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|  | **Department of Transportation** |  |
|  | **MARITIME INDUSTRY AUTHORITY** |  |
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**MEMORANDUM CIRCULAR NO. SC-2021-\_\_\_\_**

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 AND ACCREDITATION 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 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, thus:

**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 material and conducted, monitored, evaluated, and supported by qualified persons; and
3. To ensure that the training courses being offered by the MTIs are more 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 approvalof 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 to ensure that training sites are immediately situated in the closest proximity i.e. at least 10 kilometers to a hospital or medical clinic.
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. **Instructional Materials (IMs)** are defined as resources that organize and support instruction, such as textbooks, computer generated slides, exercise sheets, and supplementary resources.
12. **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.
13. **Planned Maintenance System (PMS)** is the documented process of periodic inspection, testing, and repair of equipment and facilities to ensure that, at any given time, they are up and running, preventing any costly unplanned downtime from unexpected equipment failure.
14. **Provisional Authority** refers to a temporary document or permit issued to institutions by the Administration, valid for a period of not more than six (6) months, while the application for accreditation or approval is being processed. The conditions of PA shall cover all the provisions of Section 28 of Article VIII of this Circular
15. **Quality Standards** 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.
16. **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.
17. **STCW Convention** refers to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended and its associated Code.
18. **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.
19. **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.
20. **Tabletop Evaluators** refer 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 the First Stage of the evaluation of documents submitted by the applicant MTI. The tabletop evaluators may be composed of some or all members of the EIT.
21. **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.** Only an accredited MTI may apply for approval to offer and conduct any of the STCW mandatory training courses.

**Section 5.** The accreditation of MTI precedes the approval of the training courses. Therefore, an existing MTI intending to renew any of their expiring *Certificate of Course Accreditation/s* shall ensure that they have a **Certificate of Accreditation** issued by the Administration officially confirming that they met the necessary requirements as an MTI.

**Section 6.** All STCW mandatory training courses for accreditation shall meet the minimum standards set forth by the Administration as indicated on STCW Circular No. 2018-02 and its subsequent amendments.

**Section 7.** All training processes and procedures undertaken by the MTIs shall be in accordance with their Quality Standards System (QSS).

**Section 8.** The approved training courses shall be conducted by accredited Instructors and Assessors, at the approved classrooms intended for theoretical instructions within the duly registered business address of the institution.

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 9 of this Circular.

**Section 9.** The theoretical aspect of training will be allowed at the practical site for the following refresher courses:

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.

**Section 10.** An **8.5” X 11”** NOTICE shall be posted outside and beside the entrance of the classroom indicating the statement “*This classroom can only accommodate a maximum of \_\_\_ 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

 Cell phone No. – 09xxxxxxxxxxx

Surveillance Division: Email Address – stcw.surveillance@marina.gov.ph

 Cell phone No. – 09xxxxxxxxxxx

The maximum number of students will be determined by the MARINA STCW Office and will be provided to the institutions, accordingly.

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

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

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

**Section 11.** 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, all courses shall start its classes at exactly 8:00AM and end at 5:00PM with one (1) hour lunchbreak at 12:00 noon.

**Section 12.** There shall be no conduct of training during holidays.

**Section 13.** Instructors shall **only** be allowed to teach a regular of eight (8) hours per day whether in the same MTI or not. However, they may be allowed to render a maximum of two (2) hours overload daily.

**Section 14.** OnlyInstructors 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 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 Assessor are unavailable.

The MTI is not precluded from engaging the services of a resource person with expertise on particular topics, provided that the Administration shall be informed in writing at least ten (10) days prior to the said engagement. The MTI shall also provide a *curriculum vitae* of the resource person substantiated by supporting documents.

**Section 15.** All simulators to be used for training and assessment shall comply with the general performance standards per 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 per Section A-l/12, paragraph 7 of the STCW Code.

**Section 16**. 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. Provided further that a duly notarized Simulator and/or Equipment Utilization Plan shall be submitted to the MARINA - STCW Office.

**Section 17.** 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, SCRB, FRB, BTOCT and other courses needing practical site shall likewise be installed in the approved practical site.

