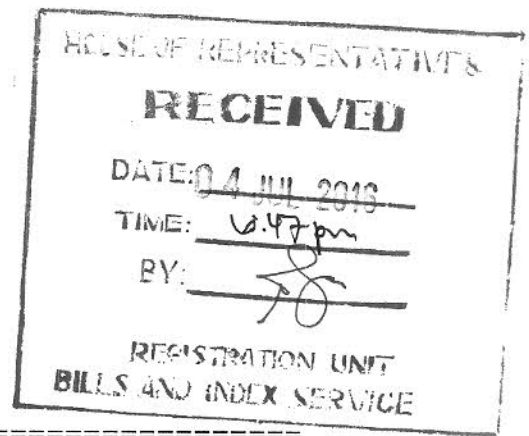


SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES

First Regular Session

HOUSE BILL NO. 1024



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Introduced by ANGKLA Party-list Representative JESULITO A. MANALO

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**AN ACT ESTABLISHING A CAMPUS OF THE PHILIPPINE MERCHANT
MARINE ACADEMY (PMMA) IN MINDANAO TO BE KNOWN AS THE
PHILIPPINE MERCHANT MARINE ACADEMY-MINDANAO CAMPUS AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

The skill for seafaring of our brothers in Mindanao is of national notice.

Since time immemorial, they have sailed the high seas and traded with our Asian neighbors using boats of their own design and built using indigenous materials. Their version of fast crafts, called "kumpits", are reputed even today to easily outrun their imported counterparts in our own Philippine Navy. Their innate love of the sea makes them natural students of the merchant marine, and needs only to be given the opportunity to hone and sharpen these skills at a proper institute for them to compete at an international level as Filipino global maritime professionals.

The significance of the Philippine maritime industry, which transcends both the global and national arena cannot be overemphasized. Foremost, 90% of world trade is still reliant in international shipping. This means that almost all the food we eat, clothes we wear, the things we buy, use, own, in one way or another, were shipped on board vessels before they got to us. Shipping clearly moves the world. Corollary to this, our Filipino seafarers play a major role in the shipping industry as a whole, with 1 out of 4 seafarers onboard international vessel being Filipinos, thus comprising about 30% of the total global maritime professionals in the world.

In a national scale, our Filipino seafarers onboard international fleets have greatly contributed to our social economic progress. Their foreign exchange remittances grow annually, notwithstanding that our seafarers comprise only 5% of the total OFWs working abroad. In fact, in 2014, their contributions amounted to USD5.6 billion out of the USD24.3 billion dollars aggregate OFW remittances or more than 20% thereof.

Surely, all these opportunities and level of importance can be well extended to our brothers in Mindanao. Thus, this bill seeks to establish a state-run maritime college in Mindanao, preferably through a campus of the Philippine Merchant Marine Academy, to be appropriately funded by government for its establishment and operation. Philippine Merchant Marine Academy (PMMA) offers various educational and training courses solely dedicated to maritime, including its major programs for Bachelor of Science in Marine Transportation and in Marine Engineering. It endeavors to provide all its graduates the skills and ability to be globally competitive maritime professionals, ready to obtain their careers in the shipping business whether here or elsewhere in the world. Records show that in both 2011 and 2012, 99% of its students were able to embark in international vessels for shipboard training. An average of 200 graduates every year is produced, with 100% finding immediate employment. Thus, these graduates are assured of good career opportunities with each of them guaranteed an average monthly income of US\$8 thousand to US\$12 thousand as they progress to become maritime officers.

Considering that at present, the entire Mindanao has no state-run maritime school offering courses in marine transportation or in marine engineering, a PMMA Campus in the island will certainly encourage the youth who dream to become Filipino global maritime professionals, but have little choice to enroll in private schools or uproot themselves in order to study in Manila or elsewhere.

The creation of a PMMA Campus in Mindanao is thus intended to address these aspirations and democratize access to maritime education and training in Mindanao. It will enhance the economic engine and bring about much-needed development to the Tri-People in the south, benefiting Muslims, Lumads, and Christian settlers alike.

More importantly, this proposed measure is an initial step towards allowing any qualified Filipino, anywhere in these thousands of our islands, the chance to embark on his own destiny upon the open seas of opportunity in his chosen maritime profession.

The passage of this bill cannot come at a more opportune time.



JESULITO A. MANALO
Party-list Representative
ANGKLA

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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 "PMMA Mindanao
Campus Act".

Section 2.*Declaration of Policy.*- It is the policy of the State to support and
promote the maritime industry of the Philippines. The State recognizes the
vital role of the industry to the social and economic development of the
country. Towards this end, the State shall establish an institution in Mindanao
that will offer appropriate education, training, skills and values to aspiring
Filipino seafarers to sustain their competitiveness and maintain the status of the
Philippines as the premier provider of competent and certificated seafarers in
the international seaborne trade.

