

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**19TH CONGRESS**  
First Regular Session

HOUSE BILL NO. 5619



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**Introduced by Representative Michael L. Romero**

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**EXPLANATORY NOTE**

The **Philippine Coast Guard (PCG)** is recognized as the third armed uniformed service of the country attached to the Philippines **Department of Transportation**, tasked primarily with enforcing laws within Philippine waters, conducting maritime security operations, safeguarding life and property at sea, and protecting marine environment and resources; similar to coast guard units around the world. In case of a declaration of war, the Coast Guard shall also serve as an **attached service of the Department of National Defense**.

The Philippine Coast Guard is the oldest and only humanitarian armed service in the Philippines. Its beginnings could be traced back to the early 20th century when coast guarding was related to the protection of the customs services of the country and in patrolling the coastlines and harbors.

With enactment of **Republic Act 9993**, also known as the **Coast Guard Law of 2009**, as well as its implementing rules and regulations, the PCG has been vested with the necessary authority and responsibility to perform preventive measures in ensuring the safety of merchant vessels.

This House Bill seeks to provide **Modernization Funding** to the **Philippine Coast Guard (PCG)**, to meet the new challenges and increasing demands for marine resources, technological advancement and climate change. Further, the law has defined the PCG's rightful role in the bureaucracy as the premier maritime agency and its vital role in nation building.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal flourish extending to the right.

**MICHAEL L. ROMERO**

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AN ACT

PROVIDING FOR MODERNIZATION FUNDINGFOR THE  
**PHILIPPINE COAST GUARD (PCG)**, INCREASING AND  
REORGANIZING ITS ADMINISTRATION, TO PERFORM MARITIME  
SEARCH AND RESCUE, MARITIME LAW ENFORCEMENT,  
MARITIME SAFETY, MARINE ENVIRONMENTAL PROTECTION AND  
MARITIME SECURITY AND FOR OTHER PURPOSES

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

**SECTION 1. DECLARATION OF POLICY** – It shall hereby be a  
declared policy of the State to promote a uniformed armed service that  
implements and enforces all national and international maritime safety,  
security, search and rescue, and marine environmental protection laws in  
support of the integrated Maritime Transportation Network objectives, national  
security and economic development of the Philippines.

The **Philippine Coast Guard** is mandated and responsible to perform maritime  
search and rescue, maritime law enforcement, maritime safety, marine  
environmental protection and maritime security.

The state shall continually improve the effectiveness of our Quality Management System towards equitable development for improved quality of life for all.

The state shall formulate policies for the efficient and effective administration and management of all manpower, skills and competencies to ensure compliance.

**SECTION 2. MODERNIZATION FUNDING.** – The amount of One Billion Pesos (**Php 1,000,000,000.00**) for the operation and administration of the **Philippine Coast Guard (PCG)** shall be chargeable against funds for the purpose and other sources recommended by the **Department of Budget and Management (DBM)**. Thereafter, appropriations for the **Philippine Coast Guard (PCG)** shall be included in the budget proposals under the Department of Transportation (**DOTr**).

The Department of Budget and Management (**DBM**) shall rationalize the existing organizational structure and staffing pattern of the in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (**GAA**).

**SECTION 3. PHILIPPINE COAST GUARD (PCG) MODERNIZATION FUND** – There is hereby created the (**PCG**) *Modernization Fund* to be used exclusively for the (**PCG**) *Modernization Program*.

The (**PCG**) *Modernization Fund* shall be administered by the Secretary of the **DOTr** in accordance with existing government budgeting, accounting and auditing rules and regulations.

**SECTION 4. PROGRESS REPORT** – The Secretary of **DOTr** shall prepare an annual report on the status of the implementation of the **(PCG) Modernization Programs** which shall be submitted, to the Office of the President and to the Chairpersons of the Committee of Transportation of the Senate and the House of Representatives.

**SECTION 5. PERIOD OF IMPLEMENTATION** – The modernization program under this Act shall be implemented for an initial period of two **(2)** years:

*Provided*, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

*Provided*, further, That the **Philippine Coast Guard (PCG)** shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

**SECTION 6. POWERS AND FUNCTIONS.** – The **Philippine Coast Guard (PCG)** shall continue to exercise and uphold the following powers and functions; but not limited to:

**(a)** To enforce regulations in accordance with all relevant maritime international conventions, treaties or instruments and national laws for the promotion of safety of life property at sea within the maritime jurisdiction of the Philippines and conduct port state control implementation;

**(b)** To inspections on all merchant ships and vessels, including but shall not be limited to inspections prior to departure, to ensure and enforce compliance with safety standards, rules and regulations;

**(c)** To detain, stop or prevent a ship or vessel which does not comply with safety standards, rules and regulations from sailing or leaving port;

**(d)** To conduct emergency readiness evaluation on merchant marine vessels;

**(e)** Subject to the approval of the Secretary of the DOTC, to issue and enforce rules and regulation for the promotion of safety and life and property at sea on all maritime-related activities;

**(f)** To coordinate, develop, establish, maintain and operate aids to navigation, vessel traffic system, maritime communications and search and rescue facilities within the maritime jurisdiction of the Philippines;

**(g)** To remove, destroy or tow to port, sunken or floating hazards to navigation, including illegal fish and vessels, at or close to sea lanes which may cause hazards to the marine environment;

**(h)** To issue permits for the salvage of vessels and to supervise all marine salvage operations, as well as prescribe and enforce rules and regulations governing the same;

**(i)** To render aid to persons and vessels in distress and conduct search rescue in marine accidents within the maritime jurisdiction of the Philippines, including the high seas, in accordance with applicable international conventions. In the performance of this function, the PCG may enlist the services of other government agencies and the merchant marine fleet;

**(j)** To investigate the inquire into the causes of all maritime accidents involving death, casualties and damage to properties;

**(k)** To assist in the enforcement of laws on fisheries, immigration, tariff and customs, forestry, firearms and explosives, human trafficking, dangerous drugs and controlled chemicals, transnational crimes and other applicable laws within the maritime jurisdiction of the Philippines;

(l) To board and inspect all types of merchant ships and watercrafts in the performance of this functions;

(m) To enforce laws and promulgated and administer rules and regulations for the protection of marine environment and resources from offshore sources or pollution within the maritime jurisdiction of the Philippines;

(n) To develop oil spill response, containment and recovery capabilities against ship-based pollution;

(o) To grant, within the capabilities and consistent with its mandate, requests for assistance of other government agencies in the performance of their functions;

(p) To organize, train and supervise the PCG Auxiliary (PCGA) for the purpose of assisting the PCG in carrying out its mandated functions; and

(q) To perform such other functions that may be necessary in the attainment of the objectives of this Act.

**SECTION 7. INCREASE OF PERSONNEL.** – The **Philippine Coast Guard (PCG)** shall maintain the sufficient staffing pattern. Hence, it is authorized to increase its manpower to meet such required and may continue to increase personnel per percentage rate increase of committed mandates annually or as the need arises.

**SECTION 8. TRANSITORY PROVISION** – Existing industries, businesses and offices affected by the implementation of this Act shall be given six (6) months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

**SECTION 9. IMPLEMENTING RULES AND REGULATIONS.** – The departments and agencies charged with carrying out the provisions of this Act

shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

**SECTION 10. REPEALING CLAUSE.** – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SECTION 11. SEPARABILITY CLAUSE.** – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

**SECTION 12. EFFECTIVITY CLAUSE.** – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,