



Republic of the Philippines
Professional Regulation Commission
Manila

Professional Regulatory Board of Naval Architecture
Resolution No. 01
Series of 2016

**IMPLEMENTING RULES AND REGULATIONS (IRR) OF
REPUBLIC ACT NO. 10698, OTHERWISE KNOWN AS
AN ACT TO REGULATE AND MODERNIZE THE PRACTICE OF
NAVAL ARCHITECTURE IN THE PHILIPPINES**

Pursuant to Section 7 (I), Article II and Section 36, Article IV of Republic Act No. 10698, otherwise known as An Act to Regulate and Modernize the Practice of Naval Architecture in the Philippines, the Professional Regulatory Board of Naval Architecture, after review and approval of the Professional Regulation Commission, hereby prescribes, issues and promulgates this Resolution to effectively implement, administer, and enforce the provisions of Republic Act No. 10698.

**RULE I
TITLE, DECLARATION OF POLICY, AND DEFINITION OF TERMS**

SECTION 1. Title. – This Resolution shall be known as the Implementing Rules and Regulations of Republic Act No. 10698, otherwise known as An Act to Regulate and Modernize the Practice of Naval Architecture in the Philippines. For brevity, it is hereby referred to as the IRR of R. A. No. 10698 or the Naval Architecture Law.

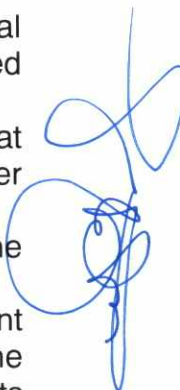
SECTION 2. Declaration of Policy. - The State recognizes the importance of Naval Architects in nation-building and development. The State shall therefore develop and nurture globally competitive Naval Architects whose standard of professional practice and service shall be of the highest quality through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

This IRR of R. A. No. 10698 shall be interpreted, construed, and carried out in the light of the Declaration of Policy found in Section 2, Article I of R. A. No. 10698, as stated above.

SECTION 3. Definition of Terms. – For purposes of this IRR, the following terms shall be defined as follows:

- a) **Naval architecture** refers to the 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 Architect** refers to a professional engineer who possesses a Bachelor of Science degree in Naval Architecture and Marine Engineering, and thus, has 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) **Board** refers to the Professional Regulatory Board of Naval Architecture;
- d) **Commission** refers the Professional Regulation Commission;

- e) **Board Chairperson** refers to the Chairperson of the Professional Regulatory Board of Naval Architecture;
- f) **Commission Chairperson** refers to the Chairperson of the Professional Regulation Commission;
- g) **Integrated and Accredited Professional Organization (IAPO)** refers to the single national organization of all Naval Architects that is duly accredited by the Board and the Commission to represent the profession;
- h) **Continuing Professional Development (CPD)** refers to the inculcation of advanced knowledge, skills and ethical values in a post-licensure specialized or in an inter- or multi-disciplinary field of study for assimilation into professional practice, self-directed research, and/or lifelong learning;
- i) **CPD Provider** refers to any natural or juridical entity duly accredited by the CPD Council for Naval Architects for the purpose of offering or providing CPD programs for the Naval Architecture profession;
- j) **Certificate of Registration (COR)** refers to the document bearing the name of the registrant, registration number and the date of the registration, and duly signed by the Commission Chairperson and Board Chairperson and Members, signifying that the person named therein has satisfied the requirements provided for under R. A. No. 10698 to entitle him/her to practice the Naval Architecture profession;
- k) **Professional Identification Card (PIC)** refers to the document bearing the name of the registrant, registration number, dates of registration and expiry, and duly signed by the Commission Chairperson that is issued to a Naval Architect, upon payment of the annual registration fees for three (3) years;
- l) **Reciprocity** refers to Section 7 (j) of R. A. No. 8981, also known as the PRC Modernization Act of 2000, and Sections 13 (a) and 31, Article III of R. A. No. 10698;
- m) **Temporary/Special Permit** refers to the privilege granted to a foreign Naval Architect to practice within the territorial limits of the Philippines as provided for under Section 24, Article III of R. A. No. 10698;
- n) **Code of Ethics** refers to the set of ethical and moral standards that prescribes the duties and responsibilities that Naval Architects owe to his/her country, community, client, colleague and the profession;
- o) **Code of Professional Standards** refers to the set of principles governing the technical aspects of the Naval Architecture practice;
- p) **IAPO Certificate of Membership in Good Standing** refers to the document issued by the IAPO for Naval Architects to one who has complied with all the conditions to become a member in good standing thereof as prescribed in its Bylaws; and
- q) **Professional subjects** refer to higher education subjects which cover specifically Naval Architecture and Marine Engineering topics;
- r) **Acronyms:**
 - **CHED** refers to the Commission on Higher Education;
 - **BI** refers to the Bureau of Immigration;
 - **SEC** refers to the Securities and Exchange Commission;
 - **MARINA** refers to Maritime Industry Authority;
 - **TESDA** refers to the Technical Education and Skills Development Authority;
 - **PCG** refers to the Philippine Coast Guard;
 - **BMI** refers to the Board of Marine Inquiry; and
 - **DOLE** refers to the Department of Labor and Employment.



