

EXECUTIVE ORDER NO. 396

PROVIDING THE INSTITUTIONAL FRAMEWORK FOR THE ADMINISTRATION OF THE STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS IN THE PHILIPPINES

WHEREAS, the Philippines is an active member of the International Maritime Organization (IMO) and thus, is in agreement with the standards on training, certification and watchkeeping for seafarers (STCW Code) set during the 1978 IMO convention, as amended in 1995;

WHEREAS, the STCW Code shall foster greater efficiency and promote the development of the respective maritime industry of IMO member-countries;

WHEREAS, compliance by the Philippines with the STCW Code shall promote the interest and welfare of the Filipino seafarers and ultimately, promote national growth and development;

WHEREAS, there is a need to establish an institutional framework for the administration of the STCW Code in the country to ensure the compliance by the Filipino seafarers with the above standards;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption of the herein institutional framework for the administration of the STCW in the country.

Section 1. Lead Agency for STCW Administration. The Maritime Industry Authority (MARINA) shall be the lead agency in the implementation of the STCW Code in the country. As such, it shall ensure the compliance by all Filipino seafarers with the standards set forth under the Code. Towards this, MARINA shall prepare and submit to the Maritime Training Council, Through the STCW Executive Committee which is also created under this Order, an annual work program for approval of the Council.

Section 2. Establishment of the STCW Executive Committee. The Maritime Training Council shall create an STCW Executive Committee from among its members, with the DOLE Secretary as Chairman, MARINA Administrator as Vice-Chairman, and the Chairpersons of the Commission of Higher Education (CHED) and Professional Regulation Commission (PRC) and Philippine Coast Guard (PCG) Commandant as regular members, to provide the overall policy and operational directions in the administration of the STCW in the country.

As may be necessary, the Council may expand the membership of the Committee to include the Department of Health; Technical Education and Skills Development Authority; Philippine Overseas Employment Administration; National Telecommunication Commission and concerned private sector representatives.

Section 3. Secretariat. The MARINA shall establish and head a permanent Secretariat to provide technical and administrative support in the implementation of the STCW Code in the country.

Section 4. Implementing Rules and Regulations. The STCW Executive Committee shall immediately convene to prepare and approve the implementing Rules and Regulations for the effective implementation of this Order.

Section 5. Frequency of Meetings. The above Executive Committee shall meet at least once every quarter during which, MARINA shall submit a status report on the country's compliance with the STCW Code, and other agenda items which may be agreed upon by the Executive Committee.

Section 6. Reports. The STCW Administrator, through the Executive Committee shall provide the President a quarterly report on the country's compliance with the STCW.

Section 7. Funding. The budget for the administration of the STCW Code shall be sourced from the budgetary outlay of the Council from the Welfare Fund created under LOI 1694, as amended, subject to the accounting and auditing rules and regulations.

Section 8. Effectivity. This Order shall take effect immediately.

Done in the City of Manila, this 30th day of January, in the Year of Our Lord, Nineteen Hundred and Ninety – Seven.

By the President:

(Signed) RUBEN D. TORRES
Executive Secretary