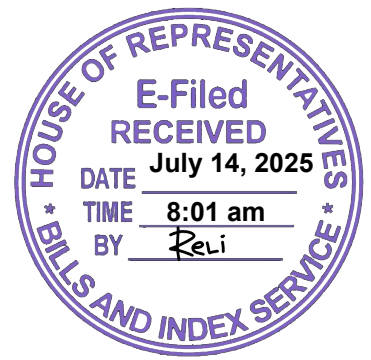


TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. **1802**

EXPLANATORY NOTE

This bill was approved by the House of Representatives during the 19th Congress.

The Philippine Merchant Marine Academy (PMMA) is the pioneer institution in maritime education in the country and has produced finest Filipino merchant marine officers. For many years, it has produced many master mariners, chief engineers, shipping executives, naval officers, and excellent educators and trainers now serving in marine and maritime related industries in our country and abroad.

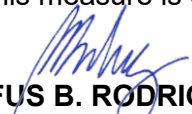
Throughout the years, the PMMA has become the gold standard in terms of producing Filipino seafarers from the perspective of the European, American, Asian ship owners and employers. The PMMA develops and updates its curriculum based on the ship owner's requirements such as keeping up with the technology development, world geo-political situation, theoretical and practical academic process developed inside the academy, to include regimental system.

With the Volatility, Uncertainty, Complexity and Ambiguity of the situation in the country, the PMMA is not just responding to its merchant or commercial needs anymore; and unfortunately, having a limited merchant marine image due to its name from 1963 (RA 3680) reduces its ability to get more funding from the national government for its requirements resulting to depleting foreign flag employment of the Filipinos. From 2016 to 2018 the Philippine ship manning agencies loss 105,318 seafarers due to loss of confidence and failure to meet EMSA standards in maritime training.

The PMMA is now utilized by the Navy and the Philippine Coast Guard as one of their major sources of highly qualified officers to meet their fleet modernization. PMMA is also still the preference of the foreign shipping companies' despite of its very limited number of students. Therefore, it is about time to change the Philippine Merchant Marine Academy into the Philippine National Maritime Academy with a new campus in Mindanao (under RA 11782) to expand economic gains of the country and increase the source of maritime officers for the country's defense and maritime law enforcement.

This will also upgrade the and modernize the curriculum of the Academy which will produce graduates who are responsive to the needs of the current situation. It will also address the strategic needs of the changing international and domestic maritime industry.

In view of the foregoing, immediate approval of this measure is earnestly requested.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
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HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 1802

AN ACT

STRENGTHENING THE PHILIPPINE MERCHANT MARINE ACADEMY BY RENAMING IT AS THE PHILIPPINE NATIONAL MARITIME ACADEMY, EXPANDING ITS MANDATE, CURRICULAR OFFERINGS, AND THE COMPOSITION OF THE GOVERNING BOARD, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Short Title. — This Act shall be known as the "Philippine National Maritime Academy Charter".

SEC. 2. Declaration of Policy. — The State shall promote quality education accessible and relevant to the changing needs of the people and society. It shall establish, maintain, and support a complete, adequate, and integrated maritime education and training system by strengthening the curricula of the various maritime and other related courses consistent with the standards set by the world's leading institutions of maritime learning.

To this end, the Philippine National Maritime Academy shall:

- a) Utilize the country's marine assets and resources as a backbone and strategic addition to the country's national development efforts;
- b) Encourage the development of a robust domestic maritime industry that can support the needs of domestic and international trade;
- c) Develop human resource pool for maritime industry development, maritime law enforcement, and national security;
- d) Develop and implement maritime education and training programs for the basic and continuing higher education and training of maritime professionals in the maritime industry, maritime law enforcement, and maritime defense and security, among others;
- e) Establish and maintain autonomous higher education and training institutions that can cater to the education and training needs of maritime professionals in the Asia Pacific region and the world; and
- f) Establish, maintain, and support a complete, adequate, and integrated system of maritime education, training, and research relevant to the needs of the country, at par with international standards.

SEC. 3. Philippine National Maritime Academy. — The existing Philippine Merchant Marine Academy (PMMA), as the national professional institution for maritime education, is hereby renamed as the Philippine National Maritime Academy, hereinafter referred to the PNMA. As such, the PNMA shall specialize in maritime and maritime-related programs.

SEC. 4. Purpose of the PNMA. — The PNMA shall provide holistic education and training for human resource development of maritime students, professionals, and leaders in support of maritime industry development, maritime law enforcement, and national security. The PNMA shall be primarily responsible for molding maritime professionals and leaders imbued with

nationalism and positive character development and who constantly pursue excellence in their professions, and endeavor to contribute positively to society and their respective communities.

