**MARINA CIRCULAR NO. SC-2021-\_\_\_\_\_\_\_\_\_\_**

**Series of 2021**

**TO: ALL MARITIME INDUSTRY STAKEHOLDERS, MARITIME TRAINING INSTITUTIONS, ASSESSMENT CENTERS, INSTRUCTORS, ASSESSORS, SUPERVISORS AND OTHER ENTITIES AND INDIVIDUALS CONCERNED**

**SUBJECT: REVISED RULES ON THE ACCREDITATION OF INSTRUCTORS AND ASSESSORS OF APPROVED TRAINING COURSES (ATCs) CONDUCTED BY MARITIME TRAINING INSTITUTIONS (MTls) AND ASSESSORS OF ASSESSMENT OF COMPETENCE CONDUCTED BY ASSESSMENT CENTERS (ACs)**

Pursuant to Republic Act 10635 and it’s Implementing Rules and Regulations (IRR) and the 1978 International Convention on Standards of Training, Certification and Watchkeeping (STCW), as amended, the following rules shall be adopted.

**Article I**

**OBJECTIVES**

**Section 1.** To prescribe standards and procedures in the accreditation of Instructors and Assessors of Approved Training Courses (ATCs) conducted by Maritime Training Institutions (MTls) and Assessors of Competence of Assessment Centers (ACs), whether public or private, in compliance with the requirements of the STCW Code, Section A-1/6 and other relevant provisions of the STCW, and other pertinent regulations; and

**Section 2.** To ensure complete, effective and timely compliance with the 1978 STCW Convention, as amended.

**Article II**

**COVERAGE**

**Section 3.** This Circular shall apply to all applicants for accreditation as Instructor, or Assessor of in-service training of a seafarer, either on board or ashore in a Maritime Training Institution for Approved Training Courses (ATCs) and Assessment Centers for Assessment of Competence, which is intended to be used in qualifying for certification under STCW, or as otherwise required by the Administration.

**Article III**

**DEFINITIONS**

**Section 4.** For the purpose of this Circular, the following terms shall be defined as follows

 **4.1** "Accreditation Division" refers to the division under the STCW Office, specifically tasked and is responsible for ensuring the proper and full implementation of this Circular

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 **4.2** “Approved Training Course” refers to a training course relevant to specific competencies, as established and approved by the Administration.

 4.3 "Capacity" refers to an individual's performance as Instructor, Training Course Assessor and Competency Assessor

 **4.4** "Certificate of Accreditation" (COA) refers to a document issued by the Administration authorizing a person to perform as either Instructor or Assessor of in-service training of a seafarer, either on board or ashore in an MTI for an Approved Training Course and Assessor of Competence in an AC, intended to be used in qualifying for certification under STCW.

 **4.5** “Competency Assessor”refers to person accredited by the Administration, to conduct assessment of competence in an Assessment Center (AC) to determine whether the candidate is qualified to be issued the appropriate STCW certificate.

 **4.6** “Instructor" refers to any person accredited by the Administration to conduct in-service training of a seafarer, either on board or ashore in an MTl, which is intended to be used in qualifying for certification under STCW.

 **4.7** "Practical Assessor's Experience Log" (PAEL) refers to a documentary evidence required by the Administration to comply with the requirements of STCW Code, Section A-1/6, Par. 6.4 on the requirement for an Assessor to have gained practical assessment experience

 **4.8** “Refresher training” refers to an approved training referred to by pertinent provisions in Section A-VI of the STCW Convention, as amended, to be required to applicant Instructor or Assessor, whose COP is beyond 5 years from the time of application or did not meet the required teaching/assessing session.

 **4.9** “Simulator Practical Assessor's Experience Log" (SPAEL) refers to a documentary evidence required by the Administration to comply with the requirements of STCW Code, Section A-1/6, Par. 6.5 on the requirement for an Assessor involving the use of simulators to have gained practical assessment experience on the particular type of simulator, under the supervision and to the satisfaction of an experienced assessor.

 **4.10** "Simulator Practical Operational Experience Log" (SPOEL) refers to a documentary evidence required by the Administration to comply with the requirements of STCW Code, Section A-1/6, Par. 4.3.1 on the requirement for an Instructor conducting training using a simulator to have gained practical operational experience on the particular type of simulator being used

 **4.11** "Supervisor" refers to the Training Director, Training Manager or any person designated by an MTI to be responsible for the supervision of in-service training of a seafarer, either on board or ashore, intended to be used in qualifying for certification under STCW.

