



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 8504

Introduced by CIBAC Party-List Representatives
EDUARDO "BRO. EDDIE" C. VILLANUEVA and DOMINGO C. RIVERA

AN ACT PROVIDING FOR A REVISED PHILIPPINE MERCHANT MARINE OFFICERS ACT

EXPLANATORY NOTE

There are two (2) instances wherein an individual may be called a "Licensed Professional". The first instance is by way of passing the BAR examination administered by the Supreme Court and the second instance is through passing the Licensure or Board examination conducted by the Professional Regulation Commission (PRC).

The Civil Service Commission (CSC) has clarified that RA No. 1080 automatically grants appropriate CSC eligibility to a successful examinee of the Bar Examination administered by the Supreme Court and of Licensure or Board Examination conducted by the Professional Regulation Commission.

Section 1 of RA No. 1080, also known as, "An Act Declaring the Bar and Board Examinations as Civil Service Examinations", provides:

"Section 1. The Bar examinations and the examinations given by the various boards of examiners (***now Professional Regulatory Boards***) of the Government are declared as civil service examinations, and shall, for purposes of appointment to positions in the classified

service the duties of which involve knowledge of the respective professions, except positions requiring highly specialized knowledge not covered by the ordinary board examinations, be considered as equivalent to the first grade regular examination given by the Bureau of Civil Service if the **profession** requires at least four years of study in college and the person has practiced his profession for at least two years, and as equivalent to the second grade regular examination if the profession requires less than four years of college study.” (emphasis supplied)

A PROFESSIONAL LICENSE issued to a Filipino professional, in this instance, to a Filipino MAARINE DECK AND MARINE ENGINEER OFFICER, is not of the same kind or class as ordinary license. It confers upon the holder of automatic professional board eligibility pursuant to RA No. 1080, as well as the privileges not accorded to non-professionals.

Under **R.A. No. 546, dated June 17, 1950**, the regulatory function of Licensure Examinations of Marine Deck Officers and Marine Engineer Officers was vested upon the respective Board of Examiners for Marine Officers and the Board of Examiners for Marine Engineers (Boards) under the supervision of the then Commissioner of the Civil Service Commission.

Under **P.D. No. 97, dated January 13, 1973**, the Boards were re-created with the same regulatory function and vested to PRC the authority to conduct the regulatory function of licensure examinations including issuance of Certificates of Registration/Professional License for admission and registration for the practice of the marine deck and marine engineer profession.

Thereafter, **R.A. No. 8544, dated February 25, 1998**, repealed P.D. No. 97 and further restructured the Boards and retained to PRC the authority to conduct the regulatory function of licensure examination including issuance of Certificates of Registration/Professional License for admission and registration for the practice of maritime profession.

Subsequently, **R.A. No. 8981 or the “PRC Modernization Act of 2000”, dated December 5, 2000**, further re-created the Professional Regulation Commission (PRC) and attached to the Office of the President. Under said R.A. No. 8981, the PRC has been tasked with the functions to administer, implement, and enforce the Government’s regulatory policies which include the licensure examinations of some forty-four (44) professions and occupations, including the Marine Deck and Marine

Engineer Officers, except the practice of law which is under the supervision of the Supreme Court.

On the strength of its authority under R.A. 8544 and R.A. 8981, the PRC has conducted licensure examinations and licensed qualified Filipino Marine Deck and Marine Engineer Officers for domestic and international vessels which resulted into the distinction of global prominence and acceptance in the international maritime community with the Philippines getting Rank No. 1 or the WORLD'S MAJOR SUPPLIER OF SEAFARERS.

The Philippines commenced to be the world's major supplier of seafarers in the early years of 1990's from a mere 18% until it tremendously reached as high as 30% of the world maritime fleet, comprising more or less 350,000 seafarers, in 2012 under the MARITIME TRAINING COUNCIL¹ which is attached to the Department of Labor and Employment (DOLE), and to which the PRC is a principal member. The Maritime Training Council of DOLE is composed of agencies performing maritime related functions and activities, namely: the PRC, Commission on Higher Education (CHED), Technical Skills and Development Authority (TESDA), Philippine Overseas and Employment Authority (POEA), National Maritime Polytechnic (NMP), Philippine Coast Guard (PCG), Overseas Workers Welfare Administration (OWWA) and MARINA.

