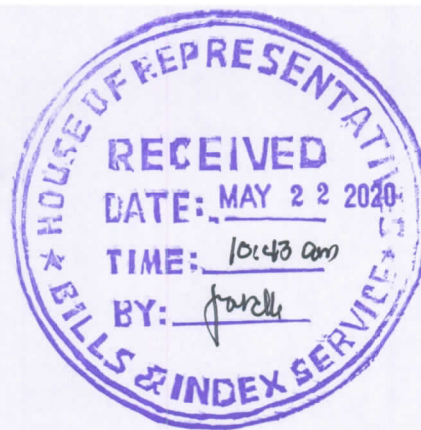


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Constitution Hills, Quezon City

**EIGHTEENTH CONGRESS**  
*First Regular Session*

**HOUSE BILL NO. 6780**



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Introduced by MARINO Party-list Representatives  
**SANDRO L. GONZALEZ**  
and **MACNELL M. LUSOTAN**

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**AN ACT**  
**RECOGNIZING SEAFARERS AS KEY WORKERS IN TIMES OF**  
**EPIDEMIC OR STATE OF PUBLIC HEALTH EMERGENCY, PROVIDING**  
**EXEMPTION FROM MOVEMENT OR TRAVEL RESTRICTIONS TO**  
**SEAFARERS, MANDATING THE ISSUANCE OF ELECTRONIC**  
**DOCUMENTS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER**  
**PURPOSES**

#### **EXPLANATORY NOTE**

In response to the outbreak of COVID-19, national governments across the globe enforced travel restrictions in hopes to control the spread of the infection. In the Philippines, only persons classified as Authorized Persons Outside Residence were allowed to go outside during the Enhanced Community Quarantine.

On 23 April 2020, the Maritime Industry Authority (MARINA) Board issued Resolution 2020-04-04 recognizing seafarers as “key workers” whose services are considered essential during the pandemic. The Resolution also recommends the smooth processing of their documentation, repatriation and receipt of necessary assistance from the government.

The Inter-Agency Task Force on the Management of Emerging Infectious Diseases (IATF) issued Resolution No. 36, series of 2020 dated 13 May 2020, Item B of which states that Overseas Filipino Workers (OFWs) whether land-based or sea-based, shall be allowed to be deployed abroad upon the execution of a Declaration signifying their knowledge and understanding of the risks involved as advised by the Philippine Government. To realize this goal, recruitment and placement agencies were allowed to operate in areas under General and Modified Enhanced Community Quarantine subject to the observance of minimum health standards. Also, government offices and agencies involved in the processing of OFW documents were directed to establish “Green Lanes” to enable prompt processing and deployment.

The continuous operation of ships during pandemic and other health crisis is vital not only to the country’s economy but more importantly, to the health of our countrymen. About


90% of the world's food, medicines, medical supplies and other essential goods are being transported through ships to countries which cannot produce sufficient goods and equipment necessary to sustain their efforts to combat COVID-19.

Also, the imposition of travel restrictions and ban on the deployment of seafarers may also contribute to the development of stress, depression, illness and other medical conditions of those seafarers currently on board owing to their extended stay and labor in the ship. Seafarers spend most of their time at sea and understandably, they cannot stay for a long and an indefinite period of time at sea. Limited access to shore society during the employment will have an adverse impact on the seafarer.<sup>1</sup>

In view of the foregoing, approval of this bill is most urgently and earnestly recommended.



**SANDRO L. GONZALEZ**  
*Representative*  
MARINO Party-list



**MACNELL M. LUSOTAN**  
*Representative*  
MARINO Party-list

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<sup>1</sup> Douglas Millares vs. NLRC (G.R. No. 110524, July 29, 2002)



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*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 “*Unhampered Crew Change Act*”

**Section 2. Declaration of Policy** – It is hereby declared a policy of the State that in times of epidemic or state of public health emergency, the unhampered movement and transit of seafarers to facilitate crew changes in ships is essential to maintain steady supply of food, medicine and other essential goods as well as to preserve the health of active seafarers.

