AN ACT PROVIDING FOR A REVISED
PHILIPPINE MERCHANT MARINE OFFICERS ACT

EXPLANATORY NOTE

There are two (2) instances wherein an individual may be called a “Licensed Professional”. The first instance is by way of passing the BAR examination administered by the Supreme Court and the second instance is through passing the Licensure or Board examination conducted by the Professional Regulation Commission (PRC).

The Civil Service Commission (CSC) has clarified that RA No. 1080 automatically grants appropriate CSC eligibility to a successful examinees of the Bar Examination administered by the Supreme Court and of Licensure or Board Examination conducted by the Professional Regulation Commission.

Section 1 of RA No. 1080, also known as, “An Act Declaring the Bar and Board Examinations as Civil Service Examinations”, provides:

“Section 1. The Bar examinations and the examinations given by the various boards of examiners (now Professional Regulatory Boards) of the Government are declared as civil service examinations, and shall, for purposes of appointment to positions in the classified
service the duties of which involve knowledge of the respective professions, except positions requiring highly specialized knowledge not covered by the ordinary board examinations, be considered as equivalent to the first grade regular examination given by the Bureau of Civil Service if the profession requires at least four years of study in college and the person has practiced his profession for at least two years, and as equivalent to the second grade regular examination if the profession requires less than four years of college study.” (emphasis supplied)

A PROFESSIONAL LICENSE issued to a Filipino professional, in this instance, to a Filipino MARINE DECK AND MARINE ENGINEER OFFICER, is not of the same kind or class as ordinary license. It confers upon the holder of automatic professional board eligibility pursuant to RA No. 1080, as well as the privileges not accorded to non-professionals.

Under R.A. No. 546, dated June 17, 1950, the regulatory function of Licensure Examinations of Marine Deck Officers and Marine Engineer Officers was vested upon the respective Board of Examiners for Marine Officers and the Board of Examiners for Marine Engineers (Boards) under the supervision of the then Commissioner of the Civil Service Commission.

Under P.D. No. 97, dated January 13, 1973, the Boards were re-created with the same regulatory function and vested to PRC the authority to conduct the regulatory function of licensure examinations including issuance of Certificates of Registration/Professional License for admission and registration for the practice of the marine deck and marine engineer profession.

Thereafter, R.A. No. 8544, dated February 25, 1998, repealed P.D. No. 97 and further restructured the Boards and retained to PRC the authority to conduct the regulatory function of licensure examination including issuance of Certificates of Registration/Professional License for admission and registration for the practice of maritime profession.

Subsequently, R.A. No. 8981 or the “PRC Modernization Act of 2000”, dated December 5, 2000, further re-created the Professional Regulation Commission (PRC) and attached to the Office of the President. Under said R.A. No. 8981, the PRC has been tasked with the functions to administer, implement, and enforce the Government’s regulatory policies which include the licensure examinations of some forty-four (44) professions and occupations, including the Marine Deck and Marine
Engineer Officers, except the practice of law which is under the supervision of the Supreme Court.

On the strength of its authority under R.A. 8544 and R.A. 8981, the PRC has conducted licensure examinations and licensed qualified Filipino Marine Deck and Marine Engineer Officers for domestic and international vessels which resulted into the distinction of global prominence and acceptance in the international maritime community with the Philippines getting Rank No. 1 or the WORLD'S MAJOR SUPPLIER OF SEAFARERS.

The Philippines commenced to be the world's major supplier of seafarers in the early years of 1990's from a mere 18% until it tremendously reached as high as 30% of the world maritime fleet, comprising more or less 350,000 seafarers, in 2012 under the MARITIME TRAINING COUNCIL\(^1\) which is attached to the Department of Labor and Employment (DOLE), and to which the PRC is a principal member. The Maritime Training Council of DOLE is composed of agencies performing maritime related functions and activities, namely: the PRC, Commission on Higher Education (CHED), Technical Skills and Development Authority (TESDA), Philippine Overseas and Employment Authority (POEA), National Maritime Polytechnic (NMP), Philippine Coast Guard (PCG), Overseas Workers Welfare Administration (OWWA) and MARINA.

