



HOUSE OF REPRESENTATIVES

H. No. 5711

BY REPRESENTATIVES MANALO, ROMULO, ESCUDERO, PIAMONTE, CORTUNA,
ALMARIO, LAGDAMEO (M.), PADILLA, LOBREGAT, BELMONTE (J.),
ALIPING, REYES, ROQUE, UNGAB AND QUMBO, PER COMMITTEE
REPORT NO. 709

AN ACT ESTABLISHING A CAMPUS OF THE PHILIPPINE
MERCHANT MARINE ACADEMY (PMMA) IN MINDANAO TO
BE KNOWN AS THE PHILIPPINE MERCHANT MARINE
ACADEMY-MINDANAO CAMPUS AND APPROPRIATING
FUNDS THEREFOR

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

1 SECTION 1. *Short Title.* – This Act shall be known as the
2 “PMMA-Mindanao Campus Act”.

3 SEC. 2. *Declaration of Policy.* – It is the policy of the State to support
4 and promote the maritime industry of the Philippines. The State recognizes the
5 vital role of the industry to the social and economic development of the
6 country. Towards this end, the State shall establish an institution in Mindanao
7 that will offer appropriate education, training, skills and values to aspiring
8 Filipino seafarers to sustain their competitiveness and maintain the status of the
9 Philippines as the premier provider of competent and certificated seafarers in
10 the international seaborne trade.

1 SEC. 3. *PMMA-Mindanao Campus.* – There is hereby established a
2 campus of the Philippine Merchant Marine Academy in Mindanao to be known
3 as the Philippine Merchant Marine Academy-Mindanao Campus which shall
4 hereinafter be referred to as the PMMA-Mindanao Campus.

5 SEC. 4. *Curricular Offerings.* – The PMMA-Mindanao Campus shall
6 offer the same degree programs and courses that the PMMA offers in its main
7 campus in Zambales. These include undergraduate and graduate degree
8 programs and advanced education, higher technological and professional
9 instruction and training in the fields of marine transportation, nautical
10 engineering, naval architecture, marine engineering, navigation, seamanship,
11 science and technology, and other courses within its area of specialization, as
12 the PMMA Board of Regents may deem appropriate according to its purpose
13 and mandate.

14 SEC. 5. *The Governing Board.* – The governance of the
15 PMMA-Mindanao Campus shall be vested exclusively in the Board of Regents
16 of the PMMA Main Campus, hereinafter referred to as the Board. All policies,
17 rules and regulations approved by the Board shall be enforced and applied to
18 the PMMA-Mindanao Campus.

19 SEC. 6. *Powers and Duties.* – In addition to its powers and duties
20 under Republic Act No. 8292, otherwise known as the “Higher Education
21 Modernization Act of 1997”, the Board shall have the following specific
22 powers and duties:

23 (a) To fix the site in a province/city in Mindanao where the
24 PMMA-Mindanao Campus shall be established;

25 (b) To formulate the organizational, administrative, and academic
26 programs of the PMMA-Mindanao Campus, and pursuant thereto, to designate
27 the school’s officials;

1 (c) To enter into contracts and other agreements in sole representation
2 or for the exclusive benefit of the PMMA-Mindanao Campus;

3 (d) To receive and appropriate all sums as may be provided by
4 law for the establishment, management, operation, and support of the
5 PMMA-Mindanao Campus in order to best carry out its functions and
6 purposes;

7 (e) To receive in trust, legacies, gifts, and donations of real and
8 personal properties of all kinds and to administer or dispose these for the
9 benefit of the PMMA-Mindanao Campus, subject to whatever limitations,
10 directions, or restrictions as may be set by the donors, if any;

11 (f) To fix tuition fees and other necessary expenses relating to the cost
12 of education, after due consultation with the sectors affected: *Provided*, That
13 they conform to the rules and regulations issued by the Commission on Higher
14 Education (CHED) on tuition fees and miscellaneous expenses;

15 (g) To adopt and implement, as far as practicable and *sustainable*, a
16 socialized scheme of tuition fees to provide greater access to education to poor
17 but deserving students;

18 (h) To authorize the construction, repair, or upgrading of the
19 PMMA-Mindanao Campus buildings, facilities, and equipment, as well as the
20 purchase and acquisition of real and personal properties including all necessary
21 supplies, materials, and items relating to the fulfillment of the functions and
22 purposes of the PMMA-Mindanao Campus, subject to existing laws such as
23 Republic Act No. 6541 or the "National Building Code of the Philippines",
24 government accounting and auditing rules, and other applicable rules and
25 regulations;

