



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF TRANSPORTATION  
MARITIME INDUSTRY AUTHORITY



**IMPLEMENTING RULES AND REGULATIONS OF EXECUTIVE ORDER  
NO. 63 ENTITLED "FURTHER STRENGTHENING THE AUTHORITY OF  
THE MARITIME INDUSTRY AUTHORITY AS THE SINGLE MARITIME  
ADMINISTRATION FOR THE PURPOSE OF IMPLEMENTING THE 1978  
INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS AS  
AMENDED**

Pursuant to Sections 2 and 7 of Executive Order No. 63 (E.O 63), this  
Implementing Rules and Regulations (IRR), is hereby adopted and  
promulgated:

**RULE I  
GENERAL PROVISIONS**

**Section 1. Objectives.**

- 1.1. To further strengthen the authority of the Maritime Industry Authority (MARINA) as the Single Maritime Administration to enable it to take all necessary steps and strategies, consistent with its mandates, towards effective implementation of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended and its associated Code (STCW Convention, 1978, as amended);
- 1.2. To ensure that the obligations of the Philippines under the STCW Convention are faithfully, effectively and fully complied with, resulting to the demonstration of strict and full compliance with the STCW Convention, 1978, as amended;
- 1.3. To ensure continuous recognition of Philippine STCW Certificates by the Parties signatory to the STCW Convention, thereby ensuring the protection of the well-being of Filipino seafarers as well as their professionalism, competency and competitiveness, both in local and international trade;
- 1.4. To harmonize all measures taken and provided by other government regulatory agencies such as the Commission on Higher Education (CHED), Department of Health (DOH) and the Philippine Coast Guard (PCG) pursuant to Republic Act No. 10635 (RA 10635), which established MARINA as Single Maritime Administration, for the effective, coordinated and consistent implementation of the STCW Convention, 1978, as amended; and



- 1.5. To ensure that all maritime education programs, trainings and assessment of seafarers' competence are structured and delivered in accordance with written programs, including the methods and media of delivery, procedures, and course material as are necessary to achieve the prescribed standard of competence, and supported by persons who are appropriately qualified for the type and level of training or assessment involved as provided under Regulation I/6 and Section A-I/6 of the STCW Convention, 1978, as amended.

## **Section 2. Coverage.**

This IRR shall cover and apply to all government agencies involved in the implementation of STCW Convention, 1978, as amended such as the MARINA, CHED, DOH and PCG, including maritime education, training and assessment institutions established by the government or by private entities in accordance with the existing relevant laws, all seafarers to which the pertinent provisions of the said Convention applies, and all other parties or individuals concerned.

## **Section 3. Definition of terms.**

For purposes of this IRR, the following terms shall be construed as follows:

- 1.1. **Lead** – refers to being in charge or in command of the evaluation, inspection and monitoring of MHEIs and their program offerings;
- 1.2. **Evaluation** – refers to the process of making judgment on the compliance of the Maritime Higher Education Institution (MHEI) and the maritime education program being applied for approval with the pertinent standards and requirements prescribed by the Maritime Administration and the CHED in accordance with the STCW Convention, 1978, as amended;
- 1.3. **Coordination** – refers to the process of giving notice to relevant government agency of the intended action to be taken by the Maritime Administration pertaining to the evaluation, inspection, monitoring and control in accordance with the in accordance with the STCW Convention, 1978, as amended;
- 1.4. **Maritime Education Programs** – refers to the required education and training for Marine Officers in-Charge of Navigational Watch or an Engineering Watch under Chapters II and III of the STCW Convention, 1978, as amended otherwise known as the Bachelor of Science in Marine Transportation and Bachelor of Science in Marine Engineering programs;
- 1.5. **Consultation** – refers to the process of discussing matters pertaining to the implementation of STCW Convention with the relevant government agencies covered by this IRR;



- 1.6. **Medical Fitness** – refers to the state of being medically fit as certified by recognized medical practitioners in accordance with Regulation I/9 of the STCW Convention, 1978, as amended;
- 1.7. **Medical Certificate** – refers to the document issued in accordance with Regulation I/9 and Section A-I/9 of the STCW Convention, 1978, as amended certifying the medical fitness of a seafarer;
- 1.8. **Authority to Operate** – refers to the authority issued or granted by CHED to MHEI for the operation of a maritime higher education program in the form of a Permit or Recognition;
- 1.8.1. **"Permit"** refers to a form of government authority issued by the Commission to a higher education institution for the operation of a particular higher education program on probation. The Permit is renewable and generally revocable for non-compliance with the program requirements;
- 1.8.2. **"Recognition"** is another form of government authority or approval granted to a particular higher education program for operation as a continuing or permanent concern, after having been satisfactorily operated under a government permit. Recognition constitutes the basis for the graduation of students. It remains valid unless revoked for cause;
- 1.9. **Maritime Higher Education Institutions** – refers to all higher education institutions, public or private, duly authorized by CHED to offer maritime higher education programs in accordance with the STCW Convention, 1978, as amended and the applicable national laws, rules and regulations;
- 1.10. **Maritime Administration** – refers to the Maritime Industry Authority (MARINA)

## RULE II

### MARITIME EDUCATION, TRAINING AND ASSESSMENT OF SEAFARERS

#### Section 4. Preparation, Evaluation, Inspection and Approval of Authority to Operate

- 4.1. Pursuant to Section 4(c) of RA 10635, the MARINA, as Single Maritime Administration, shall take the lead in the evaluation and inspection of all applications for approval of the following maritime higher education programs:
- Bachelor of Science in Marine Transportation (BSMT);
  - Bachelor of Science in Marine Engineering (BSMarE); and
  - other higher education programs that may be developed in the future which would require compliance with the STCW Convention, 1978, as amended.