SEC. 5. Responsibilities, Powers and Functions of the PNMA. — The PNMA shall be the primary institution for the basic and continuing higher education and training of maritime students and professionals for national development and security. The PNMA may serve as the lead academic partner of the MARINA and the CHED in the development of curriculum and innovations in maritime education.

The PNMA shall have the following responsibilities:

- a) Produce efficient and well-trained maritime professionals in such fields as Marine Transportation, Marine Engineering, Maritime Business, Maritime Administration, Maritime Logistics, Ship Management, Port and Shipyard Management, naval engineering, electro-technology, automation, robotics, artificial intelligence, autonomous ships, digitalization, marine environmental protection, maritime security, the Law of the Sea, and related fields of study and whose technical capacities are comparable to their counterparts in other progressive countries and who can ably respond to the needs of domestic and international trade and commerce;
- b) Produce a pool of highly trained human resource capable of serving as naval and maritime law enforcement officers;
- c) Serve as the center for research in maritime and allied fields, enabling the PNMA to support knowledge accumulation and policy development for the maritime sector, law enforcement, and national security;
- d) Serve as a regional and global hub on maritime education and training, in cooperation with international maritime organizations, networks of universities, scholarly and professional associations, especially in the Asia Pacific region; and
- e) Hold annual Maritime Education Summit to get the inputs of maritime stakeholders on the enhancement of its curricular offerings, its research agenda, and extension programs.

In order to effectively and efficiently perform its responsibilities, the PNMA shall have the following Powers and Functions:

a) Assess students or graduates to the respective levels of competency for maritime officers and ratings;

b) Assess TVET graduates to the respective levels of competency, in collaboration with the Technical Education and Skills Development Authority (TESDA) and other assessing and certifying institutions in the Philippines, and assist in securing the issuance of the corresponding national certificates;

c) Facilitate the conduct of marine officers' licensure examination and assessment in collaboration with the Maritime Industry Authority (MARINA);

d) Adopt modern and innovative modes of transmitting knowledge for the promotion of greater access to education such as the use of information technology, ladderized education, dual training system, open distance learning, and community laboratory;

e) Enter into partnerships or join consortia of education and training institutions for purposes of developing and/or implementing common education and training programs;

f) Import education and training materials and resources;

g) Undertake academic exchanges, cross-training, coordination, and cooperation for appropriate academic programs, joint research, and extension programs with any of the following education and training institutions:

1. Development Academy of the Philippines;

2. University of the Philippines;
3. National Defense College of the Philippines;
4. Philippine Military Academy;
5. Philippine National Police Academy;
6. Naval Education, Training and Doctrine Command, Philippine Navy (PN);
7. Coast Guard Education Training and Doctrine Command, Philippine Coast Guard (CGETDC-PCG);
8. Armed Forces of the Philippines (AFP) Education, Training, and Doctrine Command;
9. Philippine Public Safety College (PPSC); and
10. Foreign education, research, and extension institutions with which the Philippines has existing diplomatic relations.

h) Engage the services of technical consultants from local and foreign maritime academic institutions or maritime industry-related companies such as shipyards, port operators, fisheries, and maritime software developers for maritime industry innovation; and

i) Receive donations and endowment funds necessary for the fulfillment of its mandate subject to the provisions of existing laws, rules and regulations.

SEC. 6. Curricular Offerings. –The PNMA shall offer postsecondary TVET, undergraduate, graduate and post-graduate degree programs in maritime education such as Marine Transportation, Marine Engineering, Maritime Business, Maritime Administration, Maritime Logistics, Ship Management, Port and Shipyard Management, naval engineering, electro-technology, automation, robotics, artificial intelligence, autonomous ships, digitalization, marine environmental protection, maritime security, the Law of the Sea and related fields of study: *Provided*, That all TVET programs below the baccalaureate level shall be registered with TESDA and shall comply with TESDA requirements.

The PNMA shall also develop, implement, and maintain short-term technical-vocational education and training (TVET) programs and other short professional courses such as Professional Development Courses (PDCs), among others, that may support the maritime industry in terms of technical, safety, and security matters.

To meet the needs of the national government, as well as local and international maritime industry requirements, the PNMA may add, remove, or revise any undergraduate and graduate degree programs or diploma courses according to its capabilities and as the Board of Trustees may deem necessary to carry out its objectives: *Provided*, That no undergraduate and graduate degree programs shall be offered without the approval of the CHED and the MARINA.

SEC. 7. Jurisdiction. – The PNMA shall be under the jurisdiction of the Commission on Higher Education (CHED) or MARINA depending on the area of concern.

