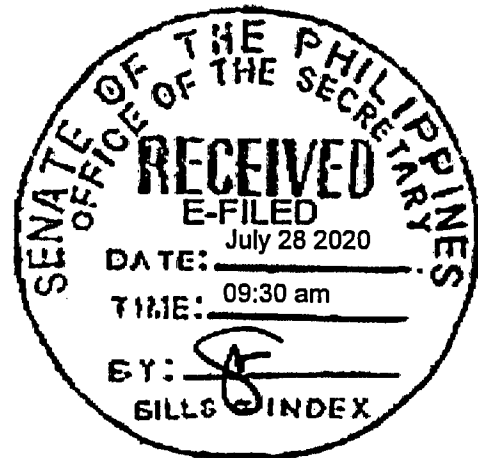


EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
Second Regular Session

SENATE

S. B. NO. 1745



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Introduced by **SENATOR JOEL VILLANUEVA**

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**AN ACT  
INSTITUTING THE MAGNA CARTA OF FILIPINO SEAFARERS**

**EXPLANATORY NOTE**

Article XIII, Section 3 of the 1987 Philippine Constitution provides that the State shall afford full protection to labor, local, and overseas. One category of these overseas workers are the seafarers whose numbers have steadily increased throughout the years.

In fact, the Philippines is known to be one of the largest supplier of seafarers in the world,<sup>1</sup> and the seafarers' contribution to the Philippine economy is undeniable with their remittances. According to the *Bangko Sentral ng Pilipinas* (BSP), Filipino seafarers have remitted over USD6.53 billion in 2019<sup>2</sup> alone. Despite their significant contributions, however, they are often overshadowed by the country's land-based overseas workers.

In addition, the country's current laws protecting migrant workers, particularly Republic Act No. 8042, as amended, also known as the Overseas Filipinos and Migrant Workers Act, do not adequately address the needs of seafarers, especially considering the peculiar circumstances that they are facing while working aboard ocean-going ships. For example, Filipino seafarers face the risk of abuse, exploitation and contract violations by their employers in the open seas with limited access to welfare services from Philippine embassies abroad.

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<sup>1</sup> Global Supply and Demand for Seafarers. International Chamber of Shipping.

<sup>2</sup> Overseas Filipinos' Cash Remittances. Bangko ng Sentral ng Pilipinas. Available at <http://www.bsp.gov.ph/statistics/keystat/ofw2.htm> (Date last accessed: July 26, 2020).

Thus, there is a need to prioritize and promote the welfare and the protection of the rights of Filipino seafarers. This bill, among others, seeks to establish the rights of seafarers; enumerate the duties of employers, seafarers and government agencies; and setting minimum standards for the training, accommodation, work facilities, education, repatriation, occupational safety and health of seafarers.

This bill also mandates the Philippine Overseas Employment Administration and the Maritime Industry Authority to maintain a registry of seafarers. On the other hand, the Department of Labor and Employment is mandated to formulate the Maritime Occupational Safety and Health Standards (MOSHS) pursuant to the provisions of Republic Act No. 11058, otherwise known as the "Occupational Safety and Health Law" and pertinent maritime conventions and treaties ratified by the Philippines.

During the celebration of the 2020 Day of the Seafarers in June, the International Maritime Organization (IMO) called on the Member States "to recognize seafarers as key workers – and to provide them with the support, assistance and travel options open to all key workers during the pandemic."<sup>3</sup>

This bill is an answer to IMO's call.

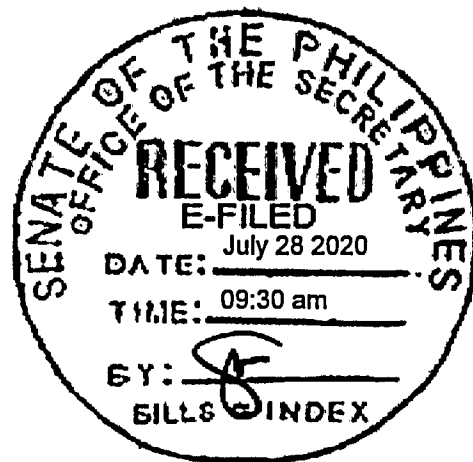
In view of the foregoing, the immediate approval of this bill is highly recommended.

  
SENATOR JOEL VILLANUEVA

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<sup>3</sup> UN Day of the Seafarer highlights sacrifice of key workers at sea during pandemic. International Maritime Organization. Available at <http://www.imo.org/en/MediaCentre/PressBriefings/Pages/20-DOTS-2020.aspx> (date last accessed: July 27, 2020).

EIGHTEENTH CONGRESS OF THE )  
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SENATE

S. B. NO. 1745

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Introduced by **SENATOR JOEL VILLANUEVA**

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**AN ACT INSTITUTING THE MAGNA CARTA OF FILIPINO SEAFARERS**

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

**CHAPTER I  
DECLARATION OF POLICY**

**SECTION 1. Short Title.** – This Act shall be known as the “Magna Carta of Filipino Seafarers.”

**SEC. 2. Declaration of Policies.** – It is hereby declared the policy of the State:

- (a) To recognize the rights, contributions and unique role of Filipino seafarers as essential maritime professionals and their vulnerabilities, and afford them full protection before, during and after their employment;
- (b) To maintain and progressively develop a pool of competent and world-class seafarers through a system of education, training, accreditation and licensing;
- (c) To establish mechanisms for the enhancement of administrative, adjudicative, social, and welfare services for them and their families;
- (d) To enact laws that adopt, and implement the standards set by international conventions and agreements on working and living conditions, and occupational safety and health, among others, for seafarers particularly the Maritime Labour Convention, 2006; and

1 (e) To recognize ship owners, and recruitment and placement entities as vital  
2 partners in promoting the skills, competencies and rights and welfare of Filipino  
3 seafarers.  
4

5 Toward these ends, the State shall endeavor to improve the Filipino seafarers'  
6 working conditions, terms and conditions of employment and career prospects and  
7 provide them opportunities to harness their potentials to the fullest. The State shall  
8 uplift the socio-economic well-being of the Filipino seafarers' families.  
9

## 10 CHAPTER II 11 GENERAL PROVISIONS

12  
13 **SEC. 3. Coverage.** – This Act shall cover:  
14

15 (a) All Filipino seafarers engaged, employed, or working in any capacity, on-board  
16 Philippine or foreign-registered ships, except those engaged, employed or  
17 working in the following categories of ships:  
18

19 (1) Warships and naval auxiliaries;  
20

21 (2) Government ships not engaged in commercial operations;  
22

23 (3) Ships of traditional built, as may be defined under existing rules and  
24 regulations; and  
25

26 (4) Fishing vessels as may be defined by appropriate rules and regulations to  
27 be issued by the Department of Labor and Employment (DOLE) in  
28 consultation with relevant stakeholders.  
29

30 (b) All Filipino seafarers on-board Philippine registered domestic ships shall be  
31 covered primarily by equivalent provisions of the Labor Code of the Philippines,  
32 as amended, and related social and welfare benefits law. For this purpose, the  
33 DOLE shall issue the appropriate rules and regulations to govern the  
34 employment of domestic seafarers.  
35

