



Republic of the Philippines
Department of Transportation
MARITIME INDUSTRY AUTHORITY
STCW OFFICE



STCW CIRCULAR NO. 2017 - _____
Series of 2017

**TO : ALL SEAFARERS, MARITIME TRAINING INSTITUTIONS (MTI),
MANNING AND SHIPPING COMPANIES AND OTHER MARITIME
INDUSTRY STAKEHOLDERS CONCERNED**

**SUBJECT : RULES AND REGULATIONS ON THE APPROVAL OF TRAINING
PROGRAMS UNDER THE STCW CONVENTION, 1978, AS
AMENDED**

Pursuant to Presidential Decree No. 474 and Republic Act (RA) No. 10635, its Implementing Rules and Regulations (IRR) and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, the following rules and regulations are hereby adopted and promulgated, thus:

1. OBJECTIVES

- .1 To prescribe the rules and regulations on the approval of training courses as mandated under the STCW Convention, 1978, as amended;
- .2 To ensure that all training courses are structured in accordance with written programs, including the methods and media of delivery, procedures, course material and conducted, monitored, evaluated and supported by qualified persons; and
- .3 To ensure that training requirements meet both the regulatory and statutory requirements and are contemporary.

2. COVERAGE

This Circular shall cover the approval of training courses mandated under the relevant regulations of Chapters II, III, IV, V and VI of the STCW Convention, 1978, as amended.

3. DEFINITION OF TERMS

For the purpose of this Circular and in addition to the terms defined under STCW Circular No. 2014-01, its subsequent amendments, and other relevant STCW Circulars, the following are hereby adopted:

- .1 **Applicant Maritime Training Institution** refers to an institution accredited by the Administration who intends to seek approval to offer a STCW – mandatory training courses.
- .2 **Accessibility to medical services** refers to the requirement to ensure that training sites are immediately situated in the closest proximity; that is at least 10 kilometers to a hospital or medical clinic.
- .3 **Registered Certifying Bodies** refers to certification companies duly recognized by the Administration.
- .4 **Course Package** refers to the Course Plan together with the Instructional materials and Assessment tools.
- .5 **Instructional Materials (IMs)** are materials which complement and supplement instruction. These are also referred to as teaching aids used in the delivery of the course such as PowerPoint Presentations or computer generated slides, exercise sheets, workbooks, pictures, diagrams and the like.
- .6 **Assessment** is the process of collecting evidence and making judgments on whether competency has been achieved to confirm that an individual can perform to the standards in the workplace as in the relevant table of competency.
- .7 **Assessment Tools** refers to the following components: context and conditions of assessment, tasks to be administered to the trainee, an outline of the evidence to be gathered from the candidate and evidence criteria used to judge the quality of performance.
- .8 **Evaluation** refers to the verification process to determine extent of compliance of the applicant MTI with the Administration's standards and requirements for specific area/s.
- .9 **Planned Maintenance System (PMS)** is the process of periodic inspection, test, or repair of equipment and facilities to ensure preservation of its good working condition.
- .10 **Record of Review and Validation** refers to the working documents (e.g. course plan, instructional materials, assessment tools), pilot testing report to include the evaluation tools used and the like as documentary evidence to prove that verification and validation process was conducted.

- .11 **Authorized Evaluation Team** refers to a team composed of designated Accreditation Division staff, member of the board of examiners, as may be necessary and lead by Maritime Education and Training Standards Supervisor (METSS) issued with a special order duly signed by the Executive Director, STCW Office. Likewise, two (2) members from Surveillance Division maybe part of the team who conduct the site evaluation.
- .12 **Panel of Evaluators** refers to designated Accreditation Division Staff, Monitoring Division Staff, METSS and/or member of the board of examiners as may be necessary who conduct the tabletop evaluation.

4. GENERAL PROVISIONS

- 4.1 Only accredited maritime training institution (MTI) may apply for approval to offer and conduct STCW mandatory training courses.
- 4.2 The accreditation of MTI precedes the approval of training courses.
- 4.3 All training processes and procedures undertaken by the MTIs shall be in accordance with their Quality Standard System.
- 4.4 The approved training courses shall be conducted by the MTI using the approved course package by the accredited instructors and at an approved site.
- 4.5 Classrooms intended for theoretical purposes shall be within the duly registered business address of the institution.
- 4.6 Classrooms or spaces located at the practical sites intended for the following courses shall be **solely** for briefing and de-briefing purposes:
 - .1 Basic Training
 - .2 Advanced Fire Fighting
 - .3 PSCRB
 - .4 PFRB
 - .5 Basic Training for Oil and Chemical Tanker Cargo Operations
 - .6 Basic Training for Liquefied Gas Tanker Cargo Operations
 - .7 Refresher Course on BT
 - .8 Refresher Course on AFF
 - .9 Refresher Course on PSCRB
 - .10 Refresher Course on PFRB
- 4.7 Trainees shall **only** be allowed to take a maximum of eight (8) training hours per day and likewise, the Instructors shall **only** be allowed to teach a maximum of eight (8) hours per day whether in the same MTI or not.

