

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)

First Regular Session)



HOUSE BILL NO. 3270

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Introduced by Representative JESULITO A. MANALO
of ANGKLA PartyList

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AN ACT MODERNIZING THE PRACTICE OF NAVAL
ARCHITECTURE AND MARINE ENGINEERING IN THE
PHILIPPINES AND REPEALING FOR THIS PURPOSE REPUBLIC
ACT 4565, OTHERWISE KNOWN AS "THE NAVAL
ARCHITECTURE AND MARINE ENGINEERING LAW.

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

EXPLANATORY NOTE

In 1965, Republic Act 4565, entitled "An Act to Regulate the Practice of Naval Architecture and Marine Engineering in the Philippines" was ratified into law. It was geared towards the government's orderly administration of all our naval architects and marine engineers, most particularly their competency and qualification.

Today, with almost 5 decades from the time of its enactment having lapsed, RA 4565 has clearly become outdated, with most of its provisions no longer applicable or even relevant. In the meantime, our naval architects and marine engineers continue to require the much needed assistance and support of the government. This includes the enactment of a new and firmer law that should define, with more

precision, among others, the essential minimum requirements for one to obtain the pertinent license to become naval architects and marine engineers, as well as the training and education that they must undergo, in order to continue maintaining such licenses.

This Bill aims to address these much needed and significant amendments, all with the view to promote better maritime safety and competency standards to allow our naval architects and marine engineers to improve and take more pride in their professions, and to render them globally competitive.

This upgrade will allow our professionals to utilize their skills in ship design and building, not only here in our country but also internationally. Then, their contributions are expected to bring in a very significant growth to our country's economy as well. Once this is achieved, the modernization of the practice of naval architecture and marine engineering will surely lead the Philippines to become a global maritime nation.



JESULITO A. MANALO
PartyList Representative
ANGKLA

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

Section 1. *Short Title.* This Act shall be known as the "Naval
Architecture and Marine Engineering Law of 2013"

Section 2. *Declaration of Policy.* The State recognizes the
importance of naval architects and marine engineers in nation building
and development. The State shall therefore develop and nurture
competent, virtuous and well-rounded naval architects and marine
engineers whose standard of professional practice and service shall be of
the highest quality and globally competitive through effective
regulatory measures, programs and activities.

Section 3. *Definition of Terms.* As used in this Act, the following
terms shall mean as follows:

- a) Naval architecture and marine engineering is an engineering

discipline dealing with the design, construction, maintenance and operation of marine vessels and structures as well as its machinery and engineering systems.

Naval architecture primarily is concerned with the hydrodynamic and hull form characteristics of the ship, the structural design of the hull, its maneuverability characteristics and its ability to operate in the marine environment.

Marine engineering primarily is concerned with the engineering systems including the main propulsion plant, the power and mechanical aspects of ship functions such as steering, anchoring, cargo handling, heating, ventilation, air conditioning, electrical power generation and distribution and communications.

- b) The practice of Naval Architecture and Marine Engineering – a person shall be deemed to be practicing naval architecture and marine engineering or rendering naval architecture or marine engineering service when he performs the following:
 - 1) Design, preparation of plans, specifications, estimates, project/feasibility studies and supervision of the construction, conversion, modification, repair or survey of any floating vessel or structures, self propelled or otherwise;
 - 2) Design, preparation of plans, specifications, estimates, project/feasibility studies and supervision of the installation of the main propulsion plant, the power and mechanical aspects of ship functions such as steering, anchoring, cargo handling, heating, ventilation, air conditioning, electrical power generation and distribution and communications;
 - 3) Consultation, valuation, investigation and management services requiring naval architecture and marine engineering knowledge;
 - 4) Management, operation and maintenance of any shipyard facility with graving dock, ship lift and marine slipways, capable to drydock, repair or do maintenance works on any floating vessels or structures;

- 5) Teaching of naval architecture and marine engineering professional subjects in government-recognized and accredited engineering schools; and
- 6) Employment in government as a professional naval architect and marine engineer if his work is in line with his profession requiring professional knowledge in naval architecture and marine engineering.

