

CREATION OF A NATIONAL MARITIME POLYTECHNIC

PRESIDENTIAL DECREE NO. 1369, May 01, 1978

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WHEREAS, the expanding national maritime fleet of the Philippines in both domestic and foreign trades consisting of cargo liners, tankers, barges, tugboats, bulk carriers and modern passenger liners and the international merchant fleets being served by Filipino seaman requires an ever-increasing number of properly trained, skilled and qualified seamen to man these fleets;

WHEREAS, there is an urgent need to maximize the employment of Filipino seafarers and other related professions to help solve the unemployment problem in the country;

WHEREAS, the foreign currency earnings of the country generated from the remittances of Filipino seamen employed in foreign-going ships is a major contribution to the national economy and serves as a significant factor in the stabilization of our dollar reserves which may further be raised through the increased employment of Filipino professional seafarers;

WHEREAS, there is an immediate and dire need to update and upgrade the capability and qualifications of the present graduates of the maritime schools in order for them to keep abreast with the continuing changes, innovations and development in the maritime industry;

WHEREAS, the existing maritime institutions generating the supply of deck and engine licensed officers and ratings must be supplemented by way of job-oriented training programs to update and upgrade their skills and competence and increase their acceptability for employment in the national maritime fleet and world's shipping;

WHEREAS, the establishment of a national maritime upgrading institution essentially geared at providing better employment opportunities in the domestic and international shipping for Filipino seafarers through more work-oriented training programs must positively be considered;

WHEREAS, the establishment of a national maritime upgrading institution has been thoroughly studied, discussed and unanimously endorsed by the Technical Committee organized under LOI 538 comprising of memberships from the Department of Education and Culture, National Economic and Development Authority, Department of Finance, Professional Regulations Commission, Maritime Industry Authority, Philippine Coast Guard, Philippine Merchant Marine Academy, National Seamen Board, Philippine Association of Maritime Institutions, Associated Marine Officers and Seamen's Union of the Philippines, Filipino Shipowners Association and other representatives from the maritime industry.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to Proclamation No. 1081, dated September 21, 1972, as amended, do hereby decree the creation of the National Maritime Polytechnic, with its concomittant functions and duties and appropriating funds therefor and for other purposes as follows:

- Establishment—There is hereby established the National Maritime Polytechnic in Tacloban, Leyte and extension schools in Luzon and Mindanao.

- Purposes—a) The National Maritime Polytechnic shall offer specialization and upgrading courses for both lincensed officers and ratings; b) It shall conduct researches and studies on the latest maritime technologies and other related matters for the maritime industry.

- Powers of the Polytechnic—The following are the powers of the Polytechnic:

- It shall have the general powers as set forth in the corporation law except as herein provided;

- It shall have the power to acquire public lands for its expansion and/or beneficial use and;

- It shall be authorized to undertake the construction of its buildings and other permanent improvements and such sums as may be necessary to maintain and operate its facilities and shall be included in the annual General Appropriations Acts for the Polytechnic.

- Governing Board, Manner of Appointment—The government of the National Maritime Polytechnic is vested in Board of Trustees which shall be composed of nine (9) Members, namely:

- The Honorable Secretary of Labor, as Chairman

- Director, Bureau of Higher Education, Department of Education and Culture

- Administrator, Maritime Industry Authority

- Commandant, Philippine Coast Guard

- Executive Director, National Seamen Board

- President, Filipino Shipowners Association

- President, Association of Marine Officers and Seamen's Union of the Philippines

- President, Philippine Association of Maritime Institutions

- President, National Maritime Polytechnic

- General Powers of the Polytechnic—The exercise of its powers are hereby vested in the Board of Trustees. The Board of Trustee shall have the following powers and duties in addition to its general powers of administration and the exercise of the powers;

- To determine and fix the date and time of their regular meetings, as well as special meetings as the need for same may arise: Provided: that all such meetings shall not be more than three times in any one month, nor less than one in any one quarter;

- To recommend the President of the Polytechnic for appointment by the President of the Philippines;

- To fix the compensation of the President of the Polytechnic and to empower him to sit ex-officio member of the Board with right to participate in deliberation but without the right to vote;

- To receive and appropriate to the ends specified by law such sums as may be provided by law for the support of the polytechnic;

- To provide for the establishment of colleges and schools as it may deem necessary;

- To negotiate for loans or accept donations of real estate and personal property of all kinds and to administer the proceeds for the benefit of the polytechnic or of a department thereof, or for aid to any student or students in accordance with the direction or instructions of the donor and or/in default thereof in such manner as the Board

may in its discretion so determine;

