**MEMORANDUM CIRCULAR NO.: SC-2020-\_\_\_\_\_\_\_\_**

**TO : ALL SEAFARERS, MANNING AGENCIES, SHIPPING COMPANIES, MARITIME TRAINING INSTITUTIONS, ASSESSMENT CENTERS, MARITIME HIGHER EDUCATION INSTITUTIONS AND OTHER MARITIME INDUSTRY STAKEHOLDERS CONCERNED**

**SUBJECT : AMENDMENT TO ARTICLE V OF STCW CIRCULARS NO. 2018-08 AND 2018-09**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Pursuant to Presidential Decree (PD) No. 474, Republic Act No. 10635 and its Implementing Rules and Regulations (IRR), and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, the herein addendum to STCW Circulars No. 2018-08 and 2018-09 are hereby promulgated and adopted:

**Article I**

**OBJECTIVE**

**Section 1.** The objective of this Circular is to amend relevant sections of Article V – Specific Provisions of the STCW Circulars No. 2018-08 and 2018-09 relative to the revised rules and mandatory minimum requirements in the assessment of competence under the relevant provisions of the following Chapters of STCW Convention, 1978, as amended:

1. Chapter II – Master and Deck Department;
2. Chapter III – Engine Department; and
3. Chapter IIV – GMDSS Radio Operators.

**Article II**

**AMENDMENT TO ARTICLE V – SPECIFIC PROVISIONS OF STCW CIRCULARS NO. 2018-08 AND 2018-09**

**Section 2.** The provisions under **Section 14(c)iv and v, Section 15(c)iv and v, and Section 16 of the STCW Circular No. 2018-08** are hereby amended to read as follows:

“**Section 14**. For purposes of the theoretical examination, the following rules shall apply:

1. xxx
2. xxx
3. A candidate who fails the removal assessment or was not able to take the said examination within the prescribed period shall only be allowed to retake the whole theoretical examination upon showing proof of the requirement under Section 16 below.
4. A candidate who fails the retake shall only be allowed to take the practical assessment again upon showing proof of the requirement under Section 16 which shall be taken before each retake.

**Section 15**. For purposes of practical assessment, the following rules shall apply:

1. xxx
2. xxx
3. A candidate who fails the removal assessment or was not able to take the removal assessment within the prescribed period shall be required to retake the whole practical assessment upon showing proof of the requirement under Section 16 below.
4. A candidate who fails the retake shall only be allowed to take the practical assessment again upon showing proof of the requirement under Section 16 which shall be taken before each retake.

**Section 16**. A candidate under Section 14(c) iv and v and Section 15(c) iv and v shall only be allowed to take the whole theoretical examination or practical assessment, as applicable, upon showing proof of an approved seagoing service for a period of not less than six (6) months in the capacity appropriate to the level of responsibility being applied for. Such seagoing service shall be served after failing the removal assessment or retake as applicable.

**Section 3.** The provisions under **Section 14(c)iv and v, Section 15(c)iv and v, and Section 16 of the STCW Circular No. 2018-09** are hereby amended to read as follows:

“**Section 14**. For purposes of the theoretical examination, the following rules shall apply:

1. xxx
2. xxx
3. A candidate who fails the removal assessment or was not able to take the said examination within the prescribed period shall only be allowed to retake the whole theoretical examination upon showing proof of the requirement under Section 16.
4. A candidate who fails the retake shall only be allowed to take the practical assessment again upon showing proof of the requirement under Section 16 which shall be taken before each retake.

**Section 15**. For purposes of practical assessment, the following rules shall apply:

1. xxx
2. xxx
3. A candidate who fails the removal assessment or was not able to take the removal assessment within the prescribed period shall be required to retake the whole practical assessment upon showing proof of the requirement under Section 16.
4. A candidate who fails the retake shall only be allowed to take the practical assessment again upon showing proof of the requirement under Section 16 which shall be taken before each retake.

**Section 16**. A candidate under Section 14(c) iv and v and Section 15(c) iv and v shall only be allowed to take the whole theoretical examination or practical assessment, as applicable, upon showing proof of an approved seagoing service for a period of not less than six (6) months in the capacity appropriate to the level of responsibility being applied for. Such seagoing service shall be served after failing the removal assessment or retake, as applicable.”

 **Article III**

 **REPEALING CLAUSE**

**Section 4**. Relevant provisions of the STCW Circulars No. 2018-08 and 2018-09 are hereby amended. Other existing MARINA and STCW Circulars, STCW Advisories, rules and regulations which are contrary or inconsistent with this Circular are hereby superseded, repealed or amended accordingly.

**Article IV**

**SEPARABILITY CLAUSE**

**Section 5**. If any provision or part of this Circular is declared by any competent authority to be invalid or unconstitutional, the remaining provisions or parts hereof shall remain in full force and effect and shall continue to be valid and effective.

**Article V**

**EFFECTIVITY CLAUSE**

**Section 6**. This Memorandum Circular shall take effect fifteen (15) days following its publication in a newspaper of general circulation and submission to the Office of the National Administrative Register (ONAR).

Done in Manila, Philippines on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**BY THE AUTHORITY OF THE BOARD:**

**VADM ROBERT A EMPEDRAD AFP (Ret)**

 Administrator

**SECRETARY’S CERTIFICATE**

This is to certify that Memorandum Circular No. SC 2020- \_\_\_\_ was approved by the MARINA Board during its \_\_\_\_\_\_\_\_\_\_\_\_\_ Regular Board Meeting held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_.

 **ATTY. EUSEBIA CADLUM-BOCO**

 Corporate Board Secretary

Date of Publication: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Published In: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Submission to ONAR: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_