The enumeration of any work in this section shall not be construed as excluding any other work requiring naval architecture and marine engineering knowledge and application, including specialized work like ship salvaging and ship recycling.

Section 4. *Composition of the Board.* There is hereby created a Professional Regulatory Board of Naval Architecture and Marine Engineering, hereinafter referred to as the Board, under the administrative control and supervision of the Professional Regulation Commission (PRC), hereinafter referred to as the Commission, composed of a Chairman and two (2) members to be appointed by the President of the Philippines from among those recommended by the Commission from the nominees of the duly accredited professional organization of naval architects and marine engineers.

Section 5. *Term of Office.* The Chairman and the members of the Board shall hold office for a term of three (3) years from the date of his appointment or until his successor shall have been qualified and duly appointed, unless however, that such incumbent member has been re-appointed for another three (3) year-term.

No Member of the Board shall serve for more than two (2) regular terms. Any vacancy occurring within the term of a member due to resignation, conviction of any kind, disability or death, shall be filled by appointment of the President of the Philippines; and such member appointed shall serve for the unexpired portion of the term vacated without prejudice to serve for a maximum of two (2) regular terms. If the appointee comes from the incumbent Board, he shall serve the

remaining vacated term in addition to the previous years he had already served and shall be qualified for reappointment in his new position provided his aggregate number of years of service shall not exceed two (2) regular terms. Each member of the Board shall take his oath of office prior to the official performance of his duties.

Section 6. *Removal of the Board Members.* The President of the Philippines, upon recommendation of the Professional Regulations Commission, may suspend or remove any member of the Board for neglect of duty, incompetence, manipulation or rigging of the licensure examination results, disclosure of confidential information like the examination questions prior to the conduct of the said examination, or tampering of the grades therein; for unprofessional or unethical conduct, or for any final judgment or conviction of any criminal offense by the Courts and after having given the member concerned an opportunity to be heard and defend himself/herself in a proper administrative investigation.

Section 7. *Powers and Duties of the Board.* The Board shall exercise the following specific powers, functions, duties and responsibilities:

- a) To promulgate and adopt the rules and regulations necessary for implementing and carrying out the provisions of this Act;
- b) To supervise the registration, licensure and practice of naval architects and marine engineers in the Philippines;
- c) To administer oaths in connection with the successful examinees entering the practice of naval architecture and marine engineering;
- d) To issue the certificate of registration to successful examinees;
- e) To issue, suspend or revoke, after due process, certificates of registration and issue, cancel or suspend professional license or cancel special permits for the practice of naval architecture and marine engineering for cause as provided by law;
- f) To adopt an official seal of the Board;
- g) To look into the conditions affecting the practice of the profession and whenever necessary, adopt such measures as

may be deemed appropriate for the continuous enhancement and maintenance of high professional and ethical standards in the profession for the protection of public welfare, life, health and property;

- h) To prescribe and/or adopt a Code of Ethics and Professional Standards for the practice of the profession;
- i) To hear and try administrative cases involving violations of this Act, its Implementing Rules and Regulations, the Code of Ethics and Professional Standards, and for this purpose, to issue subpoena and subpoena duces tecum to secure the appearance of witnesses and the production of documents in connection therewith;
- j) To prescribe guidelines for the Continuing Professional Education (CPE) program in coordination with the accredited professional organization for naval architects and marine engineers;
- k) To prepare, adopt, issue or amend the syllabi of the subjects for Board examinations;
- l) Study, examine and recommend, in coordination with the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA), and in consultation with other concerned government entities and the accredited professional organization for naval architecture and marine engineering, the essential requirements as to the curricula and facilities of schools, colleges or universities seeking permission to open courses or programs or already offering courses or programs in naval architecture and marine engineering and related courses or programs and to see to it that these requirements, including employment of qualified faculty members, are properly complied with;
- m) shall perform such other functions as may be necessary in order to implement the provisions of this Act.

