

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

10 AUG 17 P2:31

SENATE
S. No. **2419**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The frequent causes of the sea accidents are overloading of ships and non-compliance by vessels with safety precautions and measures. For the past 25 years, there have been, at least, one hundred seventy eight (178) recorded sea accidents within the Philippine archipelago.

It is, sad to note, also, that about 6,000 people have died since 1985 because of sea accidents. Most of their families have not recovered their claims from insurance companies because their policies seem to favor shipowners and insurance companies.

It was also revealed during the hearing that Maritime Industry Authority: (MARINA) and the Insurance Commission have failed to protect the victims of sea accidents because their rules are more pro-insurance company than pro-victim.

The bill seeks to implement "no risk, no fault" insurance policy that would compel shipowners to pay the claims of all the victims of recent sea tragedies whether they are listed in the manifest or not.

This bill is an outcome of the public hearings conducted by the Committee on Accountability of Public Officers and Investigations, originally filed by Sen. Richard Gordon during the Fourteenth Congress, Third Regular Session.


MIRIAM DEFENSOR SANTIAGO

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

10 AUG 17 12:31

SENATE
S. No. 2419

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 AMENDING CHAPTER V, SECTION 14 OF REPUBLIC ACT NO. 9295, OTHERWISE
3 KNOWN AS "THE DOMESTIC SHIPPING DEVELOPMENT ACT OF 2004"

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

4 SECTION 1. Section 14, Chapter V of Republic Act No. 9295, otherwise known as
5 "The Domestic Shipping Development Act of 2004," shall be amended as follows:

6 Section 14. Compulsory Insurance Coverage for Passenger and Cargo. - To
7 meet its financial responsibility for any liability which a domestic ship operator
8 may incur for any breach of the contract of carriage, every domestic ship
9 operators shall be required to submit annually the following:

- 10 1. Adequate insurance coverage for each passenger in an amount to be
11 computed in accordance with existing laws, rules and regulations, and
12 the total amount of such coverage shall be equivalent to the total
13 number of passenger accommodations being offered by the vessel,
14 PROVIDED THAT SUCH INSURANCE COVERAGE SHALL
15 INDICATE A "NO RISK, NO FAULT" CLAUSE AND SHALL
16 COVER SHIP PASSENGERS WHETHER OR NOT APPEARING
17 IN THE SHIP'S MANIFEST;

18 x x x

1 SECTION 2. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts
2 thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified
3 accordingly.

4 SECTION 3. *Separability Clause.* – If, for any reason, any provision of this Act is
5 declared to be unconstitutional or invalid, the other sections or provisions hereof which are not
6 affected thereby shall continue to be in full force and effect.

7 SECTION 4. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
8 following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

9 Approved,