Section 3.*PMMA-Mindanao Campus.* - There is hereby established a
campus of the Philippine Merchant Marine Academy in Mindanao to be known as
the Philippine Merchant Marine Academy-Mindanao Campus which shall
hereinafter be referred to as the PMMA-Mindanao Campus.

Section 4.*Curricular Offerings.*- The PMMA-Mindanao Campus shall
offer the same degree programs and courses that the PMMA offers in its main
campus in Zambales. These include undergraduate and graduate degree
programs and advanced education, higher technological and professional
instruction and training in the fields of marine transportation, nautical
engineering, naval architecture, marine engineering, navigation, seamanship,
science and technology, and other courses within its area of specialization, as

the PMMA Board of Regents may deem appropriate according to its purpose and mandate.

Section 5.*The Governing Board.*- The governance of the PMMA-Mindanao Campus shall be vested exclusively in the Board of Regents of the PMMA Main Campus, hereinafter referred to as the Board. All policies, rules and regulations approved by the Board shall be enforced and applied to the PMMA-Mindanao Campus.

Section 6.*Powers and Duties.* - In addition to its powers and duties under Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997", the Board shall have the following specific powers and duties:

- (a) To fix the site in a province/city in Mindanao where the PMMA-Mindanao Campus shall be established;
- (b) To formulate the organizational, administrative, and academic programs of the PMMA-Mindanao Campus, and pursuant thereto, to designate the school's officials;
- (c) To enter into contracts and other agreements in sole representation or for the exclusive benefit of the PMMA-Mindanao Campus;
- (d) To receive and appropriate all sums as may be provided by law for the establishment, management, operation, and support of the PMMA-Mindanao Campus in order to best carry out its functions and purposes;
- (e) To receive in trust, legacies, gifts, and donations of real and personal properties of all kinds and to administer or dispose these for the benefit of the PMMA-Mindanao Campus, subject to whatever limitations, directions, or restrictions as may be set by the donors, if any;
- (f) To fix tuition fees and other necessary expenses relating to the cost of education, after due consultation with the sectors affected: *Provided, That they conform to the rules and regulations issued by the Commission on Higher Education (CHED) on tuition fees and miscellaneous expenses;*
- (g) To adopt and implement, as far as practicable and sustainable, a socialized scheme of tuition fees to provide greater access to education to poor but deserving students;

- (h) To authorize the construction, repair, or upgrading of the PMMA-Mindanao Campus buildings, facilities, and equipment, as well as the purchase and acquisition of real and personal properties including all necessary supplies, materials, and items relating to the fulfillment of the functions and purposes of the PMMA-Mindanao Campus, subject to existing laws such as Republic Act No. 6541 or the “National Building Code of the Philippines”, government accounting and auditing rules, and other applicable rules and regulations;
- (i) To appoint, upon the recommendation of the President, the deans, directors, heads of departments, faculty members, officials and employees whose education, training qualifications and licenses are suitable to their positions, in accordance with the guidelines of the Civil Service Commission (CSC) and the CHED;
- (j) To fix and adjust the compensation, other benefits and conditions of employment of faculty members, administrative officials, staff, and employees, in accordance with an established compensation and classification system, subject to all other pertinent budget and compensation-related laws governing hours of service, leaves of absence, benefits, and incentives;
- (k) To remove faculty members, administrative officials, staff, and employees for cause and in accordance with due process of law;
- (l) To approve and apply the relevant curricula for Bachelor of Science in Marine Transportation (BSMT) and Bachelor of Science in Marine Engineering (BSMarE) programs, and to comply with all existing rules and regulations, including those from the CHED, the Memorandum Orders for Maritime Education, Guidelines of the Maritime Industry Authority (MARINA), the Standards of Training, Certification and Watchkeeping for Seafarers (STCW) conventions, and other local and international laws that are applicable;
- (m) To set the policies on the admission of students, the essential rules of discipline and the conferment of degrees;
- (n) To award honorary degrees in recognition of outstanding contributions to the field of maritime education or technology;

- (o) To establish research and extension centers of the PMMA-Mindanao Campus for the purpose of further developing and enriching maritime education and training;
- (p) To establish professorial chairs and provide fellowships at the PMMA-Mindanao Campus for qualified faculty members, including scholarship opportunities for deserving students;
- (q) To appoint experts or specialists as consultants, or to admit visiting or exchange professors, scholars, students, or researchers, as the case may be: *Provided*, That the PMMA-Mindanao Campus shall secure the required authorization from the CHED and the Professional Regulation Commission (PRC);
- (r) To develop academic arrangements, agreements, and accords for institution capability building with other entities, institutions, or agencies, whether public or private, local or foreign;
- (s) To delegate any of these powers and duties as provided for herein and by other relevant laws, to the President, Campus Administrator or other officials of either the Board or the PMMA-Mindanao Campus, as it may deem appropriate or expeditious for the conduct and effective administration of the affairs of the PMMA-Mindanao Campus; and
- (t) To issue and implement rules and regulations as may be necessary to carry out the purposes and functions of the PMMA Mindanao Campus that shall ensure the fulfillment of the PMMA's mandate.