However, in March 2014, Republic Act No. 10635 was enacted making the MARITIME INDUSTRY AUTHORITY (MARINA) as the Single Maritime Administration. The system was altogether changed, and the Maritime Training Council of DOLE notwithstanding that it was working very effectively for our Filipino seafarers and very much appreciated by the international maritime community, was abruptly DISSOLVED. MARINA took the functions of these agencies, and allegedly including the certification functions of PRC. This, without any participation or involvement of MARINA in the licensing or certification, and training functions of the seafarers whatsoever for the past two (2) decades, and yet the Philippines became the major supplier of seafarers comprising 30% of the world maritime fleet. THE MARINE DECK AND MARINE ENGINEER OFFICERS OF PRC WERE TRANSFERRED TO MARINA AND CEASED TO BE LICENSED PROFESSIONALS BUT RELEGATED TO SKILLED WORKERS. MARINA not being a regulatory agency for professionals as heretofore mentioned.

The records of the POEA show that it is during the time that the STCW Administration was lodged with the Maritime Training Council of DOLE, that the

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\(^1\) https://safety4sea.com/marina-spearheads-celebration-of-day-of-350000-seafarers/
demand for Filipino seafarers worldwide exponentially increased from 15% to as high
as 30%, with major demand for Filipino seafarers even without the participation of
MARINA in licensing and certification functions whatsoever for the preceding two (2)
decades, in terms of Education (CHED), Licensing and Certification (PRC) for Marine
Officers, (TESDA) for Non-Officers, and the MTC as the policy making body for quality
trainings of more or less 350,000 seafarers.

Unfortunately, under the present set up, or after the MARINA took over the
functions of PRC for Marine Deck and Marine Engineer Officers, which relegated them
to mere skilled workers and not licensed professionals the demand for Filipino
seafarers was drastically reduced to more or less 28%, and China already replaced
the Philippines as the major supplier of the world maritime fleet.

The authors likewise would like to emphasize that in the former law which is
Republic Act No. 8544, otherwise known as "The Philippine Marchant Marine Officers
Act, under PRC, the examiners were nominated to PRC by the largest association of
marine deck or marine engineer officers from among the outstanding professionals
nationwide. The nominees will then be thoroughly screened by the PRC to a maximum
number of three (3) candidates per vacancy before being recommended to the Office
of the President for appointment. We will take note that the examiners are not only
thoroughly screened by the biggest association of marine officers and by the PRC, but
are also all PRESIDENTIAL APPOINTEES.

The foregoing however, is not the case under RA No. 10635, which MARINA
disputably took the licensure examinations from PRC. First, RA No. 10635 did not
expressly provide for the creation of a Board of Examiners. Second, RA No. 10635
only gave the power to the Administrator of MARINA to designate the examiners
without any credible and reliable system of selection, the reason why from the very
beginning the examinations given by MARINA is hounded by SCAMS wherein an
examinee can get a weighted average of 100%, meaning the examinee got a 100% in
all the given subjects in the examination. Third, RA No. 10635 does not provide for an
honest to goodness Data Bank System (DBS) for the questionnaires, unlike in PRC
wherein the DBS has been already established for three (3) decades, and never in its
history had an examinee got a 100% rating in all of the given subjects in the
examination.

It is in this framework that we seek to restore the professional status of our
Filipino Marine Deck and Marine Engineer Officers, and as the most in demand crew
of vessels plying the international trade, thus make the Philippines again as the major
supplier of seafarers, or even more than 30% of the world maritime fleet. Likewise, the
reliability of the appointed examiners, and also the integrity and credibility of the licensure examinations.

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

HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA

HON. DOMINGO C. RIVERA
AN ACT PROVIDING FOR A REVISED
PHILIPPINE MERCHANT MARINE OFFICERS ACT

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

ARTICLE I
TITLE

Section 1. Title. — This Act shall be known as the "Revised Philippine Merchant Marine Officers Act of 2021."

