


74 DEC -1 P5 38

**SENATE**

S. B. No. 2482

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Introduced by Senator FRANKLIN M. DRILON

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**AN ACT TO REGULATE AND MODERNIZE THE PRACTICE OF NAVAL  
ARCHITECTURE IN THE PHILIPPINES**

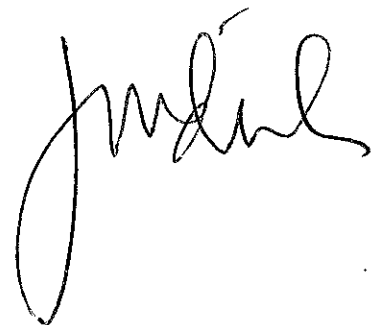
Nearly a third of the world's 1.5 million seafarers are Filipinos, comprising the biggest segment of the global mariner population. Because of their exceptional skills and outstanding work ethic, the Filipino is undeniably the world's seafarer of choice. Such dominance translated to about US\$ 5.2 Billion in remittance last year, which helped oil the wheels of our economy.

Our position of influence in the global maritime industry has started to encompass the shipbuilding sector. In 2012, the Philippines ranked 5<sup>th</sup> largest shipbuilding country following China, Japan, South Korea and Brazil. The economic upswing in this sector rests on the appeal of our naval architects, who are highly valued for their proven competence and remarkable diligence.

To ensure the global competitiveness of our shipbuilders and secure our position as a leading global maritime nation, the proposed measure seeks to modernize the practice of naval architecture by updating and incorporating innovations to the existing law governing the professional practice of naval architecture in line with the latest international practices and standards.

The bill aims to revise the definition of Naval Architecture, update the scope of the professional practice, strengthen the Professional Regulatory Board of Naval Architecture, and outline the procedure and requirements for licensure examination and registration, and impose heavier penalties for the practice of such profession without a valid certificate of registration and professional identification card.

Foregoing considered, the immediate passage of this bill is earnestly sought.





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**AN ACT TO REGULATE AND MODERNIZE THE PRACTICE OF NAVAL ARCHITECTURE IN THE PHILIPPINES**

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

**ARTICLE I**

**TITLE, POLICY AND DEFINITIONS**

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**SECTION 1. Short Title.** This Act shall be known as the “*Naval Architecture Law*”.

**SEC. 2. Declaration of Policy.** The State recognizes the importance of naval architects in nation building and development. The State shall therefore develop and nurture globally competitive naval architects whose standard of professional practice and service shall be of the highest quality through effective regulatory measures, programs and activities.

**SEC. 3. Definition of Terms.** As used in this Act, the following terms shall be defined as follows:

- a) Naval architecture – a branch of engineering concerned with the hydrodynamic and hull form characteristics of the ship, the structural design of the hull, its maneuverability characteristics and its ability to operate in the marine environment. It includes Marine Engineering which is primarily concerned with the engineering systems including the main propulsion plant, the powering and mechanical aspects of ship functions such as steering,

1 anchoring, cargo handling, heating, ventilation, air conditioning, electrical  
2 power generation and distribution and communications.

3 b) Naval architects – professional engineers to who posses a Bachelor of Science  
4 Degree in Naval Architecture and Marine Engineering and thus has  
5 completed the study of engineering discipline dealing with the design,  
6 construction, maintenance and operation of marine vessels and structures as  
7 well as its machinery and engineering systems.

8 c) Practice of naval architecture – a person shall be deemed to be practicing  
9 naval architecture or rendering naval architecture service when he performs  
10 the following:

11 1) Design, preparation of plans, specifications, estimates,  
12 project/feasibility studies and supervision of the construction,  
13 conversion, modification, repair or survey of any floating vessel or  
14 structures, self propelled or otherwise;

15 2) Design, preparation of plans, specifications, estimates,  
16 project/feasibility studies and supervision of the installation of the  
17 main propulsion plant, the powering and mechanical aspects of ship  
18 functions such as steering, anchoring, cargo handling, heating,  
19 ventilation, air conditioning, electrical power generation and  
20 distribution and communications;

21 3) Consultation, valuation, investigation and management services  
22 requiring naval architecture and marine engineering knowledge;

23 4) Management, operation and maintenance of any shipyard facility with  
24 graving dock, ship lift and marine slipways, capable to drydock, repair  
25 or do maintenance works on any floating vessels or structures;

26 5) Teaching of naval architecture professional subjects in government-  
27 recognized and accredited engineering schools; and

28 6) Employment in government as a professional naval architect if his  
29 work is in line with his profession requiring professional knowledge in  
30 naval architecture.

