

23 March 2018

REPRESENTATIVE CESAR V. SARMIENTO

Chairperson

Committee on Transportation

House of Representatives

Quezon City

Dear Representative Sarmiento:

The Department of Social Welfare and Development supports House Resolution No. 1584 and the Unnumbered House Bill entitled, "An Act Providing for the Rights of Passengers and Obligations of Domestic Shipowners/Operators in Case of Cancelled, Delayed and Unfinished/Uncompleted Voyages", which seek to provide recognition and protection of maritime passengers' rights.

We recommend that the important points of discussion of HRN 1584 be incorporated in the Unnumbered Substitute Bill to truly answer the needs of maritime passengers especially those who are also part of the vulnerable and marginalized sectors being served by the Department.

To contribute to the bill's enhancement, we are also proposing the following:

1. Under **Sec. 5 – Rights of Passengers in Case of Cancelled Voyages:** Include improvement of port facilities to serve passengers needing special assistance and protection (e.g. secured ramps for persons with disabilities (PWDs), safe walkways for senior citizens and child care facilities for women with small children). The shipowners and port areas should also ensure responsive security, safety and protection of maritime passengers from crimes against persons and property.
2. Under **Sec. 7 - Rights of Passengers in Case of Unfinished/Uncompleted Voyages:** The Committee may consider including an option for the passengers to be brought back to their place of origin in situations when an unfinished voyage has caused either trauma or when the purpose of the travel would no longer be met.
3. Under **Sec. 10 - Procedures for Claiming Benefits:** Clarify if this section provides for no expiration date for the claiming of refunds. If that is not the intention, the Committee should include a specific timeline for the validity of claiming refunds.
4. General Comments:
 - a. The Department of Transportation (DOTr) through its Office of Commuter Affairs (OCA) should be strengthened to include commuters using the country's port system.

Further, include a provision stating the roles and functions of local government units (LGUs) and other concerned national government agencies identified in HRN 1584 in promoting and protecting the rights of maritime passengers for accountability purposes

- b. Shipowners and port areas should ensure the availability of sufficient basic facilities and services for maritime passengers. Again, facilities to be provided should be elderly, PWDs, women and children friendly. In dealing with the identified sectors, specific protocols should be in place in order to provide immediate relief and assistance.

Very truly yours,



EMMANUEL A. LEYCO

Undersecretary and Officer-in-Charge