



Republic of the Philippines  
**OFFICE OF THE PRESIDENT**  
**COMMISSION ON HIGHER EDUCATION**

**DEPARTMENT OF TRANSPORTATION**  
**MARITIME INDUSTRY AUTHORITY**



**JOINT CHED-MARINA MEMORANDUM CIRCULAR NO. 02**  
Series of 2022

**SUBJECT: REVISED GUIDELINES ON JOINT CHED-MARINA EVALUATION AND INSPECTION OF HIGHER EDUCATION INSTITUTIONS APPLYING FOR GOVERNMENT AUTHORITY TO OPERATE BACHELOR OF SCIENCE IN MARINE TRANSPORTATION AND/OR BACHELOR OF SCIENCE IN MARINE ENGINEERING PROGRAM/S**

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In accordance with the pertinent provisions of Republic Act (RA) No. 7722, otherwise known as the "Higher Education Act of 1994"; RA No. 10635 and its Implementing Rules and Regulations (IRR) including subsequent amendments which established the Maritime Industry Authority (MARINA) as the Philippines' Single Maritime Administration; Executive Order (EO) No. 63 and its IRR which further strengthened the authority of MARINA as the Single Maritime Administration; the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended (STCW Convention '78, as amended); Republic Act No. 9485 or the Anti-Red Tape Act of 2007; Republic Act No. 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 and by virtue of the recommendation of the Technical Panel for Maritime Education (TPME), Chaired by MARINA Administrator and as approved by CHED Commission en banc (CEB) through Resolution No. 026-2022 dated January 18, 2022, the following guidelines are hereby adopted and promulgated, thus:

**Article I**  
**POLICIES AND LEGAL BASES**

**Section 1. Statement of Policies.** The following are hereby declared the policies of CHED and MARINA with regard to evaluation and inspection of higher education institutions applying for government authorization to operate Bachelor of Science in Marine Transportation and/or Bachelor of Science in Marine Engineering program/s prior to grant of Government Authority and approval of curriculum:

- 1.1 Right of all citizens to quality education.** CHED and MARINA uphold Section 1, Article XIV of the 1987 Philippine Constitution as well as the declared policy of the State to protect, foster and promote the right of all citizens to quality education, among others.
- 1.2 Quality of education is a matter of national interest and an international obligation.** CHED and MARINA recognize that protecting and promoting the quality of maritime education in the country is a matter of national interest and an international obligation, the Philippines being a Party and signatory to the STCW Convention '78, as amended.





**Section 2. Legal Bases.** The following are the legal bases for the joint CHED and MARINA evaluation and inspection of higher education institutions applying for government authorization to operate Bachelor of Science in Marine Transportation and/or Bachelor of Science in Marine Engineering program/s prior to grant of Government Authority and approval of curriculum:

- 2.1 The authority of CHED in the administration and supervision of maritime education programs and institutions of higher learning.** CHED, under Section 8 [d] and [e] of RA 7722 is mandated to "set minimum standards for programs and institutions of higher learning recommended by panels of experts in the field and subject to public hearing and enforce the same".

The Office of Programs and Standards Development (OPSD), through the Division of Programs with International Conventions, shall be the implementing office of CHED for purposes of the joint evaluation and inspection of maritime education programs as herein provided and shall ensure close coordination with the STCW Office of MARINA.

- 2.2 The authority of the MARINA in the administration and supervision of maritime education programs.** MARINA under Section 3 of RA 10635 was established as the Philippines' Single Maritime Administration mandated to implement and enforce the STCW Convention, 1978, as amended and international agreements or covenants related thereto."

One of the functions of MARINA under Section 4, paragraph [c], sub-paragraph (4) of the said law is to "ensure that all maritime education, including the curricula and training programs, are structured and delivered in accordance with the written programs, methods and media of delivery, procedures, and course materials compliant with international standards as prescribed under the STCW Convention."

Section 2 of EO 63, provides that "Subject to Section 4(c)(4)(i) of RA No. 10635, the MARINA shall take the lead in the evaluation of requests for approval of the following maritime higher education programs:

- a) Bachelor of Science in Marine Transportation (BSMT);
- b) Bachelor of Science in Marine Engineering (BSMarE); and
- c) Other higher education programs that may be developed in the future would require compliance to the STCW Convention.