Section 8. *Qualifications of Members of the Board. The Chairman and Members of the Board*, at the time of their appointment, shall be:

- a) A natural born citizen and resident of the Philippines for at least five (5) consecutive years prior to his/her appointment;
- b) At least thirty-five (35) years of age;
- c) Holder of the degree of Bachelor of Science in Naval Architecture and Marine Engineering conferred by a school, college or university in the Philippines recognized by the Commission on Higher Education (CHED);
- d) A naval architect and marine engineer duly registered by the Professional Regulations Commission and who has been in active practice for at least 10 years prior to his appointment, either in self-practice, employment in the private sector or government service;
- e) A member in good standing of the accredited professional organization for naval architecture and marine engineering;
- f) A person who, for a period of three (3) consecutive years prior to his appointment, is not a member of the faculty of any school, college or university conferring an academic degree and/or certification/accreditation necessary for admission to the practice of Naval Architecture and Marine Engineering nor have any pecuniary interest in or administrative supervision over any such institutions of learning;
- g) A person who, for a period of three (3) consecutive years prior to his appointment, is not connected with a review center nor with any group where review classes in preparation for the licensure examination are being conducted;
- h) A person who has not been convicted of an offense involving moral turpitude.

Section 9. *Supervision of the Board, Custodian of its Records, Secretariat and Support Services.* The Board shall be under the general

supervision of the Professional Regulations Commission.

All records of the Board, including applications for examination, examinations papers and results, minutes of deliberation, administrative cases and other investigative cases involving the profession shall be kept by the Commission.

The Commission shall designate the Secretary of the Board and shall provide Secretariat and other support services to implement the provisions of this Act.

Section 10. *Compensation and Allowances of the Board Members.* The Chairman and members of the Board shall receive compensation and allowances comparable with the compensation and allowances being received by the Chairmen and members of existing regulatory boards in the Professional Regulations Commission and as maybe provided for in the General Appropriations Act.

Section 11. *Annual Report.* The Board shall, within thirty (30) days after the close of each calendar year, submit an annual report to the President of the Philippines through the Professional Regulations Commission, giving a detailed account of its proceedings and accomplishments during the year and making recommendations for the adoption of measures that will upgrade and improve the conditions affecting the practice of the profession in the Philippines.

Section 12. *Licensure Examination, Fees and Schedule.* All applicants for registration for the practice of naval architecture and marine engineering shall be required to pass a written technical examination as provided for in this Act.

Every applicant admitted to take the examination shall pay fees as may be prescribed before he/she is allowed to take the examination.

Examination of applicants shall be given once a year on the date and venue prescribed by the Professional Regulations Commission and shall be conducted by the Professional Regulatory Board of Naval Architecture and Marine Engineering.

Section 13. *Qualification for Examination.* Any person applying for admission to the naval architecture and marine engineering examination shall establish to the satisfaction of the Board that:

- a) He is a citizen of the Philippines;
- b) He must not have been convicted by a court of law of a crime involving moral turpitude;
- c) He holds a degree of Bachelor of Science in Naval Architecture and Marine Engineering from a school, college or university duly recognized the Commission on Higher Education.

Section 14. *Scope of Examination.* The examination for naval architect and marine engineer shall consist of written tests which shall cover subjects prescribed by the Board and include at least the following: general engineering, naval architecture, marine engineering, ship design and construction, compliance to maritime rules and regulations and such other pertinent subjects as the Board may deem necessary.

Section 15. *Ratings.* To pass the examination, a candidate for a registered naval architect and marine engineer must obtain an average of seventy (70%) per cent on all subjects, with no rating below sixty (60%) percent in any of the subjects.

Section 16. *Report of Ratings.* The Board shall submit to the Professional Regulations Commission the ratings obtained by each candidate within fifteen (15) days after the examinations unless extended for just cause.