- 4.8 **Only** Instructors, Assessors and Supervisors, duly accredited by the Administration shall be considered to form part of the application.

The MTI shall ensure that at least two (2) instructors; one (1) as lead instructor and the other one (1) as alternate instructor and one (1) assessor are assigned per training course.

The Training Supervisor maybe assigned to monitor and supervise more than one training course or a cluster of courses provided the person has the full understanding of the training programme and the specific objectives for each type of training being conducted.

- 4.9 All simulators which shall be used for training and assessment shall comply with the general performance standards per Section A-I/12 paragraphs 1 and 2 and Section B-I/12 paragraphs 67 – 73 of the STCW Code.

MTI conducting training for seafarers shall establish ownership of their own training simulators and/or equipment. Likewise, for simulators, the MTI shall show proof of authenticity of license and statement of capability to simulate required competences under the applicable table of competences of the STCW Code of the simulators used.

Any form of lease or sub-contract, Memorandum of Agreement (MOA) with other entity or organization and the like for the use of such equipment shall **not** be allowed.

Training equipment and simulators shall be installed in the approved location and/or address **except** those intended to be used for Basic Training, Advanced Fire Fighting, PSCRB, PFRB, BTOCT and other courses needing practical site.

- 4.10 The conduct of training for seafarers using simulators shall comply with training procedures per Section A-I/12, paragraph 7 of the STCW Code.

- 4.11 Practical site to include the swimming pool (for the BT and launching and recovery of lifeboat exercises) shall be owned or leased for the **exclusive** use of **one** accredited MTI.

The facility for exercises on *jumping from a height* shall be fixed and structured ashore and not floating at the middle of any body of water. Likewise, launching and retrieving of liferafts and lifeboats shall use actual davits designed for the purpose.

- 4.12 Training facilities, equipment, teaching aids and simulator shall have a Planned Maintenance System.

- 4.13 The course package and other documents submitted for approval purposes shall be marked EVALUATED with the result; that is APPROVED, FOR REVISION OR REJECTED. It shall also be

appropriately signed by the authorized MARINA – STCW Office personnel at the completion of the evaluation process and shall be returned to the concerned MTI for record keeping which shall be required for monitoring and surveillance purposes.

- 4.14 MTIs whose course approval has expired and have not submitted request for renewal within the prescribed period shall automatically cease and desist from conducting training after the validity of its approval otherwise they shall be BANNED from applying any course within a period three (3) years.

Likewise, MTI whose course approval is suspended shall cease and desist from conducting training during the period of suspension.

- 4.15 MTIs who opted to **stop** offering approved training course/s within the validity period of its approval shall inform the Administration through the Accreditation Division.

The Accreditation Division shall delete the name of said MTI from its list of approved providers **upon receipt** of the notice from the MTI.

5. SPECIFIC PROVISIONS

5.1 Approval of Training Courses

- 5.1.1 An MTI wishing to gain approval to deliver STCW mandatory training courses shall file its application at MARINA – STCW Office through the Accreditation Division with the following documents:

- .1 Letter of Application under Oath
- .2 Certificate as Accredited MTI
- .3 Course Package of the training course being applied containing the documents specified in the Circular on Standard of Courses
- .4 Qualification of Instructors, Assessors and Supervisors
- .5 Inventory of Training Equipment and Facilities
- .6 Inventory of Teaching Aids and References

- 5.1.2 **Only** applications with **complete and valid requirements** shall be accepted.

- 5.1.3 The MTI upon submission of application under this Circular shall pay filing fee of an amount stipulated in the schedule of fees in a separate circular.

- 5.1.4 MTI submitted documents shall be subjected to evaluation process to verify completeness and compliance with the relevant training standards of the Administration which shall be conducted into two stages:

- .1 The **first stage** shall be a **tabletop evaluation**, where the MTI representative shall present the documents to a panel of evaluators. This shall be through an appointment schedule.

The tabletop evaluation aims to verify that the MTI has the required resources and processes to deliver training being applied.