SEC 8. Administration. – The PNMA shall have the general powers of a corporation set forth in Republic Act No. 11232, otherwise known as the “Revised Corporation Code of the Philippines”. The administration of the PNMA and the exercise of its corporate powers shall be vested exclusively in the Superintendent of the PNMA and the Board of Trustees of the PNMA.

SEC 9. The Board of Trustees. - The governing body of the PNMA shall be the Board of Trustees, hereinafter referred to as the Board, which shall be chaired by the Chairperson of the CHED, co-chaired by the Secretary of the Department of Transportation (DOTr), vice-chaired by the PNMA Superintendent, and with the following as members:

- (a) Chairperson, Committee on Higher, Technical and Vocational Education of the Senate;

- (b) Chairperson, Committee on Higher and Technical Education of the House of Representatives;
- (c) Administrator, MARINA;
- (d) Flag Officer-in-Command, PN;
- (e) Commandant of the PCG;
- (f) President of the PNMA Alumni Association;
- (g) President of the PNMA Corps of Professors, representing all personnel;
- (h) Student Trustee of the PNMA;
- (i) Representative of the non-teaching personnel of the PNMA; and
- (j) A prominent member of the maritime industry.

The Board may elect additional members in pursuit of the objectives of this Act.

The Board shall appoint a prominent member of the maritime industry who shall be selected from a list of at least five (5) qualified persons from the maritime industry, as recommended by a Search Committee constituted by the Superintendent of the PNMA, in consultation with the Chairperson and other members of the Board, based on the guidelines on qualification standards set by the Board.

The terms of office of the Presidents of the Alumni Association of the PNMA and the Student Trustee of the PNMA, federation of faculty associations, and the Representative of the non-teaching personnel shall be coterminous with their terms of office, as provided under their respective constitutions and bylaws.

In case of vacancy among appointive positions in the Board, the vacancy shall be filled by the Board following the guidelines set by it, and the appointee shall hold office only for the unexpired portion of the term.

SEC. 10. Powers and Duties of the Board. – The administration of the PNMA and the exercise of its corporate powers are vested in the Board, which shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a Corporation under Section 35 of RA No. 11232:

a) Formulate and promulgate policies, as may be necessary, to carry out the purposes and functions of the PNMA;

b) Approve the curricula and program of instructions of the PNMA;

c) Appoint, upon recommendation of the Superintendent of the PNMA, the Deputy Superintendents, deans, directors, heads of departments, faculty members, and other officials and employees of the PNMA;

d) Appoint and commission the corps of officers, faculty members, and other officials and employees, to draw up a position classification and compensation plan for its faculty and staff and notwithstanding the provision of any law to the contrary, to fix and adjust salaries and benefits of the faculty members and other employees of the PNMA;

e) Extend the tenure of faculty members of the PNMA beyond the compulsory retirement age, notwithstanding the provision of any law to the contrary, on recommendation of the concerned units upon endorsement of the Superintendent of the PNMA, whenever their services are especially needed: *Provided*, however, That no extension of tenure shall be made beyond the age of seventy (70);

f) Set the policies on admission and graduation of the midshipmen and students of other programs;

g) Confer undergraduate, graduate, and post-graduate degrees;

h) Fix the tuition and other necessary school charges, such as matriculation, graduation, and laboratory fees, as the Board may deem proper to impose, after due consultation with the concerned sectors. The fees and charges, including government subsidies and other income generated by the PNMA, shall constitute special trust funds and shall be deposited in any authorized government depository bank. All interests that shall accrue therefrom shall form part of the same funds for the use of the PNMA.

Any provision of existing law, rule or regulation to the contrary notwithstanding, any income generated by the PNMA from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the PNMA and may be disbursed by the Board for instruction, research, extension services and other programs or projects of the PNMA: *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which these are collected: *Provided however*, That if, for reasons beyond its control, the PNMA shall not be able to pursue any project for which the funds have been appropriated and allocated under its approved program of expenditures, the Board may authorize the use of said funds for any reasonable purpose which, in its discretion, may be necessary and urgent for the attainment of the objectives and goals of the PNMA;

i) Authorize the Superintendent of the PNMA to allow privatized management of nonacademic services such as health, food, building or grounds or property maintenance, and such other similar activities where most advantageous to the PNMA;

j) Adopt and implement a socialized scheme of tuition and other school fees for greater access of poor but deserving students in accordance with RA No. 10931, otherwise known as the "Universal Access to Quality Tertiary Education Act";

k) Authorize an external management audit of the PNMA, to be financed by the CHED, subject to the rules and regulations of the Commission on Audit, and institute reforms, including academic and structural changes, on the basis of the audit results and recommendations;

l) Receive and appropriate sums as may be provided by law, and all other sums in the manner it may, in its discretion, determine to carry out the purposes and functions of the PNMA;

m) Establish research and extension centers to promote the development of the PNMA;

n) Enter into joint ventures with business industry for the profitable growth and management of economic assets, the proceeds of which shall be used for the development and strengthening of the PNMA;

o) Delegate any of its powers and duties to the Superintendent and other officials of the PNMA, as it may deem appropriate, so as to expedite the administration of the affairs of the PNMA;

p) Authorize the construction or repair of its buildings, machinery, equipment and other facilities, and the purchase and acquisition of real property, including the necessary supplies, materials, and equipment; and

q) Promulgate rules and regulations, as may be necessary, to carry out the purposes and functions of the PNMA.