**Section 18.** 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 maritime training courses for purposes of certification, provided that they submit a Site Utilization Plan.

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

**Section 19.**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 six (6) months prior to 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 20.** MTIs intending to offer Electro-Technical Officer (ETO) must have the following:

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

**Article V**

**REQUIREMENTS FOR FILING OF APPLICATION**

**Section 21.** All applications shall be filed and submitted electronically at the Accreditation Division, MARINA - STCW Office. Applications with incompleterequirements shall immediately be denied. The applicant institution shall be required to pay the filing and inspection fees, the amount of which is stipulated in Article XIV 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 22.** An MTI seeking an approval to deliver STCW mandatory training courses shall file its application with the following documents:

1. 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, Certificate of Ownership or License (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

Except for Item 3, all the preceding items must be duly notarized.

**Section 23.** The processing of applications for course accreditation, i.e. those with complete documents and considered to have passed the preliminary evaluation, shall be calendared in accordance with the following schedules:

|  |  |
| --- | --- |
| **Submission Period** | **Processing Period** |
| Between June 16 to December15 | January – June |
| Between December 16 to June 15 | July – December |

**Article VI**

**ACCREDITATION CRITERIA**

Applicant MTIs shall be required to demonstrate compliance with the following criteria:

**Section 24.** Training Requirements

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

1. 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 *training facilities* and *equipment* that are necessary to ensure achievement of the Intended Learning Outcomes as indicated in Part C (Course Syllabus) of the course concerned;
2. Develop Instructional Materials and Practical Training and Assessment Exercises for the course concerned;
3. Develop Assessment Tools for both written and practical assessment of trainees guided by Part E (Course Assessment) for course concerned. 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.
4. 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.
5. The training course shall have the minimum training hours indicated in the Course Outline, excluding the time needed for assessments, the travel time and one-hour daily lunch break.
6. 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.
7. 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 25.** 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 Article VI Section 18.7 of MARINA Circular No. \_\_\_\_ *“Rules and Regulations in 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 26.** Instructor, Assessor, and Supervisor

1. The Instructor and Assessor shall meet the qualifications standards as provided under MARINA Circular No. \_\_\_\_ *“Revised Rules on the Accreditation of Instructors and Assessors of Approved Training Courses conducted by MTIs and Assessors of Assessment of Competence conducted by ACs”.*
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.

**Section 27.** Training Facilities and Equipment

1. 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 MTIs. It is imperative that the MTI shall provide specific information to the Administration such as photocopies of license for simulators and Certificate of Ownership with Type Approval Certificate for 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.
2. The training equipment prescribed under STCW Circular No. 2018-02 and its subsequent amendments are the minimum requirements and these does not preclude the MTIs to acquire and use additional equipment that may augment the conduct of training and thereby achieve the prescribed standards of competence under the STCW Convention, 1978, as amended.
3. MTIs shall ensure that ALL training equipment are capable of satisfying the specified training and assessment outcomes, taking into consideration, the safety, security of the trainees and personnel involved in the entire duration of the training.
4. MTI conducting training for seafarers shall show proof of ownership of the training simulator/s and/or equipment it uses. In addition, for simulators the license or certificate of ownership shall indicate the class or type, and the number of workstations.
5. The facility for exercises on *jumping from a height* shall be fixed and structured ashore/swimming pool and/or along wharf/pier/jetty. Likewise, launching and retrieving of life rafts and lifeboats shall use actual davits designed for the purpose.

Moreover, courses requiring the launching and retrieving of life rafts and lifeboats shall ensure that the specified depth of water is sufficient at all time to achieve the required competencies and KUPs.

**Article VII**

**QUALIFICATION AND COMPOSITION OF THE**

**EVALUATION AND INSPECTION TEAM**

**Section 28.** 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 to 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 with not less than twenty-four (24) months seagoing experience in that capacity;
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).

1. Have completed the Internal Quality Auditor Course;
2. Have participated to at least three (3) on-site inspection activities;
3. Have signed a disclosure of conflict of interest; and
4. 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 to 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 29.** Composition. The composition of the team will be determined by the Division Chief of the Accreditation Division and will vary depending upon the number and nature of the courses being inspected.