Section 17. *Re-examination.* An applicant who fails to pass the examination for the third time shall be allowed to take another examination only after the lapse of one (1) year.

Section 18. *Issuance of the Certificate of Registration and Professional License.* Upon payment of the registration fees as established by the Professional Regulations Commission, the Board shall issue a certificate of registration to any applicant who has met all the requirements specified in this Act. All certificates of registration shall

indicate the full name of the registrant and his registration number and shall be signed by all the members of the Board and the Commission and affixed with the official seal of the Commission.

A professional license bearing the registration number, date of issuance, expiry date and duly signed by the Chairman of the Commission, shall likewise be issued to every registrant provided the applicable professional identification card fees have been paid and a valid/current membership identification card from the accredited professional organization has been submitted.

No person shall practice naval architecture and marine engineering in the Philippines unless such person shall have secured a license to practice naval architecture and marine engineering in the manner herein provided. A licensee is entitled to practice the profession with all the privileges appurtenant thereto, subject to compliance with all applicable requirements. The said certificate shall remain in full force and effect until withdrawn, suspended or revoked in accordance with this Act.

Section 19. *Oath.* All successful candidates in the examination shall be required to take an oath of profession before the Board or any government official authorized to administer oaths prior to entering the practice of naval architecture and marine engineering.

Section 20. *Integrated and Accredited Professional Organization.* There shall be one (1) integrated and Accredited Professional Organization (APO) for naval architects and marine engineers in the country, which shall be registered with the Securities and Exchange Commission as a non-stock, non-profit corporation and recognized by the Commission and all government agencies as the one and only integrated and accredited national organization for the said professionals.

Every naval architect and marine engineer, upon registration with the Commission, shall *ipso facto* become a member of this Accredited Professional Organization. Those who have been previously registered by the Board and Commission but are not members of this Accredited Professional Organization at the time of effectivity of this Act shall be allowed to register as members of this organization

within one (1) year after the effectivity of this Act. Membership in this Accredited Professional Organization shall not be a bar to membership in other professional associations, maritime related or not.

The Accredited Professional Organization shall implement the continuing professional education, accredit other related organizations or entities to provide continuing professional education and/or development programs promulgated by the Board and/or the Commission, compliance to these continuing educational and development programs shall be one of the requirements for the maintenance of membership in good standing of the professional in the Accredited Professional Organization. All members of good standing of this Accredited Professional Organization shall be issued a membership card indicating the membership number and validity period which shall be affixed to all plans, specifications and any document signed by the member in the course of his practice of the profession.

Failure to maintain membership in good standing in the Accredited Professional Organization shall be a cause for delisting in the roster of professionals.

Section 21. *Continuing Professional Education (CPE) and/or Development Programs.* All registered naval architects and marine engineers, shall comply with the applicable rules and regulations already prescribed by or as may be prescribed by the Commission, Board or Accredited Professional Organization pursuant to this Act and other relevant laws, international agreements or covenants to which the Philippines is a signatory and has ratified with respect to Continuing Professional Education and Continuing Development Programs.

Section 22. *Exemption from Examination and Registration.* No examination nor registration shall be required for the following persons but subject to their proper application from the Board to issue the appropriate Temporary/Special Permits:

- 1) Foreign professional naval architects and marine engineers who are temporarily employed by the Philippine government or private firms to work in the Philippines with the applicable

cases:

- a) Where no qualified equivalent Filipino professional naval architect and marine engineer is available for the specific work to be rendered as attested to by the accredited professional organization;
- b) Where the conditions of the scope and funding for the work or project are such that it stipulates the temporary employment of a foreign professional naval architect and marine engineers;
- c) As defined in the General Agreement on Trade and Services, the ASEAN and APEC Engineer Registry programs and other similar international treaties, agreements and/or covenants to which the Philippine Government is a signatory and has ratified: *Provided*, however, that:
 - i) The said foreign professional is legally qualified to practice his/her profession in his/her own country in which the required standards for examination and registration are not lower than those specified in this Act;
 - ii) The work to be performed by said foreign professional shall be limited only to the particular work or project for which he/she was specifically contracted;
 - iii) Prior to commencing the work, the foreign professional shall secure a Temporary/Special Permit from the Board, which shall be subject to the approval of the Commission: *Provided*, that no working visa and/or permit shall be issued by the Department of Labor and Employment unless such Temporary/Special Permit has been granted first;
 - iv) The same foreign professional shall not engage in private practice on his/her own account;

- v) *For every foreign professional contracted for the work or project, at least one (1) corresponding Filipino professionals who are registered under this Act shall be employed as counterparts by the Philippine Government or the private firm utilizing the services of such foreign professional for at least the same duration of time as the foreigner's tenure of work; and*
 - vi) The Temporary/Special Permit herein granted shall be valid only for a period of not more than six (6) months and renewable every six (6) months thereafter subject to the discretion of the Board and the approval of the Commission: *Provided, That said Permit shall cease to be valid if the foreign professional terminates his/her employment in the work or project for which said permit was originally granted and thereafter engages in an occupation that requires another Special Permit under this Act.*
- 2) Any Filipino may make plans or specifications for any boat, dugout or other floating vessels made of wood, fiber-reinforced plastic, steel and other materials, (5) gross tons or less, for pleasure or business purposes; and may construct for himself, either personally or otherwise, any such floating vessel without utilizing the services of a registered naval architect and marine engineer as long as these do not exceed (5) gross tons;
 - 3) Nothing in this Act shall be construed to prevent draftsmen, apprentices and subordinates of or other persons undergoing training under the supervision of those lawfully engaged in the practice of naval architecture and marine engineering from performing any of the acts constituting such practice under the instruction, control and supervision of their engagement.

Section 23. *Non-issuance of Certificate of Registration and/or Professional Identification Card for Certain Grounds.* The Board and/or the Professional Regulations Commission shall not register and thus shall not issue a Certificate of Registration and Professional Identification Card to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, or immoral or

dishonorable conduct or to any person of unsound mind, furnishing the party concerned a written statement containing the reasons for such action, which statement shall be incorporated in the records of the Board.

Section 24. *Suspension and Revocation of Certificate of Registration, Professional Identification Card and Temporary/Special Permits.* The Board shall have the power, after due consultation and/or recommendation by the accredited professional organization and upon due notice and hearing, to suspend or revoke the certificate of registration, professional identification card and temporary/special permits for any cause including but not limited to the use of fraud or deceit in obtaining said documents, incompetence, negligence or abetment of the illegal practice of the profession, violations of the provisions of this Act, its implementing rules and regulations and the Code of Ethics for Naval Architects and Marine Engineers.

Section 25. *Reinstatement, Re-issuance or Replacement of Certificate of Registration, Professional Identification Card and Temporary/Special Permits.* The Board, upon application and for reasons deemed proper and sufficient, may reinstate the validity of a revoked Certificate of Registration, Professional Identification Card and Temporary/Special Permit, two (2) years after its revocation, subject to compliance with the requirements and penalties to be imposed by the Board and/or Commission, if any: *Provided, That* he/she did not commit any illegal practice of the profession or any violation of this Act, its implementing rules and regulations and the Code of Ethics for Naval Architects and Marine Engineers during the time that his Certificate of Registration, Professional Identification Card and Temporary/Special Permit was revoked.

A new Certificate of Registration, Professional Identification Card or Temporary/Special Permit to replace any lost, destroyed or mutilated Certificate of Registration or Professional Identification Card may be issued, subject to the rules promulgated by the Board and the Commission, and upon payment of the required fees.

