



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 2023**

**SUBJECT: GUIDELINES AND PROCEDURES 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, SERIES OF 2022, AS AMENDED**

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 Single Maritime Administration responsible for the implementation and enforcement of the 1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, as amended (STCW Convention, 1978, as amended) and International Agreements or Covenants related thereto; Executive Order (EO) No. 63 and its IRR which further strengthened the authority of MARINA as Single Maritime Administration and, by virtue of CHED Commission En Banc (CEB) Resolution No. 089-2023 dated February 21, 2023, the following Policies, Standards and Guidelines (PSGs) for the Bachelor of Science in Marine Transportation (BSMT) and Bachelor of Science in Marine Engineering (BSMarE) programs are hereby adopted and promulgated.

**Article I
POLICIES AND LEGAL BASES**

Section 1. Right of all citizens to quality education. The Commission and the Maritime Administration uphold Section 1, Article XIV of the 1978 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.

Section 2. Legal Bases. The following are the legal bases for the joint Commission and the Maritime Administration evaluation and inspection of HEIs applying for government authority to operate BSMT and/or BSMarE program/s prior to grant of Government Authority.

2.1. The authority of the Commission in the administration and supervision of Maritime Education and Training Programs (METPs) and institutions



of higher learning. The Commission, 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 Commission on Higher Education Office of Programs and Standards Development (CHED OPSD), through the Division of Programs with International Conventions, shall be the implementing office of the Commission for purposes of the joint evaluation and inspection of MEPs as herein provided and shall ensure close coordination with the STCW Office of Maritime Administration.

2.2. The authority of the Maritime Administration in the administration and supervision of METPs. 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 Maritime Administration 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 METPs:

- 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 that would require compliance with the STCW Convention.

The Maritime Administration, in coordination with the Commission, 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 METPs to be offered by said institutions are compliant with the minimum standards set for those programs.

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 a duly established educational institution, private or public, applying to undertake operations of MEPs.

- 3.2. **Bachelor of Science in Marine Transportation (BSMT)** refers to the METP being implemented by the Commission and the Maritime Administration in compliance with the mandatory education and training for Officers in Charge of a Navigational Watch required by the STCW Convention, 1978, as amended.
- 3.3. **Bachelor of Science in Marine Engineering (BSMarE)** refers to the METP being implemented by the Commission and the Maritime Administration in compliance with the mandatory education and training for Officers in Charge of an Engineering Watch required by the STCW Convention, 1978, as amended.
- 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 MEPs.
- 3.5. **Curriculum** is 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.
- 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 MEPs 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 Commission and Maritime Administration evaluators authorized to conduct evaluation and inspection of applications to operate the MEPs, 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 EIT as a checklist and recording tool during the conduct of evaluation and inspection of applications to offer MEPs.
- 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 MEPs.
- 3.12. **Government Authority** refers to either a permit or recognition issued by the Commission to a MHEI for the operation of MEPs.



- 3.13. Inspection** Refers to the on-site visit or virtual appraisal of applicant HEI to verify its actual compliance with requirements following the results of documentary review of the EIT.
- 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 METPs
- 3.15. Maritime Education and Training Programs (METPs):** refer to the approved education and training for Officer-in-Charge of a navigational or an engineering watch covered under Chapter II Regulation II/1 and Chapter III Regulation III/1 of the STCW Convention, 1978, as amended, or more popularly known as the BSMT and BSMarE programs.
- 3.16. Prohibited Acts** refer to acts which are inimical to public interest.
- 3.17. Quality Standards System** Refers to the documented policies and procedures required by the Maritime Administration and the Commission to be established by the MHEI in order to implement, monitor and ensure the attainment of STCW competence standards.
- 3.18. Technical Evaluator** refers to a qualified person who possesses professional qualification and experience corresponding to the MEP to be evaluated and inspected, and is duly authorized to conduct evaluation and inspection of MEP.

Article III GENERAL PROVISIONS

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

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 HEIs applying for government authority to operate BSMT and/or BSMarE programs, the Commission and the Maritime Administration shall ensure that such programs are compliant with the requirements of the STCW Convention, 1978, as amended and existing policies, standards and guidelines.

For this purpose, all MHEIs issued with Government Authority shall ensure that students in the BSMT and BSMarE programs who have complied with the academic requirement shall be provided with Onboard Training in accordance with the Joint Commission-Maritime Administration Memorandum Circular No. 1 Series of 2023 to finish their study and be granted with the corresponding degree thereof.