However, in March 2014, Republic Act No. 10635 was enacted making the MARITIME INDUSTRY AUTHORITY (MARINA) as the Single Maritime Administration. The system was altogether changed, and the Maritime Training Council of DOLE notwithstanding that it was working very effectively for our Filipino seafarers and very much appreciated by the international maritime community, was abruptly DISSOLVED. MARINA took the functions of these agencies, and allegedly *including the certification functions of PRC*. This, without any participation or involvement of MARINA in the licensing or certification, and training functions of the seafarers whatsoever for the past two (2) decades, and yet the Philippines became the major supplier of seafarers comprising 30% of the world maritime fleet. THE MARINE DECK AND MARINE ENGINEER OFFICERS OF PRC WERE TRANSFERRED TO MARINA AND CEASED TO BE LICENSED PROFESSIONALS BUT RELEGATED TO SKILLED WORKERS. MARINA not being a regulatory agency for professionals as heretofore mentioned.

The records of the POEA show that it is during the time that the STCW Administration was lodged with the Maritime Training Council of DOLE, that the

¹ <https://safety4sea.com/marina-spearheads-celebration-of-day-of-350000-seafarers/>

demand for Filipino seafarers worldwide exponentially increased from 15% to as high as 30%, with major demand for Filipino seafarers even without the participation of MARINA in licensing and certification functions whatsoever for the preceding two (2) decades, in terms of Education (CHED), Licensing and Certification (PRC) for Marine Officers, (TESDA) for Non-Officers, and the MTC as the policy making body for quality trainings of more or less 350,000 seafarers.

Unfortunately, under the present set up, or after the MARINA took over the functions of PRC for Marine Deck and Marine Engineer Officers, which relegated them to mere skilled workers and not licensed professionals the demand for Filipino seafarers was drastically reduced to more or less 28%, and China already replaced the Philippines as the major supplier of the world maritime fleet.

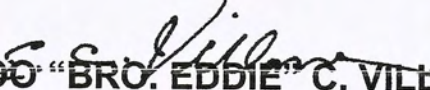
The authors likewise would like to emphasize that in the former law which is Republic Act No. 8544, otherwise known as "The Philippine Merchant Marine Officers Act, under PRC, the examiners were nominated to PRC by the largest association of marine deck or marine engineer officers from among the outstanding professionals nationwide. The nominees will then be thoroughly screened by the PRC to a maximum number of three (3) candidates per vacancy before being recommended to the Office of the President for appointment. We will take note that the examiners are not only thoroughly screened by the biggest association of marine officers and by the PRC, but are also all PRESIDENTIAL APPOINTEES.

The foregoing however, is not the case under RA No. 10635, which MARINA disputably took the licensure examinations from PRC. First, RA No. 10635 did not expressly provide for the creation of a Board of Examiners. Second, RA No. 10635 only gave the power to the Administrator of MARINA to designate the examiners without any credible and reliable system of selection, the reason why from the very beginning the examinations given by MARINA is hounded by SCAMS wherein an examinee can get a weighted average of 100%, meaning the examinee got a 100% in all the given subjects in the examination. Third, RA No. 10635 does not provide for an honest to goodness Data Bank System (DBS) for the questionnaires, unlike in PRC wherein the DBS has been already established for three (3) decades, and never in its history had an examinee got a 100% rating in all of the given subjects in the examination.

It is in this framework that we seek to restore the professional status of our Filipino Marine Deck and Marine Engineer Officers, and as the most in demand crew of vessels plying the international trade, thus make the Philippines again as the major supplier of seafarers, or even more than 30% of the world maritime fleet. Likewise, the

reliability of the appointed examiners, and also the integrity and credibility of the licensure examinations.

In view of the foregoing, immediate approval of this bill is earnestly sought.


HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA


HON. DOMINGO C. RIVERA



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**AN ACT PROVIDING FOR A REVISED
PHILIPPINE MERCHANT MARINE OFFICERS ACT**

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

ARTICLE I
TITLE

Section 1. Title. – This Act shall be known as the ***"Revised Philippine Merchant Marine Officers Act of 2021."***

ARTICLE II
DECLARATION OF POLICY AND OBJECTIVES

Section 2. Declaration of policy. – It is the declared policy of the State to promote and ensure the safety of life and property at sea, protect and serve the marine environment and ecology, and prevent marine pollution and accident at sea by complying with Laws, Rules and regulations of the Philippine Government and the Standards of Training, Certification and Watchkeeping for Seafarers 1978 (STCW '78), as amended, to which the Philippines is a signatory.

1 It is likewise the declared policy of the State to institutionalize changes as required by
2 the national and international maritime industry to ensure that only qualified,
3 competent and globally competitive marine deck/engineer officers through licensure
4 examinations shall be allowed entry to the practice of the Merchant Marine profession.
5

6 **Section 3. Objectives.** – This Act provides for and shall govern:

- 7 (a) The examination, registration and issuance of Certificate of Registration to
8 qualified Merchant Marine Deck and Marine Engineer Officers; and
9 (b) The supervision, control and regulation of the practice of Merchant Marine
10 profession in the Philippines: Provided, that these objectives shall be attained
11 by passing the licensure examination conducted by the Professional Regulation
12 Commission (Commission); and compliance with the STCW '78 Convention, as
13 amended.
14
15

16 **ARTICLE III** 17 **DEFINITION OF TERMS** 18

19 **Section 4. Definition of terms.** –
20

- 21 1. **Commission** – the Professional Regulation Commission (Commission)
22 created under Republic Act No. 8981, otherwise known as the “PRC
23 Modernization Act of 2000”.
24
25 2. **Board** - the Professional Regulatory Boards of Marine Deck and Marine
26 Engineer Officers.
27
28 3. **STCW Convention** – the International Convention on Standards of
29 Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), as
30 amended.
31
32 4. **Practice of Merchant Marine Profession** – shall refer to the profession
33 requiring the application of fundamental and known principles of navigation,
34 seamanship and engineering to the peculiar condition and requirements of
35 on board management, operation and maintenance of main propulsion and
36 auxiliary engines, stability and trim of the vessel and cargo handling. It shall
37 also cover but will not be limited to the following:
38 (1) The proper handling and stowage of cargoes on board ship which
39 includes the safe carriage of passengers from the port of origin to port of
40 destination;
41 (2) The safe watchkeeping of the vessel's navigation in accordance with the
42 Rules of the Road at Sea;

(3) The Maritime Education and Training of Cadets and other Marine Professionals; and

(4) Employment with government, provided such item or position requires the knowledge and expertise of a Merchant Marine Officer.

5. ***Merchant Marine seagoing ship*** – shall apply only to the commercial ships, propelled by machinery, public or private, strictly engaged in maritime commerce, both seagoing and/or near-coastal trade, vessels engaged in the training of cadets for the merchant marine profession, and noncombatant vessels of the Philippine Government.

6. ***Licensure Examination for Marine Officers***- the theoretical licensure examination given by the Board.

7. ***Merchant Marine Officer*** – shall refer to marine deck or marine engineer officer.

8. ***Merchant Marine Deck Officer*** – shall refer to a duly registered, and licensed master mariner, chief mate and officer-in-charge of a navigational watch.

9. ***Merchant Marine Engineer Officer*** – shall refer to a duly registered, and licensed chief engineer, second engineer, and officer-in-charge of an engineering watch in a manned engine-room or designated duty engineer in a periodically unmanned engine-room, and coastal engineer.

10. ***Certificate of Registration*** – shall refer to the Professional License of the marine deck and marine engineer officer.

11. ***Code Of Professional Ethics For Marine Officers*** – a set of rules and regulations governing the conduct and deportment of a marine officer.