31 The enumeration of any work in this section shall not be construed as excluding  
32 any other work requiring naval architecture knowledge and application, including  
33 specialized work like ship salvaging and ship recycling.

34

1 **ARTICLE II**  
2 **PROFESSIONAL REGULATORY BOARD OF NAVAL**  
3 **ARCHITECTURE**  
4

5 **SEC 4. Composition of the Board.** There is hereby created a Professional  
6 Regulatory Board of Naval Architecture, hereinafter referred to as the Board, which  
7 shall be under the administrative control and supervision of the Professional  
8 Regulation Commission, hereinafter referred to as the Commission. The Board shall  
9 be composed of a chairperson and two (2) members, who shall be appointed by the  
10 President of the Philippines from among those recommended by the Commission,  
11 from the nominees of the accredited professional organization of naval architects.  
12

13 **SEC 5. Term of Office.** The chairperson and the members of the Board  
14 shall hold office for a term of three (3) years from the date of their appointment or  
15 until their successors shall have qualified and been appointed. The incumbent  
16 members may be reappointed for another term of three (3) years immediately after  
17 the expiry of their respective terms.

18 No member shall serve for more than two (2) terms or more than six (6)  
19 years, whichever is longer. Any vacancy occurring within the term of a member due  
20 to resignation, conviction of any kind, disability or death, or removal from office,  
21 shall be filled through an appointment by the President of the Philippines; and such  
22 appointed member shall serve only for the unexpired portion of the term vacated.  
23 Each member shall take his oath of office prior to the official performance of his  
24 duties.  
25

26 **SEC. 6. Suspension or Removal of the Board Members.** The President  
27 of the Philippines, upon the recommendation of the Commission after conducting an  
28 administrative investigation and observance of due process, may suspend or remove  
29 any member of the Board on any of the following grounds:

- 30 a) Gross neglect, incompetence or dishonesty in the discharge of his/her duty;  
31 b) Manipulation or rigging of the licensure examination results, disclosure of  
32 examination questions and related confidential information prior to the  
33 conduct of the examination, or tampering of the grades;  
34 c) Final judgment or conviction of any criminal offense; or

1 d) Unprofessional or unethical conduct.

2 In the conduct of the investigation, the Commission shall be guided by Section  
3 7(s) of Republic Act No. 8981 and the applicable provisions of the New Rules of  
4 Court.

5  
6 **SEC. 7. Powers and Duties of the Board.** The Board shall exercise the  
7 following powers, functions, duties and responsibilities:

- 8 a) Supervise and regulate the practice of naval architects in the Philippines in  
9 accordance with this Act;
- 10 b) Determine the requirements and evaluate the qualifications of applicants for  
11 registration to engage in the practice naval architecture;
- 12 c) Prescribe the subjects in the licensure examination, determine the syllabi of  
13 the subjects and their relative weights, construct the test questions in the  
14 examinations; and submit the examination results to the Commission;
- 15 d) Administer oath and issue certificate of registration to persons admitted to the  
16 practice of naval architecture;
- 17 e) Suspend or revoke, upon observance of due process, the certificate of  
18 registration, professional identification card or special permits of naval  
19 architects for just cause;
- 20 f) Prescribe and/or adopt a Code of Ethics and Professional Standards for the  
21 practice of naval architecture;
- 22 g) Hear and decide administrative cases filed against naval architects for the  
23 violation of this Act, its Implementing Rules and Regulations, or the Code of  
24 Ethics and Professional Standards. Any decision must be concurred in by  
25 majority of the Board. The decision of the Board may be appealed to the  
26 Commission within fifteen (15) days from notice, otherwise such decision shall  
27 be final and executory.
- 28 h) Issue *subpoena ad testificandum* to secure the appearance and testimony of  
29 witnesses, or *subpoena ducès tecum* to direct the production of documents in  
30 connection with any administrative case before the Board;
- 31 i) Inquire into the conditions affecting the practice of the profession and adopt  
32 measures for enhancement and maintenance of high professional, ethical and  
33 technical standards;
- 34 j) Prescribe guidelines for the Continuing Professional Development (CPD)