**Article VIII**

**EVALUATION AND INSPECTION PROCESS**

Applicant MTI’s training course/s shall be subjected to an evaluation process to verify if it can consistently deliver quality training courses and/or conduct of practical assessment for purposes of certification in accordance with the pertinent standards of the Administration. This shall be conducted in two (2) stages, as follows:

**Section 30.** First stage. An evaluation will be conducted by the Tabletop Evaluators, which aims to verify if the training course/s has completed and valid supporting documents as prescribed in the training standards, compliant with the Administration’s Approval Criteria and that the applicant MTI has the necessary resources to deliver quality training.

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. Applicant MTI shall submit a one-time compliance within a non-extendible period of fifteen (15) working days upon receipt of the NOD.

Failure to rectify the deficiency/ies is sufficient grounds for the Accreditation Division of the MARINA STCW Office to deny the application. They may however re-apply after six (6) months from date of communication of non-approval/denial provided that the MTI shall show proof of full compliance. Re-application shall only be limited twice, after which said MTI will be accommodated only after twelve (12) months from the date of the second re-application.

On the other hand, applicant MTI that had been found to be compliant after the second stage of evaluation, shall likewise receive a notice from the MARINA STCW Office with the information that they have successfully qualified in their application for course approval.

**Section 31.** Second stage. There shall be an inspection which will either be on-site or virtual that will be carried out at the applicant’s premises. The remote virtual evaluation shall only be conducted on the following bases:

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 evaluation 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 Article VI of this Circular.

**Section 32.** An Inspection Report containing the results of the evaluation and subsequent recommendation, supported by other pertinent documents, shall be submitted by the assigned Evaluation and Inspection Team to the Chief of the Accreditation Division, who then shall endorse the same to the Executive Director, MARINA STCW Office, for appropriate action.

**Section 33.** There shall be three (3) types of recommendations that will be provided by the EIT as follows:

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

MTIs shall be given a one-time opportunity to rectify the noted finding/s as indicated in the Notice of Deficiency (NOD) within a period of fifteen (15) calendar days upon receipt of the NOD.

Approval shall be granted when the corrective actions have been implemented and verified through re-inspection as necessary.

1. **Non-approval/Denial** means that the noted deficiency/ies requiring compliance/improvement have not been rectified within the prescribed period. They may however re – apply after six (6) months from the receipt of the Notice of Non-approval/Denial provided that the MTI shall show proof of full compliance.

Re-application shall only be limited twice, after which said MTI will be accommodated only after twelve (12) months from the date of the second re-application.

**Section 34.** After the submission of the compliance report, a re-inspection either on-site or virtual maybe required by the Accreditation Division to validate the information provided.

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 Chief, Accreditation Division who shall endorse the same to the Executive Director for appropriate action.

**Article IX**

**ISSUANCE OF PROVISIONAL AUTHORITY**

**Section 35.** A Provisional Authority (PA) shall only be valid up to a non-extendible period of six (6) months only and shall be issued for the following grounds:

1. The institution has already filed an application and successfully passed the *second stage* of evaluation, but due to circumstances beyond control, the processing of the certificate of approval was delayed for one (1) month from date (last day) of inspection. The PA shall serve as a temporary permit issued to institutions and will immediately be cancelled or revoked once the certificate of course approval has been issued.
2. Institutions that filed a re-application at least six (6) months prior to the expiration date of its *Certificate of Course Approval*, but due to circumstances beyond control, the processing of its application was delayed, reaching the certificate’s date of expiration.

The Provisional Authority shall immediately be rescinded and become null and void once the requirements for re-accreditation have been found to be non-compliant.

**Article X**

**ISSUANCE OF CERTIFICATE OF COURSE APPROVAL**

**Section 36**. 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. its Certificate/s of Course Approval are revoked for gross violation of established standards, policy or regulation issued by the Administration.

**Section 37.** 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 XI**

**RENEWAL OF ACCREDITATION**

**Section 38.** Application for course re-accreditation shall be filed at least **six (6) months prior to the date of its expiration**, provided the following conditions had 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 re-accreditation.
			2. The MTI has no pending case filed by MARINA or any entity or person pertaining to the conduct of its training courses.
			3. All fees necessary for the filing of course re-accreditation had been paid.