Section 26. *Renewal of License.* The professional license shall serve as evidence that the licensee can lawfully practice his profession until the expiration of its validity. However, renewal of license can only be done upon payment of renewal fee corresponding to three (3) consecutive years and paid after a valid/current membership identification card from the accredited professional organization has been submitted.

Section 27. *Seal of Registered Naval Architects and Marine Engineers.* All registered naval architects and marine engineers shall obtain and use a seal of a design prescribed by the Board, bearing the registrant's name, the registration number and the legend, "Registered Naval Architect and Marine Engineer".

Designs, plans, specifications, project studies, reports, proposals and other professional documents prepared by and/or executed under the supervision of and issued by a registered naval architect and marine engineer shall be stamped on every sheet/page with said seal with indicating his signature, current Professional Tax Receipt (PTR) number, date/place of payment and valid/current membership identification number from the accredited professional organization when filed with government authorities or when submitted or used professionally; *Provided*, that it shall be unlawful for any one to stamp with said seal any document if his professional license have been revoked or due to expire within one (1) month.

Section 28. *Vested Rights.* All naval architects and marine engineers holding a valid Certificate of Registration and Professional Identification Card at the time of effectivity of this Act shall be automatically registered and recognized as Registered Naval Architects and Marine Engineers and shall be issued a new Certificate of Registration and Professional Identification Card with the same license number as their original Certificate of Registration and Professional Identification Card, subject to the payment of prescribed fees and other requirements of the Board and/or Commission.

Section 29. *Prohibitions.* Unless authorized under this Act, it shall be unlawful for:

- a) any person to order or otherwise cause the construction,

conversion or alteration of any floating vessel or equipment for any work or project to be done in the Philippines whether for domestic or overseas trade unless the design, plans or specifications have been prepared under the responsible charge of, and duly signed and sealed by a registered naval architect and marine engineer.

Likewise, said design, plans or specifications must be approved by a registered naval architect and marine engineer in accordance with the standards prescribed by national and/or international maritime rules, regulations and conventions.

- b) any person to admeasure and calculate gross and net tonnages of vessels of more than five (5) gross tons for the assessment of anchorage, wharfage berthing, pilotage, dry docking, Panama or Suez Canal dues and other passages; and to inspect vessel's hull, its outfitting and its main and auxiliary machineries unless carried out by or be under the responsible charge of a registered naval architects and marine engineers;
- c) any person to teach professional subjects in naval architecture and marine engineering course unless he is, at least, a duly registered and licensed naval architect and marine engineer by the Board and Commission;
- d) any shipyard for new building, conversion, alteration or repair of any floating vessel or equipment to operate without contracting the services of a registered and licensed naval architect and marine engineer;
- e) any ship recycling or ship salvaging works or projects to be performed without contracting the services of a registered and licensed naval architect and marine engineer;
- f) any classification society or third party certification body operating in the country, whether wholly-owned by Filipino or part of a multinational organization, to conduct surveys and inspection of floating vessels and equipment without contracting the services of a registered and licensed naval

architect and marine engineer, and;

- g) any firm, partnership, corporation or association to be registered and licensed to practice of naval architecture and marine engineering as only persons who are properly registered and licensed may practice naval architecture and marine engineering. However, duly registered and licensed naval architects and marine engineers may form partnerships, corporations or associations among themselves or with other registered and licensed architects or engineers and use the title "Naval Architects", "Marine Engineers", "Architects" or "Engineers" in their company's corporate name.

Section 30. *Foreign Reciprocity.* No foreigner shall be admitted for registration as licensed naval architect and marine engineer with or without examination under this Act unless he/she proves in the manner as provided by the Board that, by specific provisions of law, the country or state of which he/she is a citizen, subject or national, or in accordance with international treaties, agreements and/or covenants to which their country or state is a signatory, admits Filipino citizens to practice as licensed naval architect and marine engineer after an examination or registration process on terms of strict and absolute equality with the citizens of said country or state, including the unconditional recognition of professional licenses issued by the Board and/or the Commission and prerequisite degrees/diplomas issued by institutions of learning duly recognized by the government of the Republic of the Philippines.