ARTICLE IV

BOARDS FOR MARINE DECK OFFICERS AND MARINE ENGINEER OFFICERS

Section 5. Creation and composition of the Boards. – For the purpose of implementing the provisions of this Act, the Board of Marine Deck Officers and the Board of Marine Engineer Officers, hereinafter referred to as the "*Board*," are hereby created. Each Board shall be composed of a Chairman and four (4) members who shall be appointed by the President of the Philippines from a list of three (3) recommendees for each position recommended by the Commission.

1 The first three Members of the Boards of Marine Deck and Engineer Officers, may be
2 comprised of the members of the previous Boards, who shall be appointed for a term
3 of three (3) years. The remaining two (2) Members shall be appointed in accordance
4 with the provisions of this Act.

5
6 The Boards shall be organized not later than six (6) months from the effectivity of this
7 Act.

8
9 **Section 6. *Qualifications of the Chairman and Members of the Board.*** – The
10 Chairman and members of the Board shall, at the time of the appointment, possess
11 the following qualifications:

- 12
13 (a) He must be a citizen and resident of the Philippines;
14
15 (b) He must be of proven integrity and with high moral values as evidenced by
16 his past professional conduct;
17
18 (c) He must be a duly registered and licensed marine deck/engineer officer,
19 with a valid Certificate of Registration;
20
21 (d) He must be of good moral standing;
22
23 (e) He must not have any pecuniary interest, directly or indirectly, in a maritime
24 training center, in any school, academy, college, university or institution
25 conferring an academic degree necessary for admission to the practice of
26 merchant marine profession; or where review classes in preparation for the
27 licensure examination are being offered or conducted, nor shall he be a
28 member of the faculty or of the administration thereof at the time of his
29 appointment to the Board;
30
31 (f) For the Board of Marine Deck Officers, he must have navigated as master
32 mariner for at least two (2) years on board sea-going vessel and with an
33 aggregate total of at least seven (7) years of practice as Merchant Marine
34 Deck Officer;
35
36 (g) For the Board of Marine Engineer Officers, he must have navigated as
37 Marine Engineer Officer for at least two (2) years on board a sea-going
38 vessel and with an aggregate total of at least seven (7) years practice as
39 Merchant Marine Engineer Officer; and
40
41 (h) He must not have been convicted by a court of competent jurisdiction of an
42 offense involving moral turpitude.
43

1 **Section 7. Term of office.** – The chairman and members of the Board shall hold office
2 for a term of three (3) years, and until their successors shall have been appointed and
3 duly qualified.

4
5 The chairman or member of the Board may be reappointed for another term but in no
6 case shall he serve continuously for more than six (6) years. Each member of the
7 Board shall qualify by taking his oath of office prior to entering upon the performance
8 of his duties.

9
10 **Section 8. Compensation and Allowances of the Board.** – The chairman and
11 members of the Board shall receive a compensation and allowances similar to the
12 compensation and allowances being received by the chairmen and members of other
13 existing Professional Regulatory Boards under the Commission as provided for in the
14 General Appropriations Act.

15
16 **Section 9. Vacancy and removal of Board Members.** – Any vacancy occurring in
17 the membership of the Board shall be filled for the unexpired portion of the term only.
18 The President may remove any member of the Board upon the recommendation of
19 the Commission on the following grounds:

- 20
21 (a) Neglect of duty or incompetence;
22 (b) Violation of any of the provision of this Act or the Code of Ethics for the
23 Maritime Profession; and
24 (c) Final conviction by a court of competent jurisdiction of an offense involving
25 moral turpitude.

26
27 He shall be accorded due notice and hearing, to defend himself, assisted by counsel
28 of his choice, in an administrative investigation. The Commission's decision may be
29 appealed within thirty (30) days to the President whose decision shall be final and
30 executory.