SEC. 11. Meetings of the Board. – The Board shall regularly convene once every three (3) months. The Chairperson of the Board may, however, call a special meeting whenever

necessary: *Provided*, That members are notified in writing at least three (3) days prior to the conduct of said meeting.

A quorum of the Board shall consist of a majority of all its members holding office at the time of the meeting: *Provided however*, That the Chairperson or the Co-Chairperson of the Board is among those present in the meeting.

In case the Chairperson of the CHED cannot attend a meeting of the Board, the Co-Chairperson shall preside over the meeting.

In case the Chairpersons of the Senate Committee on Higher, Technical and Vocational Education and the House Committee on Higher and Technical Education shall not be able to attend the Board meeting, they may designate their respective representatives who shall have the same rights and responsibilities as regular members of the Board.

The members of the Board shall serve without compensation other than reimbursements for actual and necessary expenses incurred, either for their attendance to the meetings of the Board or in connection with other official business authorized by resolutions of the Board, subject to existing laws and regulations.

SEC. 12. National Maritime Research and Policy Center. — As part of its commitment to national Research development, there is hereby created a National Maritime Research and Policy Center of the Academy (NMRPC), hereinafter referred to as the Center, which shall engage in research and policy development for the advancement of the maritime industry, law enforcement, and security sectors, among others. It shall also serve as the direct link of the Academy to the private sector and the different government departments, agencies, and instrumentalities, including government-owned or controlled corporations (GOCCs).

SEC. 13. Official Service Academy for Naval, Coast Guard, Maritime Law Enforcement Institutions, and other maritime-related agencies. — The PNMA shall serve as an official Service Academy of naval and maritime law enforcement agencies and other institutions performing marine and maritime related functions. The PNMA shall also cater to the Basic Maritime Education and Training requirements for Naval Reservist and Coast Guard Auxiliary. It shall ensure that its academic programs, curricula, and program of instruction meet the needs of the following government agencies, the private sector, and the world maritime industry:

- (a) Philippine Navy;
- (b) Philippine Coast Guard;
- (c) Philippine National Police Maritime Group;
- (d) international shipping and maritime industry;
- (e) international and national maritime industry as ship surveyors, shipping/crewing managers, port managers, maritime academic institution deans;
- (f) Bureau of Fisheries and Aquatic Resources;
- (g) National Mapping and Resource Information Authority;
- (h) Philippine Ports Authority; and the
- (i) National Maritime Council.

SEC. 14. PNMA as Assessment Center. - The PNMA may apply and be recognized as a practical assessment center for TESDA and MARINA assessment: *Provided*, That it is fully compliant with the requirements of the TESDA, for TVET graduates, and the MARINA, for maritime professionals/seafarers: *Provided, further*, That it cannot assess its own graduates/alumni.

SEC. 15. The PNMA Superintendent. — The PNMA shall be headed by a Superintendent, who shall be in charge of the overall management and leadership of the PNMA and shall serve as its overall administrator and academic director. The Board shall elect and appoint the Superintendent who shall have the rank of Vice Admiral, which shall be conferred by the President and Commander-in-Chief of the Republic of the Philippines.

The Superintendent shall render fulltime service and shall be selected and appointed by the Board subject to its guidelines on qualification standards and based on the recommendation of a Search Committee duly constituted for the purpose of selecting the Superintendent. The Superintendent shall have a term of four (4) years and be eligible for reappointment to another term: *Provided*, That in order to effect a smooth transition upon the effectivity of this Act, the incumbent Superintendent of the PNMA shall continue to serve as such until the completion of the unexpired term prior to the effectivity of this Act.

The salary and compensation of the Superintendent of the PNMA shall be in accordance with the rates prescribed under the existing Salary Standardization Law, and such other laws amendatory thereto, which may hereinafter be enacted, and on the joint circular for state universities and colleges' leveling instruments, and guidelines of the CHED and the DBM.