- 1 program in coordination with the accredited professional organization for  
2 naval architects;
- 3 k) In coordination with the Commission on Higher Education (CHED) and the  
4 Technical Education and Skills Development Authority (TESDA), and in  
5 consultation with other concerned government entities and the accredited  
6 professional organization for naval architecture, study and subsequently  
7 prescribe the standards, requisites and qualifications in formulating the  
8 curricula to be implemented and determining the facilities to be provided by  
9 schools, colleges or universities seeking approval to offer courses or programs  
10 in naval architecture and related courses or programs, and to ensure the full  
11 and continuous compliance of the schools, colleges or universities therewith;
- 12 l) Promulgate and adopt the rules and regulations necessary for implementing  
13 and carrying out the provisions of this Act;
- 14 m) Adopt an official seal of the Board; and
- 15 n) Perform such other functions as may be necessary to implement the  
16 provisions of this Act.

17

18 **SEC. 8. Qualifications of Members of the Board.** A member of the  
19 Board must, at the time of appointment, possess the following qualifications:

- 20 a) He/she must be a natural-born citizen, and a resident of the Philippines for at  
21 least five (5) years immediately prior to appointment;
- 22 b) He/she must be of good moral character and of sound mind;
- 23 c) He/she must be at least thirty-five (35) years of age;
- 24 d) He/she must have obtained a Bachelor of Science degree in Naval Architecture  
25 and Marine Engineering conferred by a college or university in the Philippines  
26 recognized by the CHED, or by a reputable foreign college or university;
- 27 e) He/she must be duly registered with the Commission as a naval architect and  
28 must have been in active practice for at least ten (10) years;
- 29 f) He/she must be a member in good standing of the accredited professional  
30 organization for naval architecture;
- 31 g) For at least three (3) years immediately prior to appointment, he/she must not  
32 have any pecuniary interest, directly or indirectly, in any college or university  
33 conferring an academic degree or certification necessary for admission to the  
34 practice of naval architecture, or in an institution offering or conducting

1 review classes in preparation for the licensure examination; nor must he/she  
2 be a member of the faculty, teaching staff or administration thereof; and  
3 h) He/she must not have been convicted by a court of an offense involving moral  
4 turpitude.

5  
6 **SEC. 9. Custodian of Records, Secretariat and Support.** All records of  
7 the Board, including applications for examination, examination papers and results,  
8 minutes of meetings, deliberation of administrative and other investigative cases,  
9 shall be kept by the Commission. The Commission shall designate the Secretary of  
10 the Board and shall provide Secretariat and other support services to implement the  
11 provisions of this Act.

12  
13 **SEC. 10. Compensation and Allowances of the Board Members.** The  
14 chairperson and members of the Board shall receive compensation and allowances  
15 comparable to that being received by chairpersons and members of other regulatory  
16 boards under the Commission, as provided for in the General Appropriations Act.

17  
18 **SEC 11. Annual Report and Annual Meeting.** The Board shall, within  
19 thirty (30) days after the close of each calendar year, submit an annual report to the  
20 Commission giving a detailed account of its proceedings and accomplishments  
21 during the year and containing recommendations to the Commission as the Board  
22 may desire to make. At least once a year, the Board shall meet with the accredited  
23 professional organization, representatives of colleges or universities conferring an  
24 academic degree or certification necessary for admission to the practice and the  
25 CHED to discuss matters concerning the professional practice of naval architecture.

