to do menial, silly, foolish and similar activities or otherwise subjecting him to physical or psychological suffering or injury (RA 8049).

SECTION 3. *Declaration of State Policy.* – It is hereby declared the policy of the State to keep up with the demands of global competitiveness and to protect the country from the danger posed by terrorism and external threats, to promote the safety of life and property and to safeguard its resources and defend the national territory. The State hereby guarantees to provide an adequate and efficient educational institution and facility to modernize the Philippine Navy.

SECTION 4. *Philippine Naval Academy.* – There shall be established an educational institution to be known as the Philippine Naval Academy, herein referred to as the Academy, for the instruction and preparation of cadets to become naval officers of the Philippine Navy.

SECTION 5. *Corps of Midshipmen of the Philippine Navy .* – The student body of the Academy shall be known as the *Corps of Midshipmen* to be organized along the lines of the navy organizations. The processing of applicants for midshipmen begins from the filling-up and submission of application forms to the Office of Midshipmen Admission. Physical and mental examination will follow. Successful examinees will be notified by telegram and their names published in a national daily. They will then undergo a thorough medical, dental and neuro-psychiatric examination. The medical examination as well as the transportation fare will be free.

The Corps of Midshipmen (cadets) shall have an Honor Code of Conduct to govern the behavior of each and every Midshipman in addition to the establishment of rules and regulations of the Armed Forces of the Philippines.

SECTION 6. *Eligibility for Admission.* – To be eligible for admission, a candidate must be:

- 1) a natural born Filipino citizen;
 - 2) of good moral character;
 - 3) single;
 - 4) At least 5 feet 6 inches tall if male, 5 feet 4 inches tall if female;
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- 5) At least seventeen but not a day older than 22 years old on the 1st day of May of the year following the date of examination taken;
- 6) at least High School graduate with a general average of 85%;
- 7) physically and psychologically fit for PNA cadet training.

SECTION 7. Academic Courses. -All academic courses offered by the Academy shall begin with a core curriculum that includes engineering, science, mathematics, humanities, and social science. It shall provide a broad-based education that will qualify the midshipman to become an officer of the Philippine Navy. The Academy shall be manned and equipped with the necessary faculty, expertise, equipment and facilities to conform with the Commission on Higher Education's requirements to be able to award baccalaureate degrees within four (4) years of continuing academic instruction and officer training. Nothing prevents the Academy from inviting professors and other experts in navigation and other technical fields from existing national agencies, or having agreements with schools, colleges and universities to augment its capabilities.

They can hire civilian professors and instructors and personnel. However, these civilian professors, instructors, personnel shall be subject to the AFP and Academy rules and regulations and other applicable laws. **Provided;** That the Policy Standards and Guidelines for Maritime Education as prescribed by the Commission on Higher Education shall also be considered in the formulation of said academic curricula. Entry into the academy shall be during the first week of May every year. Graduation will be during the second week of June every year. There will be no academic breaks except on legal and national holidays.

SECTION 8. Baccalaureate Degree. - Bachelors Degree of Naval Science shall be conferred to those who have successfully passed the four (4) year course of the Philippine Naval Academy.

SECTION 9. Pay and Allowances. – The Pay and Allowances of the Midshipmen shall be equivalent to the Ensign of the Philippine Navy.

SECTION 10. Undertaking. – Each midshipman, immediately upon admission, shall sign an agreement that, unless sooner separated by duly authorized authorities, he shall:

- 1) Complete the course of instruction at the academy;



2) Obey the Laws and Regulations of the Philippine Naval Academy and other Regulations imposed by the Armed Forces of the Philippines.

SECTION 11. *Naval Cadet Retirement.* –Any Midshipmen who shall, after entrance to the Academy and before completion of the prescribed course of training, be found **physically or mentally unfit** for continuous academic and military training by reason of injury or disease incident to the training, shall be retired with the rank of Ensign of the Philippine Navy.

SECTION 12. *Commission.* – Upon satisfactory completion at the Academy, the midshipmen shall be commissioned as Ensign in the Philippine Navy of the Armed Forces of the Philippines.

SECTION 13. *Administration* .– The academy as herein established shall be organized and administered by the Superintendent of the Philippine Naval Academy. The Superintendent of the Academy shall be the Administrator of the PNA.

However, it is his obligation to inform the Academy Board of the status of the School, financial needs, discipline of the cadets, the needed equipments and instructors and or professors and other matters in relation to the establishment and achieving the purpose of the Philippine Naval Academy.