36 **SEC. 4. Definition of Terms.** – As used in this Act, the following terms shall have the  
37 following meaning:  
38

39 (a) **Cadet** refers to the student of maritime educational institutions who is required  
40 to undergo training on-board registered international or domestic ships to fulfil a  
41 maritime academic course, maritime degree or certification requirement;  
42

43 (b) **Deck Officer** refers to an officer qualified in accordance with Chapter II of the  
44 International Convention on the Standards of Training, Certification and  
45 Watchkeeping for Seafarers, 1978 (STCW, 1978), as amended;  
46

47 (c) **Domestic Shipping** refers to the transport of passenger or cargo or both by  
48 ships duly registered and licensed under Philippine law to engage in trade and  
49 commerce between Philippine ports and within Philippine territorial or internal  
50 waters for hire or compensation with general or limited clientele, whether

1 permanent, occasional or incidental with or without fixed routes and done for  
2 contractual or commercial purposes;

3  
4 (d) **Engine Officer** refers to an officer qualified in accordance with Chapter III of the  
5 International Convention on the STCW, 1978 as amended;

6  
7 (e) **International Maritime Convention or International Convention** refers to any  
8 written treaty or agreement, or any protocol or amendment thereto, affecting the  
9 maritime industry which has come into force and effect, including the Maritime  
10 Labour Convention, 2006;

11  
12 (f) **Maritime Industry Stakeholders** refer to all private sector stakeholders,  
13 engaged in the business of owning, managing, chartering or operating domestic  
14 and international ship(s) of Philippine or foreign registry, manning of ships,  
15 management of ports, stevedoring and arrastre services, ship brokering and  
16 chartering, ship-building and ship repair, providing maritime services such as  
17 ship supplies and provisions, maritime education and training, shipping agency,  
18 and other similar activities. This term shall also include *bona fide* maritime labor  
19 organizations and professional associations of seafarers;

20  
21 (g) **Maritime Labor Certificate** refers to the document that certifies that the working  
22 and living conditions of the seafarers on the ship have been inspected and are  
23 compliant with the requirements of Philippine laws and regulations;

24  
25 (h) **Maritime Labour Convention, 2006, or MLC, 2006** refers to the consolidated  
26 Maritime Labor Convention approved by the International Labor Organization  
27 (ILO) in 2006 and ratified by the Philippines on August 20, 2012;

28  
29 (i) **Master** refers to a person having command of a ship and acts as the shipowners'  
30 representative;

31  
32 (j) **Officer** refers to a member of the crew other than the master who has been  
33 designated as such by national law or regulation or, in the absence of such  
34 designation, by collective agreement or custom;

35  
36 (k) **One-Stop Service Center for OFWs** refers to the one-stop centers in various  
37 parts of the country where government frontline services are made accessible to  
38 Overseas Filipino Workers (OFWs), including seafarers. Agencies at these  
39 centers shall include the Department of Labor and Employment (DOLE),  
40 Department of Foreign Affairs (DFA), Philippine Overseas Employment  
41 Administration (POEA), Overseas Workers Welfare Administration (OWWA),  
42 Technical Education and Skills Development Authority (TESDA), Professional  
43 Regulation Commission (PRC), Maritime Industry Authority (MARINA), Home  
44 Development Mutual Fund (HDMF), Philippine Health Insurance Corporation  
45 (PhilHealth), Social Security System (SSS), Philippine Statistics Authority (PSA),  
46 Bureau of Immigration (BI), National Bureau of Immigration (NBI), Commission  
47 on Higher Education (CHED), Philippine National Police (PNP), and Bureau of  
48 Internal Revenue (BIR);  
49

- 1 (l) **Point of Hire** refers to the place indicated in the contract of employment, and  
2 which shall be the basis in determining the commencement and termination of  
3 the contract;  
4
- 5 (m) **Recognized Organizations** refer to organizations recognized by the DOLE to  
6 carry out inspections or issue the Maritime Labour Certificate in accordance with  
7 the scope of activities covered by their authorizations;  
8
- 9 (n) **Repatriation** refers to the process of returning a seafarer to the point of hire;  
10
- 11 (o) **Seafarer** refers to any person who is employed or is engaged to work in any  
12 capacity on board a ship covered under this Act;  
13
- 14 (p) **Sea-Going Ship** refers to a ship other than those which navigate exclusively in  
15 inland water or in water within or closely adjacent to sheltered water, or areas  
16 where port regulations apply;  
17
- 18 (q) **Ship or Vessel** refers to any kind, class or type of craft or artificial contrivance  
19 capable of floating in water, whether publicly or privately owned, ordinarily  
20 engaged in commercial activities and offshore operations, except fixed platform;  
21
- 22 (r) **Shipowner** refers to the owner of the ship employing Filipino seafarers to work  
23 on board domestic ships and ships engaged in international trade, or any other  
24 organization or person, such as the manager, agent or bareboat charterer, who  
25 has assumed the responsibility for operation and management of the ship, and  
26 who, in assuming such responsibilities, has agreed to take over all the attendant  
27 duties and responsibilities of a shipowner under this Act, regardless of whether  
28 any other organization or persons fulfill certain duties or responsibilities on behalf  
29 of the shipowner; and  
30
- 31 (s) **Maritime Accident** refers to any unforeseen occurrence or physical event  
32 connected to the navigation, operations, maneuvering or handling of ships, or  
33 the machinery, equipment, material, or cargo on board such ships which may  
34 result in the detention of seafarers.  
35

### 36 CHAPTER III 37 SEAFARER'S RIGHTS 38

39 **SEC. 5. Right to Just Terms and Conditions of Work.** – Seafarers shall have the  
40 right to:  
41

- 42 (a) A safe and secure workplace that complies with safety standards;  
43
- 44 (b) Decent working and living conditions on-board a ship;  
45
- 46 (c) Medical care and confirmatory tests, welfare measures and other forms of health  
47 and social protection; and  
48
- 49 (d) Fair terms and conditions of employment, including salary commensurate to their  
50 rank, hours of work, paid sick leave or sickness benefits, minimum number of

1 working hours and rest periods consistent with Philippine laws or international  
2 maritime conventions.  
3

4 **SEC. 6. Right to Self-organization, to engage in Collective Bargaining and to**  
5 **Participate in Democratic Exercises.** – Seafarers shall enjoy the right to self-  
6 organization, to collectively bargain and to participate in the deliberation of issues and  
7 in the formulation of policies that affect them, including the guarantee of representation  
8 in governing boards or appointment in government instrumentalities.  
9

10 **SEC. 7. Right to Educational Advancement and Training at Reasonable and**  
11 **Affordable Costs.** – Seafarers shall have access to educational advancement and  
12 training at reasonable and affordable costs.  
13

