



MARITIME INDUSTRY AUTHORITY

STCW Advisory No. 2016 – 26

- TO : ALL SEAFARERS, MANNING AGENCIES, MARITIME TRAINING INSTITUTIONS (MTIs), MARITIME HIGHER EDUCATION INSTITUTIONS (MHEIs), ASSESSMENT CENTERS, OTHER ENTITIES AND INDIVIDUALS CONCERNED
- SUBJECTS : USE OF UNLICENSED, CLONED, IMITATION, OR PIRATED SIMULATORS, COMPUTER-BASED TRAINING (CBT), AND OTHER SIMILAR EQUIPMENT, DEVICES OR INSTRUMENTS INCLUDING SOFTWARES OR HARDWARES, BOOKS AND OTHER PUBLICATIONS FOR TRAINING, EDUCATION AND/OR ASSESSMENT OF SEAFARERS

Pursuant to Republic Act No. 10635 and its Implementing Rules and Regulations (IRR), the Standards of Training, Certification and Watchkeeping for Seafarers, as amended in 2010 and Republic Act 8293, otherwise known as the Intellectual Property Code of the Philippines, this Authority hereby adopts the following:

1. Section 168 of Republic Act 8293 states that "Any person who shall employ deception or any other means contrary to good faith by which he shall pass off the goods manufactured by him or in which he deals, or his business, or services for those of the one having established such goodwill, or who shall commit any acts calculated to produce said result, shall be guilty of unfair competition, and shall be subject to an action therefor".
2. The provisions of Republic Act 8293 provide for administrative and criminal penalties for violations thereof.
3. MARINA STCW Office shall ensure that Philippine intellectual property laws are strictly followed in the use of simulators, computer-based training software (CBT), and other similar equipment or instruments including software or hardware, books and other publications for training, education and assessments of seafarers.

This Authority hereby puts into effect the following:

1. All Assessment Centers (ACs) and Maritime Training Institutions (MTIs) and other entities shall use only original and duly licensed simulators, computer

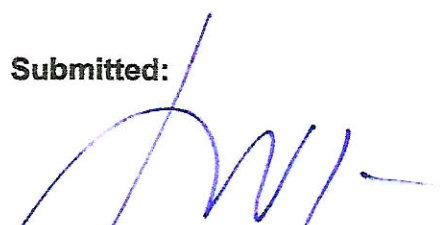
based training software, and other similar equipment, device or instruments including software or hardware, books and other publications for training, education and/or assessment of seafarers. Such ACs and MTIs shall show proof of ownership thereof.

2. Any AC and MTI found to be in violation of these provisions shall be immediately ordered to cease from operating until valid proof of ownership has been presented to the satisfaction of this Authority.
3. Violations of Republic Act 8293 shall not prohibit MARINA from filing administrative and criminal charges against ACs and MTIs found to be in violation of these provisions.

This Advisory shall take effect immediately.

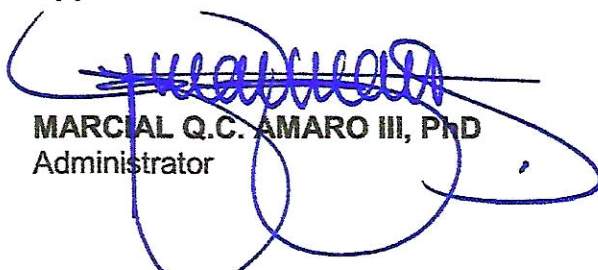
12 December 2016.

Submitted:



CAPT. ELEAZAR G. DIAZ
Executive Director, STCW Office

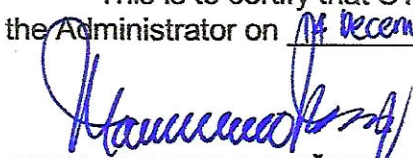
Approved:



MARCIAL Q.C. AMARO III, PhD
Administrator

CERTIFICATION

This is to certify that STCW Advisory No. 2016- 26 was approved by the Administrator on 14 December 2016.



ATTY. MAXIMO I. BAÑARES, JR.
OIC - Deputy Executive Director, STCW Office