Section 31. *Roster of Naval Architects and Marine Engineers.* The Board shall prepare and maintain a roster of the names, residence and/or office address of all registered naval architects and marine engineers, which shall be updated annually in cooperation with the accredited professional organization, indicating therein their status of the Certificate of Registration, Professional Identification Card and membership in the Accredited Professional Organization, whether valid, inactive due to death or other reasons, delinquent, suspended or revoked. The said roster information shall be made available to the public upon inquiry or request.

Section 32. *Positions in Government Requiring the Services of Registered and Licensed Naval Architects and Marine Engineers.* Within one (1) year from the effectivity of this Act, all existing and proposed positions in the local and national government, whether career, permanent, temporary or contractual and primarily requiring the services of naval architects and marine engineers shall accordingly be filled only by registered and licensed naval architects and marine engineers.

The Maritime Industry Authority, the Philippine Coast Guard and the Board of Marine Inquiry as convened shall provide permanent seats in their respective Boards for the accredited professional organization of naval architects and marine engineers in order to continuously promote and sustain maritime safety in the country with sound technical advice and guidance on ship design, construction, operations and maintenance.

Section 33. *Enforcement Assistance to the Board.* The Board shall be assisted by the Commission in carrying out the provisions of this Act and its implementing rules and regulations and other policies. The lawyers of the Commission shall act as prosecutors against illegal practitioners and other violators of this Act and its rules. The duly constituted authorities of the government shall likewise assist the Board and the Commission in enforcing the provisions of this Act and its rules.

Section 34. *Penal Clause.* In addition to the administrative sanctions imposed under this Act, any person who violates any of the provisions of this Act and its rules and regulations shall, upon conviction be penalized to a fine of not less than fifty thousand (PHP50, 000.00) pesos nor more than one million (PHP1, 000,000.00) pesos or imprisonment for a period of not less than six (6) months nor more than three (3) years or both fine and imprisonment at the discretion of the court.

Section 35. *Implementing Rules and Regulations.* Subject to the approval of the Commission, the Board in coordination with the accredited professional organization, shall adopt and promulgate such rules and regulations including the Code of Ethics and Code of Technical Standards of Practice for Registered Naval Architects and

Marine Engineers to comply with the provisions of this Act within ninety (90) days after approval of this Act and which shall then be published in the Official Gazette or a newspaper of general circulation and shall be effective fifteen (15) days after publication therein.

Section 36. *Funding Provisions.* Such sums as may be necessary follow to carry out provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

Section 37. *Repealing Clause.* Republic Act No. 4565 is hereby repealed and all other laws, decrees, orders, rules and regulations, ordinances, and other issuances or parts thereof, which are inconsistent with this Act, are hereby superseded, repealed or amended accordingly.

Section 38. *Separability Clause.* If any provisions of this Act or any portion hereof is declared unconstitutional by any competent court, the other provisions hereof shall not be affected thereby.

Section 39. *Transitory Provisions.*

- a) Upon approval of this Act, valid Certificates of Registration and Professional Identification Cards as possessed by registered and licensed naval architects and marine engineers shall continue to be valid until its expiry. After which, they shall be renewed in full compliance with all provisions of this Act.
- b) Faculty members currently teaching naval architecture and marine engineering courses in higher education institutions shall not be allowed to continue teaching after one (1) year from the approval of this Act, unless they are or have become, at least, a Registered Naval Architect and Marine Engineer.
- c) Upon effectivity of this Act, the present Board of Naval Architecture and Marine Engineering shall continue to function in the interim until such time as the new Board shall have appointed and constituted. This new Board shall formulate and thereafter promulgate the implementing rules and regulations of this Act in consultation with the Accredited

Professional Organization.

Section 40. This Act shall take effect fifteen (15) days following its full publication in the *Official Gazette* or any newspaper of general circulation.