



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2621



Introduced by Representative KATRINA CHUA - TAI

EXPLANATORY NOTE

This bill seeks to convert the Zamboanga State College of Marine Sciences and Technology into a state university to be known as the Mindanao University of Marine Sciences and Technology.

The conversion aims to institutionalize a premier higher education institution in the Zamboanga Peninsula that will serve as a center for excellence in marine sciences, fisheries, maritime education, and allied disciplines.

Under this measure, the University shall offer advanced degree programs and short-term technical courses aligned with both national development plans and international standards. It will actively undertake scientific research, promote innovation, and deliver responsive community extension services, particularly in the fields of marine biodiversity, coastal resource management, and maritime workforce development. The institution is also envisioned to serve as a strategic hub for inter-agency and industry collaboration, ensuring the practical application and impact of academic outputs.

To ensure a seamless transition, the bill provides for the preservation of the positions, rights, and security of tenure of all faculty and staff employed prior to the conversion. It also mandates full compliance with the requirements of the Commission on Higher Education (CHED) for university status.

The creation of the Mindanao University of Marine Sciences and Technology represents a vital step in advancing the government's thrust toward accessible, high-quality, and globally competitive higher education, with a specialized focus on marine and technological innovation.

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

KATRINA CHUA - TAI
1st District of Zamboanga City



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AN ACT
CONVERTING THE ZAMBOANGA STATE COLLEGE OF MARINE SCIENCES
AND TECHNOLOGY INTO A STATE UNIVERSITY TO BE KNOWN AS
MINDANAO UNIVERSITY OF MARINE SCIENCES AND TECHNOLOGY

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

SECTION. 1. **Conversion.** – The Zamboanga State College of Marine Sciences and Technology in Zamboanga City is hereby converted into a state university to be known as the Mindanao University of Marine Sciences and Technology, herein referred to as the University.

The University will continue to operate all existing university campuses in Zamboanga City and will collaborate with other State Universities/Colleges operating within Region IX for the curricular program offerings in the fields of Fisheries and Allied Marine Sciences programs and in Maritime Education and Allied Training(s), Graduate Education, Teachers Education, Development Management, Hospitality Management, Electronic and Communications, and short terms electronic related programs and other related departments, centers that may be organized in the future shall form part of the University.

SEC. 2. **Purpose of the University.** – The university shall be an institution of higher learning, with unique and distinct curricular programs of offerings concentrating on marine sciences and technology education, geared towards the attainment of global standards and recognition, as an outcome of the advancement of technologies, innovations, breakthroughs discovered through continued research efforts, whose applications will contribute to mankind (through) efficient community extension services.

SEC. 3. **General Mandate.** – The university shall offer and operate curricular programs that are over and above the prescribed minimum standards prescribed by the Commission on Higher Education (CHED), in terms of Marine Sciences and allied related programs, Maritime Education and Allied Training, Graduate Education, Development Management, Teachers Education, Liberal Arts, Hospitality Management, Information Technology, Electronic and Communications to include short term related programs.

The University shall conduct research in the specialized fields whose results/outcomes and applications will form part of the Income Generating Program (IGP) of the University. Collaboration, linkages to foreign/local industries, Local Government Units (LGU), and Small/Medium Scales Entrepreneurs (SMEs) will be treated as the primary service areas and potential stakeholders for the research applications consistent with the prescribed government standards.

SEC. 4. ***Academic Freedom and Institutional Autonomy.*** – The University shall enjoy Academic Freedom and Autonomy consistent with the applicable provisions in paragraph 2, section 5 of Article XIV of the Philippine Constitution.

SEC. 5. ***Curricular Program Offerings.*** – The University shall offer curricular programs consistent with the mandated specialized fields to include advanced education and graduate studies, continuing professional education, Marine Fisheries and the Allied Programs, maritime programs and the allied training, electronic and communications and short-term related programs, Teachers Education, Liberal Arts, Hospitality Management and Allied Technological programs, and all other allied related programs to be offered in the near future.

The University shall operate varied types of laboratories such as: food science laboratory (FIC), electronic navigation laboratory (simulator), electronic engine auxiliary laboratory (engine room), and physical laboratory (engine auxiliary), complemented by functional electronic equipment apparatus, molecular laboratory, hatchery and wet laboratory, and other forms of related laboratory required for instructional purposes.