26  
27 **ARTICLE III**  
28 **LICENSURE EXAMINATION AND REGISTRATION**

29  
30 **SEC. 12. Licensure Examination, Fees and Schedule.** All applicants  
31 for registration to engage in the practice of naval architecture shall be required to  
32 pass the written licensure examination prescribed herein unless otherwise provided  
33 for in this Act.

34 An applicant admitted to take the examination shall pay fees as may be

1 prescribed before being allowed to take the examination.

2 The licensure examination shall be given once every calendar year on the date  
3 and venue prescribed by the Commission in accordance with Republic Act No. 8981.

4  
5 **SEC. 13. Qualification for Examination.** An applicant for admission to  
6 the naval architecture examination must possess the following qualifications:

- 7 a) He/she must be a citizen of the Philippines, or a citizen of another state which  
8 observes reciprocity with the Philippines in the practice of naval architecture;  
9 b) He/she must be of good moral character and of sound mind;  
10 c) He/she must not have been convicted by a court of a crime involving moral  
11 turpitude; and  
12 d) He/she must have obtained a Bachelor of Science degree in Naval Architecture  
13 and Marine Engineering conferred by a college or university in the Philippines  
14 recognized by the CHED, or subject to the Board's evaluation, must have  
15 earned an equivalent degree accorded by a reputable foreign college or  
16 university.

17  
18 **SEC. 14. Scope of Examination.** The licensure examination for naval  
19 architects shall cover the following: general engineering, naval architecture, marine  
20 engineering, ship design and construction, maritime rules and regulations. The  
21 Board may modify the coverage of the examinations as required by developments in  
22 the professional practice of naval architecture. In such a case, the Board shall consult  
23 with the CHED and the accredited professional organization for naval architects. The  
24 Board shall announce revisions in the coverage at least two (2) years prior to their  
25 inclusion in the licensure examination.

26  
27 **SEC. 15. Ratings.** To pass the licensure examination, the applicant must  
28 obtain a general average of at least seventy (70%) percent, with no rating below sixty  
29 (60%) percent in any of the subjects.

30  
31 **SEC. 16. Report of Ratings.** The Board shall submit to the Commission  
32 the ratings obtained by the applicants within fifteen (15) days after the examinations,  
33 unless extended for just cause.

34



1           **SEC. 17. Re-examination.** An applicant who fails to pass the examination  
2 for the third time shall be allowed to take another examination only after the lapse of  
3 one (1) year.

4  
5           **SEC. 18. Issuance of the Certificate of Registration.** A certificate of  
6 registration for naval architects shall be issued by the Board to applicants  
7 successfully passing the relevant licensure examination and satisfying the other  
8 requirements under this Act, subject to the payment of fees prescribed by the  
9 Commission. The certificate of registration shall indicate the full name of the  
10 registrant and his/her registration number, bear the signatures of the chairperson of  
11 the Commission and the members of the Board, and contain the official seal of the  
12 Commission and the Board. The certificate of registration shall remain in full force  
13 and effect until withdrawn, suspended or revoked in accordance with this Act.

14  
15           **SEC. 19. Issuance of Professional Identification Card.** A professional  
16 identification card for shall be issued to holders of a valid certificate of registration  
17 for naval architects, subject to the payment of fees prescribed by the Commission.  
18 The professional identification card shall indicate the full name of the registrant and  
19 his/her registration number, bear the signatures of the chairperson of the  
20 Commission and chairperson of the Board, and contain the official seal of the  
21 Commission and the Board. The professional identification card shall be valid for a  
22 period of three (3) years, subject to renewal: *Provided*, That the certificate of  
23 registration shall not have been suspended or revoked under the provisions of this  
24 Act.

25  
26           **SEC. 20. Requirement of Certificate of Registration and**  
27 **Professional Identification Card in the Practice of Naval Architecture.**  
28 Unless exempt from examination or registration under this Act, no person shall  
29 practice or offer to practice as a naval architect in the Philippines without having  
30 previously obtained a certificate of registration and a professional identification  
31 card. A person who secured a certification of registration and professional  
32 identification card shall be entitled to practice as a naval architect with all the  
33 privileges appurtenant thereto, subject to compliance with all applicable  
34 requirements.

