

**Republic of the Philippines**  
**Department of Transportation and Communications**  
**MARITIME INDUSTRY AUTHORITY**  
**STCW OFFICE**

**STCW Circular No. 2015-04**

**TO : ALL MARITIME HIGHER EDUCATION INSTITUTIONS (MHEIs), MARITIME TRAINING INSTITUTIONS (MTIs), MARITIME ASSESSMENT CENTERS (MACs), PRACTICAL ASSESSMENT CENTERS (PACs), GOVERNMENT AGENCIES INVOLVED, MARITIME INDUSTRY STAKEHOLDERS, AND OTHER PARTIES CONCERNED**

**SUBJECT : RULES ON THE MONITORING OF MARITIME EDUCATION PROGRAMS (MEPs), APPROVED TRAINING PROGRAMS (ATPs) AND ASSESSMENT OF SEAFARER'S COMPETENCE CARRIED OUT BY MHEIs, MTIs, PACs AND MACs**

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Pursuant to Presidential Decree No. 474, Republic Act No. 10635 and its Implementing Rules and Regulations (IRR), and the 1978 International Convention on Standards of Training, Certification and Watchkeeping (STCW) for Seafarers, as amended, the following rules are hereby adopted:

**I. OBJECTIVES**

1. To prescribe policies, rules and procedures on the monitoring of maritime education programs, approved training programs and assessment of competence of seafarers carried out by MHEIs, MTIs, PACs and MACs, respectively;
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 ensure the compliance of the maritime education and training programs, and assessment of seafarer's competence with requirements of the STCW Convention and the existing Philippine laws, rules and regulations;
4. To verify achievement of approved program and course objectives.

## II. COVERAGE

This Circular shall apply to all maritime education programs, approved training programs and assessment of seafarer's competence as required under the following Chapters of the STCW Convention:

1. Chapters II - Master and Deck Department
2. Chapters 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.

## 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**— shall refer to the Maritime Industry Authority (MARINA), as the single maritime administration mandated to implement and enforce the STCW Convention pursuant to RA 10635 and its IRR;
2. **STCW Office** – refers to the office in MARINA, specifically tasked to give full and complete effect to the requirements of the STCW Convention;
3. **Evaluator** – shall refer to qualified person duly authorized to conduct monitoring and evaluation of maritime education programs, approved training programs, and assessment of seafarer's competence;
4. **Maritime Higher Education Institution or MHEI** – refers to all higher education institutions, both government and private, that conduct maritime education programs in accordance with the STCW Convention and the applicable laws rules and regulations of the Philippines;
5. **Maritime Training Institution or MTI** – refers to an institution that provides an approved training program;

6. **Practical Assessment Center or PAC** – shall refer to an institution recognized and approved by MARINA STCW Office for the purpose of conducting Practical Assessment for Marine Deck Officer and Marine Engineer Officer candidates for (COC);
7. **Maritime Assessment Center or MAC** – shall refer to an institution, both government and private, duly approved by the Administration to conduct assessment of competence of seafarers to qualify for the issuance of appropriate certificate required under the STCW Convention;
8. **Maritime Education Programs (MEP)** – refers to the approved education and training for Marine Officers-in-Charge of navigational or engineering watch covered under Chapters II and III of the STCW Convention, or more popularly known as the Bachelor of Science in Marine Transportation (BSMT) and Bachelor of Science in Marine Engineering (BSMarE) programs;
9. **Approved Training Program or ATP** - refers to a training course relevant to specific competencies, as established and approved by the Administration;
10. **Monitoring** – refers to the series of evaluations carried out to verify the extent of compliance with 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;
11. **Monitoring Team** – shall refer to a group of evaluators duly constituted to conduct monitoring of maritime education programs, approved training programs, and assessment of competence of seafarers carried out by MHEIs, MTIs or MACs;
12. **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 approved training program in accordance with the requirements of the STCW Convention;
13. **STCW Convention** – shall refer to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers of 1978, and its associated Code, including the 2010 Manila Amendments;

14. **Root Cause Analysis** – refers to a process in determining the reason for a non-conformance or why the non-conformance occurred in order to identify appropriate corrective and preventive actions;
15. **Observer** – refers to a person(s) authorized to join the monitoring team as under study;
16. **Preventive Suspension** – refers to an immediate, outright, on-the-spot measure of the Administration to stop an MTI, PAC or MAC from conducting an approved training program or competence assessment upon finding of commission of a prohibited act that severely affects the outcomes of learning.