The powers and duties of the Superintendent of the PNMA, in addition to those specifically provided under this Act, shall include those usually pertaining to the Office of the Superintendent or Office of the President of a chartered institution for higher education, and those delegated by the Board. Within six (6) months before the expiration of the term of office of the incumbent Superintendent, the Board shall constitute the Search Committee for Superintendence. In case of a vacancy in the Office of the Superintendent by reason of death, compulsory retirement, resignation, removal for cause, or incapacity of the Superintendent to perform the functions of the office, the Board shall designate an Officer-in-Charge (OIC) of the PNMA within six (6) months from the date of vacancy, pending the appointment of a new Superintendent: *Provided*, That the OIC is preferably an alumnus/alumna of the undergraduate degree program of the PNMA and shall come from its line officers and shall serve only during the unexpired portion of the term: *Provided further*, That the OIC shall not be allowed to join as candidate in the search process for the Superintendent.

SEC. 16. *Qualifications of the Superintendent.* — The Superintendent shall be elected by the Board based on the following qualifications:

a) The candidate must be between 40 and 60 years old at the time of appointment and hold a master's degree in a maritime-related discipline, public administration, or education management, from a recognized institution;

b) Must possess management-level certification or command-level positions, competence, experience, and international exposure and linkages: *Provided*, That graduates of the PNMA currently serving in a management and leadership role for at least three (3) years may be given preference in the selection and election;

c) Preferably alumni of the undergraduate degree program who have meritoriously excelled in a chosen field of endeavor in an executive or managerial position in the maritime industry, may it be in the private or government sector, shall be given preference in the selection and appointment of Superintendent; and

d) The candidate must possess additional qualifications, as may be required by the Board, for the selection of the Superintendent.

SEC 17. *The Deputy Superintendents.* - The Superintendent of the PNMA shall be assisted by the following officials: Deputy Superintendent for Administration and Finance; Deputy Superintendent for Academics and Training; Deputy Superintendent for Research, Development, and Extension; and Deputy Superintendent for Midshipmen Affairs, who shall all be appointed by the Board upon the recommendation of the PNMA Superintendent.

SEC. 18. *The Secretary of the PNMA.* – The Board shall appoint a Secretary who shall serve as such for both the Board and the PNMA and shall keep all records and proceedings of the board in addition to other duties and responsibilities. The Secretary of the PNMA shall serve upon each member of the Board the appropriate notice of Board meeting

SEC. 19. *The Treasurer of the PNMA.* – The Treasurer of the Philippines shall be the *ex officio* Treasurer of the PNMA.

SEC. 20. Admission. — The Board, upon the recommendation of the Superintendent, shall determine the basic requirements for admission to the PNMA for TVET, undergraduate, graduate, and post-graduate degree programs. The standard qualifications and policies for admission of the AFP and the PCG shall be used as reference in determining the admission qualifications, policies, and procedures.

SEC 21. Compensation. - Salary grades of the members of the commissioned officers of the PNMA shall be patterned after the equivalent salary grade of the AFP/PCG-Naval rank to compensate and attract experienced professional merchant marine and other professionals to join the ranks of the PNMA with proper compensation appropriate to their operational, managerial level in the international shipping industry.

SEC 22. Mandatory Government Service. — Graduates of the merchant marine courses of the PNMA shall serve in the government for an accumulated duration of at least four (4) years: *Provided*, That the PNMA shall, in partnership with other maritime government agencies, develop appropriate return service programs: *Provided, further*, That cadets who entered into service contracts with government agencies which provide for service obligations longer than four (4) years, such as the PCG and the PN, prior to the effectivity of this Act shall be retained: *Provided, further*, that graduates of other courses of the PNMA may serve the government or the domestic shipping industry at any time after graduation, and within a certain period, as navy reservists, consultants or technical experts.

SEC 23. Congressional District Billeting. — To ensure the proper distribution throughout the country of the cadets availing the quality education and opportunities in the PNMA, it shall establish a system by which every Congressional District is given an opportunity to send cadets. *Provided*, That access to education to the PNMA shall be governed by the principle of merit and fitness. *Provided, further*, that the poor shall be given preferential treatment in the selection and admission of midshipmen. *Provided, even further*, that the objectives of Congressional district billeting shall be taken into account in the admission system that will be established by the PNMA.

SEC. 24. The PNMA Campuses. — The PNMA may establish campuses in any part of the country, subject to the approval of the Board, to meet the human resource requirements of the local maritime industry and the law enforcement and security sectors: *Provided*, That the Cagayan De Oro Campus, created by virtue of Republic Act No. 11782, and other campuses that may be created in the future shall be under the command and control of the PNMA Main Campus: *Provided further*, That in order to democratize access and entry to the PNMA, it shall, to the extent possible, establish satellite campuses in strategic locations in Luzon, Visayas, and Mindanao.