1       **SEC. 21. Oath.** All applicants who successfully passed the licensure  
2 examination shall be required to take their oath before the Board or any government  
3 official authorized by the Commission, prior to the issuance of the certificate of  
4 registration.

5  
6       **SEC. 22. Integrated and Accredited Professional Organization.**  
7 There shall be one (1) integrated and accredited professional organization for naval  
8 architects in the country, which shall be registered with the Securities and Exchange  
9 Commission as a non-stock, non-profit corporation. The Board, subject to approval  
10 by the Commission, shall accredit said organization as the one and only integrated  
11 and accredited national organization for the naval architects.

12       All naval architects whose names appear in the registry book of the Board  
13 shall automatically become members of the accredited professional organization and  
14 shall receive all the benefits and privileges appurtenant thereto, upon payment of  
15 membership fees and dues. Membership in this accredited professional organization  
16 shall not be a bar to membership in other professional associations, maritime  
17 related or not.

18       Compliance to Continuing Professional Development programs as  
19 promulgated by the Commission shall be one of the requirements for the  
20 maintenance of membership in good standing in the accredited professional  
21 organization.

22       Failure to maintain membership in good standing with the accredited  
23 professional organization shall be a cause for delisting in the roster of professionals.

24  
25       **SEC. 23. Continuing Professional Development (CPD) Programs.**  
26 The Continuing Professional Development (CPD) Program guidelines for naval  
27 architects shall be prescribed and promulgated by the Board, subject to the approval  
28 of the Commission. The Board shall create a CPD Council to administer the CPD  
29 Program. The CPD Council shall be composed of a chairperson coming from the  
30 Board, a member from the accredited professional organization and a member from  
31 the academe.

32  
33       **SEC. 24. Exemption from Examination and Registration.** The  
34 following persons shall be exempt from the examination and registration

1 requirements under this Act, provided that they must have first secured the  
2 appropriate Temporary/Special Permits from the Board:

3 a) Foreign professional naval architects who are temporarily employed by the  
4 Philippine government or private firms to work in the Philippines under any  
5 of the following applicable cases:

6 1) Where no qualified equivalent Filipino professional naval architect is  
7 available for the specific work to be rendered, as attested to by the  
8 accredited professional organization;

9 2) Where the conditions of the scope and funding for the work or project  
10 are such that it stipulates the temporary employment of a foreign  
11 professional naval architects;

12 3) As defined in the General Agreement on Trade and Services, the  
13 ASEAN and APEC Engineer Registry programs and other similar  
14 international treaties, agreements and/or covenants which the  
15 Philippine Government has ratified: *Provided*, however, that:

16 i) The foreign professional is legally qualified to practice his/her  
17 profession in his/her own country, wherein the required  
18 standards for examination and registration are not lower than  
19 those specified under this Act;

20 ii) The work to be performed by said foreign professional shall be  
21 limited only to the particular work or project for which he/she  
22 was specifically contracted;

23 iii) Prior to commencing the work, the foreign professional shall  
24 have already secured the Temporary/Special Permit from the  
25 Board, with the approval of the Commission; and *Provided*, that  
26 the Temporary/Special Permit shall precede the issuance of any  
27 working visa and/or permit by the Department of Labor and  
28 Employment in favor of said foreign professional;

29 iv) The foreign professional shall not engage in private practice on  
30 his/her own account;

31 v) For every foreign professional contracted for the work or  
32 project, at least one (1) corresponding Filipino professionals  
33 who are registered under this Act shall be employed as  
34 counterparts by the Philippine Government or the private firm