31
32 **Section 10. Powers and Duties of the Board.** – The Board shall exercise the
33 following powers and duties:

- 34
35 (a) To promulgate and adopt the rules and regulations necessary for carrying
36 out the provisions of this Act;
37 (b) To supervise and regulate the practice of the Merchant Marine Profession
38 in the Philippines;
39 (c) To issue Certificate of Registration;
40 (d) To administer oaths in connection with the administration of this Act;
41 (e) To suspend, revoke or reinstate the authority to practice the Maritime
42 Profession;
43 (f) To adopt an official seal of the Board;

- 1 (g) To look into the conditions affecting the practice of the Maritime Profession
2 and whenever necessary, adopt such measures as may be deemed proper
3 for the enhancement and maintenance of high professional and ethical
4 standards of the profession;
5 (h) To prescribe and/or adopt a Code of Ethical and Professional Standards for
6 the practice of the Maritime Profession;
7 (i) To hear and try administrative cases involving violations of this Act, its
8 Implementing Rules and Regulations, the Code of Ethics for Professional
9 Maritime Officers and for this purpose, to issue subpoena and subpoena
10 *duces tecum* to secure the appearance of witnesses and the production of
11 documents in connection therewith;
12 (j) To prescribe guidelines for the Continuing Professional Development (CPD)
13 program of Merchant Marine Officers;
14 (k) To prepare, adopt and issue the syllabi of the subjects for licensure
15 examinations by determining and preparing the questions which shall strictly
16 be within the scope of the syllabus of the subjects for examination, including
17 the STCW 78' Convention and its amendments;
18 (l) To promulgate, administer and enforce rules and regulations necessary for
19 carrying out the provisions of this Act, in accordance with the charter of the
20 Commission. *Provided*, That in case of subsequent or future amendments
21 to any international convention/conference of which the Philippines is a
22 signatory, the Board is empowered to amend/revise its rules and regulations
23 to conform with the amendments of the said convention/conference without
24 the need of amending this enabling Act;
25 (m) To attend and participate in national and international
26 convention/conference related to the maritime profession; and
27 (n) To discharge such other powers and functions as the Board may deem
28 necessary for the practice of the profession and the upgrading,
29 enhancement, development and growth of the merchant marine profession
30 in the Philippines.
31

32 The policies, resolutions, rules and regulations, issued or promulgated by the Board
33 shall be subject to the review and approval of the Commission. The decisions,
34 resolutions or orders rendered by the Board shall be final and executory unless
35 appealed to the Commission within thirty (30) days from receipt thereof.
36

37 **Section 11. Supervision of the Board, Custodian of its Records, Secretariat and**
38 **Support Services.** – The Board shall be under the supervision and control of the
39 Commission. All records of the Board, including the applications for licensure
40 examination, examination papers and results, minutes of deliberation, administrative
41 cases, and other investigations involving the Marine Deck/Engineer Officers shall be
42 kept by the Commission.
43

1 The Commission shall designate the Secretary, Professional Regulatory Board, to be
2 the Secretariat, and shall provide the support services to implement the provisions of
3 this Act.

4
5 **Section 12. Reports.** – The Board shall submit a monthly report, and at the close of
6 each calendar year, submit an annual report to the Commission, giving a detailed
7 account of its proceeding and accomplishments during the year and making
8 recommendations for the adoption of measures that will upgrade and improve the
9 conditions affecting the practice of the Maritime Profession in the Philippines.

11 12 **ARTICLE V** 13 **EXAMINATION AND REGISTRATION** 14

15 **Section 13. Examination Required.** – All applicants for the licensure examination for
16 the practice of the Maritime Profession shall be required to undergo and pass a written
17 theoretical examination, by means of a walk-in examination, or by any electronic
18 means, approved by the Commission, and the practical examination/assessment with
19 a rating of "PASS".

20
21 Successful examinees, or those who pass the written theoretical examination, shall
22 undergo the practical examination/assessment to be administered under the
23 supervision and control of the Board.