ARTICLE II
DECLARATION OF POLICY AND OBJECTIVES

Section 2. Declaration of policy. — It is the declared policy of the State to promote and ensure the safety of life and property at sea, protect and serve the marine environment and ecology, and prevent marine pollution and accident at sea by complying with Laws, Rules and regulations of the Philippine Government and the Standards of Training, Certification and Watchkeeping for Seafarers 1978 (STCW '78), as amended, to which the Philippines is a signatory.
It is likewise the declared policy of the State to institutionalize changes as required by
the national and international maritime industry to ensure that only qualified,
competent and globally competitive marine deck/engineer officers through licensure
examinations shall be allowed entry to the practice of the Merchant Marine profession.

Section 3. Objectives. – This Act provides for and shall govern:
(a) The examination, registration and issuance of Certificate of Registration to
qualified Merchant Marine Deck and Marine Engineer Officers; and
(b) The supervision, control and regulation of the practice of Merchant Marine
profession in the Philippines: Provided, that these objectives shall be attained
by passing the licensure examination conducted by the Professional Regulation
Commission (Commission); and compliance with the STCW '78 Convention, as
amended.

ARTICLE III
DEFINITION OF TERMS

Section 4. Definition of terms. –

1. Commission – the Professional Regulation Commission (Commission)
created under Republic Act No. 8981, otherwise known as the “PRC
Modernization Act of 2000”.

2. Board - the Professional Regulatory Boards of Marine Deck and Marine
Engineer Officers.

3. STCW Convention – the International Convention on Standards of
Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), as
amended.

4. Practice of Merchant Marine Profession – shall refer to the profession
requiring the application of fundamental and known principles of navigation,
seamanship and engineering to the peculiar condition and requirements of
on board management, operation and maintenance of main propulsion and
auxiliary engines, stability and trim of the vessel and cargo handling. It shall
also cover but will not be limited to the following:
(1) The proper handling and stowage of cargoes on board ship which
includes the safe carriage of passengers from the port of origin to port of
destination;
(2) The safe watchkeeping of the vessel's navigation in accordance with the
Rules of the Road at Sea;
(3) The Maritime Education and Training of Cadets and other Marine Professionals; and

(4) Employment with government, provided such item or position requires the knowledge and expertise of a Merchant Marine Officer.

5. Merchant Marine seagoing ship – shall apply only to the commercial ships, propelled by machinery, public or private, strictly engaged in maritime commerce, both seagoing and/or near-coastal trade, vessels engaged in the training of cadets for the merchant marine profession, and noncombatant vessels of the Philippine Government.

6. Licensure Examination for Marine Officers- the theoretical licensure examination given by the Board.

7. Merchant Marine Officer – shall refer to marine deck or marine engineer officer.

8. Merchant Marine Deck Officer – shall refer to a duly registered, and licensed master mariner, chief mate and officer-in-charge of a navigational watch.

9. Merchant Marine Engineer Officer – shall refer to a duly registered, and licensed chief engineer, second engineer, and officer-in-charge of an engineering watch in a manned engine-room or designated duty engineer in a periodically unmanned engine-room, and coastal engineer.

10. Certificate of Registration – shall refer to the Professional License of the marine deck and marine engineer officer.

11. Code Of Professional Ethics For Marine Officers – a set of rules and regulations governing the conduct and deportment of a marine officer.

ARTICLE IV

BOARDS FOR MARINE DECK OFFICERS AND MARINE ENGINEER OFFICERS

Section 5. Creation and composition of the Boards. – For the purpose of implementing the provisions of this Act, the Board of Marine Deck Officers and the Board of Marine Engineer Officers, hereinafter referred to as the "Board," are hereby created. Each Board shall be composed of a Chairman and four (4) members who shall be appointed by the President of the Philippines from a list of three (3) recommendees for each position recommended by the Commission.
The first three Members of the Boards of Marine Deck and Engineer Officers, may be comprised of the members of the previous Boards, who shall be appointed for a term of three (3) years. The remaining two (2) Members shall be appointed in accordance with the provisions of this Act.

The Boards shall be organized not later than six (6) months from the effectivity of this Act.