RULE II
PROFESSIONAL REGULATORY BOARD OF NAVAL ARCHITECTURE:
ORGANIZATION, TERM OF OFFICE, QUALIFICATIONS,
POWERS AND DUTIES

SECTION 4. Creation and Composition of the Professional Regulatory Board of Naval Architecture. - There is hereby created a Professional Regulatory Board of Naval Architecture, hereinafter referred to as the Board, a collegial body 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 to be appointed by the President of the Philippines from among those recommended and ranked by the Commission from a list of three (3) nominees for each position submitted by the Integrated and Accredited Professional Organization (IAPO) for Naval Architects.

SECTION 5. Term of Office. - The Board Chairperson and Members shall hold office for a term of three (3) years from the date of their appointment or until their successors shall have been appointed and duly qualified. 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. 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.

SECTION 6. Qualifications of Members of the Board. – At the time of appointment, a Board Member must be:

- a) A natural-born citizen and a resident of the Philippines for at least five (5) years immediately prior to appointment;
- b) Of good moral character and of sound mind;
- c) At least thirty-five (35) years of age;
- d) A holder of a Bachelor of Science degree in Naval Architecture and Marine Engineering conferred by a college or university in the Philippines recognized by the Commission on Higher Education (CHED), or by a reputable foreign college or university;
- e) Duly registered with the Commission as a Naval Architect and must have been in active practice for at least ten (10) years; and
- f) A member in good standing of the IAPO for Naval Architects;

SECTION 7. Disqualifications. – A Board Member must not:

- a) 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; or serving as a member of the faculty, teaching staff or administration thereof for at least three (3) years immediately prior to appointment; and
- b) Have been convicted by a court of an offense involving moral turpitude.

SECTION 8. Powers and Duties of the Board. - The Board shall exercise the following specific powers, functions, duties and responsibilities:

- a) Supervise and regulate the practice of Naval Architecture in the Philippines in accordance with R. A. No. 10698;
- 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 Naval Architects 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 Certificates of Registration (CORs) to persons admitted to the practice of Naval Architecture;
- e) Suspend or revoke, upon observance of due process, the CORs, Professional Identification Cards (PICs) and temporary/special permits of Naval Architects for just cause;
- f) Prescribe and/or adopt a Code of Ethics and Code of Professional Standards for the practice of Naval Architecture;
- g) Hear and decide administrative cases filed against Naval Architects for violation of R. A. No. 10698, this IRR, the Code of Ethics or Code of Professional Standards. Any decision must be concurred in by majority of the Board Members. The decision of the Board may be appealed to the Commission within fifteen (15) days from notice; otherwise, such decision shall become 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 IAPO for Naval Architects;
- k) Study and prescribe the standards, requisites and qualifications in formulating the curricula to be implemented and in 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 therewith by the schools, colleges or universities, in coordination with the CHED and the Technical Education and Skills Development Authority (TESDA), and in consultation with other concerned government entities and the IAPO for Naval Architects;
- l) Promulgate and adopt the rules and regulations necessary for implementing and carrying out the provisions of R. A. No. 10698;
- m) Adopt an official seal of the Board; and
- n) Perform such other functions as may be necessary to implement the provisions of R. A. No. 10698.

SECTION 9. Grounds for Suspension or Removal of Members of the Board. -

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 Board Member 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 R. A. No. 8981 and the applicable provisions of the Rules of Court.