The findings of the tabletop evaluation are provided in a report to the MTI containing a decision as to whether the application should proceed to the next stage or whether further action by the MTI is required within thirty (30) working days after the presentation.

- .2 The **second stage** shall be a **site evaluation** and inspection carried out at the MTI's premises and shall include the observation of conduct of training and assessment if applicable.

The site evaluation and inspection shall be conducted by the MARINA-STCW Office duly assigned Evaluation Team which shall cover the requirements of the course as specified in the course package of the training course being applied and specific provisions herein.

The findings of the site evaluation and verification shall be recorded in the Evaluation Report Form, a copy of which shall be provided to the applicant at the completion of the evaluation.

A report containing a recommendation, the accomplished Evaluation Report Form and other relevant documents shall be submitted by the assigned Evaluation Team to the Chief, Accreditation Division for verification and to the Executive Director who decides for its approval or denial.

- 5.1.5 There shall be three (3) types of **approval recommendation** by the Evaluation Team as follows:

- .1 Approval means the Team has found that the training course is fully compliant.
- .2 For issuance of **Notice of Deficiency (NOD)**, if Team found two (2) areas requiring compliance/improvement.

Approval shall be awarded when the corrective actions have been implemented and verified.

- .3 Non-approval means there are more than three (3) areas requiring compliance/improvement. They may however re – apply after six (6) month from date of communication of non-approval provided the concerned MTI shall show proof of full compliance.
- 5.1.6 Upon completion of the evaluation, Certificate of Course Approval which may be issued as:
- .1 **Provisional Authority** shall be issued upon compliance with the following requirements as evidenced by the result of evaluation and inspection, which shall be valid within six (6) months otherwise it shall become null and void **if full approval requirements** are not fully complied:
 - Notarized application form
 - Certificate of Accreditation of MTIs
 - Course Package
 - Design and development documentation such as Record of Review and Validation
 - Accredited Instructors, Assessors and Supervisor with corresponding employment contract
 - Approved Training Equipment (available and operational)
 - Approved Teaching Aids/References
 - Specimen signatures of the MTI's authorized signatories.
 - .2 **Full Course Approval** shall be granted upon compliance with the following requirements:
 - Report on the conduct of training in the approved course during the provisional authority period.
 - Results of monitoring during the provisional authority period
 - Record of compliance with the validation process of the subject training course, the process and result of which shall be presented to the Administration.
- 5.1.7 Course Approval shall be valid for five (5) years after issuance, unless surrendered, suspended, or revoked, or unless the MTI ceases operation, subject to:
- .1 Annual Monitoring in accordance with STCW Circular No. 2015 – 04 and its subsequent amendment;
 - .2 Submission of Annual Course Review Results (subject to verification by the Monitoring Division);
 - .3 Surveillance findings; and

- .4 Outright revocations if the MTI failed to conduct the approved training course within the first year of its full approval.
- 5.1.8 Approval of a training course may be renewed and request for renewal shall be submitted **six (6) months prior its expiration**, provided the following requirements have been complied:
 - .1 The MTI maintain its full compliance with prescribed standards;
 - .2 All non-conformances found during monitoring have been corrected and surveillance findings have been resolved within the prescribed period;
 - .3 The MTI has no pending case filed by MARINA or any entities or person pertaining to the conduct of training of seafarers;
 - .4 Required fees have been paid.
- 5.1.9 Requests for renewal of an approval shall be submitted to the Administration through the Accreditation Division accompanied by the cover letter and information on site, instructors, assessors, supervisor and **changes/ improvements** made on the course package of the training course being applied.
- 5.1.10 Concerned MTI who failed to submit request for re-approval shall wait for six (6) months after the expiration date of its original approval to file their application.

6 RESPONSIBILITIES OF MTI IN THE DELIVERY AND IMPLEMENTATION OF TRAINING COURSES

Concerned accredited Maritime Training Institutions shall:

- 6.1 Abide with all lawful instructions, orders and/or directives of the Administration;
- 6.2 Ensure that its implementation of training activities is in accordance with training rules and regulations formulated and enforced by MARINA – STCW Office;
- 6.3 Allow entry of announced and unannounced monitoring and surveillance at any time by an authorized Evaluation Team to conduct the following but not limited to:
 - 6.3.1 Inspect its facilities, equipment, and records including trainees assessment results;
 - 6.3.2 Conduct interviews and surveys of trainees;
 - 6.3.3 Observe course delivery; and
 - 6.3.4 Supervise the required examinations or practical assessments.