- 1                   utilizing the services of such foreign professional for at least the  
2                   same duration of time as the foreigner's tenure of work; and  
3                   vi) The Temporary/Special Permit herein granted and issued by the  
4                   Board shall be valid only for a period of not more than six (6)  
5                   months and renewable every six (6) months thereafter subject  
6                   to the discretion of the Board and the approval of the  
7                   Commission, *Provided*, That said Permit shall cease to be valid  
8                   if the foreign professional terminates his/her employment in  
9                   the work or project for which said permit was originally granted  
10                  and thereafter engages in an occupation that requires another  
11                  Temporary/Special Permit under this Act.
- 12           b) Those who make plans or specifications for any boat, dugout or other floating  
13           vessels made of wood, fiber-reinforced plastic, steel and other materials, for  
14           pleasure or business purposes; and those who construct for themselves, either  
15           personally or otherwise, any such floating vessel without utilizing the services  
16           of a registered naval architect for as long as these vessels or constructed  
17           materials do not exceed (5) gross tons.
- 18           c) Draftsmen, apprentices and subordinates of or other persons undergoing  
19           training under the supervision of those lawfully engaged in the practice of  
20           naval architecture, who perform any of the acts constituting such practice  
21           under the instruction, control and supervision of their engagement, strictly  
22           pursuant to and for the purpose of such training.

23  
24           **SEC. 25. Non-issuance of Certificate of Registration and/or**  
25           **Professional Identification Card.** The Board and/or the Commission shall not  
26           issue a certificate of registration and professional identification card to the  
27           following:

- 28  
29           a) A person convicted by a court of any criminal offense involving moral  
30           turpitude; and  
31           b) A person of unsound mind.

32  
33           The Board shall furnish the person concerned a written statement containing  
34           the reasons for such action, which statement shall be incorporated in the records of

1 the Board.

2  
3 **SEC. 26. Suspension and Revocation of Certificate of Registration,**  
4 **Professional Identification Card and Temporary/Special Permits.** The  
5 Board shall have the power, after due notice and hearing, and consultation with the  
6 accredited professional organization, to suspend or revoke the certificate of  
7 registration, professional identification card, or temporary/special permits on any of  
8 the following grounds:

- 9 a) Any act of misrepresentation, dishonesty, unethical conduct or gross  
10 incompetence in connection with the performance of his profession as  
11 defined in this Act or any law inimical to the profession;  
12 b) Gross immorality or commission of any act involving moral turpitude;  
13 c) Any person who has been convicted of any criminal offense by final judgment  
14 of a court of competent jurisdiction; or  
15 d) Any person who has been judicially declared to be of unsound mind.

16  
17 **SEC. 27. Reinstatement, Re-issuance or Replacement of Certificate**  
18 **of Registration, Professional Identification Card and Temporary/Special**  
19 **Permits.** The Board, upon application and for reasons deemed proper and  
20 sufficient, may reinstate the validity of a revoked certificate of registration,  
21 professional identification card and temporary/special permit, two (2) years after its  
22 revocation, subject to compliance with the requirements and penalties to be imposed  
23 by the Board and/or Commission, if any: *Provided*, That he/she did not commit any  
24 illegal practice of the profession or any violation of this Act, its implementing rules  
25 and regulations and the Code of Ethics for Naval Architects during the time that his  
26 certificate of registration, professional identification card and temporary/special  
27 permit was revoked.

28 A new certificate of registration, professional identification card or  
29 temporary/special permit to replace any lost, destroyed or mutilated certificate of  
30 registration or professional identification card may be issued, subject to the rules  
31 promulgated by the Board and the Commission, and upon payment of the required  
32 fees.

33  
34 **SEC. 28. Seal of Registered Naval Architects.** All registered naval

1 architects shall obtain and use a seal of a design prescribed by the Board, bearing the  
2 registrant's name, the registration number and the legend, "Registered Naval  
3 Architect".

4 Designs, plans, specifications, project studies, reports, proposals and other  
5 professional documents prepared by and/or executed under the supervision of and  
6 issued by a registered naval architect shall be stamped on every sheet/page with said  
7 seal with his signature, current Professional Tax Receipt (PTR) number, date/place  
8 of payment and valid/current membership identification number from the  
9 accredited professional organization when filed with government authorities or  
10 when submitted or used professionally; *Provided*, that it shall be unlawful for  
11 any registered naval architect or his representative to stamp or use said seal on  
12 any document if the professional identification card had been revoked or due to  
13 expire within one (1) month.

