

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

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 953



Introduced by MARINO Party-list Representative
SANDRO L. GONZALEZ

AN ACT
**ESTABLISHING A MARITIME EDUCATION AND TRAINING REGIME,
CREATING A TECHNICAL COMMITTEE ON MARITIME EDUCATION
AND TRAINING, CENTRALIZING SHIPBOARD TRAINING, GRANTING
FINANCIAL ASSISTANCE TO MARITIME STUDENTS, MODIFYING THE
REQUIREMENTS FOR MARINE DECK/ENGINE OFFICER
EXAMINATION, CREATING ADDITIONAL TRAINING FACILITIES,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The maritime profession is unique in a sense that it is the only profession globally which competencies and skills requirements are governed by a convention – the International Convention on Standards of Training, Certification and Watchkeeping, 1978, As Amended (STCW Convention).

The STCW Convention only requires seafarers onboard Convention-size ships to possess the necessary certifications, evidencing their training, competencies and health status and no other. A degree in maritime studies is not a requirement under the STCW Convention.

However, in the Philippines, the maritime profession is partly being regulated by Republic Act No. 8544, otherwise known as the Philippine Merchant Marine Officers Act of 1998, Section 14(d) of which requires applicants for Operational Level (officers) to be graduates of Bachelor of Science in Maritime Transportation or Bachelor of Science in Marine Engineering in a school, academy, institute, college or university duly recognized by the Commission on Higher Education (CHED). This is the reason why non-holders of the aforementioned degrees cannot become officers despite having extensive sea service experience.

This representation believes that with the rapid evolution of technology and development in the maritime industry, so must change the way we treat maritime education and training, without sacrificing the quality of Filipino maritime professionals.

This bill aims to adopt a Modern Maritime Education and Training Regime which will, among others, create a maritime strand under the K-12 program and adopt a modular curricula for maritime education and training, with the aim to prepare maritime students for deployment as early as 2 years into their tertiary education, thereby further improving the quality of our Filipino seafarers while allowing them to maximize their earning opportunity and providing them with options to enjoy the fruits of their labor with their family at a much earlier time.

It also recognizes the fact that additional job competency requirements are evolving with the advancement and developments in the maritime industry. Thus, including as part of the Regime the creation of additional maritime courses, such as port management, which will address the “new” needs of the maritime industry.

In support of the needs of maritime students and professionals, this bill also proposes to provide Student Financial Assistance Program and Seafarers’ Continuous Upgrading Program, as well as establish additional government-owned training facilities where our seafarers can obtain the necessary quality training for a reasonable price.

In view of the foregoing, the early passage of this proposed measure is earnestly sought.

A stylized, handwritten signature in black ink, appearing to read 'SANDRO L. GONZALEZ', positioned above the printed name.

SANDRO L. GONZALEZ

Representative

MARINO Party-list

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

CHAPTER I
TITLE AND POLICY

Section 1. *Short Title.* – This Act shall be known as “**The Maritime Education and Training Act**”.

Section 2. *Declaration of Policy.* – It is the duty of the State to promote industrialization and full employment through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets. Thus, the State shall protect and promote the right of all citizens to quality education and training at all levels, and take appropriate steps to make such education and training accessible to all.

In recognition of the important role of the maritime profession in national and economic development, it is hereby declared the policy of the State to institutionalize a maritime education and training regime to ensure that Filipino seafarers will be globally-preferred, all maritime education and training policies, rules, and regulations are synchronized, harmonized,

progressive, innovative and aligned with the letters and spirits of the International Convention on Standards of Training, Certification and Watchkeeping 1978, As Amended (STCW Convention) and other international maritime instruments on the qualification of seafarers; and that quality processes in enrolment, examination and assessment, certification and employment in the maritime profession are seamless.

CHAPTER II DEFINITION OF TERMS

Section 3. *Definition of terms.* – For purposes of this Act, the following terms shall mean or be understood as follows:

- (a) **Management Level** means the level of responsibility associated with:
 - 1. serving as master, chief mate, chief engineer officer or second engineer officer on board a seagoing ship, and
 - 2. ensuring that all functions within the designated area of responsibility are properly performed.

- (b) **Maritime Education and Training** refers to educational and training systems that provide competent seafarers for merchant vessels

- (c) **Modularized Curriculum** refers to the principle of dividing the curriculum into small discrete modules or units that are independent, non-sequential, and typically short in duration. Students accumulate credit units for modules which can lead to the qualification for which a specified number of credit point is required

- (d) **Operational Level** means the level of responsibility associated with:
 - 1. serving as officer in charge of a navigational or engineering watch or as designated duty engineer for periodically unmanned machinery spaces or as radio operator on board a seagoing ship, and
 - 2. maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction of an individual serving in the management level for that area of responsibility.

(e) **Shipboard Training** means a planned and structured program of training designed to assist a prospective candidate to achieve the standard of competence in accordance with the table of competencies of the STCW Code.

(f) **STCW Convention** refers to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as Amended

(g) **Support Level** means the level of responsibility associated with performing assigned tasks, duties or responsibilities on board a seagoing ship under the direction of an individual serving in the operational or management level.

(h) **Technical Vocational Education and Training** refers to the education involving the study of technology-related sciences, in addition to general education, as well as the acquisition of practical skills relating to occupations in various sectors of economic life and social life, and which comprise formal (organized programs as part of the school system) and non-formal (organized classes outside the school system) approaches

CHAPTER III

MARITIME EDUCATION AND TRAINING

Section 4. *Creation of Technical Committee on Maritime Education and Training* –

A technical committee on maritime education and training, hereinafter referred to as the “Committee”, to be headed by the Executive Secretary and composed of MARINA, CHED, DEPED, PMMA, NMP, TESDA and DOLE is hereby created under the Office of the President.