24
25 **Section 14. Qualifications of an Applicant for Licensure Examination.** – Every
26 applicant for licensure examination shall establish the following requisites:

- 27
28 (a) He is a citizen of the Philippines;
29 (b) He is of good moral character;
30 (c) He has met the standards of medical fitness, particularly with good eyesight
31 and hearing as certified by a Department of Health [DOH] accredited
32 medical institution conducting physical and medical examinations for
33 seafarers;
34 (d) Has completed an approved seagoing service; and
35 (e) In the case of marine deck/engineer officer, he must be a graduate of
36 Bachelor of Science in Maritime Transportation and Bachelor of Science in
37 Marine Engineering, respectively, in a school, academy, institute, college or
38 university duly recognized by the Commission on Higher Education [CHED].
39

40 **Section 15. Scope of Examination.** – The subjects for the Marine Deck and Marine
41 Engineer Officers written theoretical licensure examinations shall include, among
42 others, the following major functions:
43

1 **MARINE DECK OFFICERS**

- 2 (1) Navigation
3 (2) Cargo Handling and Stowage
4 (3) Controlling the Operation of the Ship and Care for the Persons On-Board
5

6 **MARINE ENGINEER OFFICERS**

- 7
8 (1) Marine Engineering
9 (2) Electrical, Electronics and Control Engineering
10 (3) Maintenance and Repair
11 (4) Controlling the Operation of the Ship and Care for the Persons On-Board
12

13 The said subjects and their syllabi shall include the competencies, knowledge,
14 understanding, proficiencies and criteria for evaluating the competence stated in Table
15 A-II/1 and A-III/1 of the 1978 STCW Convention and Code, as amended, including the
16 2010 Manila Amendments to conform to technological changes brought about by the
17 continuing trends in the profession.
18 .

19 The skills proficiencies and criteria for evaluating the competence stated in Table A-
20 II/1 and A-III/1 of the 1978 STCW Convention and Code, as amended, including the
21 2010 Manila Amendments shall also govern the practical examination/assessment.
22

23 **Section 16. Rating in the Licensure Examinations.** – To be qualified as having
24 passed the licensure examination for Marine Deck/Engineer Officer, an examinee
25 must obtain a weighted general average rating of at least seventy percent [70%], with
26 no rating lower than sixty percent [60%] in any given subject in the written/theoretical
27 examination, and with a grade of “PASS” in the practical examination/assessment.
28

29 An examinee who obtains a weighted general average rating of seventy percent [70%]
30 in the written/theoretical examination, but obtains a rating below sixty percent [60%] in
31 any given subject will be rated as “CONDITIONED”, and must take the examination in
32 the subject or subjects where he obtained a rating below sixty percent [60%] within
33 two (2) years from the date of the last examination taken. The CONDITIONED
34 examinee must obtain a rating of at least sixty percent [60%] in the subject or subjects
35 where he obtained a rating below sixty percent [60%] in order to pass the
36 written/theoretical examination.
37

38 The grade in the practical examination/assessment shall either be “PASS or “FAIL”.
39

40 **Section 17. Report of Ratings.** – The Board shall submit to the Commission the
41 ratings obtained by each examinee within fifteen [15] days after the examination,
42 unless extended for just cause.
43

1 **Section 18. Oath.** – All successful examinees in the licensure examinations shall be
2 required to take an oath of profession before the Board, prior to entering upon the
3 practice of the Maritime Profession.

4
5 **Section 19. Certificate of Registration and Professional Identification Card.** – A
6 Certificate of Registration and Professional Identification Card shall be issued to
7 examinees who pass the licensure examinations for marine deck/engineer officer,
8 subject to payment of the prescribed fees.

9
10 The Certificate of Registration of a marine deck/engineer officer shall bear the
11 registration number and date of issuance duly signed by the Chairman of the Board
12 stamped with the official seal and signature of the Chairman of the Commission
13 indicating that the person named therein is a duly licensed marine deck/engineer
14 officer.

15
16 No person shall practice as marine deck/engineer officer in this country or on board
17 ships/vessels plying the international voyage unless such person shall have secured
18 a Certificate of Registration to practice as marine deck/engineer officer in the manner
19 herein provided. A holder of a Certificate of Registration is authorized to practice the
20 maritime profession with all the privileges appurtenant thereto unless such authority is
21 suspended or revoked.

