


FOURTEENTH CONGRESS OF THE REPUBLIC }
OF THE PHILIPPINES }
First Regular Session }

7 JUN 30 1981

SENATE

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S.B. NO. 267

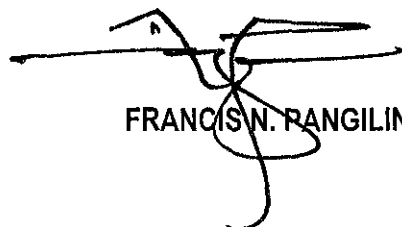
Introduced by Senator Francis N. Pangilinan

EXPLANATORY NOTE

The increase in the number of scuba diving sports enthusiasts has long been realized with the issuance of Letter of Instruction No. 745 on September 29, 1978. Further, it was issued in recognition of the fact that Philippine Marine Resources can be a source of livelihood and recreation for a large segment. Letter of Instruction No. 745 created the Philippine Commission on the Promotion and Development of sports Scuba Diving and mandated said body to formulate the necessary standards to safeguard human lives and to ensure the orderly conduct of underwater activities. Since then, the number of divers, dive shops and resorts grew in sizeable amount.

Alongside this popularity, however, is the concurrent rise in the alarming number of unfortunate underwater incidents caused by accidents, negligence or otherwise. A perusal of the existing Letter of Instruction No. 745 revealed the lack of government body, which holds supervisory and control power over underwater activities and its incidents that could have a contributory factor in these happenstance.

Owing likewise to the importance of scuba sports and technical diving to the promotion of Philippine tourism, the need to regulate the underwater activities is crucial. This proposed bill aims to provide standard basic dive rules to all levels/kinds of divers, regulate the sport and expand the powers of the existing governmental agencies. This endeavors to promote the sport and protect the safety of its enthusiasts through the formulation of policies and the imposition of sanctions and penalties for violations therefore.


FRANCIS N. PANGILINAN

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AN ACT
STRENGTHENING AND EXPANDING THE JURISDICTION OF THE PHILIPPINE COMMISSION ON
THE PROMOTION AND DEVELOPMENT OF SCUBA SPORTS, AMENDING FOR THIS PURPOSE
LETTER OF INSTRUCTION NO. 745, AND FOR OTHER PURPOSES

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

1 **SECTION 1. Title.** - This Act shall be known as the "An Act Strengthening the Philippine
2 Commission on the Promotion and Development of Scuba Sports and Technical Diving".

3 **SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State to undertake
4 measures to provide the standard basic dive rules to all levels or kinds of divers, regulate scuba sports and
5 technical diving in the country and ensure the safety of the sports through the enactment of laws pursuant
6 thereto, including the regulation of the accredited scubas sports and technical diving establishments, with
7 the end in view of developing the sport, the safety of its divers, and the imposition of the proper penalties
8 for violations herein.

9 **SEC. 3. Composition of the Philippine Commission on the Promotion and Development of Scuba**
10 *Sports and Technical Diving (PCSSD).* - The PCSSD shall be composed of the Secretary of the
11 Department of Tourism as Ex-Officio Chairman, one representative from the Department of National
12 Defense to be appointed by the Secretary of the Department of National Defense, one representative from
13 the Department of Environment and Natural Resources (DENR) to be appointed by the Secretary of DENR,
14 and five others from the diving communities and industries to be appointed by the Chairman, as members.

15 **SEC. 4. Functions and Powers of the PCSSD.** - The PCSSD shall have the following functions:

- 16 (a) Promulgate program and projects geared to the development of the country as a premier
17 diving area in Asia;

- 1 (b) Formulate rules, regulations, safety standards and operating procedures to implement the
2 development of sports and technical scuba diving;
- 3 (c) Undertake studies, researches and surveys for possible incentives to the private sector who
4 may wish to undertake projects and programs beneficial to the development of Scuba Diving
5 Tourism;
- 6 (d) Promote, market and develop diving related infrastructure to ensure growth of diving
7 tourism;
- 8 (e) License and regulate all diving establishments to ensure the safety of domestic and
9 international diving tourists;
- 10 (f) Conserve the country's marine resources, specifically in areas of high touristic value;
- 11 (g) Accredite dive groups, resorts, shops, filling stations and the like;
- 12 (h) License dive masters, instructors and the like;
- 13 (i) Provide minimum safety standards for diving operations;
- 14 (j) Define diving malpractices and other diving violations;
- 15 (k) Create and appoint a committee, *motu proprio* or upon complaint, to investigate divers, diving
16 groups/associations in cases of violations or imminent danger of violating diving rules and
17 procedures which may be prejudicial to the interest of the sport and the general public;
- 18 (l) Pass upon the validity of the issuance and use of diving licenses issued by the appropriate
19 organizations, whether local or foreign; and
- 20 (m) Impose the proper sanctions, after proper notice and hearing, such as but not limited to the
21 imposition of fines/penalties and the suspension and revocation of licenses, for violations of
22 the laws, rules and regulations, which may include:
 - 23 (i) serious misrepresentation or fraud in the procurement of licenses and/or accreditation
24 with the appropriate government agency;
 - 25 (ii) Failure to comply with the Standard Diving Procedures pursuant to the rules and
26 regulations of the Philippines Commission on the Development and Promotion of
27 *Sports Scuba and Technical Diving*;

- 1 (iii) Failure or refusal to comply with any lawful order of the PCSSD;
- 2 (iv) Other causes analogous to the foregoing;
- 3 (v) To issue preliminary or permanent injunctions, whether prohibitory or mandatory, in all
- 4 cases over which it has jurisdiction;
- 5 (vi) To exercise such other powers as may be provided by law, including those which may
- 6 be implied from, or which may be necessary or incidental to carrying out the express
- 7 powers granted hereunder.

8 **SEC. 5. *Implementing Rules and Regulations.*** - The PCSSD is hereby directed to formulate the

9 implementing rules and regulations within three (3) months from the enactment of this Act.

10 **SEC. 6. *Repealing Clause.*** - All laws, presidential decrees or issuances, executive orders, letters

11 of instructions, administrative orders, rules or regulations contrary or inconsistent with this Act are hereby

12 repealed, modified or amended accordingly.

13 **SEC. 7. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in at least two

14 (2) newspapers of general circulation.

Approved,