 4.12 “Surveillance, Accreditation and Monitoring- Information System (SAM-IS)” refers to the system for online application of Instructor and/or Assessor

 4.13 “Training Course Assessor” refers to a person accredited by the Administration to conduct assessment of competence in an approved training course offered by a Maritime Training Institution (MTI) to determine whether the trainees are qualified to be issued the Certificate of Training Completion and the appropriate Certificate of Proficiency (COP) by MARINA.

 4.14 “Updating training” refers to an approved training to be required, should the applicant’s respective ATC applying for have new requirements set by the Administration

**Article IV**

**GENERAL PROVISIONS**

**Section 5.** In accordance with Regulation I/6 (Training and Assessment) of the STCW Convention, the Maritime Administration shall ensure that:

 5.1 the training and assessment of seafarers, as required under the Convention, are administered, supervised and monitored in accordance with the provision of section A-I/6 of the STCW Code and

 5.2 those responsible for the training and assessment of competence of seafarers, as required by the convention, are appropriately qualified in accordance with the provisions of section A I/6 of the STCW Code for the type and level of training or assessment involved.

**Section 6**. All applicants for Instructor, Training Course Assessor or Competency Assessor shall file their application at the Surveillance, Accreditation and Monitoring- Information System (SAM-IS).

**Section 7.** Such application shall be filed by the individual applicant and each capacity shall be filed separately for every ATC applied for.

**Section 8.** The list of Instructors, Training Course Assessors and Competency Assessor with a Certificate of Accreditation shall be posted in the MARINA website.

**Article V**

**GENERAL QUALIFICATION STANDARDS FOR INSTRUCTORS, TRAINING COURSES ASSESSORS AND COMPETENCY ASSESSORS**

In accordance with the pertinent provisions of STCW, and as required by this Administration, the following general requirements must be complied with in the application and approval of individual applicants in the following capacities:

**Section 9.** **Instructor**

In accordance with STCW Code, Section A-1/6 (4), any person conducting training of a seafarer as an Instructor, either on board or ashore in an MTl, or an Approved Training Course which is intended to be used in qualifying the seafarer for certification under STCW, shall:

9.1 have an appreciation of the training program and an understanding of the specific training objectives for the particular type of training being conducted by showing proof of the following:

9.1.1 prior approved training and issuance of COC or COP pertaining to the task, and refresher/updating training, as appropriate; or

9.1.2 prior appropriate education and training pertaining to the task

 9.2 be qualified in the task for which training is being conducted by any of the following means, by showing proof of:

 9.2.1 Prior approved seagoing service relating to the task; or

9.2.2 Prior experience, at least one (1) year in the last five (5) years, on the tasks relevant to the approved training Course;

 and

9.2.3 Proof of successful completion of approved I.M.O. Model Course 6.09 (Training Course for Instructors).

9.3if conducting training using a simulator, shall have proof of the following:

9.3.1 have received appropriate guidance in instructional techniques involving the use of simulators (approved I.M.O. Model Course 6.10 or an approved substantially similar program); and

9.3.2 have gained practical operational experience on the particular type of simulator being used by accomplishing Simulator Practical Operational Experience Log (SPOEL, Annex 3) for an aggregate period of at least 20 hours conducted on 10 separate days under the supervision of an experienced instructor/operator of that particular type of simulator;

9.3.3 if conducting training using different types of simulators, must accomplish separate SPOEL for each type of simulator being used, in accordance with ~~11.3.2~~ 9.3.2 above.

**Section 10. Training Course Assessor and Competency Assessor**

**10.1** In accordance with STCW Code, Section A-1/6 (6), any person conducting in-service assessment of a seafarer, either on board or ashore in an MTl or AC, which is intended to be used in qualifying the seafarer for certification under STCW, shall:

10.1.1 have an appropriate level of knowledge and understanding of the competence to be assessed and be qualified in the task for which the assessment is being made by showing proof of prior Certificate of Accreditation as instructor of the ATC he is applying for;

10.1.2 have received appropriate guidance in assessment methods and practice by submitting proof of successful completion of the approved I.M.O. Model Course 3.12 (Assessment, Examination and Certification of Seafarers);

10.1.3 have gained practical assessment experience by accomplishing Practical Assessor's Experience Log (PAEL, Annex 3) for an aggregate period of at least twenty (20) hours conducted on at least ten (10) separate assessment days under the supervision of an experienced assessor;

10.1.4 if conducting assessment involving the use of simulators, have gained practical assessment experience on the particular type of simulator being used by accomplishing Simulator Practical Assessor's Experience Log (SPAEL, Annex 3) for an aggregate period of at least twenty (20) hours conducted on at least ten (10) separate assessment days, under the supervision and to the satisfaction of an experienced assessor with the use of simulators

10.1.5 if conducting assessment using different types of simulators, must accomplish separate SPAEL's for each type of simulator, as per 10.1.4 above.

