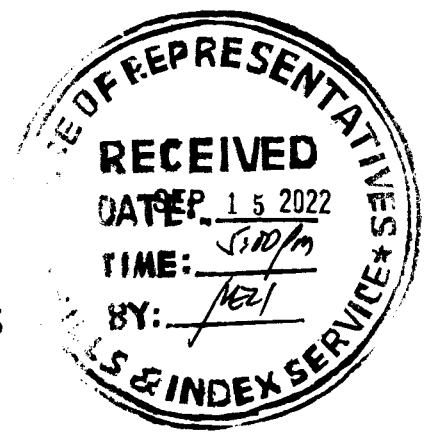




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress
First Regular Session
HOUSE BILL NO. 4894

Introduced by Representative Khymer Adan T. Olaso

EXPLANATORY NOTE

This bill aims to establish a seafarer's one-stop shop in all the international ports in the country to facilitate crew change.

The Filipino seafarers assume a big role in the global supply chains and flow of trade by sea. Ninety percent (90%) of the global trade is moved by maritime transport. As the Philippines ranks among the top three countries that supply the largest number of seafarers around the world, their substantial remittances have become instrumental in boosting and keeping the Philippine economy afloat.

The Filipino seafarers are of global caliber. For several years up until now, the International Maritime Organization (IMO) has retained the Philippines in its "white list" which is the maritime sector's point of reference for seafaring excellence. The inclusion of the Philippines in IMO's "white list" is an indication of the country's consistent compliance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) and points out the alignment of the Filipino seafarers' competencies with international standards.

However, when the COVID-19 pandemic struck during the first quarter of 2020, disastrous repercussions ballooned, global supply grappled in quandary, and countries enforced stringent travel restrictions. The travel restrictions caused the unprecedented crew change crisis that stranded the seafarers and forced them to indefinitely remain in ships beyond the expiry date of their contracts to maintain the unhampered movement and transit of food, medicines and medical equipment, raw materials and other essential goods around the world.

Impelled by the disastrous repercussions of the COVID-19 pandemic on the health of the people and supply chains around the world, resolutions were adopted by the United Nations General Assembly, the International Labor Organization (ILO) Governing Body and the IMO Maritime Safety Committee urged Member States, including the Philippines, to designate seafarers as key workers for the purpose of facilitating crew change and the safe and unhindered transporting of essential goods and services.

Without crew change, the extreme fatigue of seafarers, who work beyond the maximum period of their employment contract, not only constitutes a condition that is clearly hazardous for the safety and health of the seafarers, but a predicament that endangers the safety of navigation in general.

Concomitant to the Philippine accession to international conventions and treaties on the working and living conditions, occupational safety and health of the seafarers, this bill recognizes the crucial role of seafarers in the world trade. By establishing a seafarer's one-stop shop in all international ports in the country, crew change can be facilitated and the movement of essential goods and services will not be greatly affected.

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



KHYMER ADAN T. OLASO



Republic of the Philippines
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HOUSE BILL NO. 4894

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1 **AN ACT**
2 **ESTABLISHING A SEAFARERS' ONE-STOP SHOP IN ALL**
3 **INTERNATIONAL PORTS IN THE COUNTRY TO FACILITATE CREW**
4 **CHANGE, AND APPROPRIATING FUNDS THEREFOR**

5
6
7 *Be it enacted by the Senate and House of Representatives of the Philippines in*
8 *Congress assembled:*

9 SECTION 1. ***Short Title.*** – This Act shall be known as the “*Seafarers’*
10 *One-Stop Shop Act.*”

11 SEC. 2. ***Declaration of Policy.*** – In cognizance of the unique role and
12 contribution of seafarers to national development and the uninterrupted world trade,
13 especially during times of epidemic, pandemic or state of public health
14 emergency, it is declared the policy of the State to improve the seafarer’s working
15 conditions by affording them full protection before, during, and after
16 employment, and preserving their health and welfare.

1 Towards this end, the State shall establish a seafarers' one-stop shop in all
2 international ports in the country to facilitate crew change and allow the smooth
3 embarkation, disembarkation or repatriation of seafarers.

4 **SEC. 3. *Seafarers' One-Stop Shop.*** – A seafarers' one-stop shop is hereby
5 established in all international ports in the country and the concerned government
6 agencies shall:

7 (a) Ensure that seafarers are accorded speedy and safe travel, subject to
8 existing health protocols including their safe and swift disembarkation and crew
9 change, especially during public health emergency, pandemic or epidemic;

10 (b) Facilitate the creation of controlled travel corridors for foreign
11 seafarers that may transit, embark or disembark for purposes of crew change and
12 other legal purposes; and

13 (c) Control the risk of spreading any virus or contagious disease during
14 crew change or repatriation by managing the movement of and designating a
15 distinct process for seafarers and other maritime industry stakeholders travelling
16 by ship or plane.