#### IV. GENERAL PROVISIONS:

1. Regulation I/8 of the STCW Convention 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 Administration to ensure that such monitoring shall be continuously undertaken by evaluators who are not themselves involved in the activities of or connected to the MHEI, MTI, PAC or MAC concerned.
2. The monitoring shall be conducted using an *Outcomes-Based Monitoring Instrument (OBMI)* that focuses on the processes and procedures which are instrumental to the competence outcome of seafarers through the conduct of maritime education programs, approved training programs and assessment of competence.
3. In order to draw up a sustainable monitoring plan, an annual monitoring program for the MHEIs, MTIs, PACs and MACs shall be prepared by the STCW Office. All monitoring activities shall be strictly in accordance with the approved annual monitoring program.
4. The Quality Standards System Manual of the MHEI, MTI, PAC or MAC and related audit reports shall be made available during monitoring.

## **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 MHEI, MTI, PAC or MAC concerned;
  - 1.2 Has the knowledge and understanding of the maritime education program, approved training program or competence assessment to be monitored as evidenced by having:
    - 1.2.1. 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, approved training programs and assessment of competence of seafarers;
    - 1.2.2. conducted monitoring activities for at least three (3) times as observer;
    - 1.2.3. completed an Internal Quality Auditor's course or Lead Auditor's Course;
    - 1.2.4. completed the Training Course for Instructors (IMO Model Course 6.09) or have undergone equivalent training provided by the Administration;
    - 1.2.5. completed the training course on Assessment, Examination, and Certification of Seafarers (IMO Model Course 3.12) or have undergone equivalent training provided by the Administration.
2. Every monitoring team shall be headed by a Maritime Education and Training Standards Supervisor as Lead Evaluator.
3. Where the training course to be monitored involves the use of simulator, the monitoring team shall have a member evaluator(s) who has a practical operational experience and appreciation on the use of simulators or has completed the training on IMO Model Course 6.10.
4. The monitoring team shall be duly assigned as specified in the document authorizing the conduct of monitoring.

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

5.1 For monitoring of MTIs, PACs and MACs, the monitoring team shall be composed of representative(s) / evaluator(s) from the STCW Office,

- a. Maritime Education and Training Standards Supervisor as Lead Evaluator;
- b. Evaluator(s) who has/have the appropriate technical knowledge and experience corresponding to the training course to be monitored;
- c. Evaluator(s) from the Monitoring Division-STCW Office and/or qualified evaluator(s) from the MARINA Regional Office where the monitoring will be conducted;
- d. Member(s) of the Board of Examiners if the entity to be monitored is PAC;
- e. Evaluators from the National Telecommunications Commission (NTC) if the training course to be monitored is GOC for GMDSS or if the entity is NTC-accredited assessment center.

The Composition of the monitoring team will vary according to the number of training courses to be monitored.

5.2 For monitoring of MHEIs, the team shall be composed of:

- a. Maritime Education and Training Standards Supervisor as Lead evaluator;
- b. Evaluator(s) from CHED - Maritime Education Unit and/or CHED Regional Office Supervisor in-charge of maritime education where the monitoring will be conducted;
- c. Evaluator(s) from the STCW Office-Monitoring Division or qualified evaluator(s) from MARINA Regional Office where the monitoring will be conducted;
- d. Evaluator(s) who has/have the appropriate technical knowledge and experience corresponding to the maritime education program to be monitored.

6. Observer Evaluators may be allowed to join a monitoring activity. As under study, an observer should not influence or interfere the course of the monitoring.

- 1.4.4 Un-programmed holidays;
- 1.4.5 Other analogous circumstances

Request for postponement and rescheduling of monitoring activity should be in writing and filed at MARINA at least three (3) days prior to the scheduled monitoring.