Section 6. Qualifications of the Chairman and Members of the Board. – The Chairman and members of the Board shall, at the time of the appointment, possess the following qualifications:

(a) He must be a citizen and resident of the Philippines;

(b) He must be of proven integrity and with high moral values as evidenced by his past professional conduct;

(c) He must be a duly registered and licensed marine deck/engineer officer, with a valid Certificate of Registration;

(d) He must be of good moral standing;

(e) He must not have any pecuniary interest, directly or indirectly, in a maritime training center, in any school, academy, college, university or institution conferring an academic degree necessary for admission to the practice of merchant marine profession; or where review classes in preparation for the licensure examination are being offered or conducted, nor shall he be a member of the faculty or of the administration thereof at the time of his appointment to the Board;

(f) For the Board of Marine Deck Officers, he must have navigated as master mariner for at least two (2) years on board sea-going vessel and with an aggregate total of at least seven (7) years of practice as Merchant Marine Deck Officer;

(g) For the Board of Marine Engineer Officers, he must have navigated as Marine Engineer Officer for at least two (2) years on board a sea-going vessel and with an aggregate total of at least seven (7) years practice as Merchant Marine Engineer Officer; and

(h) He must not have been convicted by a court of competent jurisdiction of an offense involving moral turpitude.
Section 7. Term of office. – The chairman and members of the Board shall hold office for a term of three (3) years, and until their successors shall have been appointed and duly qualified.

The chairman or member of the Board may be reappointed for another term but in no case shall he serve continuously for more than six (6) years. Each member of the Board shall qualify by taking his oath of office prior to entering upon the performance of his duties.

Section 8. Compensation and Allowances of the Board. – The chairman and members of the Board shall receive a compensation and allowances similar to the compensation and allowances being received by the chairmen and members of other existing Professional Regulatory Boards under the Commission as provided for in the General Appropriations Act.

Section 9. Vacancy and removal of Board Members. – Any vacancy occurring in the membership of the Board shall be filled for the unexpired portion of the term only. The President may remove any member of the Board upon the recommendation of the Commission on the following grounds:

(a) Neglect of duty or incompetence;
(b) Violation of any of the provision of this Act or the Code of Ethics for the Maritime Profession; and
(c) Final conviction by a court of competent jurisdiction of an offense involving moral turpitude.

He shall be accorded due notice and hearing, to defend himself, assisted by counsel of his choice, in an administrative investigation. The Commission's decision may be appealed within thirty (30) days to the President whose decision shall be final and executory.

Section 10. Powers and Duties of the Board. – The Board shall exercise the following powers and duties:

(a) To promulgate and adopt the rules and regulations necessary for carrying out the provisions of this Act;
(b) To supervise and regulate the practice of the Merchant Marine Profession in the Philippines;
(c) To issue Certificate of Registration;
(d) To administer oaths in connection with the administration of this Act;
(e) To suspend, revoke or reinstate the authority to practice the Maritime Profession;
(f) To adopt an official seal of the Board;
(g) To look into the conditions affecting the practice of the Maritime Profession and whenever necessary, adopt such measures as may be deemed proper for the enhancement and maintenance of high professional and ethical standards of the profession;

(h) To prescribe and/or adopt a Code of Ethical and Professional Standards for the practice of the Maritime Profession;

(i) To hear and try administrative cases involving violations of this Act, its Implementing Rules and Regulations, the Code of Ethics for Professional Maritime Officers and for this purpose, to issue subpoena and subpoena ducum tecum to secure the appearance of witnesses and the production of documents in connection therewith;

(j) To prescribe guidelines for the Continuing Professional Development (CPD) program of Merchant Marine Officers;

(k) To prepare, adopt and issue the syllabi of the subjects for licensure examinations by determining and preparing the questions which shall strictly be within the scope of the syllabus of the subjects for examination, including the STCW 78’ Convention and its amendments;

(l) To promulgate, administer and enforce rules and regulations necessary for carrying out the provisions of this Act, in accordance with the charter of the Commission. Provided, That in case of subsequent or future amendments to any international convention/conference of which the Philippines is a signatory, the Board is empowered to amend/revise its rules and regulations to conform with the amendments of the said convention/conference without the need of amending this enabling Act;

(m) To attend and participate in national and international convention/conference related to the maritime profession; and

(n) To discharge such other powers and functions as the Board may deem necessary for the practice of the profession and the upgrading, enhancement, development and growth of the merchant marine profession in the Philippines.