14 Toward this end, relevant government agencies shall:

- 15
- 16 (a) Regulate the operation of all educational and training institutions offering courses  
17 related to seafaring;
  - 18
  - 19 (b) Pursue grant programs such as scholarships, subsidies, loan assistance and  
20 other measures that will harness the skills of Filipino seafarers toward greater  
21 competitiveness given the new demands in the industry; and
  - 22
  - 23 (c) Promote quality maritime education and training that respond to the needs of the  
24 industry and in accordance with minimum international maritime standards of  
25 competency.  
26

27 In addition, any fee or other charges imposed on cadets, interns, apprentices,  
28 on-the-job trainees or other persons similarly situated shall be charged to maritime  
29 institutions.  
30

31 **SEC. 8. Right to Information.** – Shipowners, manning agencies, and other  
32 organizations responsible for the recruitment and placement of Filipino seafarers shall  
33 provide seafarers relevant information, including the terms and conditions of  
34 employment, company policies affecting seafarers, obligations of seafarers, conditions  
35 and realities attending to their profession, and laws and regulations of countries  
36 covered by their sojourn. In addition, the seafarers must, at all times, be furnished a  
37 copy of the results of medical examination conducted on him/her. This right shall also  
38 include the right of seafarers' organizations to relevant information affecting the terms  
39 and conditions of employment of their members.  
40

41 All ships covered by this Act shall have a copy of the Maritime Labour  
42 Convention, 2006, the grievance procedures available on-board and when there is a  
43 collective bargaining agreement, a copy of such agreement which shall be readily  
44 accessible to the seafarers.  
45

46 **SEC. 9. Right to Consultation.** – Seafarers, shipowners and legitimate seafarers'  
47 and shipowners' organizations, as well as other maritime stakeholders, shall be  
48 adequately consulted before adopting any maritime policy, executive issuance, rules  
49 or regulations or in the enactment of any maritime law that may directly affect the  
50 seafarers and/or their families and beneficiaries.

1  
2 **SEC. 10. Right Against Discrimination.** – Upon employment, seafarers shall have  
3 the right to be protected from discrimination on the sole basis of race, age, sex, religion  
4 or political opinion. Career opportunities shall be promoted and appropriate working  
5 and living conditions shall be guaranteed equally among male and female seafarers.  
6

7 **SEC. 11. Right to Free Legal Representation.** – Seafarers whose rights, as  
8 guaranteed under this Act, or whose contracts have been violated, who cannot afford  
9 the services of a competent and independent counsel, shall have the right to free legal  
10 assistance and protection at government's expense; subject to existing rules and  
11 regulations.  
12

13 **SEC. 12. Right to Access to Communication.** – Seafarers, especially during their  
14 free time or when they are not on duty shall have reasonable access to ship-to-shore  
15 telephone communications, email and internet facilities, where available.  
16

17 **SEC. 13. Right to Record of Employment or Certificate of Employment.** – At the  
18 expiration of the employment contract of the seafarer, he/she shall have the right to  
19 be given a record of his/her employment on board the ship, or a certificate of  
20 employment, specifying the length of service, the position the seafarer occupied, and  
21 such other relevant information.  
22

23 **SEC. 14. Right to Fair Treatment in the Event of a Maritime Accident.** – In the  
24 event of a maritime accident, seafarers shall be treated fairly and shall be entitled to  
25 all the rights under the ILO/IMO 2006 Guidelines on Fair Treatment of Seafarers in the  
26 Event of a Maritime Accident, Annex to IMO Resolution A. 1056 (27) of November 30,  
27 2011.  
28

29 **CHAPTER IV**  
30 **SEAFARER'S DUTIES**  
31

32 **SEC. 15. Duties of a Seafarer.** – Seafarers shall have the following duties:  
33

- 34 (a) To comply with and observe the terms and conditions of the employment  
35 contract;  
36  
37 (b) To abide by lawful and reasonable company personnel policies;  
38  
39 (c) To be obedient to the lawful commands of the Master or any persons who shall  
40 lawfully succeed him/her, and to comply with the relevant policies on safety and  
41 operational procedures and instructions on board the ship or while ashore;  
42  
43 (d) To be diligent in the performance of duties relating to the ship, its stores,  
44 equipment and cargo, whether on board, in transit or ashore;  
45  
46 (e) To be, at all times, orderly and respectful to the shipmates, passengers, shippers,  
47 stevedores, port authorities, and other persons who have official business with  
48 the ship; and  
49  
50 (f) To be personally responsible for maintaining a healthy lifestyle.



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**CHAPTER V**  
**MINIMUM REQUIREMENTS FOR SEAFARERS**

4 **SEC. 16. Minimum Age.** – No person below eighteen (18) years old, other than a  
5 cadet, shall be employed, engaged, or otherwise allowed to work on board Philippine  
6 and foreign-registered ships.

8 **SEC. 17. Medical Certificates.** – No seafarer shall be employed, engaged, or  
9 otherwise allowed to work on board a domestic or ocean-going ship unless a medical  
10 certificate has been issued declaring the seafarer to be fit to work.

12 For this purpose, the seafarer shall hold a valid medical certificate issued by a  
13 medical facility duly accredited by the Department of Health (DOH) in accordance with  
14 its existing rules and regulations.

16 The medical certificate shall certify that the person is expected to be able to meet  
17 the minimum requirements to perform the duty specific to the person's post at sea  
18 safely and effectively during the validity of the certificate.

20 During the course of the medical examination, the seafarer shall have the  
21 responsibility of answering truthfully all questions relating to his/her medical condition  
22 and/or medical history, including previous known illness, injury, or medical treatment,  
23 and to make a complete inventory of medication prescribed to him/her by physicians.

25 For the purposes of this Section, a medical certificate issued in accordance with  
26 the requirements of STCW shall be accepted.

28 **SEC. 18. Training and Qualifications.** – Only seafarers certified by appropriate  
29 government agencies shall work, be employed or be engaged on-board a ship.

31 **SEC. 19. Recruitment and Placement.** – Only duly licensed manning or placement  
32 and recruitment agency shall be allowed to operate and engage in the recruitment and  
33 placement of seafarers, in accordance with rules and regulations as may be issued by  
34 the Secretary of Labor and Employment.