- 1.5 MARINA shall transmit the approved program of monitoring of MHEIs to CHED for assignment of its qualified Evaluator(s) who shall join each and every monitoring activity. CHED shall be responsible for the travel expenses incurred by its evaluators.

The NTC shall likewise be requested to designate its qualified Evaluators who will join the monitoring of MTIs offering short term GMDSS radio communications courses and MACs offering and conducting practical assessment using the GMDSS simulation. The NTC shall shoulder the travel expenses of its evaluators as well.

## 2. Planning the conduct of monitoring:

- 2.1 The monitoring team shall convene a pre-monitoring meeting to finalize the monitoring plan, and review the available documents and records of the subject MHEI, MTI, PAC or MAC to be monitored.
- 2.2 A monitoring plan shall be prepared using the Quality Form No. NQSS-QPR07-25-00 or its subsequent amendment as may be issued by MARINA.
- 2.3 The notice of monitoring together with the approved monitoring plan shall be transmitted to the MHEI, MTI, PAC or MAC before the scheduled date of monitoring for information.

## **VIII. Conduct of Monitoring**

Every monitoring activity shall include the following processes:

- 1. Opening meeting
- 2. Evaluation of the key areas
- 3. Deliberation of findings
- 4. Closing meeting
- 5. Acknowledgement of the Monitoring Log and Report

## **VI. ACCOUNTABILITY OF EVALUATORS**

1. The evaluators are the official representatives and alter ego of the Administration, and 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 other information gathered.
2. The evaluator(s) shall conduct the monitoring and evaluation strictly in accordance with the provisions of this Circular and the *Monitoring Manual*, and other statutory guidelines.

## **VII. 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 and approved not later than the 15<sup>th</sup> day of January.
  - 1.2 The Monitoring Division-STCW Office shall be responsible for the annual programming of monitoring activities for the MEPs, ATPs and competence assessment using the Quality Form No. NQSS-QPR07-24-01 or its subsequent amendment as may be issued by MARINA.
  - 1.3 The annual monitoring of MTIs, PACs and MACs shall be programmed /scheduled according to the following order of preference:
    - 1.3.1 MTIs, PACs or MACs which were not yet monitored during the previous year;
    - 1.3.2 MTIs, PACs or MACs found with Non-Conformance (NC) or group of observations during the previous monitoring, or with Non-Conformance (NC) that is persistent or not corrected within the prescribed period;
    - 1.3.3 MTIs offering numerous ATPs.
  - 1.4 In exceptional circumstances, approved monitoring schedules might be cancelled or deferred. However, only those requests for postponement or rescheduling of monitoring activities that qualifies under the following circumstances shall be considered:
    - 1.4.1 Force majeure;
    - 1.4.2 Any events that may threaten the safety and security of the Monitoring Team;
    - 1.4.3 Inaccessible area due to unforeseen event;

## IX. MONITORING FINDINGS

1. The monitoring findings shall be rated either as a “*Conformance*”, “*Non-conformance*”, or “*Observation*”.
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), approved training program(s) or assessment of competence of seafarers carried out by the MHEI, MTI, PAC or MAC concerned.
  - 2.2 **Non-conformance (NC)** – shall refer to the deficiency or non-compliance with the required standards and procedures for the implementation of the maritime education program(s), approved training program(s) or assessment of competence of seafarers carried out by the MHEI, MTI, PAC or MAC concerned or a situation which raises doubt that the education, training or assessment of competence meets the specified standards and requirements and competence outcome of the STCW Convention as amended.
  - 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. Evaluators shall report and record all their monitoring findings, including those that have been instantaneously corrected / rectified.
4. 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*).
5. In case of **Prohibited acts**, Non-compliant acts under Section 8.2 and 8.3 of the IRR of RA 10645 and Paragraph IX.14 of this circular, the MTI, PAC or MAC concerned shall be prohibited and is suspended from carrying out the particular training course or assessment of competence until such time that the evidence submitted has been rectified and verified through a re-evaluation.