22
23 **Section 20. Indication of Certificate of Registration and Professional Tax**
24 **Receipt.** – The marine deck/engineer shall be required to indicate his Certificate of
25 Registration and professional tax receipt number on the documents he signs, uses or
26 issues, in connection with the practice of his profession.

27
28 **Section 21. Refusal to Register.** – The Board shall not register any successful
29 examinee who has been convicted by a court of competent jurisdiction of any criminal
30 offense involving moral turpitude, has been declared to be of unsound mind, or has
31 already been found guilty in a final and executory decision in an administrative case
32 conducted by the Board.

33
34 **Section 22. Lifting of Deferment of Registration.** - An examinee who passed the
35 licensure examination but whose registration has been deferred by the Board on the
36 basis of a guilty verdict in a final and executory decision in an administrative case, may
37 be allowed to take the oath of a professional and register as a marine officer when the
38 reason for the deferment of his registration no longer exist, or has been legally
39 rectified.

40
41 **Section 23. Grounds for Suspension and Revocation of Authority to Practice the**
42 **Marine Deck/Engineer Profession.** – The Board shall have the power, upon due
43 notice and hearing, to revoke or suspend the authority to practice the marine

1 deck/engineer profession, or to proceed against an applicant/examinee in the
2 licensure examination for marine deck/engineer officers for cause, which includes but
3 shall not be limited to: fraud or deceit in the application for licensure examination or in
4 obtaining a Certificate of Registration, tampering of data/entry in the Certificate of
5 Registration, or any certificate/certification issued by the Board or the Commission, for
6 incompetence, negligence, immoral conduct, unprofessional and/or dishonorable
7 conduct, illegal practice of a marine deck/engineer officer; violation of the provisions
8 of this Act, its implementing Rules and Regulations and violations of the Code of Ethics
9 for marine deck/engineer officers. The Decision of the Board shall be final and
10 executory unless appealed by the aggrieved party to the Commission within thirty (30)
11 days from receipt thereof.

12
13 **Section 24. Reinstatement of Authority To Practice, Re-issuance or Replacement**
14 **of Certificate of Registration.** – After one (1) year from the finality of the Decision
15 revoking his authority to practice the marine officers profession, or prior to one (1) year
16 when the cause/basis of the revocation no longer exist, or has been legally rectified, a
17 marine officer may file a petition for the reinstatement of his authority to practice. The
18 Board may, for good and just cause shown, or for reasons deemed proper and
19 sufficient, and the marine officer has acted in an exemplary manner and has not
20 committed any illegal, immoral or dishonorable conduct, grant the petition and issue an
21 Order reinstating his authority to practice the marine officers profession.

22
23 A replacement of the Certificate of Registration in lieu of the lost, destroyed, or
24 mutilated Certificate may be issued upon application and payment of the prescribed
25 fees.

26
27 **Section 25. Renewal of Professional Identification Card.**– The Professional
28 Identification Card shall be renewed every five (5) years upon satisfying the
29 requirements imposed by the Board, and payment of the corresponding fees
30 prescribed by the Commission.

31
32
33 **ARTICLE VI**
34 **PRACTICE OF MARINE DECK AND ENGINEER OFFICER**
35

36 **Section 26. Practice of Merchant Marine Profession.** – No person shall practice or
37 offer to practice the merchant marine profession in the Philippines or onboard
38 ships/vessels plying the international voyage or offer himself as a marine
39 deck/engineer officer, or use the title, or any sign tending to convey the impression
40 that he is a marine deck/engineer officer, or advertise or indicate in any manner
41 whatsoever that he is qualified to perform the work of a marine deck/engineer officer
42 unless he is a holder of a valid Certificate of Registration issued by the Board of Marine
43 Deck/Engineer Officers.