36 In all cases, no amount or fee shall be charged to the seafarer in the recruitment  
37 and placement.

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39  
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41

**CHAPTER VI**  
**TERMS AND CONDITIONS OF EMPLOYMENT**

42 **SEC. 20. Standard Employment Contract for Seafarers.** – There shall be an  
43 agreement in writing between the shipowner and the seafarer, which shall include, but  
44 not be limited to, the following information and terms:

- 45  
46 (a) Seafarer's full name, date of birth, age, birthplace and address;  
47  
48 (b) Seafarer's Record Book Number and Seafarer's Identity Document Number;  
49  
50 (c) Shipowner's name and address;

- 1  
2 (d) Place where and date when the seafarer's employment agreement is entered  
3 into;  
4  
5 (e) Duration of the contract;  
6  
7 (f) Point of hire;  
8  
9 (g) Capacity in which the seafarer is to be employed;  
10  
11 (h) Amount of the seafarer's salary, and the formula used for calculating the same;  
12  
13 (i) Hours of work and hours of rest;  
14  
15 (j) Wages and wage-related benefits, which shall include overtime pay, holiday pay,  
16 vacation leave pay, premium pay, paid leaves, 13th month pay, if applicable;  
17  
18 (k) Social security and welfare benefits;  
19  
20 (l) Stipulation on repatriation or similar undertakings;  
21  
22 (m) Separation pay and retirement pay, if applicable;  
23  
24 (n) Reference to the collective bargaining agreement, if applicable; and  
25  
26 (o) Other benefits in accordance with law, company policy or agreements.  
27

28 The employment agreement shall be in a working language or in the English  
29 language, executed in four (4) original copies before the commencement of the  
30 employment. The shipowner and the seafarer shall each have a signed original of the  
31 agreement. A signed original shall be made available on-board the ship.  
32

33 For ocean-going Philippine-registered ships or foreign-registered ships, the  
34 POEA shall issue a Standard Employment Contract (SEC), as approved by the DOLE,  
35 containing the minimum standards to be observed in the employment of Filipino  
36 seafarers. The SEC shall be reviewed and updated regularly and must, at all times,  
37 be consistent with the Maritime Labour Convention and other existing treaties and  
38 conventions governing seafarers, which the Philippines has ratified.  
39

40 **SEC. 21. Hours of Work and Hours of Rest.** – The normal hours of work of a seafarer  
41 shall not exceed eight (8) hours a day with one (1) rest day per week. If the seafarer  
42 is required to work beyond eight (8) hours, the maximum hours of work shall not  
43 exceed fourteen (14) hours in any 24-hour period, and seventy-two (72) hours in any  
44 seven-day period.  
45

46 The minimum hours of rest for every seafarer shall not be less than ten (10) hours  
47 in a 24-hour period. The hours of rest may be divided into two periods, one of which  
48 shall be at least six (6) hours in length, and the interval between the two periods of  
49 rest shall not exceed fourteen (14) hours.  
50

1 In exceptional cases, seafarers in watchkeeping duties may be required to work  
2 beyond fourteen (14) hours: *Provided*, That the rest period is not less than seventy  
3 (70) hours in any seven-day period; *Provided further*, That such watchkeeping duties  
4 shall not be allowed for more than two (2) consecutive weeks; *Provided, finally*, That  
5 the intervals between the two (2) periods shall not be less than twice the duration of  
6 the exception.

7  
8 **SEC. 22. Paid Annual Leave.** – Unless a higher annual leave is already provided in  
9 the employment contract, or under a collective bargaining agreement (CBA) or by the  
10 shipowner as company practice or policy, the seafarers shall be paid an annual leave  
11 to be calculated on the basis of a minimum of 2.5 calendar days per month of  
12 employment; *Provided*, That the following shall not be counted as part of the annual  
13 paid leave:

- 14  
15 (a) Public and customary holidays of the Philippines, whether or not they fall during  
16 the paid annual leave;  
17  
18 (b) Periods of incapacity for work (i) resulting from illness or injury; (ii) due to  
19 maternity or paternity leave in accordance with law;  
20  
21 (c) Temporary shore leave granted to a seafarer while employed; or  
22  
23 (d) Compensatory leave of any kind.

24  
25 **SEC. 23. Wages.** – The minimum wage applicable to Filipino seafarers onboard  
26 ocean-going ships of Philippine or foreign registry shall be as provided in the POEA  
27 SEC, which in no case be lower than the prevailing industry standard on ocean-going  
28 seafaring wage rates for officers and ratings, and regularly paid in full at intervals not  
29 greater than once a month.

30  
31 **SEC. 24. Remittance of Wages.** – Shipowners shall provide the appropriate facilities  
32 and assistance to the seafarer to enable the seafarer to remit his/her wages to his/her  
33 designated allottee/s in the Philippines through any authorized Philippine bank or  
34 financial intermediary; *Provided*, That such allotment shall not be less than eighty  
35 percent (80%) of the seafarer's monthly basic salary.

36  
37 **SEC. 25. Limitations on Wage Deductions.** – A deduction from the seafarer's wages  
38 shall not be made without his/her written consent, unless the deduction is provided for  
39 in the contract of employment and/or is authorized by law.

40  
41 **SEC. 26. Personal Effects.** – A seafarer may bring a reasonable number of articles  
42 for personal use on-board the ship: *Provided*, That this act shall not inconvenience the  
43 ship or cargo or pose any risk on board the ship. If the seafarers' personal effects are  
44 lost or damaged as a result of shipwreck, loss or stranding, abandonment of the  
45 vessel, or as a result of fire, flooding, collision or piracy, the employer shall reimburse  
46 him/her for said loss or damage in accordance with the international standards.

47  
48 **SEC. 27. Social Welfare Benefits.** – Without prejudice to established policy,  
49 collective bargaining agreement or other applicable social agreement, all seafarers  
50 shall be covered by the Social Security System (SSS), Employees' Compensation and

1 State Insurance Fund, PhilHealth, HDMF or Pag-IBIG Fund and other applicable social  
2 protection in accordance with law.

3  
4 **CHAPTER VII**  
5 **ACCOMMODATION, RECREATION FACILITIES, FOOD**  
6 **AND CATERING IN SHIPS**  
7

8 **SEC. 28. Application.** – The requirements of this Chapter for crew accommodation  
9 and recreation facilities covering ships of Philippine Registry shall be applicable to the  
10 following:

- 11
- 12 (a) All ocean-going ships and domestic ships constructed on or after the date when  
13 the Maritime Labor Convention of 2006 come into force;
  - 14
  - 15 (b) All second-hand ships, whether ocean-going or domestic, acquired or leased,  
16 and entered in the Philippine Registry after the entry date into force of the said  
17 Convention, unless provided exemption by the relevant Philippine government  
18 agency; and
  - 19
  - 20 (c) All ships constructed prior to the entry into force of the Maritime Labor  
21 Convention, 2006, which have undergone major or substantial structural  
22 alterations after the entry into force of the Convention unless provided exemption  
23 by the relevant Philippine government agency.
  - 24

25 **SEC. 29. Accommodation Facilities.** – Unless otherwise exempted herein or by  
26 appropriate regulations, all ships to which Filipino seafarers are sent on-board to work,  
27 whether Philippine or foreign-registered, shall have safe, decent and adequate  
28 accommodations for seafarers taking into account the need to protect the health and  
29 safety of seafarers working or living on board the ship.

30

31 **SEC. 30. Requirements for Sanitation.** – All ships to which Filipino seafarers are  
32 deployed to shall have sanitation facilities that meet the minimum standards for health  
33 and hygiene, which shall be accessible to seafarers on board. The sanitation facilities  
34 shall be located at convenient places, allowing for easy access to work stations. As  
35 far as practicable, separate facilities shall be provided for male and female crew.