SECTION 10. Custodian of its Records, Secretariat and Support Services. - All records of the Board, including applications for examination, examination papers and results, minutes of meetings, deliberations 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 R. A. No. 10698.

SECTION 11. Compensation and Allowances of the Board. - The Board Chairperson and Members shall receive compensation and allowances comparable to those being received by the Chairpersons and Members of other professional regulatory boards under the Commission, as provided for in the General Appropriations Act.

SECTION 12. 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 (1x) a year, the Board shall meet with the IAPO for Naval Architects, representatives of colleges or universities conferring an academic degree or certification necessary for admission to the practice of Naval Architecture and the CHED to discuss matters concerning the professional practice of Naval Architecture.

RULE III EXAMINATION, REGISTRATION AND LICENSURE

SECTION 13. Examination Required. - Unless otherwise provided for in R. A. No. 10698, all applicants for registration to engage in the practice of Naval Architecture shall be required to pass the written licensure examination to be given by the Board once (1x) a year on such dates and places as may be prescribed in the annual schedule of the professional licensure examinations.

Every applicant shall be required to pay such fees as may be prescribed by the Commission before he/she is allowed to take the Naval Architects Licensure Examination.

SECTION 14. Qualifications of Applicant for Examination. - An applicant for admission to the Naval Architects Licensure Examination must possess the following qualifications:

- a) Must be a citizen of the Philippines, or a citizen of another country or state which observes reciprocity with the Philippines for the practice of Naval Architecture;

- b) Must be of good moral character and of sound mind;
- c) Must not have been convicted by a court of a crime involving moral turpitude; and
- d) 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.

The following documents shall be submitted in support of the above requirements:

- a) Certificate of Live Birth in Philippine Statistics Authority (PSA) Security Paper;
- b) Marriage Contract in PSA Security Paper for married female applicants;
- c) College Diploma with indication therein of date of graduation and Special Order Number unless not required;
- d) Baccalaureate Transcript of Records with indication therein of date of graduation and Special Order Number unless not required;
- e) National Bureau of Investigation (NBI) Clearance;
- f) Two (2) Certificates of Good Moral Character issued by any of the following: barangay, school, employer, or church; and
- g) Other reasonable documents that the Board may require.

SECTION 15. Foreign Reciprocity. - No foreigner shall be admitted for registration as a Naval Architect with or without examination under R. A. No. 10698 unless he/she proves in the manner as provided by the Board that, by specific provision of law or in accordance with international treaties, agreements or covenants to which his/her country or state is a signatory, the country or state of which he/she is a citizen, subject or national admits Filipino citizens to practice therein as Naval Architects after an examination or registration process on terms of strict and absolute equality with the citizens, subjects or nationals of said country or state, including the unconditional recognition of professional licenses issued by the Board and the Commission and prerequisite degrees/diplomas issued by institutions of learning duly recognized by the government of the Republic of the Philippines.

A foreign citizen, whether he/she studied in the Philippines or not, who desires to take the Naval Architects Licensure Examination through reciprocity shall initiate the establishment of reciprocity between his/her country or state and the Philippines by presenting/submitting a letter or any document signed by and under the official seal of the appropriate official of his/her country or state requesting the Board Chairperson to allow the foreign applicant to take the licensure examination and that by express provision of the law of his/her country or state or international treaty, agreement or covenant to which his/her country or state is a signatory, Filipino citizens are allowed to take the Naval Architects Licensure Examination and to register as Naval Architects in his/her country or state, attaching/appending thereto an authenticated copy of said law or treaty, agreement or covenant officially translated in the English language, if applicable.

If the letter/document and the copy of the law or treaty, agreement or covenant submitted by the applicant is satisfactorily to the Board, the foreign applicant shall be allowed to take the Naval Architects Licensure Examination by requiring him/her to file an application to take the licensure examination and by submitting the following documents that shall accompany the application:

- a) The original or certified true copy of any official document issued by the Bureau of Immigration (BI) allowing the applicant to enter and reside in the Philippines;
- b) Copy of passport for examination and for photocopying of pertinent information about the applicant;
- c) Original or certified true copy of the transcript of records or equivalent document of the course for licensure examination issued by the institution of higher learning where he/she studied, duly authorized or accredited by his/her country or state: *Provided*, that the documents must also be certified by CHED to be equivalent to the Naval Architecture course accredited/recognized in the Philippines; and
- d) Other documents which may be required to be submitted by the Board.