The policies, resolutions, rules and regulations, issued or promulgated by the Board shall be subject to the review and approval of the Commission. The decisions, resolutions or orders rendered by the Board shall be final and executory unless appealed to the Commission within thirty (30) days from receipt thereof.

Section 11. Supervision of the Board, Custodian of its Records, Secretariat and Support Services. – The Board shall be under the supervision and control of the Commission. All records of the Board, including the applications for licensure examination, examination papers and results, minutes of deliberation, administrative cases, and other investigations involving the Marine Deck/Engineer Officers shall be kept by the Commission.
The Commission shall designate the Secretary, Professional Regulatory Board, to be the Secretariat, and shall provide the support services to implement the provisions of this Act.

Section 12. Reports. - The Board shall submit a monthly report, and at the close of each calendar year, submit an annual report to the Commission, giving a detailed account of its proceeding and accomplishments during the year and making recommendations for the adoption of measures that will upgrade and improve the conditions affecting the practice of the Maritime Profession in the Philippines.

ARTICLE V
EXAMINATION AND REGISTRATION

Section 13. Examination Required. - All applicants for the licensure examination for the practice of the Maritime Profession shall be required to undergo and pass a written theoretical examination, by means of a walk-in examination, or by any electronic means, approved by the Commission, and the practical examination/assessment with a rating of "PASS".

Successful examinees, or those who pass the written theoretical examination, shall undergo the practical examination/assessment to be administered under the supervision and control of the Board.

Section 14. Qualifications of an Applicant for Licensure Examination. - Every applicant for licensure examination shall establish the following requisites:

(a) He is a citizen of the Philippines;
(b) He is of good moral character;
(c) He has met the standards of medical fitness, particularly with good eyesight and hearing as certified by a Department of Health (DOH) accredited medical institution conducting physical and medical examinations for seafarers;
(d) Has completed an approved seagoing service; and
(e) In the case of marine deck/engineer officer, he must be a graduate of Bachelor of Science in Maritime Transportation and Bachelor of Science in Marine Engineering, respectively, in a school, academy, institute, college or university duly recognized by the Commission on Higher Education (CHED).

Section 15. Scope of Examination. - The subjects for the Marine Deck and Marine Engineer Officers written theoretical licensure examinations shall include, among others, the following major functions:
MARINE DECK OFFICERS

(1) Navigation
(2) Cargo Handling and Stowage
(3) Controlling the Operation of the Ship and Care for the Persons On-Board

MARINE ENGINEER OFFICERS

(1) Marine Engineering
(2) Electrical, Electronics and Control Engineering
(3) Maintenance and Repair
(4) Controlling the Operation of the Ship and Care for the Persons On-Board

The said subjects and their syllabi shall include the competencies, knowledge, understanding, proficiencies and criteria for evaluating the competence stated in Table A-II/1 and A-III/1 of the 1978 STCW Convention and Code, as amended, including the 2010 Manila Amendments to conform to technological changes brought about by the continuing trends in the profession.

The skills proficiencies and criteria for evaluating the competence stated in Table A-II/1 and A-III/1 of the 1978 STCW Convention and Code, as amended, including the 2010 Manila Amendments shall also govern the practical examination/assessment.

Section 16. Rating in the Licensure Examinations. – To be qualified as having passed the licensure examination for Marine Deck/Engineer Officer, an examinee must obtain a weighted general average rating of at least seventy percent [70%], with no rating lower than sixty percent [60%] in any given subject in the written/theoretical examination, and with a grade of “PASS” in the practical examination/assessment.

An examinee who obtains a weighted general average rating of seventy percent [70%] in the written/theoretical examination, but obtains a rating below sixty percent [60%] in any given subject will be rated as “CONDITIONED”, and must take the examination in the subject or subjects where he obtained a rating below sixty percent [60%] within two (2) years from the date of the last examination taken. The CONDITIONED examinee must obtain a rating of at least sixty percent [60%] in the subject or subjects where he obtained a rating below sixty percent [60%] in order to pass the written/theoretical examination.