The MARINA, in coordination with the Commission on Higher Education (CHED), shall evaluate and inspect applications of all higher education institutions including State Universities and Colleges (SUCs), Local Universities and Colleges (LUCs), and autonomous and deregulated HEIs to ensure that the maritime education programs being offered by said institutions are compliant with the minimum standards set under the STCW Convention."



## Article II DEFINITION OF TERMS

**Section 3.** For purposes of this Joint Memorandum Circular, the following terms shall apply:

**3.1 Applicant Higher Education Institution (HEI)** refers to an educational institution, private or public, applying to undertake operations of maritime higher education program/s.

**3.2 Bachelor of Science in Marine Transportation (BSMT)** refers to the maritime education program being implemented by the Commission and the Maritime Administration in compliance with the mandatory education and training under Regulation II/1, paragraph 2.5 of the STCW Convention, 1978, as amended, as one of the requirements for issuance of a Certificate of Competency (COC) as Officer in Charge of a Navigational Watch on seagoing ships of 500 gross tonnage or more.

In addition, **some** of the knowledge and understanding under Regulation II/2, as well as fundamentals in radiocommunications under Table A-IV/2 are included in the program.

**3.3 Bachelor of Science in Marine Engineering (BSMarE)** refers to the maritime education program being implemented by the Commission and the Maritime Administration in compliance with the mandatory education and training under Regulation III/1, paragraph 2.4 of the STCW Convention, 1978, as amended, as one of the requirements for issuance of COC as Officer in Charge of an Engineering Watch in a manned engine-room or designated duty engineer officer in a periodically unmanned engine-room on seagoing ships powered by main propulsion machinery of 750 kW propulsion power or more.

In addition, **some** of the knowledge and understanding under Regulation III/2, are included in the program.

**3.4 Compliance Report** refers to documentary evidence submitted by an applicant-HEI on the measures to be undertaken to correct the deficiencies noted during the documentary review and inspection of its application to operate the BSMT and BSMarE programs.

**3.5 Curriculum** refers to an aggregate of courses that are systematically and logically arranged within the program of study to ensure achievement of prescribed standards of competence under the STCW Convention, 1978, as amended and other relevant international covenants. It consists of a curriculum outline indicating a summary of the professional courses, general education courses, OBT and other required courses under existing laws, rules and regulations, as well as the list of prerequisites and corequisites and the program of study.





- 3.6 Documentary Review** refers to assessing the submitted supporting documents based on the Evaluation Instruments to determine compliance with the requirements.
- 3.7 Evaluation** refers to the process of determination of the compliance of the Higher Education Institution (HEI) and the maritime education program(s) being applied for approval with the pertinent standards and requirements prescribed by the Maritime Administration and the Commission in accordance with the STCW Convention, 1978, as amended.
- 3.8 Evaluation and Inspection Team (EIT)** refers to the composite CHED and MARINA evaluators authorized to conduct evaluation and inspection of applications to operate the BSMT and BSMarE programs, the composition of which is in accordance with Article IV of this joint circular.
- 3.9 Evaluation Instruments** refers to the quality forms used by the composite CHED and MARINA EIT as a checklist and recording tool during the conduct of evaluation and inspection of applications to offer BSMT and BSMarE programs.
- 3.10 Evaluation and Inspection Findings Report** refers to the results of documentary review and inspection.
- 3.11 Evaluator** refers to a qualified person duly authorized to conduct evaluation and inspection of applications to operate the BSMT and BSMarE programs.
- 3.12 Government Authority** refers to either a permit or recognition issued by the Commission to a maritime higher education institution for the operation of a BSMT and/or BSMarE program.
- 3.13 Inspection** refers to on-site or virtual visit to verify the actual compliance with the results of the documentary review.
- 3.14 Lead Evaluator** refers to a qualified person who is primarily responsible in the conduct of evaluation and inspection of applications to operate the BSMT and BSMarE programs.
- 3.15 Prohibited Acts** refer to acts which are inimical to public interest committed by institutions or persons, such as those stipulated under Section 65 of CMO 40 series 2008 (MORPHE) and under Rule IV, Section 8.3 of the IRR of RA 10635 and its subsequent amendments.
- 3.16 Recommendation** refers to the conclusion of the EIT on the results of the inspection.