SECTION 16. Scope of Examination. - The Naval Architects Licensure Examination shall cover the following:

- a) General Engineering;
- b) Naval Architecture;
- c) Marine Engineering;
- d) Ship Design and Construction; and
- e) 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 IAPO for Naval Architects. The Board shall announce revisions in the coverage at least two (2) years prior to their inclusion in the licensure examination.

SECTION 17. Rating in the Licensure Examination. - To pass the Naval Architects Licensure Examination, an examinee must obtain a general average of at least seventy percent (70%), with no rating below sixty percent (60%) in any of the subjects.

SECTION 18. Report of Ratings. - The Board shall submit to the Commission the ratings obtained by the examinees within fifteen (15) days after the examination, unless extended for just cause.

SECTION 19. Reexamination. - An examinee who fails to pass the examination for the third (3rd) time shall be allowed to take another examination only after the lapse of one (1) year.

SECTION 20. Oath. - An examinee who passed the Naval Architects Licensure Examination shall be required to take his/her oath before the Board or any government official authorized by the Commission or by law prior to the issuance of the COR and the PIC.

SECTION 21. Issuance of Certificates of Registration and Professional Identification Cards. - Unless exempt from examination or registration under R. A. No. 10698, no person shall practice or offer to practice as a Naval Architect in the Philippines without having previously obtained a COR and a PIC. A person who has secured a COR and PIC shall be entitled to practice as a Naval Architect with all the privileges appurtenant thereto, subject to compliance with all applicable requirements.

A COR shall be issued to an examinee who has passed the Naval Architects Licensure Examination and has satisfied the other requirements under R. A. No. 10698, subject to the payment of fees prescribed by the Commission. The COR shall indicate the full name of the registrant and his/her registration number, signed by the Commission Chairperson and Board Chairperson and Members, and stamped with the official seals of the Commission and the Board. The COR shall remain in full force and effect until withdrawn, suspended or revoked in accordance with R. A. No. 10698.

A PIC shall likewise be issued to a holder of a valid COR as Naval Architect, subject to the payment of fees prescribed by the Commission. The PIC shall indicate the full name of the registrant, his/her registration number, dates of registration and expiry and shall be signed by the Commission Chairperson. The PIC shall be valid for a period of three (3) years, subject to renewal: *Provided*, that the COR shall not have been suspended or revoked under the provisions of R. A. No. 10698.

For purposes of renewal of the PIC, the registrant must submit a Certificate of Membership in Good Standing to be issued by the IAPO for Naval Architects.

SECTION 22. *Exemption from Examination and Registration.* — The following persons shall be exempt from the examination and registration requirements under R. A. No. 10698: *Provided*, that they must have first secured the appropriate temporary/special permits from the Board:

- a) Foreign Naval Architects who are temporarily employed by the Philippine government or private firms to work in the Philippines under any of the following applicable cases:
 - 1) Where no qualified equivalent Filipino Naval Architect is available for the specific work to be rendered, as attested to by the AIPO for Naval Architects;
 - 2) Where the conditions of the scope and funding for the work or project are such that it stipulates the temporary employment of a foreign Naval Architect;
 - 3) As defined in the General Agreement on Trade-in-Services, the Association of Southeast Asian Nations (ASEAN) and Asia Pacific Economic Cooperation (APEC) Engineer Registry programs and other similar international treaties, agreements and/or covenants which the Philippine government has ratified: *Provided* however, that:
 - i. The foreign Naval Architect is legally qualified to practice his/her profession in his/her own country or state wherein the required standards for examination and registration are not lower than those specified under R. A. No. 10698;
 - ii. The work to be performed by said foreign Naval Architect shall be limited only to the particular work or project for which he/she was specifically contracted;
 - iii. Prior to commencing the work, the foreign Naval Architect shall have already secured the temporary/special permit from the Board, with the approval of the Commission: *Provided*, that the temporary/special permit shall precede the issuance of any working visa and/or permit by the Department of Labor and Employment (DOLE) in favor of said foreign Naval Architect;