SEC 25. Assistant Superintendents of the PNMA Campuses. — The PNMA Campuses shall each be headed by an Assistant Superintendent who shall serve as the Campus Director. Assistant Superintendents shall have the rank of Rear Admiral which shall be conferred by the President and Commander-in-Chief of the Republic of the Philippines. They shall have the same qualifications as the Superintendent.

SEC 26. The Chief of Staff. — There shall be a Chief of Staff, designated by the Superintendent, who shall assist the Superintendent in coordinating with the Central Staff. The Chief of Staff shall enjoy benefits for one equivalent to the rank of Commodore until the end of their term. That the Chief of Staff shall be co-terminus with the Superintendent.

SEC 27. The Central Staff. — There shall be eight (8) Central Staff, each with the rank of Captain, which shall include the following:

- a) PNMA1 — Administrative Officer;

- b) PNMA2 — Information, Safety, and Security Officer;
- c) PNMA3 — Operations Officer;
- d) PNMA4 — Finance Officer;
- e) PNMA5 — Procurement Officer;
- f) PNMA6 — Supply and Logistics Officer;
- g) PNMA7 — Engineering, Repairs, and Maintenance Officer; and
- h) PNMA8 — Plans and Programs Officer.

SEC 28. *Regimental Organization.* — The PNMA is a Regimental Civilian Uniformed Academic Unit with a military-naval rank and tradition for its Corps of Officers, Corps of Professor, and members of the Faculty. The operation of the PNMA shall be underpinned by the principle of unity of command. Its corps of officers may be integrated into the PCG or the AFP in times of war or national emergency, upon the directive of the President and Commander-In-Chief of the Republic of the Philippines.

As part of the annual uniform allowance of the PNMA, appropriate uniforms shall be provided to all of its commissioned members.

SEC 29. *Departments and Offices.* — The PNMA shall have the following departments and offices:

- a) Department of Midshipmen Affairs, which shall:
 1. Ensure the proper and efficient reception of applicants to the cadetship program of the Academy, including their accounts, documents, medical, and issue of items;
 2. Transform students to become midshipmen, characterized by self-discipline, teamwork, and leadership; cognizant of the value of the principle of chain of command. It shall ensure that every midshipmen complies with policies, rules, and standards of the PNMA and that orders and directives of higher authorities are properly carried out or complied with;
 3. Ensure the sound physical, mental, emotional, and spiritual well-being of midshipmen;
 4. Ensure that all activities and training of midshipmen within the Department are planned, coordinated and executed efficiently by providing proper supervision, guidance, and direction; and
 5. Shall be headed by a one (1)-Star Officer or Commodore with a minimum qualification of master's degree in Maritime Academics and a Licensed Merchant Marine.
- b) Department of Academic Affairs, which shall:
 1. Be responsible for the development, implementation, modification, and updating of all the academic programs of the PNMA;
 2. Ensure that the academic programs of the PNMA meet local and international standards. It shall review the curricular offerings every two years and shall submit to the Board the recommendations on how to enhance them to meet the needs of the times;
 3. Shall be headed by a one (1)-Star Officer or Commodore with a minimum qualification of master's degree in Maritime Academics and a Licensed Merchant Marine; and
 4. Be assisted by the deans of the following academic departments: Marine Transportation with a rank of Academy Captain; Marine Engineering with a rank of Academy Captain; Graduate/Postgraduate Studies with a rank of Academy Captain; Technical Studies (Ratings, TESDA and Training Courses) with a rank of Academy Captain; and Sports Department (Sports and Martial Arts) with a rank of Academy Captain.

- c) Department of Shipboard Training, which shall:
 1. Ensure that all cadets are given the opportunity to go onboard a seagoing ship to receive systematic practical training and experience in the task, duties and responsibilities and receives the corresponding Sea Service Certificate that will qualify the cadets for graduation;
 2. Help ensure that the onboard training of cadets is closely supervised and monitored by qualified officers aboard the ships in accordance with relevant regulations and standards;
 3. Ensure that the onboard training of cadets is properly documented to ensure the proper certification, verification, and authentication of the seagoing service of cadets; and
 4. Be headed by a one (1)-Star Officer or Commodore with a minimum qualification of master's degree in Maritime Academics and a Licensed Merchant Marine.
- d) Department of Academy Fleet Management, which shall:
 1. Ensure the safe operation of the PNMA training vessels and of ensuring that they are properly maintained in seaworthy condition;
 2. Ensure that the vessels are manned properly with qualified crew, capable of performing technical and commercial tasks; and
 3. Shall be headed by a one (1)-Star Officer or Commodore with a minimum qualification of master's degree in Maritime Academics and a Licensed Merchant Marine.
- e) Department of Naval Science and Tactics, which shall:
 1. Be in charge of the military training and development of Cadets and ensure that they qualify for commissionship to the Philippine Navy and to prepare them in their Active, Reserve or Auxiliary duties.
- f) Department of Coast Guard and Maritime Law Enforcement, which shall:
 1. Be responsible for the development of cadets who will be joining the PCG, NAMRIA and PNP Maritime Group and other maritime law enforcement agencies as part of the education and training doctrine commands; and
 2. Ensure that relevant curricula of the PNMA, including Program of Instructions (POIs), are responsive to human resource requirements of the law enforcement agencies.