- To appoint, on the recommendation of the President of the Polytechnic, executive vice-president, vice-presidents, deans, professors, instructors, lecturers and other employees of the Polytechnic; to fix their compensation, hours of service, and such other duties and conditions as it may deem proper; to grant to them in its discretion leave of absence under such regulations as it may promulgate, any provisions of law to the contrary notwithstanding, and to remove them for cause after an investigation and hearing shall have been had and to extend with their consent the tenure of faculty members of the Polytechnic, whenever in his opinions their services are specially needed; Provided, however, that no extension of service shall be made beyond the age of seventy.
- To approve the courses of study and rules of discipline drawn up by the Polytechnic council as hereinafter provided; to fix the required tuition fees, fees for laboratory courses, graduation fees, and all special fees, to remit the same in special cases; and, to utilize the income derived therefrom for the maintenance of the Polytechnic, together with the annual appropriation provided for in Number 16 thereof;
- To provide fellowship and scholarships and to award the same to students showing special evidence of merit;
- To establish chairs in the college hereinafter mentioned and to provide for the maintenance or endowment of such chairs, as well as to provide for such other professors, assistant professors, instructors, tutors, lecturers as the program of instruction may make it necessary, and to fix the compensation pertaining to such positions;
- To confer the usual honorary degrees upon persons other than graduates of the Polytechnic in recognition of learning, statemanship or eminence in technology, literature, science or arts; Provided, that such degree shall not be conferred in consideration of the payment of money or other valuable consideration; and
- To file with the President of the Philippines a detailed report, setting forth the progress, conditions and needs of the Polytechnic on or before the fifteenth day of September of each year.
- Quorum—A quorum of the Board of Trustees shall consist a majority of all the members holding office at the time the meeting of the Board is called. All processes against the polytechnic shall be served the Chairman or President thereof.
- Administration—The administration of the Polytechnic shall be vested in the President of the Polytechnic. He shall be assisted by an Exec. Vice President who shall be appointed by the Board of Trustees upon the recommendation of the President of the Polytechnic and whose compensation shall be fixed by the Board.
- Powers of the President—The powers and duties of the President of the Polytechnic, in addition to those usually pertaining to the office of the President of the polytechnic which are not inconsistent with the provisions of law, are the following:
 - To recommend to the Board of Trustees for appointment, the vice-presidents, deans, professors, instructors lecturers and other employees of the Polytechnic;
 - To promulgate for the government of the polytechnic such general ordinances and regulations not contrary to law, as are consistent with the purpose of the polytechnic.
- The Secretary of the Polytechnic—The Board of Trustees shall appoint a Secretary who shall serve as such for both the Board and the President of the Polytechnic whose salary shall be determined by the Board.
- The Polytechnic Council Powers—There shall be a Polytechnic council, consisting of the president, executive vice president and vice presidents, of the polytechnic and of all members of the faculty of the polytechnic holding

the rank of professors, associate professors and assistant professors, subject to existing laws. The council shall have the power to prescribe the courses of study and rules of discipline, provided those matters are first approved by the Board of Trustees, subject to the same limitations. It shall fix the requirements for admission to any department of the Polytechnic as well as for graduation and the conferment of degrees. Through its president or committee, it shall have the disciplinary powers over the students within the limits prescribed by the rules of discipline approved by the Board of Trustees.

- The Faculty of the Polytechnic—The body of professors and instructors of each college shall constitute its faculty, and as presiding officer of each faculty there shall be a dean appointed by the Board of Trustees upon the recommendation by the President of the Polytechnic. In appointment of Professors, instructors, and other personnel of the polytechnic, no religious test shall be required, nor shall their religious opinions or affiliations be made a matter of examination of inquiry; Provided, however, that no professors or instructor or any other personnel in the polytechnic shall inculcate sectarian tenets in any of the teachings nor attempt either indirectly or directly under penalty of dismissal by the Board of Trustees to influence students at the polytechnic for or against any particular church or religious sect. The Polytechnic shall enjoy academic freedom.

- Civil Service Requirements—The president, executive vice president, vice presidents, deans, professors, other instructors and other employees of the polytechnic shall be exempt from any civil service examination or regulation as a requisite to appointment except the representative of the Chairman of the Commission on Audit; Provided, however, that all shall be entitled to the privileges and rights of security of tenure, promotion in positions and salaries for meritorious service, leaves and retirement benefits, as in the government service as now provided for by law.

- The Auditor of the Polytechnic—The Chairman of the Commission on Audit of the Philippines shall be ex-officio Auditor of the Polytechnic and shall designate his representative who must hold the regular office in the polytechnic to be able to perform his duties efficiently and satisfactorily as a regular official of the polytechnic. The designated representative shall have the civil service qualification and rank of a provincial auditor and shall have the power to appoint his subordinates, subject to the last proviso of Sec. 5 (g) hereof, who must be civil service eligibles. The size of the staff and compensation of the same shall be determined and fixed by the Board of Trustees. The compensation of the COA representative shall also be fixed by the Board of Trustees upon recommendation by the Chairman of the Commission on Audit.

- Loans or Transfer of Apparatus or Supply, Detail of Employee for duty in the Polytechnic—Heads of Bureau and Offices of the National Government are hereby authorized to loan or transfer upon request of the president of the Polytechnic, such apparatus or supplies as may be needed by the polytechnic and to detail employees for duty therein, in the judgment of the Bureau or Office, such supplies or employees so detailed shall perform such duties as are required under such detail and the time so employed shall be counted as part of their regular service.

- Appropriation—The sum of 10 million pesos is hereby appropriated out of any funds in the National Treasury to be expended in the discretion of the Board of Trustees for the establishment and operation of the polytechnic. Thereafter, funds for the maintenance of polytechnic shall be included in the annual General Appropriations Fund of the National Government, the total sum of which shall be recommended by the Board of Trustees of the Polytechnic.

- All acts that are inconsistent with any provisions of this Presidential Decree shall be null and void.

This Decree shall take effect immediately.

Done in the City of Manila, this 1st day of May, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

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