



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS
MARITIME INDUSTRY AUTHORITY



MARINA CIRCULAR NO. 2013-06
Series of 2013

TO : ALL MARITIME EDUCATION AND TRAINING INSTITUTIONS (METIs), ASSESSMENT CENTERS, GOVERNMENT AGENCIES INVOLVED, MARITIME INDUSTRY STAKEHOLDERS, AND OTHER PARTIES CONCERNED

SUBJECT : RULES ON THE MONITORING OF MARITIME EDUCATION PROGRAMS, TRAINING COURSES AND ASSESSMENT OF COMPETENCE OF SEAFARERS CARRIED OUT BY METIs AND ASSESSMENT CENTERS

Pursuant to Presidential Decree No. 474, Executive Order No. 125/ 125-A, Executive Order No. 75 and its Implementing Rules and Regulations (IRR), the Memoranda of Agreement of the Maritime Industry Authority (MARINA) with the Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), Professional Regulation Commission (PRC) and National Telecommunications Commission (NTC) and the 1978 International Convention on Standards of Training, Certification and Watchkeeping (STCW), as amended, the following rules are hereby adopted:

I. OBJECTIVES

1. To prescribe policies, rules and procedures on the monitoring of maritime education programs, training courses and assessment of competence of seafarers carried out by METIs and assessment centers;
2. To implement the requirements under Regulation I/6 "Training and Assessment" and Regulation I/8 "Quality Standards" of the STCW Convention, on the monitoring of maritime education training, and assessment of competence of seafarers, among others;
3. To verify the compliance of the maritime education programs, training courses and assessment of competence of seafarers carried out by METIs and assessment centers with the minimum program and course requirements pursuant to the 1978 STCW Convention, as amended and the existing Philippine laws, rules and regulations; and,
4. To check how the defined program or course objectives and the competence outcomes are achieved.

II. COVERAGE

This Circular shall apply to all maritime education programs, training courses and assessment of competence of seafarers carried out by METIs and assessment

centers, both government and private, as required under the following Chapters of the STCW Convention:

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

III. DEFINITION OF TERMS

For purposes of this Circular, the following terms and such other terms defined herein shall be construed as follows:

1. **Administration or STCW Administration** – shall refer to the Department of Transportation and Communications (DOTC), through the Maritime Industry Authority (MARINA), as the single government agency mandated to implement and enforce the 1978 STCW Convention, as amended;
2. **Assessment Center** – shall refer to an entity, public or private, recognized by the relevant member agency to conduct competence assessment of seafarers for the purpose of issuance of appropriate certificate required under the 1978 STCW Convention, as amended;
3. **Evaluator** – shall refer to a duly authorized person who possesses the required qualifications to effectively conduct monitoring of maritime education programs, training courses and assessment of competence of seafarers carried out by METIs or assessment centers;
4. **Maritime Higher Education Institutions (MHEIs)** – shall refer to all higher education institutions, public or private, duly authorized by CHED and by the respective Governing Boards in case of State Universities and Colleges (SUCs) to conduct maritime education programs in accordance with the STCW Convention and the applicable laws rules and regulations of the Philippines;
5. **Maritime Training Institutions (MTIs)** – shall refer to the duly established institutions, public or private, duly authorized by the Administration to offer maritime training courses in accordance with the 1978 STCW Convention, as amended and the applicable laws, rules and regulations;
6. **Maritime Education and Training Institutions (METIs)** – shall refer to both maritime higher education institutions and maritime training institutions;
7. **Maritime Education Programs** – shall refer to the approved education and training for Marine Officers in-Charge of navigational or engineering watch covered under Chapters II and III of the 1978 STCW Convention, as amended or more popularly known as the Bachelor of Science in Marine Transportation (BSMT) and Bachelor of Science in Marine Engineering (BSMarE) programs;