6. **MHEI, MTI, PAC or MAC** with ***Prohibited Acts*** finding shall be ordered to submit a corrective and preventive action plan immediately or within fifteen (15) working days, after the receipt of the official result of monitoring from the MARINA to rectify such finding. A corresponding report shall be submitted to the MARINA indicating evidence of compliance and rectification of the Non-conformance and intention to be re-inspected for the closure of the Prohibited Act.
7. Re-evaluation shall be conducted within fifteen (15) working days after the receipt of substantive evidence of compliance and intent for re-evaluation. The MHEI, MTI, PAC or MAC concerned is enjoined not to accept new trainees or assessees until the finding has been closed out.
8. Consequential to the preventive suspension stated in the preceding paragraph, the **MTI, PAC or MAC** is obligated to assist / facilitate and ensure the immediate transfer of current trainees or candidates affected by the suspension to other maritime training institutions or assessment centers which are compliant to the required training standards.
9. For a ***"Non-conformance"***, the MHEI, MTI, PAC or MAC concerned shall be required to submit a corrective and preventive action plan immediately or within fifteen (15) working days, after the receipt of the official result of monitoring from the MARINA or member agency concerned (CHED for MHEI), to rectify such finding including the interim measure to ensure that the required standards of learning of affected trainees and assesses shall not be sacrificed and ensure the findings have been closed out within a reasonable period of time which shall not exceed one (1) month from the receipt of the official result of monitoring from MARINA (CHED for MHEI).

Upon submission of the corrective and preventive action plan, the institution shall ensure immediate implementation of the corrective and preventive actions and be subjected to series of follow-up verifications in the next three (3) months.

10. If the **MHEI concerned fails to comply** with the aforesaid conditions and/or implementation within the agreed timeframe or based on clear evidence during the series of follow-up verification, the procedure to phase out the maritime education program shall be initiated by CHED and the Administration.
11. **All Prohibited Acts and Non-conformance** need actual follow-up verification to ensure that the corrective action is being implemented and is effectively addressing the Non-conformance.

12. For an **“Observation”**, the **MHEI, MTI, PAC or MAC** concerned shall be ordered to submit a corrective and preventive 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 trainees and candidates shall not be sacrificed.

A corresponding report shall be submitted to the MARINA indicating rectification of the Observation within a period of three (3) months from the receipt of the official result of monitoring from the MARINA indicating evidence of compliance and rectification of the findings and intention to be re-inspected.

A follow-up evaluation shall be conducted thereafter, or on the next monitoring schedule to ensure that the corrective and preventive action is implemented and is effectively addressing the observation.

Failure to submit the necessary corrective and preventive action plan within the said period shall result in a Non-conformance.

13. The reports of corrective and preventive actions on monitoring findings must be supported / supplemented with appropriate root cause analysis using the form as provided the MARINA
14. A preventive suspension to carry out particular ATP or MEP shall be meted out to MTI or MHEI who committed any of the following Non-conformance in addition to Section 8.2 and 8.3 of the IRR of RA 10635:
  - a. Implementing or conducting an unapproved education or training programs that has similar title and/or content as any of the approved MEP or ATP by CHED and MARINA, tending to deceive the learner or the public that such programs are approved and compliant with STCW whether intentional or not;
  - b. Conducting or implementing MEP or ATP not in accordance with the approval/accreditation, or any subsequent amendment to such approval/accreditation, granted by the MARINA or CHED.
  - c. Continuing to offer a phase-out or suspended MEP or ATP;

- d. Offering or conducting programs or training courses not accredited by the STCW Office or with expired approval;
- e. Adding name/names of non-attending trainee/s in enrollment reports and TCROA of ATP;
- f. Issuing documentary evidence described under Sec. 2 (d) of R.A. 10635 of any of the approved ATPs, where the trainee did not comply with the attendance, participation or satisfactory completion of requirements as prescribed by MARINA or its authorized office or agency, as appropriate;
- g. Issuing documentary evidence of any of the approved maritime education and training programs purporting to be in compliance with STCW requirements, without authority, approval or accreditation from the Administration;
- h. Authenticating or issuing spurious certificates or documentary evidence;
- i. Issuing certified true copies of certificates issued by the Administration;
- j. Presentation of tampered or fraudulent documents or records;
- k. Conducting maritime education and training programs or ATP or competence assessment of seafarers where required instructors, assessors or other staff requirements are insufficient, unavailable or not competent, at any given time, as prescribed by MARINA.
- l. Hiring, employing or engaging the services of an Instructor, Assessors and Supervisor without or with expired accreditation from the Administration;
- m. Issuing training certificate of completion to trainees without undergoing actual training and passing the assessment;
- n. Conducting trainings and assessment activities other than the location authorized by the STCW Office;