17 All concerned government agencies needed to facilitate the swift crew
18 changes among ships and seafarers shall be housed in one place in every
19 international port in the country. The assigned personnel of the concerned
20 government agencies shall assist and process all the documents of seafarers
21 pertaining to their safe and swift disembarkation and crew change.

1 **SEC. 4. *Government Agencies.*** – The Bureau of Customs, Bureau of
2 Immigration, Bureau of Quarantine, Department of Foreign Affairs, Department
3 of Health, Department of Interior and Local Government, Department of
4 Transportation, Department of Migrant Workers, Maritime Industry Authority,
5 Office of Civil Defense, Office for Transportation Security, Overseas Workers
6 Welfare Administration, Philippine Coast Guard, Philippine Ports Authority and
7 local government units shall, in addition to their existing mandate, exercise and
8 enforce the following functions:

9 (a) Assist seafarers, regardless of nationality, in embarking on or
10 disembarking from ships or aircrafts for the purpose of crew change or
11 repatriation;

12 (b) Continuously develop and update its guidelines and procedures to
13 improve the operation of the seafarers' one-stop shop established under this Act;
14 and

15 (c) Afford appropriate and non-discriminatory treatment of seafarers
16 and designate an area where seafarers may be seated, temporarily housed or
17 quarantined.

18 **SEC. 5. *Quarantine Facilities.*** – The Bureau of Quarantine shall facilitate
19 the establishment and accreditation of quarantine facilities in all international
20 ports in the country or at any proximate location within a five-kilometer radius
21 from the port to complement the crew change operation and accommodate the

1 seafarers who are waiting for the results of the required tests for their transit,
2 embarkation or disembarkation.

3 The Bureau of quarantine shall, likewise, formulate the guidelines and
4 protocols for the use of these quarantine facilities, especially during public health
5 emergency, pandemic or epidemic.

6 **SEC. 6. *Responsibilities of the Licensed Manning Agency.*** – The licensed
7 manning agency, shipping principal or their agents shall ensure that the seafarers
8 comply with the crew change requirements, particularly with the processing of
9 required documents and clearances necessary for their arrival, disembarkation or
10 transit. In addition, the licensed manning agency shall:

11 (a) Identify the Filipino seafarers who are transiting, signing on or
12 signing off the ship;

13 (b) Communicate with the seafarers' one-stop shop on an upcoming
14 conduct of a crew change at least seven (7) days prior to vessel's arrival;

15 (c) Pay the costs of accommodation and transportation of the seafarer
16 from the point of hire to the intended point of destination as stipulated in the
17 seafarer's employment contract or collective bargaining agreement;

18 (d) Pay the costs of the mandatory testing, quarantine needs, and
19 additional tests for any prevailing public health contagion of the outbound Filipino
20 seafarer, as may be required under existing health protocols;

1 (e) Coordinate with the relevant medical facilities, government agencies
2 and local government units for the provision of appropriate treatment or further
3 tests to the seafarer for any viral or contagious disease;

4 (f) Facilitate the provision of emergency medical equipment in the
5 seaport or airport upon arrival or departure of the seafarer, regardless of
6 nationality, in emergency situations;

7 (g) Facilitate the arrangement of ship-to-shore and shore-to-ship
8 transport transfer requirements and point-to-point (P2P) vehicles needed by the
9 seafarers for the entire crew change operations;

10 (h) Provide appropriate briefings to the seafarer about any public health
11 emergency, pandemic or epidemic, and the different precautionary measures and
12 health-related protocols mandated by the national government and foreign
13 government at the port of destination;

14 (i) Inform seafarer's family of any action taken or investigations
15 conducted in cases of accidents or death of the seafarer, whether onboard or
16 offshore, and report said incidents to the Department of Migrant Workers and
17 OWWA; and

18 (j) Share information about the seafarer, with the relevant government
19 agencies comprising the one-stop shop to ensure the health and safety of all
20 seafarers, with due consideration of the limitations provided under Republic Act
21 No. 10173, otherwise known as the "*Data Privacy Act of 2012.*"

1 SEC. 7. ***Appropriations.*** – The amount necessary for the initial
2 implementation of this Act shall be charged against the respective current year's
3 appropriations of the different government agencies mandated under Section 4 of
4 this Act. Thereafter, such sums as may be necessary for the continued
5 implementation of this Act shall be included in the annual General Appropriations
6 Act.

7 SEC. 8. ***Implementing Rules and Regulations.*** – Within sixty (60) days from
8 the effectivity of this Act, the Secretary of Transportation shall, in coordination
9 with the Administrator of Maritime Industry Authority and other heads of relevant
10 government agencies, issue the necessary rules and regulations for the effective
11 implementation of this Act.

12 SEC. 9. ***Repealing Clause.*** – All laws, presidential decrees, executive orders,
13 letters of instruction, rules and regulations or parts thereof inconsistent with the
14 provisions of this Act are hereby modified or repealed accordingly.

15 SEC. 10. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
16 publication in the *Official Gazette* or in a newspaper of general circulation.

17 Approved,