8. **Member Agency** – shall refer to the Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), Professional Regulation Commission (PRC) or to the National Telecommunications Commission (NTC) which the MARINA has entered into a Memorandum of Agreement pursuant to Executive Order (EO) No. 75;
9. **Monitoring** – shall refer to the series of evaluations carried out to verify the extent of compliance with a formulated standards or degree of deviation from an expected norm and ultimately, to ensure the achievement of defined program and course objectives in accordance with the prescribed standards of competence;
10. **Monitoring Team** – shall refer to a group of evaluators duly constituted to conduct monitoring of maritime education programs, training courses and assessment of competence of seafarers carried out by METIs or assessment centers;
11. **Quality Standards System** – shall refer 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;
12. **STCW Convention** – shall refer to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers of 1978 (1978 STCW Convention), as amended and its associated Code;
13. **Training Course** – shall refer to the series of lessons composed of component modules to teach an individual the skills, knowledge and proficiency to acquire the required competences and be certified in accordance with the 1978 STCW Convention, as amended.

IV. GENERAL PROVISIONS:

1. Regulation I/8 of the 1978 STCW Convention, as amended, requires that all education, training and assessment of competence of seafarers, among others, shall be continuously monitored through a quality standard system in order to ensure that the defined objectives are achieved. It is therefore the duty of the STCW Administration to ensure that such monitoring shall be continuously undertaken by qualified persons who are not themselves involved in the activities of or connected to the METIs or assessment centers concerned.
2. The monitoring herein provided shall be conducted using an Outcomes-Based Monitoring Instrument and shall be implemented following an **outcomes-based** approach, which:
 - 2.1 Focuses on the competence outcome of the education, training and assessment – the students/trainees;

- 2.2 Looks on core processes and procedures that are instrumental to the competence outcome of maritime education programs, training courses and assessment of competence of seafarers; and,
 - 2.3 Intends to make METIs and assessment centers as well as all academic, training personnel and support staff responsible for the program, training course or assessment they carry out.
3. The STCW Office shall utilize qualified persons to conduct the monitoring who are not themselves involved in the activities of or connected to the METIs and assessment centers concerned.
4. Pursuant to the Memoranda of Agreement of MARINA with CHED, TESDA, PRC and NTC, the monitoring of maritime education programs, training courses and assessment of competence of seafarers carried out by METIs and assessment centers under the jurisdiction of the said agencies shall be done jointly by the member agency concerned with the Administration.
5. Only the duly authorized personnel shall be allowed to conduct monitoring activities.
6. The Quality Standards System Manual of the METI or assessment center and related audit reports shall be made available upon request of the monitoring team during such activity.

V. QUALIFICATIONS AND COMPOSITION OF THE MONITORING TEAM:

1. Every person who shall be assigned to join as member of the monitoring team shall meet the following general qualifications:
 - 1.1 Must not be involved in the activities of or connected to the METI or assessment center concerned;
 - 1.2 Has knowledge and understanding of the maritime education program(s), training course(s) and/or competence assessment to be monitored;
 - 1.3 Attended the orientation(s) conducted by the Administration and the member agency concerned on the policies, rules and procedures on the monitoring of maritime education programs, training courses and/or assessment of competence of seafarers;
 - 1.4 Must have experience in conducting monitoring activities for at least three (3) times as under study;
 - 1.5 In addition to the foregoing, evaluators must:
 - 1.5.1 have appropriate work-related experience corresponding to the training course or program to be monitored;
 - 1.5.2 if the training course or program involves the use of simulator, should have gained practical operational experience and appreciation on the use of simulators.

2. Every monitoring team shall be headed by a Lead Evaluator who must meet the following requirements:

- 2.1 Have experienced conducting monitoring activities for at least five (5) times as a member;
- 2.2 Should pass the evaluation by the Administration or the member agency concerned; and,
- 2.3 Have completed an auditor's course.

The monitoring team leader and member(s) shall be duly assigned and specified in the document authorizing the conduct of a monitoring activity.

3. The minimum composition of a monitoring team shall be as follows:

3.1 For the monitoring of training courses carried out by maritime training institutions:

3.1.1 One (1) MARINA – STCW Office personnel;

3.1.2 One (1) personnel and one (1) Evaluator who has the technical knowledge and experience on the training course to be monitored in the case of training courses under the jurisdiction of TESDA or NTC;

3.1.3 One (1) MARINA – STCW Office Evaluator who has the technical knowledge and experience on the training course to be monitored.