**Inspection.** Recommendation may be Approval or Denied. The application will be Approved when there is full compliance with all the requirements of the program while the application will be Denied when there are noted deficiencies.

**Quality Standards System** refers to a system required under Regulation I/8 of STCW Convention, 1978, as amended that MHEIs must establish, which shall





incorporate key elements such as, but not be limited to, an expressed policy regarding quality and the means by which such policy is to be implemented; the organizational structure, responsibilities, procedures and resources necessary for quality management; the operational techniques and activities to ensure quality control; the systematic institutional monitoring arrangements including internal quality-assurance evaluations to ensure that all defined objectives are being achieved; and arrangements for periodic external evaluations.

- 3.17 Technical Evaluator** refers to a qualified person who possesses professional qualification and experience corresponding to the maritime education program to be evaluated and inspected and is duly authorized to conduct evaluation and inspection of maritime education program.

### **Article III GENERAL PROVISIONS**

**Section 4.** Pursuant to Section 2 of EO 63 and Section 4(c) of RA 10635, the MARINA, as Single Maritime Administration, shall take the lead in the evaluation and inspection of all applications for approval of the following maritime higher education programs:

1. Bachelor of Science in Marine Transportation (BSMT);
2. Bachelor of Science in Marine Engineering (BSMarE); and
3. other higher education programs that may be developed in the future which would require compliance with the STCW Convention, 1978, as amended.

**Section 5.** In the evaluation and inspection of higher education institutions (HEIs) applying for government authority to offer BSMT and BSMarE, CHED and MARINA shall ensure that the STCW Mandatory Professional courses as well as the Onboard Training component of such programs are compliant with the requirements of the STCW Convention, 1978, as amended and existing policies, standards and guidelines.

For this purpose, all HEIs issued with Government Authority shall ensure that students in the BSMT and BSMarE programs who have complied with the academic requirement as provided in the relevant CHED policies, standards and guidelines (PSGs) in line with EO 63 and its IRR shall be provided with Onboard Training slot in accordance with the Revised Joint CHED-MARINA Memorandum Circular No. 1 Series of 2022 to finish their study and be granted with the corresponding degree thereof.

### **Article IV COMPOSITION AND QUALIFICATIONS OF THE EVALUATION AND INSPECTION TEAM (EIT)**

**Section 6. Composition.** The evaluation and inspection of application is conducted by a team of evaluators from CHED and MARINA composed of the following:

1. Maritime Education and Training Standards Supervisor (METSS) of the STCW Office, MARINA as Lead Evaluator.
2. MARINA Evaluator from STCW Office Accreditation Division.
3. Qualified evaluator from MARINA-STCW Office and/or Regional Office may be tapped as necessary;





4. Technical Evaluator/s from CHED and/or MARINA with expertise corresponding to the maritime education program to be evaluated and inspected; and
5. OPSD Staff from Maritime Education Section (MES) under the Division of Programs with International Conventions (DPIC) and/or CHED Regional Office Supervisor in-charge of maritime education as CHED evaluators.
6. The team shall preferably have a member with teaching experience.

A maximum of two (2) observers may be allowed to join the EIT.

**Section 7. Qualifications.** Every person joining the CHED-MARINA EIT shall possess the following qualifications:

#### **7.1 Lead Evaluator**

1. have completed a Lead Auditor Course;
2. have joined at least 3 evaluation and/or inspection activities as a Member Evaluator;
3. be knowledgeable of the statutory requirements on STCW, CMOs, Memorandum Circulars and other relevant rules and regulations;
4. preferably with teaching experience in an MTI/MHEI;
5. have signed a disclosure of conflict of interest and non-disclosure agreement;
6. have completed the Training Course for Instructors (IMO Model Course 6.09) or its equivalent as approved by the Maritime Administration;
7. have completed training course on Assessment, Examination, and Certification of Seafarers (IMO Model Course 3.12) or its equivalent as approved by the Maritime Administration; and
8. have completed the training on IMO Model Course 6.10 or its equivalent as approved by the Maritime Administration.