Section 7. Campus Administrator. - The PMMA-Mindanao Campus shall be headed by a Campus Administrator who shall render full-time service.

The Campus Administrator shall be appointed by the Board upon the recommendation of a duly constituted search committee and the PMMA President, subject to the guidelines, qualifications, and standards set by the Board, and shall serve for a term of four (4) years. The Campus Administrator shall be eligible for reappointment to another term. The powers, duties, and responsibilities of the Campus Administrator, in addition to those provided herein, shall be provided in the guidelines that shall be issued to implement this Act.

In case of a vacancy caused by reason of death, resignation, removal for cause, or incapacity of the Campus Administrator to perform the duties and functions of the office, the Board shall have the authority to designate an officer-in-charge to hold such office pending the appointment of a replacement who shall then only hold office for the unexpired term.

The Campus Administrator of the PMMA-Mindanao Campus shall represent the PMMA-Mindanao Campus in the Administrative Council and Academic Council of the PMMA.

Section 8.*Administrative Council.*- There shall be constituted an administrative council, composed of the deans, directors, and other officials headed by the Campus Administrator as its Chairperson, whose function is to propose and recommend to the Board for their action, policies on or revisions to, the administration, management, and development planning of the PMMA-Mindanao Campus.

Section 9.*Academic Council.* - There shall be constituted an academic council, composed of all members of the instructional staff with a rank of at least an assistant professor to be headed by the Campus Administrator as its Chairperson, whose function is to propose and recommend to the Board for their action, policies on or revisions to, the requirements and prerequisites for the admission and graduation of, as well as conferment of degrees to students, including the essential rules of discipline. The Council shall likewise recommend to the Board, amendments or improvements of academic standards and curricular requirements of the maritime course offerings, subject to their compliance with all pertinent and relevant international maritime conventions and the corresponding government implementing rules, regulations, and memoranda.

Section 10.*Assets, Liabilities, and Personnel.*- All assets, real and personal, personnel and records of the PMMA-Mindanao Campus, as well as liabilities or obligations, shall be titled in the name of the PMMA-Mindanao Campus. The positions, rights, and security of tenure of faculty members and personnel therein employed under existing laws prior to its conversion into a regular campus shall be respected.

All parcels of land belonging to the government occupied by the PMMA-Mindanao Campus shall be titled in the name of the PMMA-Mindanao Campus: *Provided That* should the PMMA-Mindanao Campus cease to exist or be abolished or should such parcels of land aforementioned be no longer needed by the PMMA-Mindanao Campus, the same shall revert to the donor or local government units concerned.

Section 11.*Authority to Loan or Transfer Apparatus/Equipment/ 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 PMMA President, such apparatus, equipment or supplies as may be needed by the PMMA-Mindanao Campus, and to detail employees for duty therein when, in the judgment of the head of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to the public services.

The employees so detailed shall perform such duties as required of them by the PMMA President and/or the PMMA-Mindanao Campus Administrator, and the time so employed shall be counted as part of their regular services.

Section 12.*Academic Freedom and Institutional Autonomy.* - The PMMA-Mindanao Campus shall enjoy academic freedom and institutional autonomy. It shall exclusively determine its teaching, research and extension thrusts, plans, policies, programs, and standards, and on the basis of such determination, recommend its annual budget to the Board for subsequent approval by the President: *Provided*, That in the first two (2) years upon the establishment of the PMMA-Mindanao Campus, it shall be under the direct supervision and management of the Board. Thereafter, it shall enjoy autonomy from the Main Campus.

Section 13.*Tax Exemptions.* - Any donation or bequest made to the PMMA-Mindanao Campus shall be exempt from donor's tax and shall be considered as allowable deduction from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

Section 14.*Appropriations.* - The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

Section 15.*Development Plan, Management Audit, Organizational/Administrative/Academic Structure.* - Within the period of one hundred twenty (120) days after the approval of this Act, the PMMA-Mindanao Campus shall accomplish the following:

- (a) Submit a five (5)-year development plan, including its corresponding program budget, to the CHED for corresponding recommendation to the Department of Budget and Management;
- (b) Undergo a management audit in cooperation with the CHED;
and
- (c) Organize administrative as well as academic structure by appointing and designating PMMA-Mindanao Campus officials.

Section 16.*Implementing Rules and Regulations.* - Within sixty (60) days from the approval of this Act, the Board, in consultation with the CHED and the MARINA, shall promulgate the rules and regulations implementing the provisions of this Act.

Section 17.*Separability Clause.*- If any provision of this Act is declared unconstitutional, the remainder of this Act or provisions not affected thereby shall remain in full force and effect.

Section 18.*Repealing Clause.* - Republic Act No. 3680, converting the Philippine Nautical School into the PMMA, and other laws or parts thereof inconsistent with any provision of this Act shall be deemed repealed or modified accordingly, as these apply to the PMMA-Mindanao Campus.

Section 19.*Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,