3.2 For the monitoring of maritime education programs carried out by maritime education institutions:

3.2.1 One (1) CHED - Office of Programs and Standards (OPS) maritime education personnel;

3.2.2 One (1) MARINA – STCW Office personnel;

3.2.3 One (1) CHED maritime education Evaluator who has the technical knowledge and experience on the maritime education program to be monitored; and,

3.2.4 One (1) MARINA – STCW Office Evaluator who has the technical knowledge and experience on the maritime education program to be monitored.

3.3 For the monitoring of assessment of competence of seafarers carried out by assessment centers:

3.3.1 One (1) personnel from the government agency concerned;

3.3.2 One (1) MARINA – STCW Office personnel;

- 3.3.3 One (1) Evaluator from the government agency concerned who has the technical knowledge and experience relevant to the competence assessment to be monitored, and,
- 3.3.4 One (1) MARINA – STCW Office Evaluator who has the technical knowledge and experience relevant to the competence assessment to be monitored.
- 3.4 A maximum of two (2) observers (as under study) may also be allowed to join a monitoring activity.
- 3.5 The personnel and evaluators of the STCW Administration and the member agency concerned who shall form part of the monitoring team are the official representatives and alter ego of the Administration and the member agency concerned during the conduct of every monitoring activity. As such, they shall perform their respective roles and tasks with utmost responsibility and accountability and shall observe confidentiality of the monitoring findings, documents and information gathered.

VI. PROGRAMMING AND PLANNING OF MONITORING ACTIVITIES

1. Programming of monitoring activities:

- 1.1 As a general rule, an annual program of monitoring activities should be prepared not later than the 15th day of January yearly.
- 1.2 The Administration shall be responsible for the annual programming of monitoring activities for the training courses under its jurisdiction.
- 1.3 The respective member agencies shall be responsible for the annual programming of monitoring activities for maritime education programs, training courses and assessment of competence of seafarers carried out by METIs and assessment centers under their respective jurisdictions.
- 1.4 The annual monitoring program shall indicate the following:
 - 1.4.1 Name of METIs and/or assessment centers and the maritime education programs, training courses or competence assessment to be monitored;
 - 1.4.2 Scheduled date(s) of monitoring activities;
 - 1.4.3 Agency's assigned personnel and evaluator; and,
 - 1.4.4 Name and signature of the person who prepared and the official who approved the annual monitoring program.

- 1.5 The member agency concerned shall transmit its approved program of monitoring activities to the STCW Administration for concurrence and assignment of MARINA – STCW Office personnel and Evaluator(s) who shall join each and every monitoring activity.
- 1.6 Upon its concurrence, the Administration shall transmit the program of monitoring activities back to the member agency concerned with the MARINA – STCW Office personnel and evaluator(s) assigned to join each and every monitoring activity.
- 1.7 The preparation of budgetary and other administrative requirements as well as all other pre-monitoring arrangements needed to facilitate the conduct of such activities shall be in accordance with the concerned agency's administrative rules and procedures.

2. Planning the conduct of monitoring:

- 2.1 The agency concerned having jurisdiction of the maritime education programs, training courses or assessment of competence of seafarers to be monitored shall convene the monitoring team to a meeting not later than ten (10) working days before the scheduled activity for purposes of the following:

- 2.1.1 Preparing the monitoring plan;

- 2.1.2 Identifying and assigning the areas of evaluation and other tasks to be assigned to each of the monitoring team members; and,

- 2.1.3 Advance review of available documents and information on the METI or assessment center's results of previous monitoring of the maritime education program(s), training course(s) or assessment of competence of seafarers.

- 2.2 A monitoring plan shall indicate the following:

- 2.2.1 Scope and objective(s) of monitoring;

- 2.2.2 Key areas of evaluation and assigned evaluator(s);

- 2.2.3 Methods of monitoring;

- 2.2.4 Date, estimated time and duration of the activity; and,

- 2.2.5 Resources needed.

