

[Republic Act No. 10698, November 13, 2015]

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

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

ARTICLE I
TITLE, POLICY AND DEFINITIONS

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, anchoring, cargo handling, heating, ventilation, airconditioning, electrical power generation and distribution and communications;

b. Naval architects — professional engineers who possess a Bachelor of Science degree in Naval Architecture and Marine Engineering, and thus, have completed the study of engineering discipline dealing with the design, construction, maintenance and operation of marine vessels and structures as well as its machinery and engineering systems;

c. The practice of naval architecture — a person shall be deemed to be practicing naval architecture or rendering naval architecture service when he/she performs the following:

1. Design, preparation of plans, specifications, estimates, project/feasibility studies and supervision of the construction, conversion, modification, repair or survey of any floating vessel or structures, self-propelled or otherwise;
2. Design, preparation of plans, specifications, estimates, project/feasibility studies and supervision of the installation of the main propulsion plant, the powering and mechanical aspects of ship functions such as steering, anchoring, cargo handling,

heating, ventilation, airconditioning, electrical power generation and distribution and communications;

3. Consultation, valuation, investigation and management services requiring naval architecture and marine engineering knowledge;

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

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

6. Employment in government as a professional naval architect if his/her work is in line with his/her profession requiring professional knowledge in naval architecture.

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

ARTICLE II PROFESSIONAL REGULATORY BOARD OF NAVAL ARCHITECTURE

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

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

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

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

a. Gross neglect, incompetence or dishonesty in the discharge of his/her duty;

b. Manipulation or rigging of the licensure examination results, disclosure of examination questions and related confidential information prior to the conduct of

the examination, or tampering of the grades;

c. Final judgment or conviction*of any criminal offense; or

d. Unprofessional or unethical conduct.

In the conduct of the investigation, the Commission shall be guided by Section 7(s) of Republic Act No. 8981, otherwise know as the "PRC Modernization Act of2000", and the applicable provisions of the New Rules of Court.

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

a. Supervise and regulate the practice of naval architecture in the Philippines in accordance with this Act;

b. Determine the requirements and evaluate the qualifications of applicants for registration to engage in the practice of naval architecture;

c. Prescribe the subjects in the licensure examination, determine the syllabi of the subjects and their relative weights, construct the test questions in the examinations; and submit the examination results to the Commission;

d. Administer oath and issue certificate of registration to persons admitted to the practice of naval architecture;

e. Suspend or revoke, upon observance of due process, the certificate of registration, professional identification card and temporary/special permits of naval architects for just cause;

f. Prescribe and/or adopt a Code of Ethics and Professional Standards for the practice of naval architecture;

g. Hear and decide administrative cases filed against naval architects for the violation of this Act, its implementing rules and regulations, or the Code of Ethics and Professional Standards. Any decision must be concurred in by majority of the Board. The decision of the Board may be appealed to the Commission within fifteen (15) days from notice, otherwise such decision shall be final and executory;

h. Issue subpoena *ad testificandum* to secure the appearance and testimony of witnesses, or subpoena *duces tecum* to direct the production of documents in connection with any administrative case before the Board;

i. Inquire into the conditions affecting the practice of the profession and adopt measures for the enhancement and maintenance of high professional, ethical and technical standards;

j. Prescribe guidelines for the Continuing Professional Development (CPD) program in coordination with the APO for naval architects;

k. In coordination with the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA), and in consultation with other concerned government entities and the APO for naval architecture, study and subsequently prescribe the standards, requisites and qualifications in formulating the curricula to be implemented and determining the facilities to be provided by schools, colleges or universities seeking approval to offer courses or

programs in naval architecture and related courses or programs, and to ensure the full and continuous compliance of the schools, colleges or universities therewith;

l. Promulgate and adopt the rules and regulations necessary for implementing and carrying out the provisions of this Act;

m. Adopt an official seal of the Board; and

n. Perform such other functions as may be necessary to implement the provisions of this Act.

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

a. He/she must be a natural-born citizen and a resident of the Philippines for at least five (5) years immediately prior to appointment;

b. He/she must be of good moral character and of sound mind;

c. He/she must be at least thirty-five (35) years of age;

d. He/she must have obtained a Bachelor of Science degree in Naval Architecture and Marine Engineering conferred by a college or university in the Philippines recognized by the CHED, or by a reputable foreign college or university;

e. He/she must be duly registered with the Commission as a naval architect and must have been in active practice for at least ten (10) years;

f. He/she must be a member in good standing of the APO for naval architecture;

g. For at least three (3) years immediately prior to appointment, he/she must not have any pecuniary interest, directly or indirectly, in any college or university conferring an academic degree or certification necessary for admission to the practice of naval architecture, or in an institution offering or conducting review classes in preparation for the licensure examination; nor must he/she be a member of the faculty, teaching staff or administration thereof; and

h. He/she must not have been convicted by a court of an offense involving moral turpitude.

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

SEC. 10. *Compensation and Allowances of the Board Members.* — The Chairperson and members of the Board shall receive compensation and allowances comparable to that being received by Chairpersons and members of other regulatory boards under the Commission, as provided for in the General Appropriations Act.

SEC. 11. *Annual Report and Annual Meeting.* — The Board shall, within thirty (30) days after the close of each calendar year, submit an annual report to the Commission giving a detailed account of its proceedings and accomplishments during the year and containing recommendations to the Commission as the Board

may desire to make. At least once a year, the Board shall meet with the APO, representatives of colleges or universities conferring an academic degree or certification necessary for admission to the practice and the CHED to discuss matters concerning the professional practice of naval architecture.

ARTICLE III LICENSURE EXAMINATION AND REGISTRATION

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

An applicant admitted to take the examination shall pay fees as may be prescribed before being allowed to take the examination.

The licensure examination shall be given once every calendar year on the date and venue prescribed by the Commission in accordance with Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000".

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

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

SEC. 14. *Scope of Examination.* — The licensure examination for naval architects shall cover the following: general engineering, naval architecture, marine engineering, ship design and construction, maritime rules and regulations.

The Board may modify the coverage of the examinations as required by developments in the professional practice of naval architecture. In such a case, the Board shall consult with the CHED and the APO for naval architects. The Board shall announce revisions in the coverage at least two (2) years prior to their inclusion in the licensure examination.

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

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

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