#### **7.2 Technical Evaluator**

1. Management Level Officer of the program being evaluated and inspected with at least five (5) years seagoing experience in that capacity;
2. have completed Internal Quality Auditor Course;
3. have participated in at least 3 evaluation and/or inspection activities as a member of Evaluation Team after completing the Internal Quality Auditor Course;
4. be knowledgeable of the statutory requirements on STCW, CMOs, Memorandum Circulars and other relevant rules and regulations;
5. preferably have teaching experience in an MTI/MHEI;
6. have signed a disclosure of conflict of interest and non-disclosure agreement;
7. have completed the Training Course for Instructors (IMO Model Course 6.09) or its equivalent as approved by the Maritime Administration;
8. have completed the training course on Assessment, Examination, and Certification of Seafarers (IMO Model Course 3.12) or its equivalent as approved by the Maritime Administration; and
9. have completed the training for Train the Simulator Trainer and Assessor (IMO Model Course 6.10) or its equivalent as approved by the Maritime Administration.



### **7.3 CHED and MARINA Evaluators**

1. have completed Internal Quality Auditor Course;
2. have joined at least 3 evaluation and/or inspection activities as an Observer;
3. be knowledgeable of the statutory requirements on STCW, CMOs, Memorandum Circulars and other relevant rules and regulations; and
4. have signed a disclosure of conflict of interest and non-disclosure agreement.

Members of the EIT must not be involved in the activities of or have any connection to the applicant-HEI.

**Section 8. Functions of Lead Evaluator and Team Members.** The functions of the Lead Evaluator and Team members are as follows:

#### **8.1 Lead Evaluator:**

1. Leads the conduct of evaluation and inspection in accordance with the evaluation plan in an ethical and professional audit standard;
2. Ensures the effective and efficient conduct of the evaluation;
3. Presides the opening and closing meeting with officials of the institution being evaluated;
4. Oversee the preparation of the evaluation and inspection report by the EIT members; and
5. Ensures the timely submission of evaluation and inspection report to STCW Office of the Executive Director (OED) within the prescribed period.

#### **8.2 Technical Evaluator:**

1. Provides technical expertise in the evaluation and inspection of the program/s; and
2. Conducts evaluation and inspection according to the evaluation and inspection plan in an ethical and professional audit standard.

#### **8.3 CHED Evaluator:**

1. Conducts evaluation per the evaluation and inspection plan in accordance with ethical and professional audit standards;
2. Provides administrative and logistical support in the conduct of the activity such as coordination with the HEI, arrangement for travel, and accommodation, among others; and,
3. Assists in the preparation and submission of evaluation and inspection reports.

#### **8.4 MARINA-STCW Office Evaluator:**

1. Conducts evaluation per the evaluation and inspection plan in accordance with ethical and professional audit standards;
2. Provides administrative and logistical support in the conduct of the activity such as coordination with the HEI, arrangement for travel, and accommodation, among others; and,
3. Assists in the preparation and submission of evaluation and inspection reports.



**Article V**  
**PLANNING OF EVALUATION AND INSPECTION ACTIVITIES**

**Section 9. Preparation and Approval of Evaluation and Inspection Plan.** The MARINA shall prepare the Evaluation and Inspection Plan shown in Annex D and transmit the same to the Joint CHED-MARINA Secretariat for indorsement to the HEI through CHEDRO concerned.

The Evaluation and Inspection Plan shall indicate the following:

1. schedule of visit;
2. key areas covered;
3. scope and objective; and
4. composition of the team and assignment of members.

The MARINA STCW Office shall:

1. designate MARINA STCW personnel who will compose the MARINA Evaluation and Inspection Team;
2. prepare travel authority in the form of a Special Order for approval of the MARINA Administrator or STCW Office Executive Director;
3. prepare the Evaluation and Inspection Plan.

The CHED OPSD shall:

1. designate technical evaluators and OPSD DPIC personnel who will be members of the Evaluation and Inspection Team;
2. prepare travel authority of the members of the Evaluation and Inspection Team coming from CHED approval of the Chairperson, through the Executive Director; and,
3. coordinate with the CHEDRO concerned on technical and administrative requirements.

**Section 10. Cancellation or Postponement.** Request for cancellation or postponement of the inspection activity due to the following circumstances shall be addressed by the HEI to CHED Regional Office, copy furnished CHED-OPSD and MARINA, within five (5) working days from receipt of the notice of inspection:

1. public holidays; or
2. unavailability of Technical Evaluators, CHED or MARINA representatives; or
3. other similar circumstances which are beyond the reasonable control of the CHED, MARINA or the institution concerned.