**Section 39.** Application for course re-accreditation shall be submitted to the Administration through the Accreditation Division with the following information:

1. 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

Except for Item 3, all the preceding items must be duly notarized.

**Section 40.** Failure of an MTI to adhere the 6-month rule above, may risk the forfeiture/expiration of their *Certificate of Course Approval* before the approval of their course re-accreditation is granted i.e. the accreditation of the course will be terminated without a Provisional Authority that will be granted.

**Section 41.** Any institution applying for renewal after the expiration of the Certificate of Course Approval shall be subjected to the imposition of surcharge/s and other applicable fees and shall be treated as a new applicant. This section shall apply only to MTIs that failed to file their re-application at least six (6) months prior to the date of expiration of their Certificate of Course Approval.

**Article XII**

**RESPONSIBILITIES OF THE MTI IN THE DELIVERY AND**

**IMPLEMENTATION OF TRAINING COURSES**

**Section 42.** 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. Allow entry of announced and unannounced monitoring or surveillance Team duly authorized by the Administration to conduct the following, but not limited to:
	* 1. Conduct evaluation or surveillance activities on the MTI and the training courses it offers.
		2. Conduct inspection/evaluation of the MTI’s its facilities, equipment, and records of training, including trainees’ assessment results, among others.
		3. Conduct interviews on trainees; and
		4. Observe course delivery.
5. Address any complaints to the Office of the Executive Director, MARINA STCW Office.
6. 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.
7. 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.
8. Ensure the safety and security of the trainees, at all times, while in the premises of the MTI.
9. Ensure that all trainees enrolled in a course with practical training and assessment must have a health and accident insurance covering the duration of the course.
10. Report in writing to the Office of the Executive Director, MARINA STCW Office, any incident/accident in the conduct of training and records shall be maintained by the MTI including actions undertaken to prevent recurrence, subject to verification by monitoring and surveillance teams.
11. Ensure that the format of the Certificate of Completion issued to trainees shall be in accordance with Annex IX as provided under this Circular.
12. Submit to the MARINA –STCW Office the following through the MISMO System:
13. Electronic Enrolment Report using the prescribed form in Annex X prior to the commencement of each training course
14. Electronic copy of TCROA within three (3) days following the conduct of practical assessment
15. Change of designated Instructor, Assessor, and Supervisor
16. Changes made on the approved course package
17. Submit the official email address/es and landline/cellphone number(s) to the stcw\_accre@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 under the Maritime Administration, 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 XIII**

**SUSPENSION, REVOCATION AND SANCTIONS**

**Section 43.** 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 issuances 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 that severely affect the outcomes of learning.

**Section 44.** 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 45.** 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.

**Section 46.** 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 47.** 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 48.** 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 49.** Certificates issued by entities or institutions not accredited by STCW Office shall not be honored by this Authority.

**Article XIV**

**FEES AND CHARGES**

**Section 50.** 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 | 1,000/course |
| Inspection Fee (to be paid prior to the conduct of the inspection) | 1,000/course |
| Accreditation Fee (to be paid upon approval) | 10,400/course |
| Surcharge for expired Certificate of Accreditation | 500.00 |
| Surcharge for Replacement of Lost/ Damaged Certificate of Accreditation | 500.00 |
| Reprinting of Certificate of Accreditation due to change of name and updating of record | 500.00 |
| Certified True Copy (CTC) for Certificate of Accreditation | 100.00 |

**Article XV**

**PENALTY CLAUSE**

**Section 51.** 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 XVI**

**TRANSITORY PROVISIONS**

**Section 52.** 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.

**Article XVII**

**REPEALING CLAUSE**

**Section 53**. 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 XVIII**

**SEPARABILITY CLAUSE**

**Section 54.** 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 XIX**

**EFFECTIVITY**

**Section 55.** 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

**BY AUTHORITY OF THE BOARD:**

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

Administrator

**SECRETARY’S CERTIFICATION**

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

**ATTY. EUSEBIA CADLUM-BOCO**

 Acting Corporate Board Secretary

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

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