The grade in the practical examination/assessment shall either be “PASS or “FAIL”.

Section 17. Report of Ratings. – The Board shall submit to the Commission the ratings obtained by each examinee within fifteen [15] days after the examination, unless extended for just cause.
Section 18. Oath. — All successful examinees in the licensure examinations shall be
required to take an oath of profession before the Board, prior to entering upon the
practice of the Maritime Profession.

Section 19. Certificate of Registration and Professional Identification Card. — A
Certificate of Registration and Professional Identification Card shall be issued to
examinees who pass the licensure examinations for marine deck/engineer officer,
subject to payment of the prescribed fees.

The Certificate of Registration of a marine deck/engineer officer shall bear the
registration number and date of issuance duly signed by the Chairman of the Board
stamped with the official seal and signature of the Chairman of the Commission
indicating that the person named therein is a duly licensed marine deck/engineer
officer.

No person shall practice as marine deck/engineer officer in this country or on board
ships/vessels plying the international voyage unless such person shall have secured
a Certificate of Registration to practice as marine deck/engineer officer in the manner
herein provided. A holder of a Certificate of Registration is authorized to practice the
maritime profession with all the privileges appurtenant thereto unless such authority is
suspended or revoked.

Section 20. Indication of Certificate of Registration and Professional Tax
Receipt. — The marine deck/engineer shall be required to indicate his Certificate of
Registration and professional tax receipt number on the documents he signs, uses or
issues, in connection with the practice of his profession.

Section 21. Refusal to Register. — The Board shall not register any successful
examinee who has been convicted by a court of competent jurisdiction of any criminal
offense involving moral turpitude, has been declared to be of unsound mind, or has
already been found guilty in a final and executory decision in an administrative case
conducted by the Board.

Section 22. Lifting of Deferment of Registration. - An examinee who passed the
licensure examination but whose registration has been deferred by the Board on the
basis of a guilty verdict in a final and executory decision in an administrative case, may
be allowed to take the oath of a professional and register as a marine officer when the
reason for the deferment of his registration no longer exist, or has been legally
rectified.

Section 23. Grounds for Suspension and Revocation of Authority to Practice the
Marine Deck/Engineer Profession. — The Board shall have the power, upon due
notice and hearing, to revoke or suspend the authority to practice the marine
deck/engineer profession, or to proceed against an applicant/examinee in the
licensure examination for marine deck/engineer officers for cause, which includes but
shall not be limited to: fraud or deceit in the application for licensure examination or in
obtaining a Certificate of Registration, tampering of data/entry in the Certificate of
Registration, or any certificate/certification issued by the Board or the Commission, for
incompetence, negligence, immoral conduct, unprofessional and/or dishonorable
conduct, illegal practice of a marine deck/engineer officer; violation of the provisions
of this Act, its Implementing Rules and Regulations and violations of the Code of Ethics
for marine deck/engineer officers. The Decision of the Board shall be final and
executory unless appealed by the aggrieved party to the Commission within thirty (30)
days from receipt thereof.

Section 24. Reinstatement of Authority To Practice, Re-issuance or Replacement
of Certificate of Registration. – After one (1) year from the finality of the Decision
revoking his authority to practice the marine officers profession, or prior to one (1) year
when the cause/basis of the revocation no longer exist, or has been legally rectified, a
marine officer may file a petition for the reinstatement of his authority to practice. The
Board may, for good and just cause shown, or for reasons deemed proper and
sufficient, and the marine officer has acted in an exemplary manner and has not
committed any illegal, immoral or dishonorable conduct, grant the petition and issue an
Order reinstating his authority to practice the marine officers profession.

A replacement of the Certificate of Registration in lieu of the lost, destroyed, or
mutilated Certificate may be issued upon application and payment of the prescribed
fees.

Section 25. Renewal of Professional Identification Card.— The Professional
Identification Card shall be renewed every five (5) years upon satisfying the
requirements imposed by the Board, and payment of the corresponding fees
prescribed by the Commission.