10.2 At least one (1) teaching session for each course to be applied

10.3 Certificate of orientation issued by the Board of Examiners (BOE) (For Competency assessor only)

**Article VI**

**REVALIDATION OF THE CERTIFICATE OF ACCREDITATION**

**Section 11.** All individuals who are issued a COA shall undergo re-accreditation every ten (10) years. Applications for re-accreditation must be filed prior to expiration to avoid any applicable penalties for late filing. An application for re-accreditation shall be supported by the following:

 11.1 For Instructor and Training Course Assessor of ATCs referred to by pertinent provisions in Section A-VI of the STCW Convention, documentary evidence showing proof of having performed as an Instructor or assessor as appropriate, for not less than three (3) sessions of teaching/assessing in the course to which he is accredited every 5 years reckoning from the date of issuance of COA. A refresher course shall be required if the required teaching/assessing session has not been met.

For Instructor and Training Course Assessor of ATCs referred to by pertinent provisions in Section A-V of the STCW Convention, documentary evidence showing proof of having performed as an Instructor or assessor as appropriate, for not less than one (1) sessions of teaching/assessing in the course to which he is accredited every 5 years reckoning from the date of issuance of COA. A refresher course shall be required if the required teaching/assessing session has not been met.

For Instructor and Training Course Assessor of ATCs that are not referred to by pertinent provisions in Section A V and Section A-VI, and for Competency assessor, documentary evidence showing proof of having performed as an Instructor or assessor as appropriate, for at least one (1) session of teaching/assessing in the course to which he is accredited every five (5) years reckoning from the date of issuance of COA. This Section 11.1 shall be evidenced by the following:

 11.1.1 Service Record/Certificate of Employment

11.1.2 Enrollment Report (for Instructor) or

 11.1.3 Training Completion and Record of Assessment (TCROA) (for Training Course Assessor) or

11.1.4 Record of Assessment (ROA) (for competency assessor)

11.2 Proof of Successful completion of an approved updating training, as appropriate, for courses that have new requirements.

11.3 Should the applicant do not meet one or more of the requirements he/she shall be treated as new applicant.

**Article VII**

**SPECIFIC QUALIFICATION STANDARDS AND DOCUMENTARY REQUIREMENTS FOR INSTRUCTORS, TRAINING COURSE ASSESSORS AND COMPETENCY ASSESSORS**

**Section 12.** In accordance with the pertinent provisions of STCW, and as required by this Administration, the specific qualification standards for ensuring that an applicant is qualified in the task for which training or assessment is being made, must be complied with, in the application and approval of individual applicants as Instructor, and Assessor under Annex 1 of this Circular, which may be amended as necessary.

**Article VIII**

**APPLICATION FOR ACCREDITATION AND REACCREDITATION**

**Section 13.** Generally, the application for issuance, revalidation and replacement of COA under the SAM-IS system goes through the following processes:

 1. Initial online evaluation

 2. Final evaluation

 3. Printing of COA

 4. Validation of printed COA

 5. Releasing of COA

The specific guidelines for application for accreditation and reaccreditation of Instructor, Training Course Assessor and Competency Assessor shall follow the procedures shown under Annex 2 of this Circular.

**Article IX**

**OTHER MATTERS RELATING TO THE APPLICATION AND PERFORMANCE OF FUNCTIONS AS INSTRUCTOR, ASSSESSOR AND SUPERVISOR**

**Section 14.** Legal clearance shall now be verified internally by the Accreditation Division in coordination with the Legal Division of the STCWO. The said clearance will no longer be required in the application of instructor and assessor.

**Section 15.** The supervision function of in-service training conducted by qualified Instructor and Training Course Assessor on seafarers intended to be used in qualifying for Certification shall now be assumed by the Training Manager, Training Director or any person designated by the MTI. It is expected that the supervisor shall be required to have full understanding of the training program and the specific objectives for each type of training being conducted. This change in requirement shall be reflected in the MTI’s Quality Standard System (QSS) including the minimum qualification of Certificate of Training Completion for each of the courses to be supervised, IMO Model Course 6.09, and IMO Model Course 6.10, if necessary. This will not require accreditation from the Administration.

He shall always be available to supervise the conduct of ATCs whether virtual or actual supervision;

**Section 16.** An Assessor shall not conduct Assessment of Competence of a seafarer who had completed an Approved Training Course in an MTI wherein he is the Instructor;

**Section 17.** To ensure the quality of instruction and good health of Instructors of Approved Training Courses, an accredited Instructor is highly discouraged from performing as such for more than eight (8) hours a day, whether in a similar ATC or not, or in different MTIs.