- 6.4 Any complaints shall be addressed to the STCW Office and not against any authorized inspection/monitoring team or its members;
- 6.5 Inform MARINA – STCW Office of any agreement entered into with any maritime school or training vessel operator on the conduct of accredited training courses and submit a copy of the Memorandum of Agreement (MoA). The MoA shall be consistent with the existing policies of the Administration.
- 6.6 Ensure the safety and security of the trainees while in the premises of the MTI.

A report of any incident/accident involving any trainee shall be maintained by the MTI including action taken to prevent recurrence subject to verification by monitoring and surveillance.

- 6.7 Ensure that trainees are physically and medically fit prior to taking of hazardous and/or strenuous training course e.g. fire fighting, personal survival techniques and other similar training courses.
- 6.8 Post an **8.5" X 11"** NOTICE outside the classroom indicating the statement *"This classroom can only accommodate a maximum of ___ students at any given time. Violations shall be reported to MARINA – STCW Office, Surveillance Division"* including its telephone number.

Another NOTICE shall also be posted bearing the name of the Instructor and Assessor assigned to the particular class, schedule of class and names of official enrolled trainees.

The Certificate/s of Course Approval shall also be posted in a conspicuous place of the MTI.

- 6.9 Attend briefing or orientation that the Administration may conduct, when required;
- 6.10 Submit to the MARINA –STCW Office the following reports to:

Surveillance Division

- a. Electronic Enrolment Report no later than an hour before the start of the training using the prescribed form in Annex _
- b. Monthly classroom utilization plan

Information Technology Division

- c. Electronic copy of TCROA within three (3) days after the training using the prescribed form in Annex _
- d. Electronic copy of List of Trainees Certificated using the prescribed form in Annex _

Accreditation Division

- e. Administrative documents with annual validity;

- f. Transfer of address or site;
- g. Change of designated instructor and/or assessor;
- h. Change made on the approved course package; and
- i. Findings of external auditors.

7 SUSPENSION, REVOCATION AND SANCTIONS

1. A Course Approval may be suspended, after due process, for any of the following reasons:
 - a. MTI's failure to maintain compliance with any of the training, course and administrative requirements herein provided;
 - b. Failure to correct and implement appropriate corrective actions for any non-conformance identified during monitoring audit by the STCW Office within prescribed period; or,
 - c. Any violation of the provisions of this Circular and other issuances of the STCW Administration committed by the MTI concerned.

However, preventive suspension shall immediately be imposed upon finding of commission of a prohibited act that severely affects the outcomes of learning.

2. A Course Approval may be revoked, after due process, on the ground of repeated commission of act/s enumerated in Item VII.1.
3. Sanctions shall be in accordance with the provisions under Section 8.4.3.2.2 of IRR of RA 10635 of MTI who committed prohibited acts, to wit:
 - a. First offense in a twelve-month period: a fine of ₱100,000 for every count of prohibited act, an immediate preventive suspension, and a six-week suspension (minus the period served in preventive suspension) of all the ATPs of the MTI;
 - b. Second offense in a twelve-month period, a fine of ₱ 200,000 for every count of prohibited act, an immediate preventive suspension, and a six-month suspension (minus the period served in preventive suspension) of all the ATPs of the MTI; and
 - c. Third offense in a twenty four – month period: perpetual prohibition from conducting any ATP.
4. The procedure for the investigation of violation/s and the imposition of the appropriate penalty shall be subject to the rules and guidelines issued by the Administration.
5. Anyone directly affected by the denial, suspension, or revocation of the approval of a training course/s **may** request reconsideration and appeal of the decision as set forth in MC No. 2013 – 05 dated 18 January 2013 and its subsequent amendments.

6. Certificate of Completion for a training course issued to a trainee **during the period of suspension shall not be accepted by the Administration.**

8 TRANSITORY PROVISIONS

8.1 Certificates of course approval issued pursuant to MARINA Circular No. 2013-01 shall remain valid until the date of expiration thereof.

8.2 Thereafter, the renewal of approval of all maritime training courses shall be in accordance with this Circular.

9 REPEALING CLAUSE

Any provision of other issuances which are inconsistent with the provisions of this STCW Circular are hereby superseded, repealed or amended accordingly.

10 EFFECTIVITY

This STCW Circular shall take effect immediately on the day of its publication.

Manila, Philippines, XX August 2017.

Submitted:

Atty. VERA JOY S. BAN-EG
OIC - Executive Director

Approved:

MARCIAL Q. C. AMARO III, Ph.D.
Administrator

CERTIFICATION

This is to certify that STCW Circular No. 2017 - ____ is approved by the Administrator on XX August 2017.