14  
15 **SEC. 29. Vested Rights.** All naval architects holding a valid certificate of  
16 registration and professional identification card at the time of effectivity of this Act  
17 shall be automatically registered and recognized as registered naval architects and  
18 shall be issued a new certificate of registration and professional identification card  
19 with the same license number as their original certificate of registration and  
20 professional identification card, subject to the payment of prescribed fees and other  
21 requirements of the Board and/or Commission.

22  
23 **SEC. 30. Prohibitions.** Unless authorized under this Act, it shall be  
24 unlawful for:

25 a) Any person to order or otherwise cause the construction, conversion or  
26 alteration of any floating vessel or equipment for any work or project to be  
27 done in the Philippines whether for domestic or overseas trade unless the  
28 design, plans or specifications have been prepared under the responsible  
29 charge of, and duly signed and sealed by a registered naval architect.

30 Likewise, said design, plans or specifications must be approved by a  
31 registered naval architect in accordance with the standards prescribed by  
32 national and/or international maritime rules, regulations and conventions.

33 b) Any person to admeasure and calculate gross and net tonnages of vessels of  
34 more than five (5) gross tons for the assessment of anchorage, wharfage

- 1 berthing, pilotage, dry docking, Panama or Suez Canal dues and other  
2 passages; and to inspect vessel's hull, its outfitting and its main and auxiliary  
3 machineries unless carried out by or be under the responsible charge of  
4 registered naval architects;
- 5 c) Any person to teach professional subjects in naval architecture course unless  
6 he is, at least, a duly registered naval architect with the Board and  
7 Commission;
- 8 d) Any shipyard for new building, conversion, alteration or repair of any floating  
9 vessel or equipment to operate without contracting the services of a  
10 registered naval architect;
- 11 e) Any ship recycling or ship salvaging works or projects to be performed  
12 without contracting the services of a registered naval architect;
- 13 f) Any classification society or third party certification body operating in the  
14 country, whether wholly-owned by Filipino or part of a multinational  
15 organization, to conduct surveys and inspection of floating vessels and  
16 equipment without contracting the services of a registered naval architect,  
17 and;
- 18 g) Any firm, partnership, corporation or association to practice naval  
19 architecture, as only persons who are properly registered may practice naval  
20 architecture. However, duly registered naval architects may form  
21 partnerships, corporations or associations among themselves or with other  
22 registered architects and use the title "Naval Architects", "Architects" or  
23 "Engineers" in their company's corporate name.

24

25 **SEC. 31. Foreign Reciprocity.** No foreigner shall be admitted for  
26 registration as licensed naval architect with or without examination under this Act  
27 unless he/she proves in the manner as provided by the Board that, by specific  
28 provisions of law, the country or state of which he/she is a citizen, subject or  
29 national, or in accordance with international treaties, agreements and/or covenants  
30 to which their country or state is a signatory, admits Filipino citizens to practice  
31 as licensed naval architect after an examination or registration process on terms of  
32 strict and absolute equality with the citizens of said country or state, including the  
33 unconditional recognition of professional licenses issued by the Board and/or the  
34 Commission and prerequisite degrees/diplomas issued by institutions of learning

1 duly recognized by the government of the Republic of the Philippines.

2  
3 **SEC. 32. Roster of Naval Architects.** The Board shall prepare and  
4 maintain a roster of the names, residence and/or office address of all registered  
5 naval architects, which shall be updated annually in cooperation with the accredited  
6 professional organization, indicating therein the status of their certificate of  
7 registration, professional identification card and membership in the accredited  
8 professional organization, whether valid, inactive due to death or other reasons,  
9 delinquent, suspended or revoked. The said roster information shall be made  
10 available to the public upon inquiry or request.