36

37 **SEC. 31. Recreation Facilities.** – Unless otherwise exempted herein or by  
38 appropriate regulations, all ships to which Filipino seafarers are deployed to shall have  
39 recreation facilities, amenities, and services that are appropriate and accessible for  
40 seafarers; *Provided*, That domestic ships shall be exempted from this requirement  
41 considering that their trading patterns and length of voyages allow their crew to go  
42 home or to make use of comparable facilities on land.

43

44 **SEC. 32. Food and Catering.** – All ships covered under this Act to which Filipino  
45 seafarers are deployed to shall ensure protection and promotion of the health of the  
46 seafarer. Shipowners shall ensure that ships carry on-board and serve free food and  
47 drinking water of appropriate quality, quantity and nutritional value that adequately  
48 cover the requirements of the ship and take into consideration the differing cultural  
49 and religious backgrounds. The foods and drinks and the preparation thereof shall be  
50 in accordance with the standards of the Sanitation Code of the Philippines and

1 pertinent laws, rules and regulations and/or with international standards. In all cases,  
2 the ship's cooks shall be trained and qualified.  
3

4 **CHAPTER VIII**  
5 **MEDICAL CARE AND**  
6 **MARITIME OCCUPATIONAL SAFETY AND HEALTH STANDARDS**  
7

8 **SEC. 33. Medical Care On-board Ships and Ashore.** – The shipowner shall provide  
9 adequate medical facility, equipment, paraphernalia and medical supplies, including  
10 medicines on board, and shall ensure access to shore facilities for the health of  
11 seafarers, as well as the corresponding medical or trained personnel who shall provide  
12 first-aid and medical care.  
13

14 The medicine chest and its contents, the medical equipment, and the medical  
15 guide on board shall be maintained and inspected regularly to ensure that labeling,  
16 expiry dates, and conditions of storage of all medicines, and the directions for their  
17 use are checked, and all equipment are functioning properly.  
18

19 The shipowner shall ensure that seafarers have access to medical treatment for  
20 any illness or injury, hospitalization and dental treatment.  
21

22 A seafarer shall have the right to consult a qualified physician or dentist without  
23 delay in ports of call, where practicable.  
24

25 **SEC. 34. Financial Security System to Assist Seafarers in case of Occupational**  
26 **Injury and Other Causes.** – In accordance with the Maritime Labor Convention, 2006  
27 on Financial Security for vessels, the shipowner shall provide an expeditious and  
28 effective financial security system to assist seafarers in the event of their abandonment  
29 and to assure compensation for contractual claims in the event of death or long-term  
30 disability of seafarers due to an occupational injury, illness or hazard.  
31

32 **CHAPTER IX**  
33 **TERMINATION OF EMPLOYMENT**  
34

35 **SEC. 35. Termination of Employment.** –  
36

37 (a) The employment of Filipino seafarers on-board Philippine-registered ships  
38 operating internationally, as well as those on-board foreign-registered ships shall  
39 cease when the seafarers complete their period of contractual service aboard  
40 the ship, signs-off from the ship and arrive at the point of hire.  
41

42 (b) The employment is also terminated effective upon arrival at the point of hire for  
43 any of the following reasons:  
44

- 45 (1) When the seafarer signs-off and is disembarked for medical reasons in the  
46 event the seafarer is declared: (i) fit for repatriation; or (ii) when after an  
47 illness, the seafarer is declared fit to work, but the employer is unable to  
48 find employment for the seafarer on-board the ship originally boarded or  
49 another ship of the employer;  
50

- 1 (2) When the seafarer signs-off due to sale of the ship, lay-up of ship,  
2 discontinuance of voyage or change of ship principal;  
3  
4 (3) When the seafarer voluntarily resigns in writing and signs-off prior to  
5 expiration of contract within a reasonable period as may be prescribed in  
6 the implementing rules and regulations of this Act; or  
7  
8 (4) When the seafarer is discharged for just causes in accordance with the  
9 provisions of the POEA standard employment contract.  
10

## 11 CHAPTER X 12 SETTLEMENT OF DISPUTES 13

14 **SEC. 36. On-board and Onshore Grievance Machinery.** – All ships of Philippine  
15 registry shall establish a grievance machinery and a fair, effective and expeditious on-  
16 board and on-shore procedures, at no cost to the seafarer, for the resolution of  
17 grievances or complaints.  
18

19 Any grievance or complaints shall first be referred to the appropriate grievance  
20 mechanism established in accordance with this Act. In cases where a seafarer is a  
21 member of a legitimate trade union organization and covered by a collective  
22 bargaining agreement, he/she shall be assisted by a union designated representative  
23 in the proceedings. Any agreements reached by the parties at the grievance  
24 proceedings shall be final and binding.  
25

26 **SEC. 37. Mandatory Conciliation - Mediation.** – In the absence of an agreement or  
27 settlement at the grievance machinery level, Filipino seafarers engaged, employed or  
28 working on-board ships of Philippine registry or other registries, shall avail of the  
29 conciliation-mediation services pursuant to Republic Act No. 10396, otherwise known  
30 as "An Act Strengthening Conciliation-Mediation as a Voluntary Mode of Dispute  
31 Settlement for all Labor Cases, Amending for this Purpose Article 228 of Presidential  
32 Decree No. 442, as amended, Otherwise Known as the 'Labor Code of the  
33 Philippines'" and its implementing rules and regulations by filing a request for  
34 conciliation-mediation before the POEA, or at the appropriate Regional Branch of the  
35 National Conciliation and Mediation Board (NCMB) or the National Labor Relations  
36 Commission (NLRC).  
37

38 **SEC. 38. Maritime Industry Labor Arbitration.** – The seafarer, whether or not  
39 covered by a collective bargaining agreement (CBA), or the shipowner or manning  
40 agent, may manifest before the conciliator-mediator to submit the complaint for  
41 Voluntary Arbitration, or to endorse the same before the appropriate regional branch  
42 of the NLRC for Compulsory Arbitration, in case the parties failed to agree on a  
43 compromise settlement.  
44

45 For this purpose, a pool of trained maritime industry conciliator-mediators and  
46 experts shall be made available by the DOLE at the POEA, NCMB and NLRC. It shall  
47 also establish, in consultation with the maritime industry stakeholders, accreditation  
48 standards for Maritime Industry Voluntary Arbitrators that require competence,  
49 integrity and knowledge of the Philippine and global maritime industry practices and  
50 standards, MLC, 2006, and related Philippine ratified conventions and treaties.

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**CHAPTER XI  
REPATRIATION**

**SEC. 39. Seafarers' Repatriation.** – Should the need for repatriation of the seafarers arise, all costs related to the repatriation and transport of the personal effects of seafarers, including the provision on financial security in case of abandonment of seafarers, shall be borne by or charged to the shipowner or the manning agency concerned to expedite the repatriation without prior determination of the cause of repatriation or termination of the seafarer's employment.

**SEC. 40. Repatriation Expenses; Advance and Recovery.** – The repatriation expenses that shall be borne by or charged to the shipowner or the manning agency concerned shall include:

- (a) pay and allowances from the moment the seafarers leave the ship until they reach the repatriation destination;
- (b) accommodation and food during the journey to the repatriation destination;
- (c) transportation charges, the normal mode of transport should be by air;
- (d) deployment cost of the principal; and
- (e) Immigration fees, fines and penalties.