- iv. The foreign Naval Architect shall not engage in private practice on his/her own account;
 - v. For every foreign Naval Architect contracted for the work or project, at least one (1) corresponding Filipino Naval Architect who is registered under R. A. No. 10698 shall be employed as counterpart by the Philippine government or the private firm utilizing the services of such foreign Naval Architect for at least the same duration of time as the foreigner's tenure of work; and
 - vi. The temporary/special permit herein granted and issued by the Board shall be valid only for a period of not more than six (6) months and renewable every six (6) months thereafter, subject to the discretion of the Board and the approval of the Commission: *Provided*, that said permit shall cease to be valid if the foreign Naval Architect terminates his/her employment in the work or project for which said permit was originally granted and thereafter engages in an occupation that requires another temporary/special permit under R. A. No. 10698.
- b) Those who make plans or specifications for any boat, dugout or other floating vessels made of wood, fiber-reinforced plastic, steel and other materials, for pleasure or business purposes, and those who construct for themselves, either personally or otherwise, any such floating vessel without utilizing the services of a Naval Architect for as long as these vessels or constructed materials do not exceed five (5) gross tons.
- c) Draftsmen, apprentices and subordinates of or other persons undergoing training under the supervision of those lawfully engaged in the practice of Naval Architecture who perform any of the acts constituting such practice under the instruction, control and supervision of their engagement strictly pursuant to and for the purpose of such training.

The Board shall issue special rules and regulations on the issuance of temporary/special permits to foreign Naval Architects in accordance with the existing policies of the Commission thereon.

SECTION 23. *Non-issuance of Certificate of Registration and Professional Identification Card.* — The Board and/or the Commission shall not issue a COR and PIC to any of the following:

- a) A person convicted by a court of any criminal offense involving moral turpitude;
or
- b) A person of unsound mind.

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

SECTION 24. *Suspension and Revocation of Certificate of Registration, Professional Identification Card or Temporary/Special Permits.* — The Board shall have the power, after due notice and hearing, and in consultation with the AIPO for Naval Architects, to suspend or revoke the COR, PIC or temporary/special permit on any of the following grounds:

- a) Commission of any act of misrepresentation, dishonesty, unethical conduct or gross incompetence in connection with the performance of his/her profession as defined in R. A. No. 10698 or of any act inimical to the profession;
- b) Commission of gross immorality or of any act involving moral turpitude;
- c) Conviction by final judgment of any criminal offense by a court of competent jurisdiction; or
- d) Declaration of unsound mind by a court of competent jurisdiction.

The Board shall periodically examine the grounds for the revocation of the COR, PIC or temporary/special permit and update these as may be deemed necessary. Any person, firm or association may prepare charges in accordance with the provisions of this Section against any registrant, or the Board may, *motu proprio*, investigate and/or take cognizance of acts and practices constituting sufficient cause for suspension or revocation of the COR, PIC or temporary/special permit by proper resolution or order. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the Legal and Investigation Division (LID). The rules on administrative investigation issued by the Commission shall govern the hearing or investigation of the case, subject to applicable provisions of R. A. No. 10698, R. A. No. 8981 and the Rules of Court.

SECTION 25. Reinstatement, Reissuance or Replacement of Certificate of Registration, Professional Identification Card or Temporary/Special Permit. –

The Board, upon application and for reasons deemed proper and sufficient, may reinstate the validity of a revoked COR, PIC or temporary/special permit, two (2) years after its revocation, subject to compliance with the requirements and penalties to be imposed by the Board and/or Commission, if any: *Provided*, that he/she did not commit any illegal practice of the profession or any violation of R. A. No. 10698, this IRR, the Code of Ethics or Code of Professional Standards for the practice of Naval Architecture during the time that his/her COR, PIC or temporary/special permit was revoked.

A new COR, PIC or temporary/special permit to replace any lost, destroyed or mutilated COR, PIC or temporary/special permit may be reissued, subject to the rules promulgated by the Board and the Commission, and upon payment of the required fees.

SECTION 26. Vested Rights. - All Naval Architects holding valid CORs and PICs at the time of effectivity of R. A. No. 10698 shall be automatically registered and recognized as Naval Architects and shall be issued new CORs and PICS with the same license number as their original CORs and PICs, subject to the payment of prescribed fees and other requirements of the Board and/or the Commission.