The request shall be decided by the CHEDRO three (3) working days from the receipt thereof, copy furnished CHED-OPSD and MARINA.

Any scheduled inspection activity shall automatically be postponed in the event of force majeure and when health, safety and security of the EIT are compromised.





**Section 11. Basis and Key Areas of Evaluation and Inspection for Issuance of Permit to Operate.** The applications of higher education institutions to operate the BSMT and/or BSMarE programs shall be evaluated and inspected based on existing policies, standards and guidelines for said programs as prescribed by CHED and MARINA. Key areas include:

1. Program and Course Design, Review and Approval
2. Required Resources
3. Standards, Teaching Methods and Media of Delivery;
4. Examination and Assessment System
5. Facilities and Equipment for Education and Training
6. Onboard Training
7. Student Admission and Retention
8. Quality Standards System
9. Research and Extension

**Section 12. Basis and Key Areas of Evaluation and Inspection for Recognition.** The applications of maritime higher education institutions for recognition of the BSMT and/or BSMarE programs shall be evaluated and inspected based on existing policies, standards and guidelines for said programs as prescribed by CHED and MARINA. Key areas include:

1. Program and Course Design, Review and Approval
2. Required Resources
3. Standards, Teaching Methods and Media of Delivery;
4. Examination and Assessment System
5. Facilities and Equipment for Education and Training
6. Onboard Training
7. Student Admission and Retention
8. Quality Standards System
9. Research and Extension

## **Article VI EVALUATION FINDINGS**

**Section 13. Category of Findings.** Each evaluation finding shall be categorized as compliance or noncompliance. **Compliance** refers to meeting all the requirements under the existing policies, standards and guidelines for BSMT and BSMarE programs. On the other hand, **Noncompliance** refers to a deficiency or failure to comply with existing policies, standards and guidelines for BSMT and BSMarE programs.

All evaluation findings shall be recorded in the Evaluation Instruments with the specific recommendation to comply the deficiencies for the school year applied for to be considered. Otherwise the application for permit to operate shall be disapproved.

**Section 14. List of Prohibited Acts.** For purposes of evaluation and inspection, the following are prohibited acts:





1. the advertisement or publication of any advertisement or announcement before a permit to operate is granted by CHED; and
2. implementing or conducting unapproved education programs that have similar title and/or content as any of the approved MEP by CHED, tending to deceive the learner or the public that such programs are approved and compliant with STCW, as amended, whether intentional or not.

In case the joint CHED-MARINA EIT found a prohibited act committed by the applicant HEI, evaluation shall be terminated and the same shall be immediately reported in writing to the STCW Executive Director for endorsement to OPSD- CHED.

## **Article VII**

### **PROCEDURES ON PROCESSING OF APPLICATION**

**Section 15. When and where to file the application.** An applicant higher education institution which intends to operate a maritime education program, shall file with the CHED Regional Office concerned one year prior to intended opening of classes or in accordance with the timelines set in CMO 40 Series 2008.

Applicant HEIs shall submit an application letter or petition under oath with all documentary requirements as per Annex A (Evaluation Instrument – General Requirements for Application of Government Authority) and Annex B (Evaluation Instrument – Specific Requirements for Application of Government Authority) for completeness of application in order to be processed. The applicant-HEI shall ensure that the Self-Assessment portion of the evaluation instruments is properly filled-up.

**Section 16. Review of completeness of documents.** The concerned CHED Regional Office shall review the completeness of the documents. An application letter or petition under oath with incomplete supporting documents shall be returned to the applicant-HEI by the CHEDRO.

Only applications with complete supporting documents shall be forwarded by the CHED Regional Office to the MARINA STCW Office-Accreditation Division, copy furnished the CHED OPSD.

Within three (3) days upon receipt of said applications, the MARINA STCW Office-Accreditation Division shall endorse the same to the designated Joint CHED-MARINA Evaluation and Inspection Team (EIT).

**Section 17. Documentary review.** The designated Joint CHED-MARINA EIT shall review, within twenty (20) days from receipt of the submitted applications, to determine full compliance with the requirements as stated in Annexes A and B.