**Section 3. Definition of Terms** – For purposes of this Act, the following terms are defined as follows:

- a. DILG – refers to the Department of Interior and Local Government
- b. DOH – refers to the Department of Health
- c. DOLE – refers to the Department of Labor and Employment
- d. DOTr – refers to the Department of Transportation
- e. Key Worker – refers to a person who is considered to provide an indispensable or essential service; to be used interchangeably with “Frontliner”

- f. Licensed Manning Agency – refers to a person, partnership or corporation duly licensed by the Secretary or his/her duly authorized representative to engage in the recruitment and placement of Filipino seafarers for a ship plying international waters and for related maritime activities
- g. MARINA – refers to the Maritime Industry Authority
- h. POEA – refers to the Philippine Overseas Employment Agency
- i. Principal – refers to the employer or to a person, partnership or corporation engaging and employing seafarers through a licensed manning agency
- j. Seafarer – refers to a person who is to be engaged, is engaged or has been engaged in a remunerated non-leisure-related activity or service on board a vessel navigating the foreign seas other than a government ship used for military or non-commercial purposes or on an installation located offshore or on the high seas

**Section 4. Recognition of Seafarers as Key Workers** – In cases of epidemic or during the existence of a declared state of public health emergency, seafarers shall be considered as key workers, whose services are essential and indispensable.

**Section 5. Exemptions from Travel or Movement Restrictions** – The national government, including all government agencies and instrumentalities, and local government units shall grant seafarers with exemptions from national travel or movement restrictions in order to facilitate their joining of ships.

**Section 6. Obligation of the Seafarer** – A seafarer identified by the principal/licensed manning agency as replacement for crew shall strictly follow health protocols and standard infection protection and control precautions such as but not limited to immunization, regular body temperature checks, wearing of protective equipment, personal distancing, self-isolation, hygiene and safe food handling practices.

**Section 7. Obligation to Facilitate Transportation** – The principal/licensed manning agency shall provide the transportation for and secure all documents to ensure the transit of the seafarer from his present location or his usual place of residence to his final airport or port destination, at no cost to the seafarer.

In this regard, the DOTr, DOLE, POEA, DOH, DILG, Local Government Units and other responsible government agencies shall institutionalize and implement measures to ensure the timely processing of documents and deployment of the seafarer.

**Section 8. Health Protection Measures** – The principal/licensed manning agency shall provide health protection measures, such as immunization and personal protective equipment (PPE), at no cost to the seafarer.

**Section 9. Safety Management System** – Within 30 days from the declaration by the President of a state of public health emergency, shipping companies shall assess all identified risks to the safety of ships and personnel, and establish necessary safeguards and procedures to address or manage the cause of the emergency in a documented Safety Management System.



The principal/licensed manning agency shall provide the joining seafarer with a copy of the ship's Safety Management System prior to embarkation.

**Section 10. *Issuance of Electronic Documents*** –To avoid the risk hard copies pose for contamination and infection, documents of seafarers should be issued, prepared or be made available in electronic form.

For this purpose, the MARINA, DOH, DOLE, POEA and other government agencies and instrumentalities processing and issuing seafarer documents shall formulate, adopt and implement systems to operationalize the issuance of electronic documents.

**Section 11. *Information Dissemination*** – The DOH, in partnership with the DOTr, DILG and Local Government Units, shall provide information on the requirements to facilitating safe ship crew changes and travel.

**Section 12. *Appropriations*** – The amount necessary to carry out the implementation of this Act shall be charged against the current year's appropriations of the DOTr, DOH and DOLE. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

**Section 13. *Implementing Rules and Regulations*** – The DOH, DOLE, DOTr and the DILG, MARINA and POEA, shall issue the necessary implementing rules and regulations in accordance with the provisions of this Act within sixty (60) days from the effectivity hereof.

**Section 14. *Separability Clause*** – If for any reason, any section, subsection, clause or term of this Act is held to be illegal, invalid, or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

**Section 15. *Repealing Clause*** – All laws, orders, decrees, letters of instruction, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby amended, modified, or repealed accordingly.

**Section 16. *Effectivity Clause*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,