Section 5. *Functions of the Committee* – The committee shall prepare a “Modern Maritime Education and Training Regime”, hereinafter referred to as the “Regime”, in consultation with technical experts in maritime education and training as well as maritime employers, consistent with the STCW Convention and other international maritime instruments on the qualification of seafarers.

The Regime shall include the following:

- a. shift from the current subject-based curricula to modularized curricula;

- b. use of innovative and easily accessible learning platforms, such as but not limited to, online learning, which will permit seamless and remote access and learning, whenever applicable;
- c. use of remote but effective assessment tools for all competencies, or components thereof, whenever possible;
- d. use of simulators and other similar equipment;
- e. strategic scheduling of shipboard training;
- f. development and implementation of a maritime strand under the Enhanced Basic Education Program or the K-12 program, which will cover all elective subjects of maritime courses;
- g. development and implementation of bridging programs which would allow seamless transition of a baccalaureate discipline or technical vocational education and training to maritime profession
- h. development and implementation of new maritime courses responsive to the existing and emerging needs of the maritime industry
- i. development and implementation of electronic training record book for all seafarers; and
- j. such other policies and features as identified by the Committee which will ensure that Filipino seafarers are globally-preferred

Section 6. *Ascendance of the Regime* – All government departments, bureaus, agencies and instrumentalities, including private maritime education and training institutions and technical and vocational training centers, shall implement the Regime within their respective mandates. No government body or instrumentality nor any private institution of higher learning shall adopt any policy, rules or regulations, or take any course of action contrary to or inconsistent with the Regime.

Section 7. *Centralized Shipboard Training* – The management of all shipboard training programs required to complete the requirements of a maritime course shall be centralized and managed by the MARINA.

The MARINA may require convention size ships of Philippine registry to accommodate at least one (1) cadet each in the deck and engine departments, subject to learning, safety and health considerations.

The MARINA may also enter into agreements with shipping companies operating convention-size merchant vessels sailing under foreign flags to ensure that all students will be

given opportunity to avail the necessary shipboard training program. Likewise, Maritime Education and Training Institutions shall be allowed to enter into such agreements, subject to the guidelines to be prescribed by the MARINA.

The MARINA, in consultation with shipping operators, shall prescribe a standard fee to be paid by the cadets for the shipboard training which will cover costs of food, lodging, hygiene and other expenses incurred while on board.

CHAPTER IV

EDUCATIONAL ASSISTANCE

Section 8. *Student Financial Assistance Program for Maritime Students* – Maritime students shall be considered in the Student Financial Assistance Programs (StuFAP) under Republic Act No. 10931, otherwise known as the Universal Access to Quality Tertiary Education Act. For purposes of this Act, a maritime professional shall be considered as a maritime student if he will enroll in competency training required to perform support level functions in a ship.

The StuFAP shall cover any or all of the following:

- a. Tuition fees
- b. Miscellaneous and other school fees
- c. Educational expenses
- d. Cost-of-living allowance
- e. Cost of books and learning materials, and instruments
- f. Licensure examination
- g. Training and Assessment fees
- h. Certification examination
- i. Cost of certification

CHAPTER V

SEAFARERS' UPGRADING AND PROMOTION

Section 9. *Qualification of Applicant for Examination for Maritime Officers* – A baccalaureate shall not be required to qualify as applicant for examination for Marine

Deck/Engine Officer. For this purpose, the MARINA shall formulate and prescribe the minimum competencies and qualifications required for the examination.

Section 10. *Seafarers' Continuous Upgrading Program* – The Committee shall modify and enhance existing seafarers' upgrading programs to ensure that Filipino seafarers can competently perform operational and management level positions. For this purpose, the OWWA shall fund the costs of up to two (2) upgrading trainings per seafarer-member per year. To qualify for the program, the seafarer must have accumulated at least one (1) year of sea service experience.

Section 11. *Creation of Additional Maritime Training Facilities* – To afford equal access to maritime education and training, additional maritime training facilities shall be created in Luzon, Visayas and Mindanao, and in other areas as may be identified by the Committee. In the determination of additional areas, the Committee shall take into consideration the absence of operating training facilities in the area, the number of students enrolled in maritime courses, and accessibility, among others.

CHAPTER V

MISCELLANEOUS PROVISIONS

Section 12. *Composition of the Governing Boards* – The composition of the governing boards of State Universities and Colleges offering maritime programs is hereby amended to include the Administrator of the Maritime Industry Authority as Co-Chairperson.

Section 13. *Appropriations* – The Executive Secretary shall include in the programs of all relevant government agencies and instrumentalities the operationalization of the Enhanced Maritime Education and Training Regime, the initial funding of which shall be charged against the current appropriations of the Office of the President. Thereafter, the amount necessary for the continued implementation of the Regime shall be included in the annual General Appropriations Act.

Section 14. *Joint Congressional Oversight Committee on the Maritime Education and Training* – There is hereby created a Joint Oversight Committee to oversee, monitor and evaluate the implementation of this Act. The Oversight Committee shall be composed of five (5) members each from the Senate and from the House of Representatives.

Section 15. *Implementing Rules and Regulations* – The Committee shall issue the necessary implementing rules and regulations in accordance with the provisions of this Act within ninety (90) days from the effectivity hereof.

Section 16. *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 17. *Repealing Clause* – All existing 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 18. *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,