However, after the seafarer has returned to the country, the shipowner or manning agency concerned may recover the cost of repatriation from the seafarer if the termination is determined to be solely due to his or her fault.

**SEC. 41. Quarantine and Medical Expenses in Repatriation Due to Infection, Epidemics or Pandemic.** – Before or during the process of repatriation, the expenses of medical care and board and lodging for periods spent by seafarers in self-isolation or in quarantine, whether or not the seafarers have symptoms, have been exposed or are quarantined as a safety precaution, must be covered by the shipowner or manning agency until the seafarers have been duly repatriated to the repatriation destination. Thereafter, medical care and quarantine expenses after repatriation to the destination shall be covered by the OWWA.

**SEC. 42. Repatriation Destination.** – The repatriation destination, at the option of the seafarers, may either be the place indicated in the SEC as the point of hire, or the place stipulated under the collective bargaining agreement.

**SEC. 43. Emergency Repatriation for Seafarers On-board Foreign Registered Ships.** – In cases of war, epidemics, abandonment of ship by shipowners, natural or manmade disasters or calamities, and other similar events, the Department of Foreign Affairs (DFA), in coordination with the POEA and OWWA, and in appropriate situations with international agencies, shall undertake the repatriation of seafarers.

1 The DFA shall draw from the Emergency Repatriation Fund (ERF) provided  
2 under the General Appropriations Act (GAA) to defray the expenses involved in the  
3 repatriation of seafarers while the POEA shall require the manning agencies to effect  
4 the repatriation of seafarers within forty-eight (48) hours, unless prevented from doing  
5 so for justifiable or valid reasons. A manning agency that fails to repatriate a seafarer  
6 within the prescribed period without justifiable cause shall suffer the penalty of  
7 suspension or cancellation of license in accordance with pertinent rules and  
8 regulations  
9

10 In case of failure of the manning agency to provide the repatriation within the  
11 prescribed time, the POEA shall coordinate with the OWWA to advance the cost of  
12 repatriation of the seafarers without prejudice to reimbursement from the concerned  
13 manning agency within sixty (60) days from notice.  
14

15 **SEC. 44. Prescription of Entitlement to Repatriation.** – Entitlement to repatriation  
16 may lapse if the concerned seafarers do not claim it within the period prescribed in the  
17 implementing rules and regulations or collective bargaining agreement, if any, except  
18 when such seafarers are held captive on or off the ship as a result of acts of piracy or  
19 armed robbery against the ship, or are incapable to travel due to illness, injury or  
20 incapacity.  
21

## 22 CHAPTER XII 23 REINTEGRATION OF OVERSEAS FILIPINO SEAFARERS 24

25 **SEC. 45. Reintegration.** – Returning or unemployed overseas Filipino seafarers may  
26 avail of the livelihood development, training programs and placements services offered  
27 by concerned government agencies, including OWWA, Technical Education and Skills  
28 Development Authority (TESDA), National Maritime Polytechnic (NMP), Commission  
29 on Higher Education (CHED) and other relevant government agencies providing  
30 training.  
31

32 These agencies shall formulate skills upgrading or retraining curricula to meet  
33 the needs of returning or unemployed seafarers. The participation of the maritime  
34 industry, in particular, port and shipping industry, and maritime educational institutions  
35 shall be likewise solicited by the DOLE in devising the appropriate retraining and local  
36 job placement programs for unemployed seafarers.  
37

38 The National Reintegration Center for OFWs (NRCO) shall attend to the needs  
39 of returning seafarers. For this purpose, NRCO shall provide a mechanism for their  
40 reintegration into the Philippine society, serve as a promotion house for their local  
41 employment, and tap their skills and potentials for national development.  
42  
43

## 44 CHAPTER XIII 45 PROVISIONS APPLICABLE TO DOMESTIC SEAFARERS 46

47 **SEC. 46. Wages, Holiday Pay, Service Incentive Leave and other Statutory**  
48 **Benefits.** – The minimum wage rate of Filipino seafarers onboard ships engaged in  
49 domestic shipping shall be determined by the Regional Wages and Productivity  
50 Boards (RTWPB), taking into account the peculiarities of the employment arrangement



1 of seafarers and the criteria for wage fixing pursuant to Republic Act No. 6727,  
2 otherwise known as the "Wage Rationalization Act;" *Provided*, That wages for actual  
3 work hours and days shall not be lower than the applicable minimum wage rates in the  
4 place where the ship is registered. Wages of domestic seafarers shall be paid in full  
5 and regularly at least twice a week in a month, or at intervals not greater than 16 days  
6 as provided in the Labor Code of the Philippines, as amended.

7  
8 In addition, the provisions of the Labor Code of the Philippines, as amended, on  
9 "Prohibitions Regarding Wages," "Wage Studies, Wage Agreements, and Wage  
10 Determination," "Administration and Enforcement," "Holidays," "Service Incentive  
11 Leaves and Service Charges," shall continue to apply, unless higher annual leave is  
12 already provided under the collective bargaining agreement or by the shipowner as  
13 company practice or policy or seafarers' employment agreement. In addition, domestic  
14 seafarers shall also be entitled to (i) 13<sup>th</sup> month pay pursuant to Presidential Decree  
15 No. 851, as amended, (ii) paid maternity leave under Republic Act No. 11210,  
16 otherwise known as the 105-Day Expanded Maternity Leave Law, (iii) paid paternity  
17 leave under Republic Act No. 8187, otherwise known as the Paternity Leave Act of  
18 1996, (iv) Paid parental leave for solo parents under Republic Act No. 8972, otherwise  
19 known as the Solo Parents' Welfare Act of 2000; (v) paid leave for victims of violence  
20 against women and their children under Republic Act No. 9262, otherwise known as  
21 the Anti-Violence Against Women and their Children Act of 2004, (vi) paid special  
22 leave due to surgery for any gynecological disorder, under Republic Act No. 9170,  
23 otherwise known as the Magna Carta of Women, and retirement pay, pursuant to  
24 Republic Act No. 7641.

25  
26 Domestic seafarers shall also be entitled to SSS, PhilHealth, and Employee  
27 Compensation Commission (ECC) benefits, regardless of the benefits already  
28 provided under a contract, collective bargaining agreement, or company practice or  
29 policy.

30  
31 **SEC. 47. Hours of Work, Hours of Rest.** – As far as practicable, the provisions of  
32 Section 21 of this Act shall also apply to domestic seafarers.

33  
34 **SEC. 48. Termination of Employment of Domestic Seafarers.** – The termination of  
35 employment of a seafarer on-board domestic ships shall be governed by the  
36 provisions of the Labor Code of the Philippines, as amended, on domestic shipping.