- 2.3 The approved monitoring plan shall be transmitted to the METI or assessment center by the STCW Administration or the member agency concerned not later than five (5) days before the scheduled date of monitoring for information.

VII. CONDUCT OF MONITORING

Every monitoring activity shall be conducted using the Outcomes-Based Monitoring Instrument adopted by the STCW Administration and the member agency concerned and shall be in accordance with the following:

1. *Opening meeting* – The monitoring shall start with an opening meeting presided by the Lead Evaluator with the official(s) and responsible personnel/staff of the METI or assessment center concerned discussing the following:
 - 1.1 Scope and objective(s) of monitoring;
 - 1.2 Key areas of evaluation and assigned evaluator;
 - 1.3 Methods of monitoring;
 - 1.4 Estimated time and duration of the activity; and;
 - 1.5 Confidentiality of monitoring findings, documents and information.
2. *Evaluation proper* – The monitoring shall be carried out by evaluating the key areas of evaluation through:
 - 2.1 Interview of responsible personnel/staff for the key area being evaluated;
 - 2.2 Checking and review of the relevant quality processes, procedures and documentations;
 - 2.3 Class observation;
 - 2.4 Practical exercise / assessment of competence observation;
 - 2.5 Random interview of students/trainees/assesseees;
 - 2.6 Testing and checking of relevant facilities and laboratory equipment; and,
 - 2.7 Checking and gathering necessary objective evidences relevant to the key area evaluated.
3. *Deliberation of findings* – Once the evaluation is completed, the monitoring team will sit down to discuss among themselves and be aware of their respective findings and to resolve any doubt or confusion which may arise thereof.
4. *Closing meeting* – A closing meeting will then be conducted with the official(s) and responsible personnel/staff of the METI or assessment center concerned. During this meeting, the monitoring findings shall be presented and clearly explained. The officials and responsible personnel/staff may be given the opportunity to ask pertinent clarification on the findings presented.
5. *Preparation of the Monitoring Log and Report* – After the closing meeting, the monitoring log and report shall be prepared and signed by the monitoring team and duly countersigned by the Head of the METI or assessment center concerned.

VIII. MONITORING FINDINGS

1. The monitoring findings shall be rated either as a “*Conformance*”, “*Non-conformance*”, or “*Observation*”. A “*Non-conformance*” shall be categorized into “*Major Non-conformance*” or “*Minor Non-conformance*”.
2. The evaluator shall be guided by the following description of the said ratings which are provided for purposes of this Circular:

2.1 **Conformance** – shall refer to the compliance with the required standards or system elements and procedures for the implementation of the maritime education program(s), training course(s) or assessment of competence of seafarers carried out by the METI or assessment center concerned. This shall be labeled as “**Satisfactory (SAT)**” in the monitoring log and report as provided in the succeeding provisions herein.

2.2 **Non-conformance** – shall refer to the deficiency or non-compliance with the required standards and procedures for the implementation of the maritime education program(s), training course(s) or assessment of competence of seafarers carried out by the METI or assessment center concerned, which shall be categorized into:

2.2.1 **Major Non-conformance (MNC)** – shall refer to the absence of one or more of the required system elements of the Quality Standards Systems or a situation which raises significant doubt that the education, training or assessment of competence meets the specified standards and requirements and competence outcome. It can also be:

- A group of *Minor non-conformances* indicating inadequate implementation or effectiveness of the system relevant to an element of the standard;
- A *Minor non-conformance* that is persistent or is not corrected by the organization within the prescribed period as provided in this Circular.

2.2.2 **Minor Non-conformance (mNC)** – shall refer to a single system failure or lapse in conformance with a procedure relating to the applicable standards for the implementation of the maritime education program(s), training course(s) or assessment of competence of seafarers carried out by the METI or assessment center concerned. This failure does not indicate a system breakdown nor raises doubt that the education, training, or assessment meets the specified standards and requirements and competence outcome.