SEC. 6. ***University Corporate Powers.*** – The University shall adopt the corporation principles consistent with policies and guidelines prescribed by the Department of Budget and Management (DBM), under the normative financing scheme; the University shall possess the corporate powers set forth by the applicable rules of Republic Act No 11232, or otherwise known as the “Revised Corporation Code of the Philippines” as amended, otherwise known as the “Corporate Code of the Philippines.” The administration and management in the exercise of its corporate powers shall be vested in the Board of Regents and the President of the University.

SEC. 7. ***The Governing Board.*** – The governing body of the University shall be the Board of Regents, hereinafter referred to as the Board, which shall be composed of the following:

- a. The Chairperson of the Commission on Higher Education (CHED), Chairperson;
- b. The President of the University, Vice Chairperson;
- c. The Chairperson of the Committee on Education, Arts and Culture of the Senate, Member;
- d. The Chairperson of the Committee on Higher and Technical Education of the House of Representatives, Members;
- e. The Regional Director of the National Economic and Development Authority in Region IX, Member;
- f. The Regional Director of the Department of Science and Technology in Region IX, Member;
- g. The President of the federation of faculty associations of the University, Member;
- h. The President of the federation of the student councils of the University, Member;
- i. The President of the federation of alumni associations of the University, Member; and
- j. Two prominent citizens from the private sector who have distinguished themselves in the profession of fields of specialization, Members.

The Board shall appoint two (2) prominent citizens from among the list of at least five (5) qualified persons in Zamboanga City where the University and the campuses are located, upon recommendation by the Search Committee constituted by the President of the University, in consultation with the Chairperson of the CHED and members of the Board. The section of the Private Sector Representative shall be guided by the Policies and Guidelines of CHED Memo Order No. 16, series of 2009.

The term of office of the President of the federation of faculty associations, the President of the federation of student councils, and the President of the federation of alumni associations shall be coterminous with their respective terms of office, as set forth by their respective constitutions and bylaws.

The two (2) prominent citizens, referred to as the Private Sector Representatives shall serve for a term of two (2) years from the date of appointment.

SEC. 8. *Powers and Duties of the Board of Regents.* — In addition to the general administrative power and corporate power granted to the Board under the existing laws, the Board shall have the following specific powers and duties:

- a. To enact, promulgate/implement policies that are harmonized and supportive of the policies of the state, and the provisions of the constitution on education, agriculture, science and technology, and that of the policies standards and thrust of the CHED under Republic Act No. 7722, otherwise known as the “Higher Education Act of 1994”;
- b. To enact rules, procedures, and regulations that are not contrary to the law of the state, that are necessary to carry out the purpose and functions of the University;
- c. To receive and appropriate all sums as may be provided, for support of the University in the manner it may be determined, in its discretion to carry out the purposes and functions of the University;
- d. To import learning materials, books, references, laboratory equipment, instruments, apparatus, and other forms that can contribute to academic instruction;
- e. To receive, in trust, legacies, gifts, and donations of real and personal properties of all kinds and to administer and dispose of the same when necessary for the benefit of the University, and subject to the limitations, directions, and obstruction of the donor, if any; and
- f. To fix fees, and other necessary school charges including matriculation fees, graduation fees, and laboratory fees, as the Board may deem proper to impose, after due consultations with the involved sectors. Such fees and charges, including government subsidies and other income generated by the University shall constitute a special trust fund and shall be deposited in any authorized government depositor bank; provided, that, all interests that shall accrue therefrom shall form part of the same funds for the use of the University.

Any provision of existing laws, rules, or regulation to the contrary notwithstanding, any income generated by the University from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the University, and may be disbursed by the Board for instruction, research, extension or other programs or projects of the University; provided, that all fiduciary fees shall be disbursed for specific purposes for which these are collected.