SECTION 14. *Academy Board.* - The Academy Board of the Philippine Naval Academy shall be composed of:

- A. Secretary of National Defense - Chairman
- B. Chief of Staff of the AFP - Vice-Chairman
- C. Admiral of the Philippine Navy – member
- D. Secretary of the Department of Budget and Management - member
- E. Director-General of NEDA – member
- F. Chairman of the CHED or his Representative - member
- G. President of the Alumni Association - member
- H. Superintendent of the PNA -Ex-Officio Member

From time to time the Academy Board shall determine the needed strength of the Naval Academy every year, but they should fix the number of the cadets a year before the final admission so that the Naval Academy will know how many cadets will be needed every year. The Academy Board shall



also propose academic subjects and trainings as the present needs or situation arises.

They shall also propose the budget for the incoming year and important matters that would improved, enhance the standard of the institution to make it globally competitive.

SECTION 15. Quorum. - A quorum of the Board shall consist of a majority of all members. The Superintendent of the Academy who is an ex-officio member of the Board shall automatically become the Head of **Secretariat** who will provide agenda, notices, place of meeting and other needs of the Board.

SECTION 16. Transfer of Assets and Liabilities. - The present sixty-three (63) hectare campus of the Philippine Merchant Marine Academy (PMMA) which is located in San Narciso, Zambales (Region III), its records, equipment, assets and liabilities are hereby transferred to and integrated with the Philippine Naval Academy (PNA). Similar assets necessary for training navy personnel now existing in the Armed Forces of the Philippines (AFP) shall also be transferred to the Academy.

SECTION 17. Prohibition Against Hazing. - The Academy Board shall issue rules and regulations to prevent hazing and prescribed measures of punishment either by dismissal and/or suspension and adequate punishment.

If a midshipman is charged in the violation of any rules or regulation issued in accordance to this section, a military Court of Honor shall be established with the Superintendent as Chairman heading the Board of the Court of Honor and the president of the Faculty and the President of the Corps of Midshipman as members and upon instance of the chairman shall automatically convene to hear the cases.

In the event that it is the President of the Corps of Midshipman who is accused of violating any rules and regulations the top ten most senior cadets shall elect among themselves who will replace the President of the Corps of Midshipman as member.

Decision for dismissal should be unanimous and the same is appealable to the Sec. Of National Defense who within seven (7) days after the notice is received shall automatically act on the decision. In the event the Sec. of



National Defense affirms the decision of the Court of Honor, the erring cadet shall be notified to his dishonorable discharge.

SECTION 18. *Implementing Rules and Regulation.* -

Secretary of National Defense together with the Academy Board shall immediately convene to prescribe the Implementing Rules and Regulations (IRR) necessary for the implementation of the provisions of this act.

SECTION 19. *Budget.* – The budget of the Philippine

Merchant Marine Academy shall be transferred to support the Philippine Naval Academy and in the succeeding years the budget of the PNA shall be drawn from the General Appropriations Act.

SECTION 20. *Philippine Naval Academy Modernization*

Budget. - An archipelago of 7,100 islands, the country is vulnerable to poachers who audaciously enter the nation's territorial waters. All types of contraband floods the country, from vegetables, motorcycles, to dirt-cheap clothing and drugs which disrupts the normal trade process and causes huge losses to the government

Considering the danger posed by terrorism and international smuggling it is therefore imperative that an additional fund be appropriated for the sole purpose of modernization.

In view of the foregoing, all passenger vessels shall collect an additional ten (P10) pesos per embarking passenger regardless of the distance of the travel. And the same shall be remitted within thirty (30) days after the end of each year to the Philippine Naval Academy.

The PNA will inform the Secretary of the Department of Budget and Management as to the amount collected for the modernization fund.

Any shipping company who will fail to remit to the PNA the amount collected shall be fined for one hundred thousand pesos (P100,000.00) for the first offense; and on the second violation the owner and the officer of the shipping line shall be fined, two hundred thousand (P200,000.000) and imprisonment of six (6) years and one (1) day.

The Shipping Company shall open their books for the officers of the Philippine Ports Authority (PPA) who are designated as ex officio inspectors in order to monitor how much fund is being maintained by the shipping company. The shipping company has the obligation to open their books to the designated inspector.

The Academy Board is authorized to make use of this



money through a Board Resolution to achieve the purpose of the Academy.

In the event that the money raised through this program is insufficient the Academy shall request Congress that the same shall be included in the regular budget.

SECTION 21. *Repealing Clause.* - All general and special laws, acts, decrees, executive orders, proclamations, and administrative regulations or any part thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 22. *Effectivity.* - This act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.



Approved: