



DEC 29 2021

MEMORANDUM CIRCULAR NO. SC-2021-09

Series of 2021

TO: ALL MARITIME TRAINING INSTITUTIONS (MTI), ASSESSMENT CENTERS (ACs), OTHER CONCERNED ENTITIES, SEAFARERS, AND MARITIME INDUSTRY STAKEHOLDERS

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

Pursuant to Presidential Decree No. 474, Republic Act (RA) No.10635 and its Implementing Rules and Regulations (IRR) and consistent with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, Republic Act No. 11032 otherwise known as the "*Ease of Doing Business and Efficient Government Service Delivery Act of 2018*" and Republic Act No. 10173 also known as the "*Data Privacy Act of 2012*", the following rules and regulations are hereby promulgated and adopted:

Article I OBJECTIVES

Section 1. The objectives of this Circular are:

1. To prescribe policies, standards and guidelines in the approval of training courses offered by Maritime Training Institutions (MTIs);
2. To ensure that all maritime training courses are compliant with the pertinent provisions of the STCW Convention, 1978, as amended and are structured in accordance with written programs, including the methods and media of delivery, procedures, course materials, and conducted, monitored, evaluated, and supported by qualified persons; and
3. To ensure that the training courses being offered by the MTIs are responsive to the needs of the industry, thereby strengthening our global competitiveness in the international maritime fleets.

Article II COVERAGE

Section 2. This Circular shall apply for the approval of training courses offered by MTIs, both government and private, as required under the following Chapters of the STCW Convention:

1. Chapter II - Master and Deck Department
2. Chapter III - Engine Department
3. Chapter IV – Radio communication and radio operators
4. Chapter V – Special training requirements for personnel on certain types of ships, and
5. Chapter VI – Emergency, occupational safety, security, medical care, and survival functions.

Article III DEFINITION OF TERMS

Section 3. For the purpose of this Circular and its subsequent amendments, the terms hereunder shall be defined as follows:

1. **Accessibility to medical services** refers to the requirement that training sites are immediately situated in the closest proximity to a hospital or medical clinic i.e. at least not more than 10 kilometers away from the institution.
2. **Administration** refers to the Maritime Industry Authority (MARINA)
3. **Approved Training Course** refers to a learner-centered system of instructions, approved by the Administration, and designed to equip the trainees with the necessary knowledge, understanding, and proficiency that would lead to the acquisition of the required competences under the STCW Convention, 1978, as amended.
4. **Assessment of Learning** refers to the systematic collection, measurement, and examination of the trainee's performance with respect to the intended learning outcomes.
5. **Assessment Tools** refers to the documents that are used to measure the trainee's knowledge, skills, and values in a specific subject area or course.
6. **Certificate of Course Approval** refers to the document issued by the Administration to a maritime training institution that has complied with all the requirements for approval of a maritime training course.
7. **Course Package** refers to the Course Plan plus the Instructional materials and Assessment tools.
8. **Course Plan** is the systematic organization of course documents designed and structured based on IMO Model Course format which contains the parts referred to in Annex III of STCW Circular No. 2018-02.
9. **Evaluation** refers to the systematic verification of course compliance of an applicant MTI using the criteria governed by the Administration's set of standards and requirements.

10. **Evaluation and Inspection Team (EIT)** refers to a group of Accreditation Division evaluators and personnel from other divisions/offices duly designated by the Executive Director or his/her authorized representative to conduct inspection either on-site or virtual or combination of both, on applicant MTI to validate compliance on facilities, equipment and simulators, among others vis-a-vis documents verified during the First Stage of the evaluation.
11. **Gross Violation** refers to the unacceptable and intentional act of infringement or transgression of applicable laws, policies, guidelines, circulars, advisories, and regulations.
12. **Instructional Materials (IMs)** are defined as resources that organize and support instruction, such as textbooks, computer generated slides, exercise sheets, and supplementary resources.
13. **Maritime Training Institution (MTI)** refers to a duly established institution public or private, authorized by the MARINA to offer mandatory maritime training course/s under the STCW Convention, 1978, as amended and in accordance with the applicable laws, rules, and regulations of the Administration.
14. **Quality Standards System** refers to the documented policies, procedures, controls and internal quality assurance system, relating but not limited to training, assessment of competence and revalidation activities, designed to ensure the achievement of defined objectives of the training course in accordance with the requirements of the STCW Convention.
15. **Record of Review, Verification, and Validation** refers to the working documents and evidences as a result of review, verification and validation process. Basically, the records were based on acceptance, rejection or qualifying data or information in an objective and consistent manner.
16. **STCW Convention** refers to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended and its associated Code.
17. **STCW Office** refers to the office in MARINA, specifically tasked to give full and complete effect to the requirements of the STCW Convention, 1978, as amended.
18. **Structural Obstruction** refers to a permanent object or component of a building situated anywhere between the trainee/s and the instructor in a classroom or laboratory room that somehow obstructs the direct and peripheral visions of a trainee/s during lecture or discussions.
19. **Tabletop Evaluators** refers to Accreditation Division personnel assigned to conduct the First Stage of the evaluation of documents submitted by the applicant MTI.

20. **Training Completion and Record of Assessment (TCROA)** refers to the prescribed document where the name of trainees who have completed the training course and the outcome of their assessment are recorded as certified by the qualified assessor and Training Director of an accredited Maritime Training Institution.

Article IV GENERAL PROVISIONS

Section 4. Institutions which intends to apply for course approval shall have a Quality Standards System documented in a Quality Standard Manual that articulates the policies, procedures, controls and internal quality assurance system, relating but not limited to the conduct of training and assessment, revalidation activities, continuous improvement, and risk assessment, which are designed to ensure the achievement of the defined objectives in accordance with the requirements of the STCW Convention, 1978, as amended.

Section 5. All institutions shall provide their own facilities which shall be used solely for the conduct of STCW mandatory training courses. The sharing of facilities and equipment between two (2) branches may be allowed as reflected in the checklists of the *Approved Training Courses*. The names of the Branches which will be utilizing the same shall be reflected on the shared facilities and equipment.

Section 6. All training course/s shall conduct its training in a learner-centered or outcomes-based approach. The course/s should be designed in a manner that it should not only describe the subject areas that are covered in the lessons but likewise provide in great detail the major teaching, learning, and assessment methods that will lead to the course objectives. Therefore, the planning of all activities and tasks as well as other teaching decisions is always in view of achieving or assessing the intended learning outcomes.

Section 7. All training and assessment requirements referred to in this Circular are considered the minimum standard for all institutions to observe and adhere to.

Section 8. Institutions may conduct their training/s during holidays provided that the Administration shall be notified at least five (5) calendar days prior to the start of the training.

Article V SPECIFIC PROVISIONS

Section 9. Only institutions established for the purpose of conducting the STCW mandatory training shall be issued with a Certificate of Course Approval.

Section 10. The accreditation of MTI precedes the approval of the training courses. Thus, all MTIs applying for a *Certificate of Course Approval* in any of the STCW mandatory training courses must first acquire a Certificate of Accreditation as an MTI.

Section 11. Only complete and duly accomplished application for course approval will be accepted and processed by the Administration after paying the necessary filing and processing fees.

Section 12. MTIs applying for the accreditation of STCW mandatory training course/s shall meet the minimum requirements set forth by the Administration.

Section 13. All training and assessment activities that shall be undertaken by the MTIs shall be in accordance with the processes and procedures set forth in its Quality Standards Manual.

Section 14. Only an accredited MTI may apply for course approval for the conduct of STCW mandatory training course/s.

Likewise, only Instructors and Assessors who have valid Certificate of Accreditation issued by MARINA shall be authorized to teach and conduct assessment of trainees of the approved maritime training course.

Section 15. No instructor, in a given course, shall be allowed to assess his or her own trainees. Hence, an accredited assessor shall be required to conduct the assessment.

Section 16. The trainees shall **only** be allowed to take a maximum of eight (8) training hours per day, however, an additional two (2) hours will be allowed provided if, it is for the purpose of conducting written assessments. Moreover, MTIs may opt to start and end their classes at 7:00 AM and 6:00 PM, respectively, provided that the 8-hour training period is observed.

The foregoing provision shall likewise be reflected in the MTI's QSS.

Article VI REQUIREMENTS FOR FILING OF APPLICATION

Section 17. All applications shall be filed and submitted electronically at the Accreditation Division, MARINA STCW Office. Applications with incomplete requirements shall immediately be returned to the applicant. The applicant institution shall be required to pay the filing and inspection fees, the amount of which is stipulated in Article XVII of this Circular for the initial evaluation to commence.

Filing and inspection fees paid to the Administration relative to the application for accreditation shall be considered non-refundable.

Section 18. An MTI seeking an approval to deliver STCW mandatory training courses shall file its application with the following documents:

1. Notarized Letter of Application (Refer to Annex I)
2. Certificate of Accreditation as an MTI
3. Course Package of the training course being applied containing the documents specified in STCW Circular No. 2018-02 and its subsequent amendments
4. List of Instructors, Assessors, and Supervisors (Refer to Annex II)

5. Inventory of Training Equipment and Facilities with photos, Simulator Certificate of Ownership or License, Class/Type and number of workstations (Refer to Annex III)
6. Inventory of Teaching Aids and References (Refer to Annex IV)
7. Training Completion and Records of Assessment (Refer to Annex V)
8. Receipt of filing and inspection fees
9. Access to the MTI's CCTV system

Article VII APPROVAL CRITERIA

All MTIs applying for the accreditation of STCW mandatory training courses shall meet the minimum standards set forth by the Administration as indicated on STCW Circular No. 2018-02 and its subsequent amendments. The applicant MTIs shall likewise be required to provide and comply the following conditions:

Section 19. Training Standards

1. Adopt and comply with the new standards and requirements as provided in the Part A (Course Framework) of the Course Plan, serving STCW Circular No. 2018-02 and its subsequent amendments as a guide.
2. Develop and come up with the corresponding realistic Course Timetable in Part B (Course Outline) of the Course Plan, serving STCW Circular No. 2018-02 and its subsequent amendments as a guide. Also taking into consideration the travel time from the approved venue for theoretical training to the approved practical training site and the one-hour daily lunch break. The AM and PM coffee/tea breaks shall be left upon the discretion of the MTI provided that same shall be reflected in its QSS.

In the theoretical and practical training of the course, the travel time and one-hour daily lunch break **shall be excluded from the time allocated for training.**

3. Develop an Instructor's Guide (IG) following the format provided in Annex VI based on the outcomes-based Learning Activities, taking into consideration the prescribed instructional aids and materials that are necessary to ensure achievement of the Intended Learning Outcomes as indicated in Part C (Course Syllabus) of the course being applied;
4. Develop Instructional Aids and Materials for the course being applied;
5. Develop trainees' assessment tools for both written and practical assessments, guided by Part E (Course Assessment) for the course applied.
In the formulation of the written assessment, the MTI shall be guided by the Table of Specification (TOS) indicated in Annex VII, while the practical assessment in Annex VIII of this Circular.

6. The training courses shall cover the prescribed minimum subject areas/topics as stated in the Course Outline (Part B) of the training standards for each course in STCW Circular No. 2018-02 and its subsequent amendments.
7. The training course shall have the minimum training hours indicated in the Course Outline with the time for assessments indicated separately. Annex II, Part B of STCW Circular 2018-02 will serve as a guide.
8. The MTI shall ensure a systematic alignment of the Intended Learning Outcomes, Teaching-Learning Activities and the Assessment Tools and Tasks. This means that the planning of these activities and tasks as well as other teaching decisions is always in view of achieving or assessing the intended learning outcomes.
9. As a matter of continuous improvement, the MTI shall ensure that review, verification, validation, and approval of the course shall be conducted at least once a year.

Section 20. Assessment Requirements

1. The MTI shall have an assessment system covered by its QSS.
2. The assessment system shall cover the prescribed minimum information as stipulated in the *“Policies, Rules and Regulations on the Accreditation of MTIs and ACs”*
3. Theoretical assessment precedes practical assessment and only those who passed the former shall be allowed to take the latter.

Section 21. Instructor, Assessor, and Supervisor

1. The Instructor and Assessors shall meet the qualifications standards as provided under the *“Revised Rules and Regulations on the Accreditation of Instructors and Assessors of Approved Training Courses (ATCs) and Assessors of Assessment of Competence”*.
2. The Training Director/Manager may serve as the “Supervisor”. However, this does not preclude the institution from hiring a supervisor apart from the Training Director or Manager.
3. In cases where there are simultaneous trainings being conducted i.e. some at the theoretical site while the others at the practical site, two (2) Supervisors will be required, one for each site.

**Article VIII
FACILITIES AND EQUIPMENT**

Section 22. All STCW mandatory courses must have an **8.5” X 11”** NOTICE that shall be posted outside and beside the entrance of each classroom indicating the statement *“This classroom can only accommodate a maximum of 24 students at any given time. Violations shall be reported to the MARINA – STCW Office and/or Surveillance Division”*.

Below are the emails and contact numbers of the aforesaid Offices.

MARINA STCW Office: Email Address – oed@marina.gov.ph

Surveillance Division: Cell phone No. – 09xxxxxxxxxxx
Email Address –
stcw.surveillance@marina.gov.ph
Cell phone No. – 09xxxxxxxxxxx

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

A separate NOTICE shall also be posted bearing the training course, the name of the Instructor and Assessor assigned for this particular class, schedule of class, and the names of the officially enrolled trainees.

The foregoing “notices” shall likewise be posted at the practical site.

Section 23. All approved training courses shall be conducted at the approved classrooms intended for theoretical instructions within the duly registered business address of the institution. Classroom size shall be at least 42 square meters, with no side less than 5 meters and with no structural obstruction.

Classrooms or teaching spaces situated at the approved practical site/s shall **solely** be used for briefing and de-briefing purposes only, with the exception of Section 28 of this Circular.

Section 24. The facilities and training equipment required in Part A – Course Framework for specific training courses as indicated in STCW Circular No. 2018-02 and its subsequent amendments shall be complied with by the MTI. It is imperative that the MTI shall provide specific information to the Administration such as photocopies of simulator licenses and/or Certificate of Ownership with Type Approval Certificate for the required LSAs and other equipment. It is also necessary that the quantity of such equipment be indicated as this will be recorded in the Administration’s SAM-Information System.

Section 25. The training equipment prescribed under STCW Circular No. 2018-02 and STCW Advisory 2019-05, and its subsequent amendments are the minimum requirements. However, this does not preclude the MTIs from acquiring and utilizing additional equipment that may augment the conduct of training and thereby achieve the prescribed standards of competence under the STCW Convention, 1978, as amended.

Section 26. MTIs shall ensure that ALL training equipment are capable of satisfying the specified training and assessment outcomes, taking into consideration, the safety and security of the trainees and personnel involved in the entire duration of the training.

Section 27. A maximum of two (2) MTI branches may be allowed to utilize the same practical site which shall be used solely for the conduct of practical exercises or assessments for purposes of certification, provided that they submit a *notarized* Site Utilization Plan, at least twenty-four (24) hours prior to its conduct to avoid conflict of schedules.

The sharing of facilities and equipment may be allowed as reflected in the checklists of the Approved Training Courses. The names of the Branches that will be utilizing the same shall be reflected on the shared facilities and equipment.

Section 28. The theoretical aspect of training will be allowed at the practical site for the following refresher courses only:

1. Basic Training (BT)
2. Advanced Fire Fighting (AFF)
3. Survival Craft and Rescue Boats other than Fast Rescue Boats (SCRB)
4. Fast Rescue Boats (FRB)

Theoretical assessment (written) may be conducted at the practical site prior to the conduct of practical assessment provided that the MTI shall provide the necessary provisions in carrying out this undertaking e.g. provision of assessment room/s. It is important to note that assessment rooms must comply with the same requirements as that of the classroom and under any circumstances shall the conduct of theoretical assessment/s interfere with the conduct of the practical assessment/s.

Article IX CONDUCT OF TRAINING

Section 29. All MTIs shall provide for their own simulator or equipment. Any form of arrangement such as lease, sub-contract, or Memorandum of Agreement (MOA) with other entities or organization for the use of such simulator/s and/or equipment shall **NOT** be allowed.

Section 30. All simulators to be used for training and assessment shall comply with the general performance standards of Section A-I/12 paragraphs 1, 2, 3, 4 and 5 and Section B-I/12, paragraphs 67 – 73 of the STCW Code, as amended. Moreover, the conduct of training using simulators shall comply with the training procedures of Section A-I/12, paragraph 7 of the STCW Code.

Section 31. Training equipment and simulators shall be installed in the approved location and/or address and those intended to be used for Basic Training, Advanced Fire Fighting, SCRБ, FRB, BTOCT and other courses needing practical site shall likewise be installed in the approved practical site.

Section 32. Instructors shall be allowed to teach a regular load of eight (8) hours per day whether in the same MTI or not with a maximum two (2) hours overload daily.

Section 33. Only Instructors and Assessors duly accredited by the Administration shall be considered to form part of the application.

The MTI shall ensure that in every course, there shall be at least one (1) Lead Instructor and one (1) Assessor assigned per training course. In addition, there shall be an alternate Instructor and Assessor on standby in cases where the Lead Instructor and/or Assessor are unavailable.

Section 34. MTIs which have decided to stop offering their approved training course/s within the validity period of its *Certificate of Course Approval* shall notify in writing the Administration through the Accreditation Division at least three (3) months prior to the termination of its operation.

Subsequently, the Accreditation Division shall delete the name of said MTI from its list of approved providers upon the date of termination of their operation.

Failure of the MTI to provide such information shall compel the Administration to permanently revoke its Certificate of Course Approval.

Section 35. MTIs intending to offer Electro-Technical Officer (ETO) must have the following:

1. The necessary facilities and equipment and the capability to provide and facilitate the Onboard Training of the ETO cadets/trainees who have completed the approved ETO course; and
2. A system of assessment for the ETO cadets/trainees who have completed the required Onboard Training

Article X QUALIFICATION AND COMPOSITION OF THE EVALUATION AND INSPECTION TEAM

Section 36. Qualification. Every personnel joining the Evaluation and Inspection Team shall possess the following qualifications:

For the Lead Evaluator

1. Have completed the Lead Auditor's Course;
2. Have participated at least three (3) on-site inspection activities;
3. Must be knowledgeable of the statutory requirements (STCW Convention and Code, MARINA Circulars and Advisories);
4. Have signed a disclosure of conflict of interest; and
5. Have completed the following courses:
 - Training course for instructors (IMO Model course 6.09)
 - Course on assessment, examination, and certification of seafarers (IMO Model course 3.12)
 - Train the simulator trainer and assessor (IMO Model course 6.10)

For the Technical Evaluator/s

1. Must be at least an Operational Level Officer (OICNW/EW) on seagoing ships of 500 gross tonnage or more (for the marine deck officer) or a main propulsion machinery of 750 kW propulsion power or more (for the marine engineer officer). They must have an approved seagoing service in that capacity of at least twenty-four (24) months;
2. Must be knowledgeable on the following:
 - Course/s being evaluated (by being a holder of a training certificate of the course being evaluated).
 - Statutory requirements (STCW Convention and Code, MARINA Circulars and Advisories).

3. Have completed the Internal Quality Auditor Course;
4. Have participated at least three (3) on-site inspection activities;
5. Have signed a disclosure of conflict of interest; and
6. Have completed the following courses:
 - Training course for instructors (IMO Model course 6.09)
 - Course on assessment, examination, and certification of seafarers (IMO Model course 3.12)
 - Train the simulator trainer and assessor (IMO Model course 6.10)

For the Member, EIT

1. Must be a personnel of the Accreditation Division, STCW Office;
2. Have participated at least three (3) on-site inspection activities;
3. Have completed the Internal Quality Auditor Course;
4. Must be knowledgeable of the statutory requirements (STCW Convention and Code, MARINA Circulars and Advisories);
5. Have signed a disclosure of conflict of interest; and
6. Have completed the course on the *Training course for instructors* (IMO Model course 6.09).

Section 37. Composition. The composition of the team will be determined by the Head, Accreditation Division and will vary in number depending upon the quantity and nature of the courses being inspected.

Article XI ACCOUNTABILITY OF EVALUATION AND INSPECTION TEAM

Section 38. The evaluators are the official representatives and alter ego of the Administration, and as such, they shall perform their respective roles and tasks with utmost responsibility and accountability and shall observe confidentiality of the noted findings, documents and other information gathered.

Section 39. The evaluators shall conduct the evaluation and inspection strictly in accordance with the provisions of this Circular and other statutory guidelines.

Article XII EVALUATION AND INSPECTION PROCESS

The applicant institution's training course/s shall be subjected to an evaluation process to verify if it can consistently deliver quality training in accordance with the pertinent standards of the Administration. This shall be conducted in two (2) stages, as follows:

Section 40. First stage. The *first stage* of evaluation will be conducted by the Tabletop Evaluator/s, which aims to verify if the training course/s has complete and valid documents as prescribed in the training standards and is compliant with the approved criteria.

The results of the tabletop evaluation will be finalized in a report and will be communicated to the applicant MTI containing the decision as to whether its

application should proceed to the next stage or not. The applicant MTI shall submit a one-time compliance within fifteen (15) working days upon receipt of the notice of deficiency (NOD).

Failure to rectify the deficiency/ies is sufficient ground for the Accreditation Division of the MARINA STCW Office to deny the application. The applicant MTI may however re-apply after receipt of the letter of denial, provided that the same shall show proof of full compliance from its previous deficiency/ies.

Further, applicant MTI which had been found to be compliant after the first stage of evaluation, shall likewise receive a Notice from the MARINA STCW Office with the information that they have passed the first stage of the evaluation process, thus shall proceed to the second stage process which is the conduct of inspection, the date of which shall be provided in the said Notice.

Section 41. Second stage. The *second stage* is the evaluation and inspection process which shall be held on-site i.e. at the applicant MTI's premises or through remote virtual inspection.

Virtual evaluation shall only be conducted on the following grounds:

1. If on-site inspection is not possible e.g. circumstances where the lives of the evaluators will be endangered; and
2. Where it is possible to conduct evaluation of an item through remote virtual inspection without compromising the quality of collecting and analyzing information e.g. verifying a *branch pipe, stretchers or axes*.

The site inspection shall be conducted by the duly designated Evaluation and Inspection Team of the MARINA STCW Office which shall cover the provisions as mentioned under Articles VII and VIII of this Circular.

Section 42. An *Inspection Report* containing the results of the evaluation and recommendation, supported by other pertinent documents, shall be submitted by the assigned Evaluation and Inspection Team to Head, Accreditation Division, who then reviews and endorses the same to the Executive Director, MARINA STCW Office.

Section 43. There shall be three (3) types of recommendations that will be provided by the EIT, these are as follows:

1. **Approval** means the Team has found that the training course is fully compliant.
2. **Notice of Deficiency (NOD)**, if the Team has found deficiencies requiring compliance or further improvement.

The MTI shall be given a one-time opportunity to rectify the noted finding/s within a period of fifteen (15) working days upon receipt of the NOD.

Approval shall be granted when the corrective actions provided by the applicant MTI had been found to be compliant during re-inspection.

3. **Non-approval/Denial** means that the noted deficiency/ies requiring compliance/improvement have not been rectified within the prescribed period. The applicant MTI may however re-apply after receipt of the letter of denial, provided that the same shall show proof of full compliance from its previous deficiency/ies.

Section 44. After the submission of the compliance report, a re-inspection either on-site or virtual may be conducted to validate the information provided. The following conditions shall be adhered to:

1. The composition of the re-inspection team should preferably be the same as the original team during the conduct of inspection.
2. Only the remaining findings will be evaluated and inspected during re-inspection.
3. During the re-inspection the original Evaluation Report Forms containing the remaining findings shall be used.
4. The MTI shall ensure that all remaining deficiencies are complied with during the re-inspection, otherwise, the application shall be denied.
5. An Inspection Report containing a recommendation, the accomplished Evaluation Report Forms and other relevant documents shall be submitted by the assigned Evaluation and Inspection Team to the Head, Accreditation Division who then shall review and endorse it to the Executive Director for appropriate action.

Article XIII ISSUANCE OF CERTIFICATE OF COURSE APPROVAL

Section 45. Course Approval shall be valid for ten (10) years upon issuance of the *Certificate of Course Approval*, unless:

1. the MTI filed for voluntary closure of its courses;
2. its course/s are suspended;
3. the MTI accreditation or its courses has been revoked due to violation of the IRR of RA 10635, MC 2013-05 and its subsequent amendments or has infringed other established standards, policies and regulations issued by the Administration.

Section 46. The MTI's course approval is subject to the following conditions:

1. Annual Monitoring in accordance with Memorandum Circular No. SC-2021-02 and its subsequent amendments; and
2. Surveillance activity

Article XIV RENEWAL OF COURSE APPROVAL

Section 47. Application for the renewal of course approval shall be filed at least **twelve (12) months prior to the date of its expiration**, provided the following conditions have been met:

1. The MTI and its training courses have no pending surveillance or monitoring finding (non-conformances, observation or opportunity for improvement) at the time of its application for course renewal.
2. The MTI has no pending case filed by MARINA or any entity or person/s pertaining to the conduct of its training course/s.
3. All necessary documents and fees necessary for the filing of course renewal are complete and had been paid, respectively.

Section 48. Application for renewal of course approval shall be submitted to the Administration through the Accreditation Division with the following information:

1. Notarized Letter of Application;
2. Updated site plan (both for theoretical and practical training);
3. Updated names of Instructors, Assessors, and Supervisors;
4. Updated course package of the training course being applied for;
5. Inventory of Training Equipment and Facilities with photos, Certificate of Ownership or License; and
6. Inventory of Teaching Aids and References
7. Access to the MTI's CCTV system

Section 49. Failure of an MTI to adhere to the 12-month rule above, may risk the forfeiture/expiration of their *Certificate of Course Approval* before the approval of their course renewal is granted and shall subject the MTI to the imposition of surcharge/s and other applicable fees.

Section 50. Any institution applying for renewal after the expiration of the Certificate of Course Approval shall be treated as a new applicant.

Article XV RESPONSIBILITIES OF THE MTI IN THE DELIVERY AND IMPLEMENTATION OF TRAINING COURSES

Section 51. Concerned accredited MTI shall:

1. Comply with all lawful instructions, orders and/or directives of the Administration.
2. Ensure that its implementation of training activities is in accordance with the training rules and regulations formulated and enforced by the MARINA STCW Office.
3. Ensure that the required competences are demonstrated by the trainee prior to the issuance of the Certificate of Training Completion.
4. Ensure that no trainings are conducted beyond the validity of the course approval.
5. Allow entry of announced and unannounced monitoring or surveillance Team duly authorized by the Administration to conduct the following, but not limited to:
 - a. Conduct evaluation or surveillance activities on the MTI and the training courses it offers.

- b. Conduct inspection/evaluation of the MTI's facilities, equipment, and records of training, including trainees' assessment results, among others.
 - c. Conduct interviews to trainees, instructors, assessors, and other personnel of the MTI; and
 - d. Observe course delivery.
6. Address any complaints to the Office of the Executive Director, MARINA STCW Office.
7. Inform MARINA STCW Office of any agreement entered into with any maritime school or shipping company on the conduct of accredited training courses and submits a copy of the Memorandum of Agreement (MOA) to MARINA STCW Office through the Accreditation Division.
8. Ensure that trainees are physically and medically fit prior to taking of hazardous and/or strenuous training course e.g. firefighting, personal survival techniques and other similar training courses. Moreover, a valid medical certificate issued by a licensed Medical Doctor shall be required from the trainees.
9. Ensure the safety and security of the trainees, at all times, while in the premises of the MTI.
10. Ensure that all trainees enrolled in a course with practical training and assessment must have an accident insurance covering the duration of the course.
11. Report in writing to the Office of the Executive Director, MARINA STCW Office, any incident/accident in the conduct of training. Records shall be maintained by the MTI including actions undertaken to prevent recurrence, subject to verification by monitoring and surveillance teams.
12. Ensure that the format of the Certificate of Completion issued to trainees shall be in accordance with Annex IX as provided under this Circular.
13. Submit to the MARINA STCW Office the following through the MISMO System:
 - a. Electronic Enrolment Report using the prescribed form in Annex X prior to the commencement of each training course
 - b. Electronic copy of TCROA within three (3) days following the conduct of practical assessment
 - c. Change of designated Instructor, Assessor, and Supervisor
 - d. Changes made on the approved course package
14. Submit the official email address/es and landline/cellphone number(s) to the stcw_accr@marina.gov.ph for records purposes.

Failure to adhere or comply with the above directive will be meted with punitive sanctions in accordance with the pertinent rules, notwithstanding the fines that may be imposed under the Implementing Rules and Regulations of R.A. 10635 and/or any decree that may deemed applicable.

Article XVI

GROUNDINGS FOR SUSPENSION, REVOCATION AND SANCTIONS

Section 52. A Certificate of Course Approval may be suspended, after due process, for any of the following reasons:

1. Failure to correct and implement appropriate corrective actions for any non-conformance identified during monitoring audit by the STCW Office within prescribed period; or,
2. Any violation of the provisions of this Circular and other issuance of the Administration committed by the MTI concerned.

However, preventive suspension shall immediately be imposed upon finding of commission of any prohibited act enumerated in Rule IV; Section 8.3 of the Implementing Rules and Regulations (IRR) of R.A. 10635 and its subsequent amendments that severely affect the outcomes of learning.

It is also incumbent upon the MTI to cease and desist from operating any of its courses once the *Certificate of Accreditation* of the MTI has been revoked, suspended, or has expired.

Section 53. During site inspection for the renewal of the Certificate of Course Approval, the EIT may recommend to the Office of the Executive Director, STCW Office the immediate suspension of the course/s if any gross violation has been committed in the course of evaluation. Moreover, the application for renewal shall likewise be denied.

Section 54. Committing a gross violation is an outright transgression of this Circular and other applicable policies. Hence, an immediate corrective action pertaining to these violations do not expunge the fact that a violation has been committed, and such shall still be recorded and reported immediately.

Section 55. A Course Approval may be revoked, after due process, on the ground of repeated commission of prohibited act/s as enumerated in Rule IV, Section 8.3 of the IRR of R.A. 10635 and its subsequent amendments.

Section 56. Sanctions shall be in accordance with the provisions of Section 8.4.3.2.2 of IRR of RA 10635 and its subsequent amendments.

Section 57. 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.

An MTI whose course approval has been suspended, for whatever cause, shall be prohibited from conducting training during the period of suspension.

An MTI directly affected by the denial, suspension, or revocation of the approval of a training course/s **may** file for a Motion for Reconsideration or an appeal of the decision as set forth in MC No. 2013 – 05 and/or its subsequent amendments.

Section 58. Certificate of Completion for a training course issued to a trainee **during the period of suspension shall not be accepted by the Administration.**

All seafarers are hereby advised to verify directly from the STCW Office or through the official website at <http://stcw.marina.gov.ph/maritime-training-institute/> the status of accreditation of Maritime Training Institutions prior to engaging their services.

Section 59. Certificates issued by entities or institutions not accredited by STCW Office shall not be honored by this Authority.

Article XVII FEES AND CHARGES

Section 60. All levies imposed in this Circular are subject to the requisites and conditions of MARINA Circular No. SC-2021-07, Series of 2021 "*Fees and Charges Relating to the Implementation of the 1978 STCW Convention, as Amended*".

Filing Fee	Php 1,000/course
Inspection Fee (to be paid prior to the conduct of the inspection)	1,000/course
Course Approval Fee (to be paid upon approval)	10,400/course
Surcharge for late renewal / expired Certificate of Course Approval	500.00
Surcharge for Replacement of Lost/ Damaged Certificate of Course Approval	500.00
Reprinting of Certificate of Course Approval due to change of name and updating of record	500.00
Certified True Copy (CTC) for Certificate of Course Approval	100.00

Article XVIII PENALTY CLAUSE

Section 61. Any violation of the provisions of this Circular and other related MARINA Issuances shall be governed and sanctioned by the provisions of the IRR of RA 10635 and MARINA Circular 2013-05 including any amendment or addendum thereof as may be promulgated by the Administration.

Article XIX TRANSITORY PROVISIONS

Section 62. Certificates of *course approval* issued pursuant to MARINA Circular No. 2013-01 shall remain valid until the date of expiration *thereof*.

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

An existing MTI intending to renew any of their expiring *Certificate of Course Approval* shall ensure that they have a **Certificate of Accreditation** as an MTI issued by the Administration officially confirming that they met the necessary requirements.

**Article XX
REPEALING CLAUSE**

Section 63. MARINA Circular 2013-01 is hereby repealed. Any provision or other issuances which are in consistent with this STCW Circular are likewise superseded and repealed.

**ARTICLE XXI
SEPARABILITY CLAUSE**

Section 64. 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 effect and full force and shall continue to be valid and effective.

**Article XXII
EFFECTIVITY**

Section 65. This Circular shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the Philippines and submission to the Office of the National Administrative Register (ONAR).

Manila, Philippines DEC 29 2021

BY AUTHORITY OF THE BOARD:


VADM ROBERT A EMPEDRAD AFP (Ret)
Administrator

SECRETARY'S CERTIFICATION

This is to certify that Memorandum Circular No. SC-2021-09 was approved by the MARINA Board of Directors during its Regular Meeting held on 29 November 2021.



ATTY. MAXIMO I. BAÑARES, JR.
Corporate Board Secretary

Date of Publication: _____

Date of Submission to ONAR: _____