26 (i) To appoint, upon the recommendation of the President, the deans,
27 directors, heads of departments, faculty members, officials and employees
28 whose education, training qualifications and licenses are suitable to their

1 positions, in accordance with the guidelines of the Civil Service Commission
2 (CSC) and the CHED;

3 (j) To fix and adjust the compensation, other benefits and conditions of
4 employment of faculty members, administrative officials, staff, and employees,
5 in accordance with an established compensation and classification system,
6 subject to all other pertinent budget and compensation-related laws governing
7 hours of service, leaves of absence, benefits, and incentives;

8 (k) To remove faculty members, administrative officials, staff, and
9 employees for cause and in accordance with due process of law;

10 (l) To approve and apply the relevant curricula for Bachelor of Science
11 in Marine Transportation (BSMT) and Bachelor of Science in Marine
12 Engineering (BSMarE) programs, and to comply with all existing rules and
13 regulations, including those from the CHED, the Memorandum Orders for
14 Maritime Education, Guidelines of the Maritime Industry Authority
15 (MARINA), the Standards of Training, Certification and Watchkeeping for
16 Seafarers (STCW) conventions, and other local and international laws that are
17 applicable;

18 (m) To set the policies on the admission of students, the essential rules
19 of discipline and the conferment of degrees;

20 (n) To award honorary degrees in recognition of outstanding
21 contributions to the field of maritime education or technology;

22 (o) To establish research and extension centers of the
23 PMMA-Mindanao Campus for the purpose of further developing and enriching
24 maritime education and training;

25 (p) To establish professorial chairs and provide fellowships at the
26 PMMA-Mindanao Campus for qualified faculty members, including
27 scholarship opportunities for deserving students;

1 (q) To appoint experts or specialists as consultants, or to admit visiting
2 or exchange professors, scholars, students, or researchers, as the case may be:
3 *Provided*, That the PMMA-Mindanao Campus shall secure the required
4 authorization from the CHED and the Professional Regulation Commission
5 (PRC);

6 (r) To develop academic arrangements, agreements, and accords for
7 institution capability building with other entities, institutions, or agencies,
8 *whether public or private, local or foreign*;

9 (s) To delegate any of these powers and duties as provided for herein
10 and by other relevant laws, to the President, Campus Administrator or other
11 officials of either the Board or the PMMA-Mindanao Campus, as it may deem
12 appropriate or *expeditious for the conduct and effective administration of the*
13 *affairs of the PMMA-Mindanao Campus*; and

14 (t) To issue and implement rules and regulations as may be necessary
15 to carry out the purposes and functions of the PMMA-Mindanao Campus that
16 *shall ensure the fulfillment of the PMMA's mandate*.

17 SEC. 7. *Campus Administrator*. – The PMMA-Mindanao Campus
18 shall be headed by a Campus Administrator who shall render full-time service.
19 The Campus Administrator shall be appointed by the Board upon the
20 recommendation of a duly constituted search committee and the PMMA
21 President, subject to the guidelines, qualifications, and standards set by the
22 Board, and shall serve for a term of four (4) years. The Campus Administrator
23 shall be eligible for reappointment to another term. The powers, duties, and
24 responsibilities of the Campus Administrator, in addition to those provided
25 herein, shall be provided in the guidelines that shall be issued to implement this
26 Act.

1 In case of a vacancy caused by reason of death, resignation, removal for
2 cause, or incapacity of the Campus Administrator to perform the duties and
3 functions of the office, the Board shall have the authority to designate an
4 officer-in-charge to hold such office pending the appointment of a replacement
5 who shall then only hold office for the unexpired term.

6 The Campus Administrator of the PMMA-Mindanao Campus shall
7 represent the PMMA-Mindanao Campus in the Administrative Council and
8 Academic Council of the PMMA.

9 SEC. 8. *Administrative Council.* – There shall be constituted an
10 administrative council, composed of the deans, directors, and other officials
11 headed by the Campus Administrator as its Chairperson, whose function is to
12 propose and recommend to the Board for their action, policies on or revisions
13 to, the administration, management, and development planning of the
14 PMMA-Mindanao Campus.