In the evaluation and inspection of higher education institutions (HEIs) applying for approval of government authority to offer BSMT and BSMarE, Marina shall ensure that the STCW mandatory **Professional and Technical courses as well as the Shipboard Training** are compliant with the requirements of the STCW Convention, 1978, as amended.

For this purpose, all MHEIs shall ensure that all students in the BSMT and BSMarE programs who have complied **with the academic requirement as provided in the relevant CHED policies, standards and guidelines (PSGs) in line with EO 63 and this IRR shall be provided with Shipboard Training slot** to finish their study and be granted with the corresponding degree thereof.

Relative thereto, the Authority to Operate the said maritime higher education programs shall be issued by CHED with the recommendation of MARINA.

4.2. After issuance and effectivity of this IRR, the MARINA and CHED shall jointly immediately review all existing policies, standards and guidelines governing the BSMT and BSMarE programs, including the methods and media of delivery, procedures, and course materials thereof, to ensure that they are:

4.2.1. structured and delivered in accordance with written programs, as are necessary to achieve the prescribed standard of competence; and

4.2.2. supported by persons who are appropriately qualified for the type and level of training or assessment involved as provided under Regulation I/6 and Section A-I/6 of the STCW Convention, 1978, as amended.

Anent thereto, the result of the joint review shall be forwarded to the Technical Panel for Maritime Education (TPME) for subsequent review and recommendation to the CHED Commission *en banc*.

4.3. After completion of the review and/or issuance of the necessary revision as provided under paragraph 4.2 of this Section and in pursuance of the defined objectives under this IRR, MARINA shall take the lead in the evaluation and inspection of all existing maritime higher education institutions (MHEIs) offering approved or recognized BSMT and BSMarE programs prior to the issuance of this IRR to ensure compliance with the revised CHED policies, standards and guidelines and the STCW Convention, 1978, as amended.



4.4. Consequently, CHED shall revoke the authority to operate maritime education programs previously granted to any existing MHEI upon the recommendation of the MARINA based on the result of the evaluation and inspection if found not compliant with the **relevant CHED policies, standards and guidelines (PSGs) in line with EO 63 and this IRR** and the STCW Convention, 1978, as amended, as provided under paragraph 4.3 of this Section.

4.5. For this purpose, MARINA and CHED shall jointly issue guidelines on the evaluation and inspection, including among others, those that pertains to the decisions, resolutions and/or orders issued relevant to the phasing out of the maritime education programs or revocation of permit or recognition.

### **Section 5. Implementation of Approved Maritime Higher Education Programs**

5.1. To ensure that all maritime education programs are effectively implemented in accordance with the STCW Convention, 1978, as amended, the MARINA shall, in coordination with CHED, continue to monitor and verify in accordance with Section 4, paragraph c(4) of RA 10635 all approved maritime higher education programs through regular monitoring activities.

5.2. Additionally, MARINA shall conduct surveillance of any higher education institution offering maritime education programs to further ensure that such programs are implemented in accordance with the existing applicable laws, policies, standards and guidelines issued by MARINA and CHED and the STCW Convention, 1978, as amended.

5.3. The CHED shall appropriately act on the result of all monitoring and surveillance activities submitted by MARINA.

5.4. Any violation of the provision of this section shall be governed by the existing relevant rules and regulations of MARINA and/or CHED.

### **RULE III TECHNICAL PANEL FOR MARITIME EDUCATION (TPME)**

#### **Section 6. Composition and Reconstitution of the TPME**

6.1. Pursuant to Section 4(c)4(i) of RA 10635, the TPME of the CHED shall be chaired by MARINA Administrator. It shall have nine (9) members, five (5) of whom shall be nominated by the MARINA and four (4) members shall be nominated by the CHED.




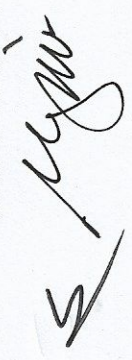
6.2. The nominated TPME members shall be appointed by the CHED.