ARTICLE VI

PRACTICE OF MARINE DECK AND ENGINEER OFFICER

Section 26. Practice of Merchant Marine Profession. – No person shall practice or
offer to practice the merchant marine profession in the Philippines or onboard
ships/vessels plying the international voyage or offer himself as a marine
deck/engineer officer, or use the title, or any sign tending to convey the impression
that he is a marine deck/engineer officer, or advertise or indicate in any manner
whatsoever that he is qualified to perform the work of a marine deck/engineer officer
unless he is a holder of a valid Certificate of Registration issued by the Board of Marine
Deck/Engineer Officers.
Section 27. Recognition of Certificates. – A foreign marine deck/engineer officer duly registered and licensed in his country, may be issued a Special Temporary Permit to serve on board a Philippine registered vessel engaged in the international trade: Provided, that the Philippine Certificate of Registration issued by the Board shall be reciprocally recognized by the National Administration of the said foreign marine officer to allow Filipino marine deck/engineer officers to practice his profession on board the foreigner's flag vessels.

Section 28. Funding Provision. – Such sums as may be necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

Section 29. Code of Ethics for Marine Deck/Engineer Officers. – The Board shall adopt the Code of Ethics for Marine Deck/Engineer Officers to be approved by the Commission.

ARTICLE VII
MISCELLANEOUS PROVISIONS

Section 31. Transitory Provision. – All Certificates of Registration issued to marine deck/engineer officers by the Maritime Industry Authority (MARINA) prior to the enactment of this Act shall be subject to evaluation and assessment by the concerned Board for the issuance of a Certificate of Registration and Professional Identification Card. Provided, that the subsequent upgrading and revalidation of their Certificates shall be in accordance with the provisions stated herein.

Section 32. Implementing Rules and Regulations. – Subject to the approval of the Commission, the Board shall adopt and promulgate such rules and regulations to carry out the provisions of this Act, which shall be effective after fifteen (15) days following its publication in the Official Gazette or in a daily newspaper of nationwide circulation, whichever comes earlier.

Section 33. Penal Provision. – A fine of not less than Five Hundred Thousand Pesos [P500,000.00] nor more than One Million Pesos [P1,000,000.00] or imprisonment for a period of not less than one [1] year nor more than six [6] years, or both such fine and imprisonment, at the discretion of the court, shall be imposed upon:

(a) Any person who engages in the practice of merchant marine profession or represents himself as a marine deck/engineer officer without holding a valid Certificate of Registration and Professional Identification Card.
(b) Any person who represents or uses the Certificate of Registration of another marine deck/engineer officer;

(c) Any person who shall give any false or forged documents for the purpose of applying for a marine deck/engineer officers licensure examination and obtaining a Certificate of Registration.

(d) Any person who shall use a revoked or suspended Certificate of Registration of a marine deck/engineer officer.

(e) Any person who shall assume, use or advertise the title of marine deck/engineer officer under his name, or any description to convey the impression that he is a professional marine deck/engineer officer without holding a valid Certificate of Registration and Professional Identification Card; and

(f) Any person who shall violate the provisions of this Act, its Implementing Rules and Regulations and the Code of Ethics for marine deck/engineer officers.

Section 34. Enforcement. – The Commission may seek the assistance of other duly constituted authorities in the enforcement of the provisions of this Act.

Section 35. Separability Clause. – If any clause, provision, paragraph, or part hereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part hereof, but such judgment shall be merely confined to the clause, provision, paragraph or part directly involved in the controversy in which such judgment has been rendered.

Section 36. Repealing Clause. – Section 4(c) 1 of Republic Act No. 10635, in so far as it provides for an impression pertaining to the conduct of licensure examinations given by the Professional Regulation Commission for the issuance of Certificate of Registration/Professional License to marine deck and marine engineer officers is concerned is hereby repealed. All other laws, decrees, executive orders, rules and regulations and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are likewise repealed.

Section 37. Effectivity. – This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or in any newspaper of general circulation, whichever comes earlier.

Approved,