Section 6. Basis and Key Areas of Evaluation and Inspection. The applications for issuance to operate or recognition for METPs shall be evaluated and inspected

based on existing policies, standards and guidelines for said programs as prescribed by Commission and Maritime Administration, which shall focus on the following key areas:

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
10. Previous Monitoring Findings (in the case of existing institutions who are re-applying)

Article IV

COMPOSITION, QUALIFICATIONS AND FUNCTIONS OF THE EVALUATION AND INSPECTION TEAM (EIT)

Section 7. Composition. The evaluation and inspection of application is conducted by a team of evaluators from the Commission and the Maritime Administration 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 the Commission and/or the Maritime Administration 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 8. Qualifications. Every person joining the Commission-Maritime Administration EIT shall possess the following qualifications:

8.1. Lead Evaluator

1. have completed a Lead Auditor Course;
2. have joined at least 3 EIT evaluation and inspection or monitoring activities as a Member Evaluator;
3. be knowledgeable of the statutory requirements on STCW, CMOs,
4. Memorandum Circulars and other relevant rules and regulations;
5. have signed a disclosure of conflict of interest and non-disclosure agreement; and

6. have completed the training courses on IMO Model Course 6.09, 3.12 and 6.10 or their equivalent as approved by the Maritime Administration.

8.2. 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 EIT after completing the Internal Quality Auditor Course;
4. be knowledgeable of the statutory requirements on STCW, CMOs,
5. Memorandum Circulars and other relevant rules and regulations;
6. have signed a disclosure of conflict of interest and non-disclosure agreement; and
7. have completed the training courses on IMO Model Course 6.09, 3.12 and 6.10 or their equivalent as approved by the Maritime Administration.

8.3. 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;
4. have signed a disclosure of conflict of interest and non-disclosure agreement; and
5. Have completed training on IMO Model Courses 6.09 and 3.12.

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

Section 9. Functions of Lead Evaluator and Team Members. The functions of the Lead Evaluator and Team members are as follows:

9.1. Lead Evaluator:

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

9.2. 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.

9.3. CHED Evaluator:

1. Conducts evaluation per the evaluation and inspection plan;

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.

9.4. MARINA-STCW Office Evaluator:

1. Conducts evaluation per the evaluation and inspection plan;
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
PROCESSING OF APPLICATION**

Section 10. The pertinent provisions of Republic Act No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018" shall govern the general procedures and timelines in the processing of applications.

Section 11. When and where to file the application. An applicant HEI which intends to operate a maritime education and training program (METP) shall file its application with the Regional Office of the Commission concerned one year prior to the intended opening of classes.

Applicant HEIs shall submit an application letter and petition under oath with all documentary requirements as per Annex A (Evaluation Instrument — General Requirements for Application of Government Authority) and Annex B1 (Evaluation Instrument — Specific Requirements for Application of Government Authority) for completeness of the 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 12. Completeness of documents. The concerned Regional Office of the Commission shall review the completeness of the documents. An application letter with incomplete supporting documents shall be returned to the applicant HEI.

Only applications with complete supporting documents shall be forwarded by the Regional Office of the Commission to the Maritime Administration's STCW Office Accreditation Division, copy furnished the CHED OPSD. The Maritime Administration's STCW Office Accreditation Division shall endorse the same to the designated Joint CHED-MARINA Evaluation and Inspection Team (EIT).

Section 13. Documentary review. The designated EIT shall review, the submitted applications, to determine full compliance with the requirements as stated in Annexes A and B and shall submit its report to the Office of the STCW Executive Director which shall transmit the results 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 evaluated and inspected by the Joint CHED-MARINA EIT.

Section 14. Evaluation and Inspection. The Commission shall notify the HEI the conduct of an onsite or virtual inspection of the applicant Institution compliance with the standards set for the program applied for.

The previous monitoring report, if applicable, shall be part of the evaluation before an MHEI is granted the recognition to operate METPs for third- and fourth-year levels. Thus, the grant of recognition requires that the MHEI has no outstanding monitoring findings.

Section 15. Preparation and Approval of Evaluation and Inspection Plan. The EIT shall prepare the Evaluation and Inspection Plan and through the Maritime Administration STCW Office Accreditation Division, transmits the same to the CHED OPSD for endorsement to the HEI through Regional Office of the Commission 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 Maritime Administration STCW Office and CHED OPSD shall prepare their travel authority and other administrative requirements for approval of their respective officials following their quality procedures.

Section 16. Cancellation or Postponement. Request for cancellation or postponement of the inspection / re-inspection activity due to the following circumstances shall be addressed by the HEI to Regional Office of the Commission, copy furnished CHED-OPSD and Maritime Administration:

1. public holidays; or
2. other similar circumstances which are beyond the reasonable control of the HEI concerned.

The request shall be forwarded for decision of the Regional Office of the Commission, copy furnished CHED-OPSD and the Maritime Administration.

Any postponement or cancellation of scheduled evaluation and inspection / re-inspection activity initiated by the Commission or the Maritime Administration shall be communicated to all concerned prior to the schedule of the activity.

Scheduled inspection / re-inspection activity shall automatically be postponed in the event of force majeure and when health, safety and security of the EIT are compromised.

Section 17. Pre-inspection Meeting. The Lead Evaluator shall convene the Joint Commission and Maritime Administration EIT to 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 applicant HEI during the opening meeting.

Section 18. Inspection Procedures. Every evaluation and inspection activity shall be conducted in accordance with the following:

1. **Opening meeting** - The Joint Commission and Maritime Administration EIT conducts Opening Meeting with the HEI President or duly authorized representative and concerned officials and staff.
2. **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 the evaluation and inspection, key areas and assigned evaluators, estimated time or duration of the activity based on the Inspection Plan;
 - b. the estimated time or duration of inspection which may be modified, as the need arises;
 - c. evaluation and inspection methods and procedures to be used;
 - 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 evaluation and inspection findings and the timeframe for the submission of Compliance Reports;
 - f. re-inspection conditions; and
 - g. confidentiality of inspection findings, documents and information.
3. **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 using the forms provided under Annexes B1 to B4.

4. **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.

5. **Closing meeting** - The EIT shall conduct Closing meeting with applicant HEI President or authorized representative and concerned officials to discuss the inspection findings.

Section 19. Submission of Inspection Report. The EIT shall forward the Inspection Report to the Maritime Administration STCW Office through the Office of the Executive Director which shall then endorse the same to CHED OPSD.

Section 20. 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 21. Action of the CEB. Based on TPME recommendation, CEB may or may not approve the application, which shall be done prior to the opening of classes.

Section 22. 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:

1. Newly discovered evidence which materially effects the order, directive or decision; or
2. Grave errors of facts or law or serious irregularities have been committed prejudicial to the interest of the MHEI. The concerned EIT shall review the responses to the Motion for Reconsideration and its recommendation and submits its recommendation to the TPME, within fifteen (15) calendar days from receipt of the Motion and all its supporting documents. CHED may also tap the Legal Legislative Services to review recommendation as may be warranted by the situation.

Only one motion for reconsideration shall be allowed. Decision of the CEB is executory.

Section 23. Effect of Pendency of Appeal, Petition for Review/Certiorari with the Court. The filing and pendency of an appeal with the Office of the President (OP) or regular courts shall not stop the execution of the decision of the Commission unless a court of competent jurisdiction issues a Restraining Order or an Injunction.

Section 24. Issuance of Government Authority. The issuance of Government Authority shall be in accordance with the provisions stipulated under Article III of JCMMC No. 1 series of 2023.

Article VI

CATEGORY OF FINDINGS AND LIST OF PROHIBITED ACTS

Section 25. Category of Findings. Each evaluation finding shall be categorized as compliant or non-compliant.



The HEI shall be deemed compliant when it meets all the requirements under existing policies, standards and guidelines for METPs. Otherwise, non-compliant when it failed to comply with existing policies, standards and guidelines for METPs.

Section 26. List of Prohibited Acts. For purposes of evaluation and inspection, the following are prohibited acts:

1. advertisement or publication of any advertisement or announcement for BSMT and/or BSMarE programs before a permit to operate is granted by Commission;
2. implementing or conducting unapproved education programs that have similar title and/or content as any of the approved Maritime Education and Training Programs (METPs) by Commission, tending to deceive the learner or the public that such programs are approved and compliant with STCW Convention, 1978, as amended, whether intentional or not;
3. Issuance of any certificate, degree, or title relating to BSMT and/or BSMarE programs without prior permit or authorization issued by the Commission

In case the EIT found a prohibited act committed by the applicant HEI, evaluation and inspection shall be immediately terminated and the same shall be immediately reported in writing to the STCW Executive Director for endorsement to CHED OPSD for appropriate action. HEIs which have been found to have committed any of the prohibited acts shall be disqualified to apply for METPs for a period of five (5) years from receipt of the decision thereof. The CHED OPSD shall refer the case files to the TPME for appropriate action.

The TPME through CHED OPSD shall then submit its recommendation to the Commission En Banc. The Commission En Banc will issue the decision.

Article VII MISCELLANEOUS PROVISIONS

Section 27. Repealing Clause. Joint CHED – MARINA Memorandum Circular No. 02 series of 2022 and all other relevant issuances inconsistent with the provisions of this Circular are hereby repealed.

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

Quezon City, Philippines, Feb. 21, 2023

Approved:

For the Commission:



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

For the Maritime Administration:



ATTY. HERNANI N. FABIA
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

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