

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. 1072

INTRODUCED BY HONORABLE AURORA ENERIO-CERILLES

EXPLANATORY NOTE

The Philippines should continue to keep up 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 line with this, the Philippines must endeavor to have a strong and exceptional Navy, with its officers and members coming from a specialized Naval Academy.

In advanced countries like the United States of America, their Navy is very effective and efficient because they have an institution that focuses in educating their future naval officers. In our country, we have a Military Institution (PMA) that is too generalized.

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

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

Considering that the private sector has invested so much for the establishment of maritime schools, our country should support free-enterprise. The government with its scarce resources should now withdraw its financial support to an institution which does not serve the interest of the Filipino people. It should focus its resources instead on the preparation of future naval officers of the Armed Forces of the Philippines.

Thus, the need to establish a Naval Academy to be known as Philippine Naval Academy (PNA). It is now high 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.

Approval of this bill is earnestly sought.


AURORA ENERIO-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 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;
- 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 psychological 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.

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2 **SECTION 11. *Naval Cadet Retirement.*** - Any Midshipmen who shall, after entrance to
3 the Academy and before completion of the prescribed course of training, be found **physically or**
4 **mentally unfit** for continuous academic and military training by reason of injury or disease
5 incident to the training, shall be retired with the rank of Ensign of the Philippine Navy.
6

7 **SECTION 12. *Commission.*** - Upon satisfactory completion at the Academy, the
8 Midshipmen shall be commissioned as Ensign in the Philippine Navy of the Armed Forces of the
9 Philippines.
10

11 **SECTION 13. *Administration.*** - The academy as herein established shall be organized
12 and administered by the Superintendent of the Philippine Naval Academy. The Superintendent
13 of the Academy shall be the Administrator of the PNA.
14

15 However, it is his obligation to inform the Academy Board of the status of the School,
16 financial needs, discipline of the cadets, the needed equipments and instructors and or professors
17 and other matters in relation to the establishment and achieving the purpose of the Philippine
18 Naval Academy.
19

20 **SECTION 14. *Academy Board.*** - The Academy Board of the Philippine Naval Academy
21 shall be composed of:
22

- 23 A. Secretary of National Defense – Chairman
- 24 B. Chief of Staff of the AFP – Vice-Chairman
- 25 C. Admiral of the Philippine Navy – member
- 26 D. Secretary of the Department of Budget and Management – member
- 27 E. Director – General of NEDA-member
- 28 F. Chairman of the CHED or his representative – member
- 29 G. President of the Alumni Association – member
- 30 H. Superintendent of the PNA – Ex-Officio Member
31

32 From time to time the Academy Board shall determine the needed strength of the Naval
33 Academy every year, but they should fix the number of the cadets a year before the final
34 admission so that the Naval Academy will know how many cadets will be needed every year.
35 The Academy Board shall also propose academic subjects and trainings as the present needs or
36 situation arises.
37

38 They shall also propose the budget for the incoming year and other important matters that
39 would improve and enhance the standard of the institution and make it globally competitive.
40

41 **SECTION 15. *Quorum.*** - A quorum of the Board shall consist of a majority of all
42 members. The Superintendent of the Academy who is an ex-officio member of the Board shall
43 automatically become the Head of Secretariat who will provide agenda, notices, place of meeting
44 and other needs of the Board.
45

46 **SECTION 16. *Transfer of Assets and Liabilities.*** - The present sixty-three (63) hectare
47 campus of the Philippine Merchant Marine Academy (PMMA) which is located in San Narciso,
48 Zambales (Region III), its records, equipment, assets and liabilities are hereby transferred to and
49 integrated with the Philippine Naval Academy (PNA). Similar assets necessary for training
50 navy personnel now existing in the Armed Forces of the Philippines (AFP) shall also be
51 transferred to the Academy.
52

53 **SECTION 17. *Prohibition Against Hazing.*** - The Academy Board shall issue rules and
54 regulations to prevent hazing and prescribed measures of punishment either by dismissal and/or
55 suspension and/or any adequate punishment.
56

1 If a midshipman is charged in the violation of any rules or regulations issued in accordance
2 to this section, a military Court of Honor shall be established with the Superintendent as
3 Chairman heading the Board of the Court of Honor and the President of the Faculty and the
4 President of the Corps of Midshipman as members and upon instance of the chairman shall
5 automatically convene to hear the cases.
6

7 In the event that it is the President of the Corps of Midshipman who is accused of violating
8 any rules and regulations, the top ten most senior cadets shall elect among themselves who will
9 replace the President of the Corps of Midshipman as member.
10

11 Decision for dismissal should be unanimous and the same is appealable to the Secretary of
12 National Defense within seven (7) days after the notice is received and shall automatically act of
13 the decision. In the event the Sec. of National Defense affirms the decision of the Court of
14 Honor, the erring cadet shall be notified of his dishonorable discharge.
15

16 **SECTION 18. *Implementing Rules and Regulation.*** - Secretary of National Defense
17 together with the Academy Board shall immediately convene to prescribe the Implementing
18 Rules and Regulations (IRR) necessary for the implementation of the provisions of this Act.
19

20 **SECTION 19. *Budget.*** - The budget of the Philippine Merchant Marine Academy shall
21 be transferred to support the Philippine Naval Academy and the budget of the PNA shall be
22 drawn from the General Appropriations Act in the succeeding years.
23

24 **SECTION 20. *Philippine Naval Academy Modernization Budget.*** - An archipelago of
25 7,100 islands, the country is vulnerable to poachers who audaciously enter the nation's territorial
26 waters. All types of contraband floods the country, from vegetables, motorcycles, to dirt-cheap
27 clothing and drugs which disrupt the normal trade process and cause huge losses to the
28 government.
29

30 Considering the danger posed by terrorism and international smuggling, it is therefore
31 imperative that an additional fund be appropriated for the sole purpose of modernization.
32

33 In view of the foregoing, all passenger vessels shall collect an additional ten (P10) pesos
34 per embarking passenger regardless of the distance of the travel. And the same shall be remitted
35 within thirty (30) days after the end of each year to the Philippine Naval Academy.
36

37 The PNA will inform the Secretary of the Department of Budget and Management as to
38 the amount collected for the modernization fund.
39

40 Any shipping company who will fail to remit to the PNA the amount collected shall be
41 fined for one hundred thousand pesos (P100,000.00) for the first offense; and on the second
42 violation, the owner and the officer of the shipping line shall be fined two hundred thousand
43 pesos (P200,000.00) and imprisonment of six (6) years and one (1) day.
44

45 The Shipping Company shall open their books for the officers of the Philippine Ports
46 Authority (PPA) who are designated as ex-officio inspectors in order to monitor how much fund
47 is being maintained by the shipping company. The shipping company has the obligation to open
48 their books to the designated inspector.
49

50 The Academy Board is authorized to make use of this money through a Board Resolution
51 to achieve the purpose of the Academy.
52

53 In the event that the money raised through this program is insufficient the Academy shall
54 request Congress that the same shall be included in the regular budget.
55

1 **SECTION 21. *Repealing Clause.*** - All general and special laws, acts, decrees, executive
2 orders, proclamations, and administrative regulations or any part thereof which are inconsistent
3 with this Act are hereby repealed or modified accordingly.
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5 **SECTION 22. *Effectivity.*** - This act shall take effect fifteen (15) days after its
6 publication in two (2) national newspapers of general circulation.
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10 **Approved,**
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