**RULE IV
PRACTICE OF NAVAL ARCHITECTURE**

SECTION 27. Scope of Practice of the Naval Architecture Profession. - A person shall be deemed to be practicing Naval Architecture or rendering Naval Architecture service when he/she performs any of the following:

- a) 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;

- b) 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;
- c) Consultation, valuation, investigation and management services requiring Naval Architecture and Marine Engineering knowledge;
- d) 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;
- e) Teaching of Naval Architecture professional subjects in government-recognized and accredited engineering schools; and
- f) Employment in government as a Naval Architect if his/her work requires professional knowledge in Naval Architecture.

The enumeration of activities under 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.

SECTION 28. Roster of Naval Architects. - The Board shall prepare and maintain a roster of the names, residences and/or office addresses of all Naval Architects, which shall be updated annually, in cooperation with the IAPO for Naval Architects. The roster shall indicate the status of their COR, PIC and membership in the IAPO, whether valid, inactive due to death, delinquency, suspension or revocation of the COR and PIC or IAPO membership. The same shall be made available to the public upon inquiry or request, subject to the existing policies of the Commission on the matter.

SECTION 29. Issuance and Use of Seal. - All Naval Architects shall obtain and use a seal of a design prescribed by the Board, bearing the registrant's name, the registration number and the legend, "Registered Naval Architect".

- a) Designs, plans, specifications, project studies, reports, proposals and other professional documents prepared by and/or executed under the supervision of and issued by a Naval Architect shall be stamped on every sheet/page with said seal with his/her signature, current Professional Tax Receipt (PTR) number, date and place of payment and current IAPO Membership number when filed with government authorities or when submitted or used professionally: *Provided*, that it shall be unlawful for any Naval Architect or his/her representative to stamp or use said seal on any document if the COR has been revoked or the PIC is due to expire within one (1) month.
- b) No officer or employee of the government, chartered cities, provinces and municipalities, now or hereinafter charged with the enforcement of laws, ordinances or regulations relating to the construction or alteration of ships, shall accept or approve any Naval Architectural plan or specification which has not been prepared and submitted in full accord with the provisions of R. A. No. 10698; nor shall any payment be approved by any such officer for any work, the plans and specifications for which have not been so prepared and signed and sealed by the author thereof.
- c) It shall be unlawful for any Naval Architect to sign his/her name, affix his/her seal or use any other method of signature on Naval Architectural plans, specifications or other documents made under the supervision of another Naval Architect, unless the same is made in such manner as to clearly indicate the part or parts of such work actually performed by the former.

- d) Drawings and specifications duly signed, stamped or sealed, as instruments of service, are the intellectual properties and documents of the Naval Architect, whether the object for which they are made is executed or not. It shall be unlawful for any person, without the consent of the Naval Architect or author of said documents, to duplicate or to make copies of said documents for use in the repetition of or for other projects, whether executed partly or in whole.

SECTION 30. Continuing Professional Development (CPD). - To promote public interest and high standards of professional practice, all Naval Architects shall engage and participate in Continuing Professional Development (CPD) programs.

The CPD Guidelines for Naval Architects shall be prescribed and promulgated by the Board, subject to the approval of the Commission. The Board shall create a CPD Council to administer the CPD Programs for the Naval Architecture profession. The CPD Council to be created shall be composed of a Chairperson coming from the Board and one (1) Member each from the IAPO for Naval Architects and the academe.

SECTION 31. Code of Ethics and Code of Professional Standards. - The Board, in consultation with the IAPO for Naval Architects and other stakeholders, shall issue and promulgate the Code of Ethics and Code of Professional Standards that shall govern the standards of practice of all Naval Architects in the country.

SECTION 32. Integrated and Accredited Professional Organization. - There shall be one (1) integrated and accredited professional organization (IAPO) for Naval Architects in the country, which shall be registered with the SEC as a non-stock and non-profit corporation. The Board, subject to approval by the Commission, shall accredit said organization as the one and only IAPO for Naval Architects.

All Naval Architects whose names appear in the Registry Book of the Board and the Commission shall automatically become members of the IAPO for Naval Architects and shall receive all the benefits and privileges appurtenant thereto, upon payment of membership fees and dues. Membership in this IAPO shall not be a bar to membership in other professional associations, maritime-related or not.