**Section 18.** An accredited assessor for the courses MLC-D/E, RFPEW/NW, Able Seafarer Engine/Deck, ETO/ETR and GOC Radio Operators is deemed qualified to be a competency assessor for an assessment center (AC) in their respective Certificate of accreditation, provided that he shall apply for that specific capacity as Competency Assessor.

**Section 19.** All MTIs and ACs shall ensure that Article VI of this Circular shall be complied with, and the policies, processes and procedures shall be expressly provided in the Institution’s Quality Standard System.

Likewise, all MTIs are enjoined to indicate in the Enrollment Report the name of Instructor and the Training Director or Manager. Similarly, the MTI or AC shall also indicate the name of Assessor and the Training/Assessment Director or Manager in the TCROA or ROA as appropriate.

**Section 20.** For Instructor and assessor of blended learning scheme, he shall undergo training requirements specified under STCW Circular No. 2016-12, MARINA Advisory No. 2020-59 or its subsequent amendment. The general and specific policies and processes about blended learning shall be reflected in the Institution’s QSS.

**Section 21.** During the Accreditation, Monitoring or Surveillance process, the Administration may suspend the validity of the Accreditation of the Instructor, Training Course Assessor or Competency Assessor upon a clear finding that such individual grossly lacks the competence to carry out the task for which he was accredited to perform, until after satisfactory compliance of clearly showing by the individual that has eventually met the competence to perform as such.

**Section 22.** Any false or forged entry to, or the production of any fake documentary evidence for qualification shall be grounds for future action by the Administration against the candidate and the perpetrator.

**Article X**

**FEES AND CHARGES**

**Section 23.** Fees shall be charged for each application and separately for accreditation in each capacity and in each ATC.

**Section 24.** As approved under MC SC No. 2021-07 s 2021, the following fees shall apply:

 **24.1** Application Fee for the Accreditation of Instructor and Assessor-

Php 500.00/course

**24.2** Certificate of Accreditation for Instructor and Assessor- Php

500.00/course

 **24.3** Certified True Copy- P100.00 per certificate

 **24.4** Surcharge for Replacement of lost/damaged Certificate of

Accreditation – P 500.00;

 **24.5** Surcharge for expired Certificate of Accreditation~~, or late filing~~ - P 500.00; and

 **24.6** Reprinting of Certificate of Accreditation due to change of name

and updating of record- P 500.00.

**Article XI**

**FINES AND PENALTIES**

**Section 25.** An individual applicant who, after due process, has been found to have submitted false statement in his application, fraudulent or tampered certificates or documents shall pay the following administrative penalties:

 25.1 First Offense – P50, 000.00 and disqualification to Apply for Certificate of Accreditation (COA) for three (3) months from the receipt of the decision/order or resolution

 25.2 Second Offense – P100,000.00 and disqualification to Apply for Certificate of Accreditation (COA) for six (6) months from the receipt of the decision/order or resolution;

 25.3 Third Offense – Perpetual disqualification to apply for Certificate of Accreditation (COA)

**Section 26.** Any Certificate of Accreditation issued by MARINA shall be subject to suspension or revocation if the holder is found guilty of gross violation of this Circular.

**Section 27.** Other applicable penalties, as prescribed in the IRR of R.A. 10635 and other applicable penal rules.

**Article XII**

**TRANSITORY PROVISIONS**

**Section 28.** All applications for Instructor and Assessor received by the Accreditation Division of STCW Office until the effectivity date of this Circular shall continue to be subject to the existing rules prior to such effectivity date;

**Section 29.** All applications received by the STCW Office from effectivity date of this Circular shall be subject to these Rules;

**Section 30.**  All holder of COA as Assessor issued in accordance with STCW Circular 2014-04 with validity of more than one (1) year from the effectivity date of this Circular, who are performing or intending to perform as Competency Assessor in an Assessment Center, shall be given one (1) year to apply for Competency Assessor in accordance with the relevant provisions from the effectivity of this Circular.

**Article XIII**

**REPEALING CLAUSE**

**Section 31.** All previous issuances relating to the rules and procedure for Accreditation of Instructors, Supervisors and Assessors, are hereby superseded, repealed or amended accordingly.

**Article XIV**

**EFFECTIVITY**

This ~~STCW~~ Memoradum 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 the City of Manila, Philippines on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 **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: \_\_\_\_\_\_\_\_\_\_\_\_