1
2 **Section 27. Recognition of Certificates.** – A foreign marine deck/engineer officer
3 duly registered and licensed in his country, may be issued a Special Temporary Permit
4 to serve on board a Philippine registered vessel engaged in the international trade:
5 Provided, that the Philippine Certificate of Registration issued by the Board shall be
6 reciprocally recognized by the National Administration of the said foreign marine officer
7 to allow Filipino marine deck/engineer officers to practice his profession on board the
8 foreigner's flag vessels.
9

10 **Section 28. Funding Provision.** – Such sums as may be necessary to carry out the
11 provisions of this Act shall be included in the General Appropriations Act of the year
12 following its enactment into law and thereafter.
13

14 **Section 29. Code of Ethics for Marine Deck/Engineer Officers.** – The Board shall
15 adopt the Code of Ethics for Marine Deck/Engineer Officers to be approved by the
16 Commission.
17
18
19

20 **ARTICLE VII**

21 **MISCELLANEOUS PROVISIONS**

22

23 **Section 31. Transitory Provision.** – All Certificates of Registration issued to marine
24 deck/engineer officers by the Maritime Industry Authority (MARINA) prior to the
25 enactment of this Act shall be subject to evaluation and assessment by the concerned
26 Board for the issuance of a Certificate of Registration and Professional Identification
27 Card. Provided, that the subsequent upgrading and revalidation of their Certificates
28 shall be in accordance with the provisions stated herein.
29

30 **Section 32. Implementing Rules and Regulations.** – Subject to the approval of the
31 Commission, the Board shall adopt and promulgate such rules and regulations to carry
32 out the provisions of this Act, which shall be effective after fifteen (15) days following
33 its publication in the Official Gazette or in a daily newspaper of nationwide circulation,
34 whichever comes earlier.
35

36 **Section 33. Penal Provision.** – A fine of not less than Five Hundred Thousand Pesos
37 [P500,000.00] nor more than One Million Pesos [P1,000,000.00] or imprisonment for
38 a period of not less than one [1] year nor more than six [6] years, or both such fine and
39 imprisonment, at the discretion of the court, shall be imposed upon:
40

- 41 (a) Any person who engages in the practice of merchant marine profession or
42 represents himself as a marine deck/engineer officer without holding a valid
43 Certificate of Registration and Professional Identification Card.

- 1 (b) Any person who represents or uses the Certificate of Registration of another
2 marine deck/engineer officer;
- 3 (c) Any person who shall give any false or forged documents for the purpose of
4 applying for a marine deck/engineer officers licensure examination and
5 obtaining a Certificate of Registration.
- 6 (d) Any person who shall use a revoked or suspended Certificate of
7 Registration of a marine deck/engineer officer.
- 8 (e) Any person who shall assume, use or advertise the title of marine
9 deck/engineer officer under his name, or any description to convey the
10 impression that he is a professional marine deck/engineer officer without
11 holding a valid Certificate of Registration and Professional Identification
12 Card; and
- 13 (f) Any person who shall violate the provisions of this Act, its Implementing
14 Rules and Regulations and the Code of Ethics for marine deck/engineer
15 officers.
- 16

17 **Section 34. Enforcement.** – The Commission may seek the assistance of other duly
18 constituted authorities in the enforcement of the provisions of this Act.

19

20 **Section 35. Separability Clause.** – If any clause, provision, paragraph, or part hereof
21 shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate
22 or impair any other part hereof, but such judgment shall be merely confined to the
23 clause, provision, paragraph or part directly involved in the controversy in which such
24 judgment has been rendered.

25

26 **Section 36. Repealing Clause.** – Section 4(c) 1 of Republic Act No. 10635, in so far
27 as it provides for an impression pertaining to the conduct of licensure examinations
28 given by the Professional Regulation Commission for the issuance of Certificate of
29 Registration/Professional License to marine deck and marine engineer officers is
30 concerned is hereby repealed. All other laws, decrees, executive orders, rules and
31 regulations and other administrative issuances and parts thereof which are
32 inconsistent with the provisions of this Act are likewise repealed.

33

34 **Section 37. Effectivity.** – This Act shall take effect after fifteen (15) days following its
35 complete publication in the Official Gazette or in any newspaper of general circulation,
36 whichever comes earlier.

37

38 Approved,