The Board may create additional departments in pursuit of the objective of this Act, upon the recommendation of the Superintendent. *Provided*, That the Superintendent shall determine the internal structures of these departments. *Provided further*, That the Board may set the qualifications of other officials of the Academy not provided in this Act.

SEC 30. Administrative Council. — An Administrative Council shall be created which shall be composed of the PNMA Superintendent, as Chairperson, and the Deputy Superintendents, Assistant Superintendents, deans, directors, and other officials of equal rank as members. The Administrative Council shall review and recommend, in accordance with the direction of the Board, appropriate policies governing the administration, management, and development planning of the PNMA.

SEC 31. Academic Council. — An Academic Council shall be created with the Superintendent as the Chairperson, the Deputy Superintendent for Academics as the Vice-Chairperson, and all faculty members with a rank not lower than assistant professor—or its equivalent rank in the military—as members.

The Academic Council shall:

- a) Determine, review, and recommend for approval of the Board the course offerings of the PNMA;
- b) Formulate, review, and update, for approval of the Board, academic policies for the PNMA; and
- c) Fix the requirements for the admission of students to the PNMA, as well as for their graduation and the conferment of degrees, and submit the same to the Board for review and approval in accordance with Section 4, Subsection (j) of RA No. 8292.

SEC 32. Industry-Academe Consultative Council. — There shall be established an advisory body called the Industry-Academe Consultative Council (IACC) chaired by the Superintendent, with the Deputy Superintendent for Academics as the Vice Chairperson and all other Deputy Superintendents as council members. The remaining composition of the IACC shall be determined by the Superintendent. The IACC shall meet at least once a year to discuss developments related to maritime industry development, law enforcement, and security, including their implications on the curricular offerings of the PNMA.

SEC 33. National Security Service. — The President and Commander-in-Chief of the Republic of the Philippines shall direct the Chief-of-Staff of the AFP to provide institutional mechanisms for the mobilization of midshipmen and graduates of the PNMA in times of war or national emergency.

SEC 34. Commission to the AFP and PCG Force, and Other Maritime Law Enforcement Units. — All graduates of the PNMA who are under the cadetship program of the PN or the PCG shall be directly commissioned to the regular force of the PN or the PCG, respectively: *Provided*, That the PN and the PCG shall set the annual quota of the number of graduates to be integrated into the regular force of the PN and the PCG: *Provided further*, That graduates who are not originally part of the PN and the PCG Billet who opt to join the PN, PCG, and other maritime law enforcement units after graduation shall be eligible for direct commissionship to the Regular Force of the AFP, PCG or other Maritime Law Enforcement Units: *Provided finally*, That they shall comply with all the requirements for commissionship to the regular force.

SEC 35. Training Vessels. — To effectively carry out the provisions and achieve the purposes of this Act, the PNMA shall have an appropriate number of Multi-Role Training Vessels (MRTVs) that can be used as training ships for all maritime students nationwide.

The PNMA may acquire the MRTVs through grants and loans through official development assistance: *Provided*, That the PNMA can enter into a multi-year contract to be financed from funds to be allocated by Congress: *Provided further*, That the PNMA may give shipboard training opportunities for deserving cadets nationwide.

In order to maximize the utilization of the MRTVs, the Superintendent, with prior approval of the Board, may utilize the MRTVs for the following purposes:

- a) as standby vessel for mass repatriation of Overseas Filipino Workers anywhere in the world, if needed;
- b) for Anti Marine Pollution operations;
- c) for search and Rescue operations;
- d) for Naval Reservist and Coast Guard Auxiliary shipboard familiarization and Training; and
- e) as research vessels.

Provided, That, whenever used for purposes other than Ship Board Training, the PNMA shall be the carrier and operator of the MRTVs: *Provided further*, That in no case shall the MRTVs be used for purposes and activities that will pose imminent danger on the safety and security of cadets on board the training vessels.