- 6.3. The TPME shall, among others, formulate, review and recommend to the CHED all policies, standards, and guidelines for maritime education covering the minimum requirements such as but not limited to *program specifications; program outcomes; performance outcomes; curricula and program of studies; organization, management and supervision; instructors and assessors; assessment; facilities and equipment; simulators; library resources; shipboard training; grading system; carrying capacity; and admission requirements.*

#### **RULE IV STANDARDS FOR MEDICAL FITNESS AND ISSUANCE OF MEDICAL CERTIFICATES**

##### **Section 7. Establishment of Standards for Medical Fitness, Recognition of Medical Practitioners and Issuance of Medical Certificates.**

- 7.1. The MARINA and Department of Health (DOH) shall jointly establish the policies and standards for medical fitness and requirements for recognition of medical practitioners who will be responsible for assessing the medical fitness and the procedures for the issuance of medical certificates to Filipino Seafarers in accordance with Regulation I/9 of the STCW Convention, 1978, as amended.
- 7.2. MARINA and DOH shall ensure that all assessment activities conducted by recognized medical practitioners are subjected to regular monitoring to verify that the same are in accordance with the STCW Convention, 1978, as amended.
- 7.3. Additionally, MARINA and DOH may conduct surveillance of assessment activities conducted by recognized medical practitioners to further ensure that the same are implemented in accordance with the existing applicable laws, circulars and guidelines issued by MARINA and DOH and the STCW Convention, 1978, as amended.
- 7.4. The DOH shall establish and maintain an electronic uploading system and shall submit a summary of the medical report of seafarers to MARINA in the prescribed format. The DOH-accredited medical clinics/practitioners shall submit/upload their medical reports to the system established by the DOH and medical clinics/practitioners not connected to the system shall not be allowed to conduct pre-employment medical examination for seafarers. While the electronic uploading system is being developed, the DOH shall subscribe to the MARINA Online System, subject to the existing laws and regulations.
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**RULE V**  
**CONTROL PROCEDURES UNDER THE STCW CONVENTION**

**Section 8. Relevant Control Procedures**

- 8.1. The MARINA and the Philippine Coast Guard (PCG) shall jointly establish the control procedures to verify and ensure that seafarers on board seagoing ships calling Philippine ports are certificated or have been issued appropriate dispensations in accordance with the STCW Convention, 1978, as amended, without prejudice to the Port State Control functions of the PCG.
- 8.2. In addition, the PCG shall also verify Filipino cadets undergoing Shipboard Training onboard all ships calling Philippine ports to check if such cadets:
- 8.2.1. receive systematic practical training and experience in the tasks, duties and responsibilities of an Officer In Charge of a watch;
  - 8.2.2. are closely supervised and monitored by qualified officers onboard the ship in which the Shipboard Training is being undertaken;
  - 8.2.3. perform the required watchkeeping duties under the supervision of the Master or a qualified officer; and
  - 8.2.4. have adequately documented their training activities in the Training Record Book or similar document.
- 8.3. For this purpose, the MARINA and PCG shall jointly issue the corresponding policy detailing the control procedures and guidelines in the verification of certificates of seafarers and Filipino cadets on board seagoing ships calling Philippine ports, without prejudice to the Port State Control functions of the PCG.

**RULE VI**  
**FUNDING AND PERSONNEL**

**Section 9. Funding and Personnel Requirements.**

- 9.1. The amount necessary to carry out the implementation of E.O. 63 and this IRR shall be sourced from the available funds of the Department of Transportation and the MARINA. The funding requirements for succeeding years shall be included in the budget proposal of MARINA in order to ensure continuous and effective implementation of this Order. The Department of Budget and Management (DBM) may realign and augment appropriations in accordance with budgetary and auditing laws, rules and regulations.



9.2. The creation of additional *plantilla* positions and hiring of additional personnel to carry out the functions enumerated herein shall be made in coordination with the Department of Budget and Management (DBM).

## **RULE VII REPEALING CLAUSE**

**Section 10.** All rules and regulations or parts thereof inconsistent with the provisions of this IRR are hereby repealed or modified accordingly.

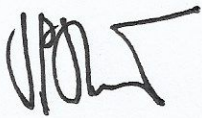
## **RULE VIII SEPARABILITY CLAUSE**

**Section 11.** If any provision of this IRR is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.


## **RULE IX EFFECTIVITY**

This IRR shall take effect after fifteen (15) days following its publication in a newspaper of general circulation.

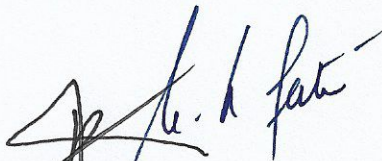
DONE in the City of Manila, this 23rd day of October in the year of Our Lord Two Thousand and Eighteen.



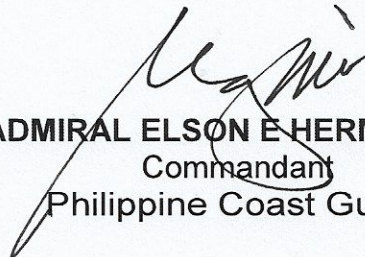
**J. PROSPERO E. DE VERA III, DPA**  
Chairman  
Commission on Higher Education



**REY LEONARDO B. GUERRERO**  
Administrator  
Maritime Industry Authority



**FRANCISCO T. DUQUE III**  
Secretary  
Department of Health



**ADMIRAL ELSON E. HERMOGINO**  
Commandant  
Philippine Coast Guard