If for reasons beyond its control, the University 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 University;

- g. To adopt and implement a socialized scheme of tuition and other school fees for greater access of poor but deserving students in accordance with the provisions of RA No. 10931 or the “Universal Access to Quality Tertiary Education Act”;
- h. To 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;

- i. To appoint upon recommendation of the President of the University, Vice Presidents, deans, directors, heads of campuses, faculty members, and other officials and employees of the University;
- j. To fix and adjust the salaries of faculty members and administrative officials and employees, subject to the provisions of the compensation and classification system and other pertinent budget and compensation laws governing hours of service, and other duties and conditions as if may be deemed proper, to grant them, at its discretion, leaves of absence, under regulations as it may promulgate, any provision of existing law contrary notwithstanding; and to remove them for cause in accordance with the requirements of due process of law;
- k. To approve the curricula, instructional programs, and rules of discipline drawn by the administrative and academic councils as herein provided;
- l. To set the policies on admission and graduation of students;
- m. To award honorary degrees upon persons in recognition of their outstanding contribution in the fields of education, public service, arts, science and technology, agriculture, or in any fields of specialization within the academic competence of the University, and to authorize the awarding of Certificate of Completion of non-degree and non-traditional courses/program;
- n. To establish and absorb non-chartered tertiary institutions within the Province of Zamboanga (Region IX), that are within the specialized fields of the University as extension and or satellite campuses, with the inclusion of those non-chartered tertiary institutions operated and funded by their respective Local Government Units, in coordination with CHED and in consultation with the Department of Budget Management (DBM), to offer herein programs or courses to promote and carry out access to education opportunities, as mandated by the Constitution;
- o. To establish research and extension centers in service areas identified as research potential areas, and where there exists a demand for extension services for the promotion and development of the University;
- p. To establish Professorial Chairs in the University and to provide fellowships for qualified faculty members and scholarships to deserving students;
- q. To delegate any of its powers and duties provided for hereinabove to the President or other officials of the University, as it may deem appropriate, so as to expedite the administration of the affairs of the University;
- r. To authorize an external management audit of the University, to be financed by CHED, subject to the rules and regulations of the Commission on Audit (COA), and to institute reforms, to include academic and structural changes, on the basis of the audit results and recommendations;
- s. To collaborate with other governing boards of State Universities and Colleges within the Province of Zamboanga on Region IX, under the supervision of the CHED and in consultation with the DBM, and work towards the restructuring of the University to become more efficient, relevant, productive, and competitive;
- t. To enter into a joint venture with business and industry for the profitable development and management of the economic assets of the University, the proceeds from which shall be used for the development and strengthening of the University;

- u. To develop consortia and other economic forms of linkages with Local Government Units (LGUs), institutions, and agencies, both public and private, local and foreign, in the furtherance of the purposes and objectives of the study;
- v. To develop/establish academic arrangements for institutional capability building with appropriate institutions and agencies, public and private, local and foreign, and to appoint experts or specialists as consultants, part-time, visiting, or exchange professors, scholars, or researchers, as the case may be;
- w. To set up the adoption of modern and innovative modes of transmitting knowledge such as the use of information technology, the dual training system, open distance learning, and community laboratory for the promotion of greater access to education;
- x. To establish policy guidelines and procedures for participative decision-making and transparency within the University;
- y. To privatize, where most advantageous to the University, the management of nonacademic services such as health, food, building or grounds or property maintenance, and such other similar activities; and,
- z. To extend the term of the President of the University beyond the age of retirement, but not to exceed seventy (70): provided, that the President's performance has been unanimously rated by the Board as outstanding, based on the guidelines, qualifications, and standards it has set and that of the Commission on Higher Education (CHED), after a unanimous recommendation by the Search Committee.

SEC. 9. *Meeting of the Board.* – The Board shall regularly convene once every three (3) months. Whenever necessary, the Chairperson of the Board may call upon three (3) days prior written notice to the members, a maximum of two (2) special meetings within the same period. A quorum of the Board shall consist of the majority of all its members holding office at the time of the meeting.: provided, however, that the Chairperson of the Board or the President of the University is among those present in the meeting.

In case the CHED Chairperson cannot attend a meeting of the Board, a CHED Commissioner, duly designated by the CHED Chairperson as the representative to the meeting, shall have all the rights and responsibilities of a regular: provided, however, that in the same meeting, the President of the University, as the Vice-Chairperson, shall be the presiding officer: provided, further, that in this proviso, notwithstanding, the Chairperson of the CHED is hereby authorized to designate a CHED Commissioner as the regular Chairperson of the Board, in which case, the said CHED Commissioner as the regular Chairperson of the Board, shall act as the presiding officer.

In case the chairpersons of the Senate Committee on Education, Arts, and Culture, and House Committee on Higher and Technical Education shall not be able to attend the Board Meeting, they may duly designate their respective representatives to attend the meeting, who shall have the same rights and responsibilities as a regular member of the Board.