The EIT shall submit its report to the Office of the STCW Executive Director within three (3) working days from completion, which in turn shall endorse to the Joint CHED-MARINA Secretariat, for transmittal to the applicant-HEI.





Applications with noted deficiencies based on the conduct of the EIT documentary review shall be deemed disapproved, without prejudice to re-application in the next academic year.

Applications which are compliant with the requirements shall be inspected after fifteen (15) days upon receipt of said report.

**Section 18. Inspection.** After the lapse of the fifteen (15) days as prescribed in the preceding Section, the Joint CHED-MARINA Secretariat shall notify the HEI at least five (5) working days prior to the conduct of an onsite or virtual inspection of the applicant institution's compliance with the standards set for the program applied for.

**Section 19. Pre-Inspection Meeting.** The Lead Evaluator shall convene the Joint CHED-MARINA EIT at least three (3) days prior to the Opening Meeting to confirm and discuss the inspection plan.

In case of re-inspection, the results of the previous inspection of the HEI, and such other documents or information relevant to the evaluation activity shall be discussed.

The Inspection Plan may be modified, as the need arises and upon agreement of the EIT members and to be conveyed to the institution during the opening meeting.

**Section 20. Inspection Procedures.** Every inspection activity shall be conducted in accordance with the following:

1. **Opening meeting** – The Joint CHED-MARINA EIT conducts Opening Meeting with HEI President or duly authorized representative and concerned officials and staff.

Protocols to be observed – The President or his/her designated representative shall welcome the evaluators and introduce the HEI's officials and staff.

The Lead Evaluator shall introduce the members of the EIT and provide information on the following:

- a. scope and objective(s) of inspection, key areas of inspection and assigned evaluators, estimated time or duration of the activity based on the Inspection Plan;
  - b. the responsible person from the HEI and the estimated time or duration of inspection which may be modified as the need arises;
  - c. methods and procedures to be used in the inspection;
  - d. documents, information, equipment, facilities, presence of officials and support staff who may be needed by the EIT;
  - e. method of reporting including categories of inspection findings and the timeframe for the submission of Compliance Reports;
  - f. re-inspection conditions; and
  - g. confidentiality of inspection findings, documents and information.
2. **Inspection proper** – The inspection shall be carried out by evaluating the key areas through any of the following methods or procedures:





- a. interviewing responsible personnel/staff for the key area being inspected;
- b. evaluating and reviewing the relevant quality processes, procedures and documented information; and
- c. testing and evaluating the functionality, suitability and adequacy of relevant facilities, simulators and laboratory equipment based on carrying capacity requirements.

The result of the conduct of inspection shall be recorded in the same forms by the applicant HEI in the self-assessment documents and by the Joint CHED-MARINA EIT in the documentary review.

3. **Deliberation of findings** – Once the inspection is completed, the EIT shall meet to discuss and agree on their inspection findings and decide whether they constitute compliance or noncompliance.
4. **Closing meeting** – The Joint CHED-MARINA EIT shall conduct closing meeting with applicant HEI President or authorized representative and concerned officials to discuss the inspection findings.

**Section 21. Submission of Inspection Report.** The Joint CHED-MARINA EIT shall forward the Inspection Report to the Joint CHED-MARINA Secretariat within three (3) working days upon completion of the inspection, which shall then endorse the same to CHED OPSD within three (3) working days from receipt thereof.

**Section 22. Action of TPME.** The TPME shall deliberate on the report of the EIT and shall draw up the appropriate resolution containing its recommendation/s to the CEB.

**Section 23. Execution of the Decision of the Commission.** Based on CEB Decision, a written approval or disapproval of the application shall be issued by CHED prior to the opening of classes.

**Section 24. Motion for Reconsideration.** An institution whose application was disapproved may file a motion for reconsideration with the Commission within fifteen (15) days from receipt of the decision on any of the following grounds:

- a. Newly discovered evidence which materially effects the order, directive or decision; or
- b. Grave errors of facts or law or serious irregularities have been committed prejudicial to the interest of the MHEI.

The Motion for Reconsideration shall be reviewed by the CHED Legal Service and shall submit its recommendation to the Commission en Banc within fifteen (15) days from receipt of the Motion and all its supporting documents.

Only one motion for reconsideration shall be allowed. Motion for Reconsideration filed beyond the reglementary period shall not be entertained and the decision shall become final and executory.