The Board shall issue a Resolution designating the IAPO for Naval Architects. As the duly designated IAPO, it shall be its duty and responsibility to:

- a) Submit nominations to vacant positions in the Board;
- b) Keep an updated registry of all its members;
- c) Sit as member of the CPD Council for Naval Architects;
- d) Issue the Certificate of Membership in Good Standing as a requirement for the renewal of the PIC of all Naval Architects;
- e) Issue the necessary endorsement for purposes of issuance of the temporary/special permit to foreign Naval Architects;
- f) Monitor compliance with the provisions of R. A. No. 10698 and other pertinent laws and regulations, and if necessary, to endorse or initiate the filing of complaints with the Board and/or Commission, other government agency/ies or the regular courts for violation of R. A. No. 10698, this IRR, the Code of Ethics and Code of Professional Standards for the practice of Naval Architecture, any regulatory policy of the Board and the Commission or other relevant laws, rules and regulations;

- g) Engage in consultations with the Board and other stakeholders on matters affecting the professional practice of Naval Architecture; and
- h) Perform such other functions, duties and responsibilities as may be required by the Board and Commission.

Failure to maintain membership in good standing with the IAPO for Naval Architects shall be a cause for delisting from the roster of professionals. The Board shall formulate and issue the necessary guidelines to enforce and implement this provision.

SECTION 33. Positions in Government Requiring the Services of Professional Naval Architects. — Within one (1) year from the effectivity of R. A. No. 10698, all existing and proposed positions in the local and national government, whether career, permanent, temporary or contractual and primarily requiring the services of Naval Architects shall accordingly be filled by Naval Architects only.

The Maritime Industry Authority (MARINA), the Philippine Coast Guard (PCG) and the Board of Marine Inquiry (BMI), as convened, shall provide permanent seats in their respective Boards for the IAPO for Naval Architects in order to continuously promote and sustain maritime safety in the country through the provision of sound technical advice and guidance on ship design, construction, operations and maintenance.

To operationalize the foregoing provision of law, the following sub-rules are so prescribed:

- a) All national and local agencies, including Government Owned and Controlled Corporations (GOCCs) are prohibited to collapse existing plantilla positions for Naval Architects for the purpose of recreating the same to non-Naval Architect positions; and
- b) All existing plantilla positions in the national and local government whose job description includes the practice of Naval Architecture as defined under R. A. No. 10698 shall be automatically reclassified as Naval Architect positions and shall be accorded the salary pertaining to the latter in accordance with prevailing salary standardization law.

RULE V PENAL PROVISIONS

SECTION 34. Prohibition in the Practice of Naval Architecture.- Unless authorized under R. A. No. 10698, it shall be unlawful for:

- a) Any person to order or otherwise cause the construction, conversion or alteration of any floating vessel or equipment for any work or project to be done in the Philippines, whether for domestic or overseas trade, unless the designs, plans or specifications have been prepared under the responsible charge of, and duly signed and sealed by a Naval Architect. Likewise, said designs, plans or specifications must be approved by a Naval Architect in accordance with the standards prescribed by national and/or international maritime rules, regulations and conventions;

- b) Any person to admeasure and calculate gross and net tonnages of a vessel of more than five (5) gross tons for the assessment of anchorage, wharfage, berthing, pilotage, dry docking, Panama or Suez Canal dues and other passages; and to inspect a vessel's hull, its outfitting and its main and auxiliary machineries unless carried out by or be under the responsible charge of a Naval Architect;
- c) Any person to teach professional subjects in Naval Architecture course unless he/she is, at least, a Naval Architect;
- d) Any shipyard for new building, conversion, alteration or repair of any floating vessel or equipment to operate without contracting the services of a Naval Architect;
- e) Any ship recycling or ship salvaging works or projects to be performed without contracting the services of a Naval Architect;
- f) Any classification society or third party certification body operating in the country, whether wholly-owned by a Filipino or part of a multinational organization, to conduct surveys and inspection of floating vessels and equipment without contracting the services of a Naval Architect; and
- g) Any firm, partnership, corporation or association to practice Naval Architecture, as only persons who are properly registered may practice Naval Architecture. However, Naval Architects may form partnerships, corporations or associations among themselves or with other registered architects and use the title "Naval Architects", "Architects" or "Engineers" in their company's corporate name.