15 SEC. 9. *Academic Council.* – There shall be constituted an academic
16 council, composed of all members of the instructional staff with a rank of at
17 least an assistant professor to be headed by the Campus Administrator as its
18 Chairperson, whose function is to propose and recommend to the Board for
19 their action, policies on or revisions to, the requirements and prerequisites
20 for the admission and graduation of, as well as conferment of degrees
21 to students, including the essential rules of discipline. The Council shall
22 likewise recommend to the Board, amendments or improvements of academic
23 standards and curricular requirements of the maritime course offerings, subject
24 to their compliance with all pertinent and relevant international maritime
25 conventions and the corresponding government implementing rules,
26 regulations, and memoranda.

1 SEC. 10. *Assets, Liabilities, and Personnel.* – All assets, real and
2 personal, personnel and records of the PMMA-Mindanao Campus, as well as
3 liabilities or obligations, shall be titled in the name of the PMMA-Mindanao
4 Campus. The positions, rights, and security of tenure of faculty members and
5 personnel therein employed under existing laws prior to its conversion into a
6 regular campus shall be respected.

7 All parcels of land belonging to the government occupied by
8 the PMMA-Mindanao Campus shall be titled in the name of the
9 PMMA-Mindanao Campus: *Provided,* That should the PMMA-Mindanao
10 Campus cease to exist or be abolished or should such parcels of land
11 aforementioned be no longer needed by the PMMA-Mindanao Campus, the
12 same shall revert to the donor or local government units concerned.

13 SEC. 11. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
14 *and Detail of Personnel.* – The heads of the bureaus and offices of the
15 national government are hereby authorized to loan or transfer, upon the request
16 of the PMMA President, such apparatus, equipment or supplies as may be
17 needed by the PMMA-Mindanao Campus, and to detail employees for duty
18 therein when, in the judgment of the head of the bureau or office, such
19 apparatus, equipment, supplies or services of such employees can be spared
20 without serious detriment to the public services.

21 The employees so detailed shall perform such duties as required of them
22 by the PMMA President and/or the PMMA-Mindanao Campus Administrator,
23 and the time so employed shall be counted as part of their regular services.

24 SEC. 12. *Academic Freedom and Institutional Autonomy.* – The
25 PMMA-Mindanao Campus shall enjoy academic freedom and institutional
26 autonomy. It shall exclusively determine its teaching, research and extension
27 thrusts, plans, policies, programs, and standards, and on the basis of such

1 determination, recommend its annual budget to the Board for subsequent
2 approval by the President: *Provided*, That in the first two (2) years upon the
3 establishment of the PMMA-Mindanao Campus, it shall be under the direct
4 supervision and management of the Board. Thereafter, it shall enjoy autonomy
5 from the Main Campus.

6 SEC. 13. *Tax Exemptions.* – Any donation or bequest made to the
7 PMMA-Mindanao Campus shall be exempt from donor's tax and shall, be
8 considered as allowable deduction from the gross income of the donor, in
9 accordance with the provisions of the National Internal Revenue Code of 1997,
10 as amended.

11 SEC. 14. *Appropriations.* – The amount necessary to carry out the
12 provisions of this Act shall be included in the annual General Appropriations
13 Act.

14 SEC. 15. *Development Plan, Management Audit, Organizational/
15 Administrative/Academic Structure.* – Within the period of one hundred
16 twenty (120) days after the approval of this Act, the PMMA-Mindanao
17 Campus shall accomplish the following:

18 (a) Submit a five (5)-year development plan, including its
19 corresponding program budget, to the CHED for corresponding
20 recommendation to the Department of Budget and Management;

21 (b) Undergo a management audit in cooperation with the CHED; and

22 (c) Organize administrative as well as academic structure by appointing
23 and designating PMMA-Mindanao Campus officials.

24 SEC. 16. *Implementing Rules and Regulations.* – Within sixty (60)
25 days from the approval of this Act, the Board, in consultation with the CHED
26 and the MARINA, shall promulgate the rules and regulations implementing the
27 provisions of this Act.

1 SEC. 17. *Separability Clause.* -- If any provision of this Act is
2 declared unconstitutional, the remainder of this Act or provisions not affected
3 thereby shall remain in full force and effect.

4 SEC. 18. *Repealing Clause.* -- Republic Act No. 3680, converting the
5 Philippine Nautical School into the PMMA, and other laws or parts thereof
6 inconsistent with any provision of this Act shall be deemed repealed or
7 modified accordingly, as these apply to the PMMA-Mindanao Campus.

8 SEC. 19. *Effectivity.* -- This Act shall take effect fifteen (15) days after
9 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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