The members of the Board shall not receive any salary, but shall be entitled to reimbursements for actual and necessary expenses incurred, either for their attendance in the meetings of the Board or in connection with other official business authorized by resolution of the Board or in connection with other official business authorized by resolution of the Board, subject to existing laws and regulations.

SEC. 10. *The University President.* – The University shall be headed by a President, who shall render full-time service and shall be appointed by the Board, upon the recommendation of a duly constituted search committee. The President shall serve a term of four (4) years and shall be eligible for reappointment to another term: Provided, that in order to effect the smooth transition

of the Zamboanga State College of Marine Sciences and Technology to a state university, the incumbent President of the Zamboanga State College of Marine Sciences and Technology, if qualified, shall serve as the first President of the University.

Within six (6) months before the expiration of the term of office of the incumbent President of the University, the Board shall constitute the Search Committee for the Presidency.

The Board shall designate an officer-in-charge of the University in case of vacancy in the Office of the President by reason of death, compulsory retirement, resignation, removal for cause, or incapacity of the President to perform the functions of the office, pending the appointment of a new President: Provided, That the OIC shall serve only for the unexpired portion of the term.

The powers and duties of the President of the University, in addition to those provided in this Act, shall be those usually pertaining to the Office of the President of similar universities and those delegated by the Board.

The salary of the President of the University shall be in accordance with the Revised Compensation and Position Classification System, as modified by Joint Resolution No. 4 dated June 17, 2009, and by such other laws amendatory thereto, which may hereinafter be enacted, and shall be comparable to that being received by the Presidents of similar educational institutions.

The President of the University shall be assisted by a Vice-President for Academic Affairs, a Vice-President for Finance and Administration, a Vice-President for Research, Innovation, and Extension, and a Vice-President for Student Affairs and Academic Services who shall be appointed by the Board upon the recommendation of the President of the University.

SEC. 11. *The Secretary of the University.* – The Board shall appoint a secretary who shall serve as such for both the Board and the university and shall keep all records and proceedings of the Board. He shall communicate to each member of the Board notice of meetings.

SEC. 12. *The Treasurer of the Philippines.* – The Treasurer of the Philippines shall be the ex officio treasurer of the university. All accounts and expenses of the university shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 13. *Administrative Council.* – There shall be an administrative council consisting of the president of the university as chairman, the vice president(s), deans, directors and other officials of equal rank as members, and whose duty is to review and recommend to the Board of Regents policies governing the administration, management and development planning of the university for appropriate action.

SEC. 14. *Academic Council.* – There shall be an academic council with the president of the university as chairman and all members of the instructional staff with the rank of not lower than assistant professor as members.

The academic council shall have the power to review and recommend the curricular offerings and rules of discipline of the university or college subject for appropriate action of the Board of Regents. It shall fix the requirements for the admission of students as well as for graduation and the conferment of degrees subject to review and/or approval by the Board of Regents through the president of the university.

SEC. 15. *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 University: Provided, That the appointment shall be subject to the guidelines, qualifications and 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. 16. **Admission.** – No student shall be denied admission to any university by reasons of sex, nationality, religion, political affiliation, or physical disability.

SEC. 17. **Scholarship Program/Admission.** – The University shall provide a scholarship program and other affirmative action programs to assist poor but deserving students who qualify for admission to the University.

No student shall be denied admission to the University by reason of sex, religion, political, cultural or community affiliation, and ethnic origin.

SEC. 18. **Authority to Loan or Transfer Apparatus/ Equipment/ Supplies and Detail of Personnel.** – The heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the President of the University, such apparatus, equipment or supplies as may be needed by the University, and to detail employees for duty therein when, in the judgment of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public service. The employees so detailed shall perform such duties as required of them by the President of the University, and the time so employed shall be counted as part of their regular services.

SEC. 19. **Assets, Liabilities and Personnel.** – All assets, real and personal, personnel and records of the Zamboanga State College of Marine Sciences and Technology, as well as liabilities or obligations, are hereby transferred to the University: Provided, That the positions, rights and security of tenure of the faculty members and personnel therein employed under existing laws prior to the conversion into a University shall be respected: Provided, further, That the incumbents of the positions shall remain in the same status until otherwise provided for by the Board: Provided, finally, That the University shall also include an upgrade or increase in its human resource component.