**Section 25. Effect of Pendency of Appeal, Petition for Review/Certiorari with the Court.** The filing and pendency of a Petition for Review with the Court of Appeals or Certiorari with the Supreme Court shall not stop the execution of the decision of the Commission unless the Court issues a Restraining Order or an Injunction.

## **Section 26. Issuance of Government Authority**

### **26.1. Permit to Operate BSMT and BSMarE programs**

The initial permit to operate applies only to the first and second year levels of the program applied for, and shall be granted only after the first and second year level requirements are met.

On the second year of operation of the degree program, the higher education institution must apply for a permit to operate the third year level or may apply for recognition if the applicant institution has complied with all the requirements for the continuous operation of the degree program applied for, **including the onboard training requirements.**

The third year permit to operate shall only be granted if compliance with the first and second year level requirements is maintained and the third year level requirements for the program being applied for have been complied with. Otherwise, the permit to operate the first and second year levels of the program concerned shall be revoked. The affected students shall be assisted by the concerned MHEI in transferring to other institutions offering authorized BSMT and/or BSMarE programs.

An application shall be deemed disapproved if applicant HEI, despite due notice, has not complied with the required documents within the prescribed period.

### **26.2. Recognition of BSMT and BSMarE programs**

Consistent with the preceding paragraph, the third year permit or recognition may be applied for on the second year of operation with the CHED Regional Office concerned not later than the first working day of November of the academic year prior to that for which recognition is sought.

The recognition shall only be granted when all requirements for the complete operation of the BSMT or BSMarE program, including the provision of OBT for students who are completing the classroom instruction prior to the grant of recognition, have been complied with. Otherwise, the permit to operate the first, second and third applied for recognition shall be revoked.

## **Article VIII MISCELLANEOUS PROVISIONS**

**Section 27. Repealing Clause.** All issuances, relevant policies, standards and guidelines which are inconsistent with the provisions of this Joint Memorandum Circular are hereby repealed, amended, modified or superseded in accordance with the intent of this Circular.





**Section 28. Separability Clause.** If any part or provision of this Joint Memorandum Circular shall be held unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 29. Transitory Provisions.** Upon effectivity of this Joint CHED-MARINA Circular, all applications to offer BSMT and/or BSMarE Programs shall comply and adhere to the Revised Joint CHED-MARINA Circular No. 1, series of 2022 "Revised Policies, Standards and Guidelines for the Bachelor of Science in Marine Transportation and Bachelor of Science in Marine Engineering Programs."

- 29.1. Evaluation of applications of institutions which were issued phase out or closure orders shall include the assessment of the implementation of, or compliance with such orders;
- 29.2. Evaluation of applications of institutions which offered maritime education programs without government authorization shall include assessment of their compliance with sanctions imposed. This is however without prejudice to actions of CHED with respect to special orders issued to students who graduated from such programs and MARINA with respect to the administration of Officer-in-Charge Navigational Watch (OIC-NW) and Engineering Watch (OIC-EW) Examinations; and
- 29.3. Pending applications to operate shall be evaluated using these guidelines based on existing policies, standards and guidelines for maritime education.

**Section 30. Effectivity Clause.** This Joint Memorandum Circular shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Quezon City, Philippines, March 3, 2022.

Approved:

For the Commission:

  
**J. PROSPERO E. DE VERA III, DPA**  
Chairman  
Commission on Higher Education

For the Maritime Administration:

  
**VADM ROBERT A EMPEDRAD AFP (RET)**  
Administrator  
Maritime Industry Authority



*List of Annexes:*

- Annex A - Evaluation Instrument – General Requirements for Application of Government Authority*
- Annex B1 - Evaluation Instrument – Specific Requirements for Application of Government Authority (Self-Assessment and CHEDRO)*
- Annex B2 - Evaluation Instrument – Specific Requirements for Application of Government Authority (Documentary Review and Inspection)*
- Annex B3 - Evaluation Instrument – Specific Requirements for Application of Government Authority – Onboard Training (Self-Assessment and CHEDRO)*
- Annex B4 - Evaluation Instrument – Specific Requirements for Application of Government Authority – Onboard Training (Documentary Review and Inspection)*
- Annex C - Evaluation and Inspection Plan*