- o. Conducting training in violation of the cease and desist or suspension order of the STCW Office;
- p. Non-functioning training equipment and facilities that lead to the failure of achieving the competence of the trainees;
- q. Conducting ATP or competence assessment where essential equipment, such as laboratory equipment, simulators, or similar items, are non-operational, insufficient, or unavailable, at any given time, as prescribed by MARINA.
- r. Use of unlicensed simulators and/or without proof of ownership;
- s. Allowing Instructors to conduct assessment of his own trainees which is intended to be used in qualifying for certification;
- t. Non-compliance with the prescribed course duration;
- u. Deviation from the detailed teaching syllabus and Instructor's Guide for each particular training program without proper notation and justifiable cause;
- v. Failure to correct the non-conformances noted by the Inspection or Monitoring Team within the prescribed period in accordance with the specific MARINA Circular providing such rules;
- w. Failure to conduct simulator-based training and assessment in accordance with Regulation I/12, Section A-I/12, paragraph 7 and 8 of the STCW Convention;

- x. Persistent or recurring failure to conduct any of the following:
  - i. Internal Quality Audit (IQA),
  - ii. Management Review,
  - iii. Address a non-conformance finding during IQA and third party Audit;
- y. Failure to observe the guidelines in the assessment of competence and proficiency as per assessment manual;
- z. Other acts in gross violation of the standards as may be identified by MARINA or CHED, or as required by STCW, or as determined by the monitoring team using the flow charts as guide shown in the monitoring manual.
- aa. *MTI, PAC or MAC with Non-conformance findings who fails to submit necessary corrective and preventive action plan immediately or within fifteen (15) working days, after the receipt of the official result of monitoring from the MARINA or member agency concerned, to rectify such finding including the interim measure to ensure that the required standards of learning of affected trainees and assesses shall not be sacrificed.*
- bb. *MTI, PAC or MAC with Non-conformance who fails to ensure that the findings have been closed out within a reasonable period of time which shall not exceed one (1) month from the receipt of the official result of monitoring from MARINA.*

## **X. PREPARATION AND SUBMISSION OF MONITORING REPORT**

1. Every monitoring finding shall be recorded individually in a Non-conformance and Corrective/Preventive Action Report Form, which shall be issued to the MHEI, MTI, PAC, or MAC at the end of the monitoring activity. It shall then be officially communicated thru the Office of the Executive Director upon submission of the monitoring report.
2. A copy of the Non-conformance and Corrective/Preventive Action Report Form together with the objective evidences supporting each and every finding shall be attached to the Outcomes-based Monitoring Log and Report to be submitted by

the monitoring team to the STCW Office's Executive Director (ED) and Deputy Executive Director (DED).

3. The monitoring report shall be submitted within three (3) working days after the completion of every monitoring activity or upon return to office to the Panel of STCW Experts which shall finalize and

## **XI. ACTION ON THE MONITORING REPORT**

1. The monitoring log and report relative to MHEI shall be forwarded to the Maritime Evaluation and Review Committee (MERC) for review and validation within seven (7) days upon receipt of said monitoring report.
2. The monitoring log and report relative to MTI, PAC or MAC shall be forwarded / endorsed, together with the necessary communications/letter for the concerned institution, to the STCW Office's Executive Director or Deputy Executive Director for approval within 7 working days from receipt of the monitoring report.

A copy of the monitoring report shall also be forwarded to the Panel of STCW experts for review of evaluation procedures and findings.