37  
38 **SEC. 49. Repatriation for Seafarers On-board Domestic Ships.** – The provisions  
39 under this Act on repatriation as may be applicable shall also apply to seafarers  
40 working on domestic ships. Seafarers on-board domestic ships shall be entitled to  
41 emergency repatriation in cases of war, epidemics, abandonment of ships by  
42 shipowners, disasters or calamities, whether natural or man-made, and other similar  
43 events.

44  
45 **SEC. 50. Contracting or Subcontracting of Services.** – The contracting or  
46 subcontracting of seafarers for work on-board domestic ships shall be governed by  
47 existing rules and regulations issued by the DOLE.

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**CHAPTER XIV**  
**MANNING LEVELS AND COMPLIANCE AND ENFORCEMENT OF**  
**SHIPS OF PHILIPPINE REGISTRY**

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**SEC. 51. Manning Levels.** – All ships of Philippine registry shall have the required minimum manning levels as prescribed by the Maritime Industry Authority (MARINA). They shall, at all times, be manned by a crew that is adequate in terms of size and qualifications taking into account the need to operate the vessel safely and efficiently.

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**SEC. 52. Crew Competence.** – Every member of the crew of a ship of Philippine Registry shall possess, in addition to the required medical certificate in Section 17, the appropriate certificate of competency setting forth his/her competence to serve in the capacity and perform the functions involved at the level of responsibility, for the position held, for the type, tonnage, power, means of propulsion, and trading patterns of the ships concerned.

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The certificate of competency shall attest to the fact that the seafarer to whom it is issued meets the requirements for service, age, qualification, and examinations for the position held.

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**SEC. 53. Compliance and Certification.** – All ships of Philippine registry shall comply with the provisions of this Act. The shipowner and master shall ensure the compliance of the ship with this Act and its implementing rules and regulations, who shall be made principally liable for any violation thereof.

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For this purpose, a Maritime Labour Certificate or a certificate of compliance, as applicable, shall be issued in accordance with the implementing rules and regulations.

**SEC. 54. Inspection and Enforcement.** – For purposes of this Act, the Secretary of Labor or his/her duly authorized representative, shall have the sole and exclusive authority to inspect all Philippine ships, domestic or ocean-going to ensure compliance with the provisions of this Act.

The Secretary of Labor and Employment may authorize other government agencies or duly recognized organizations to conduct inspection and issue certification in accordance with the provisions of this Act and its implementing rules and regulations.

Unless directly exercised by the Secretary of Labor and Employment, the duly authorized representative shall have the power to board ships and carry out any examination, test or inquiry which they may consider necessary in order to satisfy themselves that the standards are strictly observed.

The Secretary of Labor and Employment or his/her duly authorized representative shall have the power to order immediate correction of, and impose fine for violations of the provisions of this Act.

If the violation or deficiency constitutes serious breach of the requirement of this Act and its implementing rules and regulations or poses imminent danger to the ships, and/or to the life or limbs of the seafarer, the Secretary of Labor or his/her duly

1 authorized representative may order the detention of the ship immediately until the  
2 violation or deficiency is corrected.

3  
4 **SEC. 55. Recognized Organization.** – Recognized organizations may be authorized  
5 by the Secretary of Labor to conduct inspection and issue certification in accordance  
6 with the provisions of this Act and its implementing rules and regulations.

7  
8 A recognized organization shall have the necessary knowledge of the  
9 requirements of this Act and its implementing rules and regulations, Maritime Labour  
10 Certificate, 2006 and other relevant international treaty or convention.

11  
12 A recognized organization shall also have the necessary and qualified  
13 professional, technical and support expertise to carry out the conduct of inspection  
14 and issuance of certification.

15  
16 **CHAPTER XV**  
17 **SHIPBOARD TRAINING OF CADETS**  
18

19 **SEC. 56. Applicability.** – The provisions of Sections 5 to 14 (Seafarers' Rights),  
20 Section 17 (Medical Certificate), Sections 29 to 32 (Accommodation, Recreation  
21 Facilities, Food and Catering in Ships), Section 33 (Medical Care On-Board Ships and  
22 Ashore), Sections 36 to 38 (Settlement of Disputes), Sections 39 to 44 (Repatriation)  
23 shall apply with respect to the training of cadets.

24  
25 **SEC. 57. Shipboard Training Agreement for Cadets.** – There shall be a written  
26 agreement among the shipowner, the cadet and the maritime institution or school,  
27 which shall embody the following information, terms and conditions:

- 28  
29 (a) Cadet's full name, date of birth, birthplace and age, which should be at least 16  
30 years old;  
31  
32 (b) Name and address of maritime institution or school;  
33  
34 (c) Name and address of shipowner and its manning and placement agency, if  
35 applicable;  
36  
37 (d) Place and date when the agreement is entered into;  
38  
39 (e) Capacity in which the cadet is to be trained;  
40  
41 (f) The amount of the cadet's allowance or stipend, if applicable;  
42  
43 (g) Required number of hours of training and rest which shall not be less than the  
44 prescribed hours of rest in Section 23 of this Act;  
45  
46 (h) Duties and responsibilities of the sponsoring company, the Maritime Higher  
47 Educational Institution (MHEIs), and cadets, as may be provided under the  
48 Standard Cadet Training Agreement on Ships Engaged in International Voyage  
49 of the Philippine Overseas Employment Administration (POEA); and  
50

1 (i) Other benefits in accordance with law, company policy or agreements.  
2

3 The foregoing agreement shall be in a language familiar to and understood by all  
4 parties or in English, executed in four (4) original copies before the commencement of  
5 the shipboard training. The shipowner, cadet and the maritime institution/school shall  
6 each have a signed original of the agreement and an electronic copy thereof shall be  
7 submitted to the DOLE, through the Bureau of Working Conditions (BWC). A signed  
8 original copy shall also be made available on-board the ship.  
9

10 **CHAPTER XVI**  
11 **INCENTIVES AND AWARDS GRANTED TO THE MARITIME INDUSTRY**  
12

13 **SEC. 58. Incentives and Awards.** – There shall be established an incentives and  
14 awards system for the maritime industry stakeholders which shall be developed and  
15 administered by the concerned government agency, upon consultation with the  
16 Maritime Industry Tripartite Council (MITC).  
17

18 Under such rules and regulations that may be promulgated, deserving  
19 shipowners, seafarers, manning and other organizations or entities shall be  
20 commended or awarded for their outstanding performance in upholding the rights of  
21 seafarers and complying with this Act.  
22

23 **CHAPTER XVII**  
24 **ROLE OF GOVERNMENT AGENCIES**  
25

26 **SEC. 59. Role of Government Agencies.** – The following government agencies shall  
27 perform the following functions to promote the welfare and protect the rights of Filipino  
28 seafarers:  
29

30 (a) **Department of Labor and Employment (DOLE).** DOLE shall ensure that the  
31 standards set forth under this Act, Presidential Decree No. 442, as amended,  
32 and other laws, the Maritime Labour Convention, 2006 and other international  
33 treaties and conventions to which the Philippines is a signatory are faithfully  
34 complied with and fairly applied to Filipino seafarers.  
35