2.3 **Observation (OBS)** – is not a non-conformance but something that could lead to a non-conformance if not properly addressed or a finding without clear evidence to verify that it constitutes a non-conformance.

3. The evaluator may also take note of “Noteworthy Efforts”. These are initiatives undertaken by the institution to achieve higher level of qualitative results (*e.g. best practices that resulted towards further improvement of expected outcomes*).

4. In case of a *Major Non-conformance* finding to a training course or assessment of competence of seafarers, the MTI or assessment center

concerned shall be prohibited from carrying out that particular training course or assessment of competence until such time that evidence is submitted that the cause(s) of such deficiency has been rectified and verified through a re-evaluation. Such re-evaluation shall be conducted within fifteen (15) working days after the receipt of the evidence required;

5. In case of a *Major Non-conformance* finding to a maritime education program, the MEI concerned shall be ordered to submit a corrective action plan within fifteen (15) working days, after the receipt of the official result of monitoring from member agency concerned, to rectify such finding including the interim measure to ensure that the required standards of learning of affected students shall not be sacrificed. Upon approval of the corrective action plan, the institution shall be subjected to frequent monitoring.

If the MEI concerned fails to comply with the aforesaid conditions and/or implementation within the agreed timeframe or based on clear evidence during the frequent monitoring, the procedure to phase out the maritime education program shall be initiated by the member agency concerned.

6. For a *Minor Non-conformance*, the METI or assessment center concerned shall be required to undertake corrective action within a reasonable period of time which shall not exceed three (3) months. Failure to undertake the corrective action within the said period shall result in a major non-conformance.
7. For an *Observation*, the METI or assessment center concerned shall address such observation within a period of one (1) year.

IX. PREPARATION AND SUBMISSION OF MONITORING REPORT

1. Every monitoring report shall be prepared and entered into the *“Outcomes-based Monitoring Log and Report”* which must indicate, among others, a complete description of the findings and the team’s recommendation(s). All relevant evidences gathered, supporting each and every finding, shall be attached as Annex to the monitoring log and report.
2. The submission of the monitoring report shall be within three (3) working days after the completion of every monitoring activity.

X. ACTION ON THE MONITORING REPORT

1. Within seven (7) days after the submission of the monitoring report, the result of the monitoring activity shall be officially communicated by the STCW Administration or by the member agency having jurisdiction of the METI or assessment center concerned.
2. Further action and processing of the monitoring report shall be carried out by the STCW Administration or by the member agency concerned in accordance with their respective policies, rules and procedures.
3. The STCW Administration shall be furnished with any further action(s) taken by the member agency on the monitoring report as well as the status of any corrective action plan(s) in the case of maritime education programs.

XI. SANCTIONS AND PENALTIES:

The procedure for the imposition of the appropriate sanctions and penalties shall be based on the provisions of this Circular and the appropriate policies, rules and procedures issued by the member-agency.

XII. REPEALING CLAUSE:

Any provision of existing MARINA Circulars, Rules and Regulations and other issuances pertaining to the monitoring of maritime education programs, training courses or assessment of competence of seafarers carried out by METIs and assessment centers which are inconsistent with this Circular is hereby repealed and/or modified accordingly.

XIII. SEPARABILITY CLAUSE:

Should any provision or part of this Circular be declared by any competent authority to be invalid or unconstitutional, the remaining provisions or parts hereof shall remain in full force and effect and shall continue to be valid and effective.

XIV. EFFECTIVITY:

This MARINA Circular shall take effect fifteen (15) days after its publication once in a newspaper of general circulation.

Manila, Philippines, **January 18, 2013.**

BY AUTHORITY OF THE BOARD

(Signed) **ATTY. NICASIO A. CONTI**
Officer-In-Charge

Secretary's Certificate

This is to certify that MARINA Circular No. **2013-06** was approved by the MARINA Board of Directors during its Regular Meeting on January.

(Signed) **ATTY. VIRGILIO B. CALAG**
Acting Corporate Board Secretary

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