3. Within five (5) working days after the provisions in paragraphs 1 and 2 above have been conducted/completed, the result of the monitoring activity shall be approved and officially communicated / transmitted by mail/postal or delivery by messenger to the concerned MHEI, MTI, PAC or MAC.
4. In the case of MHEI, the CHED shall furnish the Administration with any further action(s) taken on the monitoring report, as well as the status of any corrective action plan(s).
5. A follow up shall be carried out to verify corrective action/s undertaken by the MHEI, MTI, PAC or MAC.

## **XII. APPEAL PROCEDURES**

1. The MHEIs, MTIs, PACs or MACs concerned may appeal the adverse findings of the monitoring team directly to MARINA, through the STCW Office's Executive Director. Such appeal must be supported by affidavit bearing a statement of facts and evidence that rebuts the adverse findings.

2. Failure to appeal within ten (5) working days from the issuance of the summary of adverse findings/monitoring log and report is deemed an admission of the findings.
3. The Executive Director shall issue a decision or resolution or notice, as necessary, regarding the appeal.
4. **Appeal on the decision of the STCW Office's Executive Director.** Any decision or resolution issued by the Executive Director shall become final and executory unless appealed to the MARINA Administrator by any party within ten (10) days from receipt of such decision or resolution.
5. The appeal may be entertained only on any of the following grounds:
  - .1 If there is prima facie evidence of abuse of discretion on the part of the STCW Office's Executive Director;
  - .2 If the decision was secured through fraud or coercion, including graft and corruption;
  - .3 If the decision was based on errors of law, or on misapplication of the policies, rules and regulations of the MARINA, and;
  - .4 If the decision was based on serious errors in the findings of facts, which if not corrected, would result in grave and irreparable damage or injury to the appellant.
6. The appeal, which shall be in six (6) legible copies with proof of service to the appellee, shall be filed at the STCW Office of the Executive Director who shall, within 48 hours from receipt, transmit the entire records of the case, to the Office of the Administrator.
7. Within 10 days from receipt of the appellant's brief, the appellee may file a comment to the Administrator.
8. **Period to resolve appeal.** The MARINA Administrator shall resolve the appeal within a period of 30 calendar days from receipt of the appeal, with or without the appellee's comment.
9. The decision or resolution shall state clearly and distinctly the findings of facts, issues and conclusions on which it is based, and the relief granted.

10. **Finality of Judgement.** The decision or resolution of the Administrator shall be final and executory. No motion for consideration of the decision of the Administrator shall be entertained except when based on palpable or patent errors, provided that the motion is under oath and filed within 10 days from receipt of the decision or resolution, with proof of service that the same has been furnished to the adverse party.
11. **Motion of reconsideration of the decision of the Administrator.** Only one (1) motion for reconsideration on the decision of the Administrator shall be allowed in matters affecting MHEI/MTI/PAC/MAC.
12. Within 10 days from receipt of Order or decision of the Administrator, the concerned party (MHEI/MTI/PAC/MAC) may file a Motion for Consideration to the MARINA Administrator.
13. Period to resolve the motion for reconsideration. The Administrator shall resolve the Motion for Reconsideration within a period of 15 calendar days from receipt thereof.

### **XIII. 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 Administration or as specified in the IRR of RA 10635.

### **XIV. REPEALING CLAUSE:**

Any provision of existing MARINA Circulars, Rules and Regulations and other issuances pertaining to the monitoring of MEPs, ATPs or assessment of competence of seafarers carried out by MHEIs, MTIs, PACs or MACs inconsistent herewith, is hereby repealed and/or modified accordingly.

### **XV. 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.

**XVI. EFFECTIVITY:**

This STCW Circular shall take effect on the day of its publication.

Manila, Philippines, 04 May, 2015.

Submitted:


  
**DR. ATTY. CAPT. ALVIN A. TORMON**  
Executive Director

Approved:

  
**MAXIMO Q. MEJIA JR. PhD**  
Administrator

**CERTIFICATION**

This is to certify that STCW Circular No. 2015-04 was approved by the Administrator on 04 May 2015.

  
**ATTY. JABETH SENA JEPATH A. DACANAY**  
Deputy Executive Director