36 To this end, the DOLE shall establish an effective system for the inspection and  
37 certification to ensure that the working and living conditions of seafarers are met  
38 and continue to be met pursuant to the Maritime Labour Convention 2006.  
39

40 (b) **Department of Foreign Affairs (DFA).** DFA, through its home offices or foreign  
41 posts, shall take priority action or make representation with the foreign authority  
42 concerned to protect the rights of Filipino seafarers and extend immediate  
43 assistance, including the repatriation of distressed or beleaguered Filipino  
44 seafarers.  
45

46 (c) **Department of Health (DOH).** DOH shall regulate the activities and operations  
47 of all clinics which conduct medical, physical, optical, dental, psychological and  
48 other similar examinations, hereinafter referred to as health examinations, on  
49 Filipino seafarers.  
50

1 The Department of Health shall determine and prescribe the nature of the  
2 medical examination that shall be required of a seafarer, ensuring that such  
3 examination will genuinely determine the seafarer's state of health, considering  
4 the duties that he/she shall be required to perform on board. The DOH shall  
5 likewise prescribe the contents of the medical certificate to ensure that such  
6 certification will genuinely reflect the seafarer's state of health.  
7

8 (d) **Philippine Overseas Employment Administration (POEA).** POEA shall look  
9 into and improve on the working conditions and terms of employment of the  
10 officers and crew of vessels of Philippine registry, and of such officers and crew  
11 members who are Filipino citizens and employed by foreign vessels.  
12

13 (e) **Overseas Workers' Welfare Administration (OWWA).** The OWWA, through  
14 its welfare officer or in his absence, the coordinating officer, shall provide the  
15 Filipino seafarers and his family all the assistance they may need in the  
16 enforcement of contractual obligations by agencies and/or by their principals.  
17

18 The OWWA shall likewise formulate and implement welfare programs for  
19 overseas Filipino seafarers and their families while they are abroad and upon  
20 their return. It shall ensure the awareness by the overseas Filipino workers and  
21 their families of these programs and other related governmental programs.  
22

23 (f) **Maritime Industry Authority (MARINA).** The MARINA shall ensure that all  
24 maritime education including the curricula and training programs are structured  
25 and delivered in accordance with the written programs, methods and media of  
26 delivery, procedures and course materials compliant with international standards  
27 as prescribed under the STCW Convention.  
28

29 (g) **Philippine Coast Guard (PCG).** The PCG, in line with its function to assist in  
30 the enforcement of applicable laws within the maritime jurisdiction of the  
31 Philippines, shall assist the DOLE in the enforcement of Department Orders and  
32 other issuances implementing the MLC, 2006 including orders to detain vessels  
33 found in gross violation of pertinent laws, rules and regulations.  
34

35 Unless otherwise provided in this Act, the mandate, power and function of all  
36 existing department, agency and instrumentality of the government including  
37 government owned and controlled corporation shall remain and continue to be  
38 recognized in accordance with the law or order creating them.  
39

40 **SEC. 60. One Stop Service Center for OFWs (OSSCO).** – Within six months from  
41 the implementation of this Act, at least one OSSCO shall be established in each region  
42 of the country.  
43

44 **SEC. 61. Registry of Seafarers.** – The POEA, for ocean-going ships of foreign  
45 registry, and MARINA, for domestic and ocean-going ships of Philippine registry, shall  
46 maintain a registry of all seafarers in the Philippines. The registry shall contain the  
47 relevant information or data to promote employment opportunities for seafarers,  
48 whether on board or ashore, or to provide a list of available training and education to  
49 support skills development and competencies of seafarers.  
50

1 **SEC. 62. Integrated Documentation System.** – All concerned government agencies,  
2 in coordination with the Department of Information and Communications Technology  
3 (DICT), shall collate and integrate all relevant information with respect to Filipino  
4 seafarers in the Shared Government Information System established pursuant to  
5 Section 20 of Republic Act No. 8042, otherwise known as the “Migrant Workers and  
6 Overseas Filipinos Act of 1995,” as amended.  
7

8 Information regarding seafarers shall include the education, training, licensing,  
9 and certification of seafarers, which can be used by the seafarers in all their  
10 transactions with government, manning, recruitment or placement agencies, and other  
11 pertinent bodies.  
12

13 **SEC. 63. Maritime Occupational Safety and Health Standards.** – The DOLE, in  
14 consultation with the maritime industry stakeholders, shall formulate the Maritime  
15 Occupational Safety and Health Standards (MOSHS) pursuant to the provisions of  
16 Republic Act No. 11058, otherwise known as the “Occupational Safety and Health  
17 Law” and pertinent maritime conventions and treaties ratified by the Philippines.  
18

19 **CHAPTER XVIII**  
20 **FINAL PROVISIONS**  
21

22 **SEC. 64. Administrative Fines and Penalties.** – Any shipowner, master, their  
23 representatives or other person who fails or refuses to present employment records  
24 such as payrolls, daily time records, pay slip, or other documents when required by  
25 the Secretary of Labor, his duly authorized representative or the duly authorized  
26 representative of recognized organization shall be subjected to administrative fines  
27 ranging from One Hundred Thousand Pesos (Php100,000) to One Million Pesos  
28 (Php1,000,000), in accordance with the implementing rules and regulations of this Act.  
29

30 **SEC. 65. Penalties for Violations of Sections 54 and 55.** – Any person who, without  
31 proper authorization, exercises the authority granted to the Secretary of Labor and  
32 Employment under Sections 54 and 55 of this Act, shall be punished with a fine of not  
33 less than Two Hundred Thousand Pesos (Php200,000.00) nor more than Two Million  
34 Pesos (Php2,000,000), or imprisonment of not less than one (1) year nor more than  
35 four (4) years, or both at the discretion of the court. The foregoing offense shall  
36 prescribe after five (5) years from its commission.  
37

38 **SEC. 66. Transitory Provision.** – All rights, privileges and benefits previously enjoyed  
39 by Filipino seafarers before the effectivity of this Act, including those set forth in  
40 Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines,  
41 as amended, and Republic Act No. 8042, otherwise known as the “Migrant Workers  
42 and Overseas Filipinos Act of 1995,” as amended, shall continue to be recognized and  
43 shall not be diminished after the effectivity of this Act.  
44

45 **SEC. 67. Implementing Rules and Regulations.** The DOLE, in coordination with the  
46 DFA, the MARINA and other concerned agencies shall formulate the rules and  
47 regulations of this Act within ninety (90) days after its effectivity.  
48

1 **SEC. 68. Separability Clause.** – If, for any reason, any section, clause or term of this  
2 Act is held to be illegal, invalid, or unconstitutional, such parts not affected by such  
3 declaration shall remain in full force and effect.

4  
5 **SEC. 69. Repealing Clause.** – All laws, presidential decrees, issuances, executive  
6 orders, letters of instruction, rules and regulations inconsistent with the provisions of  
7 this Act are hereby repealed or modified accordingly.

8  
9 **SEC. 70. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its  
10 publication in the Official Gazette or in a newspaper of general circulation

11  
12 **Approved,**