11  
12 **SEC. 33. Positions in Government Requiring the Services of**  
13 **Registered Naval Architects .** Within one (1) year from the effectivity of this Act,  
14 all existing and proposed positions in the local and national government, whether  
15 career, permanent, temporary or contractual and primarily requiring the services of  
16 naval architects shall accordingly be filled only by registered naval architects .

17 The Maritime Industry Authority, the Philippine Coast Guard and the Board  
18 of Marine Inquiry as convened shall provide permanent seats in their respective  
19 Boards for the accredited professional organization of naval architects in order to  
20 continuously promote and sustain maritime safety in the country with sound  
21 technical advice and guidance on ship design, construction, operations and  
22 maintenance.

23  
24 **ARTICLE IV**  
25 **GENERAL PROVISIONS**  
26

27 **SEC. 34. Enforcement Assistance to the Board.** The Board shall be  
28 assisted by the Commission in carrying out the provisions of this Act and its  
29 implementing rules and regulations and other policies. The lawyers of the  
30 Commission shall act as prosecutors against illegal practitioners and other violators  
31 of this Act and its rules. The duly constituted authorities of the government shall  
32 likewise assist the Board and the Commission in enforcing the provisions of this Act  
33 and its rules.



1           **SEC. 35. Penal Clause.** In addition to the administrative sanctions  
2 imposed under this Act, any person who violates any of the provisions of this Act  
3 and its rules and regulations shall, upon conviction, be penalized with a fine of not  
4 less than Fifty Thousand Pesos (PHP50,000.00) but not more than One Million  
5 Pesos (PHP1,000,000.00) or imprisonment for a period of not less than six (6)  
6 months nor more than three (3) years or both fine and imprisonment at the  
7 discretion of the court.

8  
9           **SEC. 36. Implementing Rules and Regulations.** Subject to the approval  
10 of the Commission, the Board in coordination with the accredited professional  
11 organization, shall adopt and promulgate such rules and regulations including the  
12 Code of Ethics and Code of Technical Standards of Practice for Registered Naval  
13 Architects to comply with the provisions of this Act within ninety (90) days after  
14 approval of this Act and which shall then be published in the Official Gazette or a  
15 newspaper of general circulation and shall be effective fifteen (15) days after  
16 publication therein.

17  
18           **SEC. 37. Funding Provisions.** Such sums as may be necessary to carry out  
19 provisions of this Act shall be included in the General Appropriations Act of the year  
20 following its enactment into law and thereafter.

21  
22           **SEC. 38. Repealing Clause.** Republic Act No. 4565 is hereby repealed. All  
23 other laws, decrees, orders, rules and regulations, ordinances and other issuances or  
24 parts thereof, which are inconsistent with this Act, are hereby superseded, repealed  
25 or amended accordingly.

26  
27           **SEC. 39. Separability Clause.** If any provisions of this Act or any portion  
28 hereof is declared unconstitutional by any competent court, the other provisions  
29 hereof shall not be affected thereby.

30  
31           **SEC. 40. Transitory Provisions.**

- 32       a) Upon approval of this Act, valid certificates of registration and professional  
33 identification cards as possessed by registered naval architects shall continue  
34 to be valid until its expiry. After which, they shall be renewed in full

1 compliance with all provisions of this Act.

2 b) Faculty members currently teaching naval architecture courses in higher  
3 education institutions shall not be allowed to continue teaching after one (1)  
4 year from the approval of this Act, unless they are or have become, at least, a  
5 Registered Naval Architect, and has complied with the applicable  
6 requirements and qualifications prescribed under this Act.

7 c) Upon effectivity of this Act, the present Board of Naval Architecture and  
8 Marine Engineering shall continue to function in the interim until such time  
9 as the new Board shall have been appointed and constituted. This new Board  
10 shall formulate and thereafter promulgate the implementing rules and  
11 regulations of this Act in consultation with the accredited professional  
12 organization.

13

14 **SEC. 41. Effectivity.** This Act shall take effect fifteen (15) days following its  
15 publication in the *Official Gazette* or any newspaper of general circulation.

16

17 Approved,