All parcels of land belonging to the government occupied by the Zamboanga State College of Marine Sciences and Technology are hereby declared to be property of the University, and shall be titled under its name: Provided, That should the University cease to exist or be abolished or should such aforementioned parcels of land be no longer needed by the University, the same shall revert to the concerned LGU or to the Republic of the Philippines, as the case may be.

SEC. 20. **Tax Exemption.** – The importation of economic, technical and cultural books and publications, which are for economic, technical-vocational, scientific, philosophical, historical or cultural purposes made by the University, upon certification by the CHED, 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 (CMTA)".

All grants, bequests, endowments, donations and contributions made to the University and used actually, exclusively and directly by it, shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 21. **Appropriations.** – The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the Zamboanga State College of Marine Sciences and Technology. Thereafter, such sums as may be necessary for the continued operation and maintenance of the University shall be included in the annual General Appropriations Act.

SEC. 22. **Development Plan, Management Audit, Organization/ Administrative/ Academic Structure.** – Within a period of one hundred twenty (120) days after the approval of this Act, the University shall accomplish the following:

- a. Submit a five (5)-year development plan, including its program budget to the CHED for corresponding recommendation to the DBM;
- b. Undergo a management audit in cooperation with the CHED; and
- c. Set up its organizational, administrative, and academic structure, including the appointment of key officials of the University.

SEC. 23. Compliance with CHED Requirements. – The provisions of this Act notwithstanding, the conversion of the institution into a state university, shall become effective only upon the determination and declaration by the CHED, based on the recommendation of a panel of experts it shall constitute for the purpose, that the institution has complied with the requirements for a university status based on CHED Memorandum Order No. 46, series of 2012 (Policy Standard to Enhance Quality Assurance (QA) in Philippine Higher Education through an Outcomes-Based and Typology-Based (QA): Provided, That the panel may issue such a recommendation when the institution has substantially complied with the requirements for the grant of university status. The following requirements for a university, as established by the CHED, shall be complied with:

- a. Faculty members must possess relevant degrees in their areas of specialization, as required by the CHED, and shall have participated in research and development activities in their respective disciplines, as evidenced by refereed publications and other scholarly outputs;
- b. The University must offer a comprehensive range of degree programs in all levels, from basic post-secondary to doctoral programs;
- c. The University shall have conducted viable research programs in specific (disciplinary and multidisciplinary) areas of study, produce new knowledge, as evidenced by refereed publications, citations, inventions, and patents, among others;
- d. The University shall possess comprehensive learning resources and support structures (such as libraries, practicum laboratories, relevant educational resources, and linkages with the relevant disciplinary and professional sectors) so as to allow students to explore basic, advance, and even cutting-edge knowledge in a wide range of disciplines or professions;
- e. The University must have and maintain linkages with other research institutions in various parts of the world to ensure that the research activities of the University are functioning at current global standards; and
- f. The University must conduct outreach activities that allow the students, faculty, and research staff to apply the new knowledge they generate to address specific social development problems.

The CHED, through its regional office, shall regularly provide technical assistance to the institution and monitor compliance with the requirements of the Commission.

The institution shall retain its status prior to the effectivity of this Act until it is able to comply with the requirements provided herein.

SEC. 24. ***Filing of Annual Report.*** – On or before the fifteenth (15th) day of the second month after the opening of regular classes each year, the president of the university shall file with the Office of the President of the Philippines through the Chairman of the CHED, and with the Senate and House of Representatives a detailed report on the progress, conditions and needs of the university.

SEC. 25. ***Supplementary Application.*** – The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997", shall be an integral part of this Act and shall serve as part of the Governing Charter of the University.

SEC. 26. ***Parity Clause.*** – All other powers, functions and privileges, responsibilities and limitations to state universities and their officials under existing laws shall be deemed granted to or imposed, upon the University or its officials, whenever appropriate.

SEC. 27. ***Implementing Rules and Regulations.*** – Within sixty (60) days from the effectivity of this Act, the Board, in consultation with the CHED, shall formulate the rules and regulations to fully implement the provisions of this Act.

SEC. 28. ***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 thereby shall remain in full force and effect.

SEC. 29. ***Repealing Clause.*** – All laws, presidential decrees, executive orders, letters of instruction and state universities and colleges charters contrary to or inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 30. ***Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,