Section 35. Penal Clause. — In addition to the administrative sanctions imposed under R. A. No. 10698, any person who violates any of the provisions thereof and this IRR shall, upon conviction, be penalized with a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than One Million Pesos (P1,000,000.00) or imprisonment for a period of not less than six (6) months but not more than three (3) years, or both, at the discretion of the court.

The penalties herein imposed shall be without prejudice to the application of such other penalties or sanctions as may be prescribed under Republic Act No. 8293 or the Intellectual Property Code of the Philippines, the Revised Penal Code and other pertinent laws.

RULE VI FINAL PROVISIONS

SECTION 36. Enforcement Assistance to the Board. – The Board shall be assisted by the Commission in carrying out the provisions of R. A. No. 10698, this IRR and other policies. The lawyers of the Commission shall act as prosecutors against illegal practitioners and other violators of R. A. No. 10698, this IRR, the Code of Ethics and Code of Professional Standards for the practice of Naval Architecture. The duly constituted authorities of the government shall likewise assist the Board and the Commission in enforcing the provisions thereof.

The Secretary of Justice or his duly designated representative shall act as the legal adviser of the Commission and the Board and shall render legal assistance as may be necessary in carrying out the provisions of R. A. No. 10698 and this IRR. Any person may bring before the Commission, Board or any appropriate officer of law, case/s of illegal practice or violation/s of R. A. No. 10698 and this IRR that may be committed by any person or party.

SECTION 37. Appropriations. – Such sums as may be necessary to carry out the provisions of R. A. No. 10698 and this IRR shall be included in the General Appropriations Act of the year following its enactment and thereafter.

SECTION 38. Repealing Clause. — R. A. No. 4565, otherwise known as “The Naval Architecture and Marine Engineering Law” is hereby repealed. All other laws, decrees, orders, rules and regulations, ordinances and other issuances or parts thereof, which are inconsistent with R. A. No. 10698 and this IRR are hereby superseded, repealed or amended accordingly.

SECTION 39. Separability Clause. – If, for any reason, a section or provision of this IRR or the application of such rule and regulation to any person or circumstance is declared unconstitutional or invalid, the remainder of this IRR, otherwise valid and lawful, shall not be affected by such declaration.

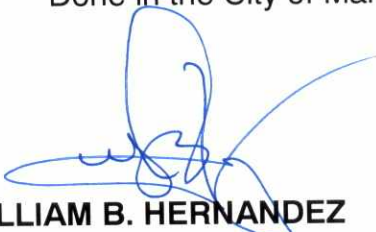
SECTION 40. Transitory Provisions. –

- a) Upon approval of R. A. No. 10698, valid CORs and PICs as possessed by Naval Architects shall continue to be valid until its expiry. After which, they shall be renewed in full compliance with all the provisions of R. A. No. 10698.
- b) Faculty members currently teaching Naval Architecture courses in higher education institutions shall not be allowed to continue teaching after one (1) year from the approval of R. A. No. 10698, unless they are or have become, at least, Naval Architects, and have complied with the applicable requirements and qualifications prescribed under R. A. No. 10698;
- c) Upon effectivity of R. A. No. 10698, the present Board of Naval Architecture and Marine Engineering shall continue to function in the interim until such time that the new Board shall have been appointed and constituted.

SECTION 41. Effectivity. – This IRR shall, upon approval by the Commission, take effect after fifteen (15) days following its full and complete publication in the Official Gazette or in any major newspaper of general circulation in the Philippines.

Let copies hereof be furnished the U. P. Law Center, Society of Naval Architects and Marine Engineers (SONAME), CHED, BI, SEC, MARINA, TESDA, PCG, BMI, DOLE and other offices for information.


Done in the City of Manila this 22nd day of June 2016.


WILLIAM B. HERNANDEZ
Member

VACANT
Chairperson


EDWARD B. CRUZ
Member

ATTESTED:


LOVELIKA T. BAUTISTA
OIC, Office of the Secretary to the Professional Regulatory Boards

APPROVED



TEOFILO S. PILANDO, JR.

Chairperson



ANGELINE T. CHUA CHIACO

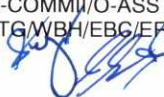
Commissioner



YOLANDA D. REYES

Commissioner

O-CH/O-COMMI/O-COMMII/O-ASSTCOMM/PRB-NAME/D-LGL/D-SRB
TSP/ATCC/YDR/ATG/WBH/EBG/ERII/LTB



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