SEC. 36. *The Faculty.* – No political belief, gender preference, cultural or community affiliation, ethnic origin, nor religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the PNMA: *Provided*, That the appointment shall be subject to the guidelines on qualification standards set by the Board: *Provided further*, That a member of the faculty shall not criticize, vouch for, recruit members in behalf of, or preach about any particular church or religious sect.

SEC. 37. *Scholarship Programs and Admission.* – The PNMA shall provide scholarship programs and other affirmative action programs to assist poor but deserving students who qualify for admission to the PNMA. No student shall be denied admission to the PNMA by reason of sex, religion, political, cultural or community affiliation, and ethnic origin.

SEC. 38. *Authority to Loan or Transfer of Apparatus, Equipment or Supplies, and Detail of Personnel.* – The heads of the bureaus and offices of the national government are hereby authorized to loan or transfer, upon the request of the Superintendent of the PNMA, such apparatus, equipment or supplies as may be needed by the PNMA and to detail employees for duty therein when, in the judgement of the head of the bureau or office, the apparatus, equipment, supplies or services of such employees can be spared without serious detriment to public service. The employees so detailed shall perform such duties as required of them by the President of the PNMA and the time so employed shall be counted as part of their regular service.

SEC. 39. *Assets, Liabilities, and Personnel.* – All assets, both real and personal, personnel and records of the PMMA, as well as its liabilities or obligations, shall be transferred to the PNMA: *Provided*, That the positions, rights, and security of tenure of faculty members and personnel therein employed under existing laws prior to the conversion into the PNMA shall be respected.

All parcels of land belonging to the government occupied by the PMMA and all its satellite campuses are declared as property of the PNMA, and shall be titled under its name: *Provided*, That should the PNMA cease to exist or be abolished or should such aforementioned parcels of land be no longer needed by the PNMA, the same shall revert to local government unit concerned or to the Republic of the Philippines, as the case may be.

SEC. 40. *Tax Exemptions.*

- a) All revenues and assets of the PNMA used for educational purposes or in support thereof shall be exempt from all taxes;
- b) Grants, bequests, endowments, donations, and contributions made to and used actually, directly, and exclusively for educational purposes by the PNMA shall be exempt from the donor's tax and considered allowable deductions from gross income for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended;
- c) Importation by the PNMA of ships, equipment, lifesaving appliances, machineries, computer hardware, and software used pursuant to its academic objectives shall be exempt from customs duties;
- d) Importation by the PNMA of economic, technical, vocational, scientific, philosophical, historical, and cultural books, supplies, and materials made by the PNMA, upon certification by the CHED, including scientific and educational computer and software equipment, shall be exempt from customs duties in accordance with the provisions of Republic Act No. 10863, otherwise known as the "Customs Modernization and Tariff Act";
- e) The PNMA may avail of the tax expenditure subsidy administered by the Fiscal Incentives Review Board, subject to the provisions of Title XIII (Tax Incentives) of the National Internal Revenue Code of 1997, as amended.

SEC. 41. *Development Plan and Organizational Structure.* - Within one hundred twenty (120) days after the approval of this Act, the PNMA shall accomplish the following:

- a) Submit a five (5)-year development plan, including its corresponding program budget to the CHED and the DBM;
- b) Submit the revised Land Use Development and Infrastructure Plan in accordance with RA No. 11396, otherwise known as the "SUCs Land Use Development and Infrastructure Plan (LUDIP) Act";
- c) Undergo a management audit in coordination with the CHED and MARINA; and
- d) Set up the organizational, administrative, and academic structure, including the designation of the key officials and other administrative personnel of the PNMA.

SEC. 42. *Expansion of Institutional Capability.* - The PNMA may re-employ retired personnel or retired seafarers who have acquired expertise in their respective fields to become part of the pool of professors and lecturers under a contract of service arrangement. *Provided,* That the PNMA shall implement and develop a Faculty Development Program to enhance the teaching competencies of its pool of professors and lecturers.

SEC. 43. *Supplementary Application.* – The provisions of RA No. 8292, otherwise known as the "Higher Education Modernization Act of 1997", shall form part of this Act.

SEC. 44. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriation of the PMMA. Thereafter, such amount shall be included in the annual General Appropriations Act.

SEC. 45. *Transitory Provision.* — Within ninety (90) days from the approval of this Act, the Superintendent shall propose to the Board the organizational structure of the PNMA.

SEC. 46. *Implementing Rules and Regulations.* –Within sixty (60) days from the approval of this Act, the Board shall, in consultation with the CHED, and in collaboration with the TESDA and MARINA, issue rules and regulations to implement its provisions.

SEC. 47. *Separability Clause.* – If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected are in full force and effect.

SEC. 48. *Repealing Clause.* – All laws, presidential decrees, executive orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are amended, repealed, or modified accordingly.

SEC. 49. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,