

[MIA REPUBLIC ACT 10635, July 24, 2014]

IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT 10635, AN ACT ESTABLISHING THE MARITIME INDUSTRY AUTHORITY (MARINA) AS THE SINGLE MARITIME ADMINISTRATION RESPONSIBLE FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE 1978 INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCH KEEPING FOR SEAFARERS, AS AMENDED, AND INTERNATIONAL AGREEMENTS OR COVENANTS RELATED THERETO, OTHERWISE KNOWN AS THE "MARINA STCW ADMINISTRATION ACT OF 2014"

**RULE I
PRELIMINARY PROVISIONS**

Section 1. Short Title

Republic Act No. 10635 or "AN ACT ESTABLISHING THE MARITIME INDUSTRY AUTHORITY (MARINA) AS THE SINGLE MARITIME ADMINISTRATION RESPONSIBLE FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE 1978 INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, AS AMENDED, AND INTERNATIONAL AGREEMENTS OR COVENANTS RELATED THERETO" shall also be known as the "MARINA STCW Administration Act of 2014."

Section 2. Title of these Rules

These rules shall be known as the "Implementing Rules and Regulations (IRR) for MARINA STCW Administration Act of 2014".

Section 3. Scope and Coverage

These rules shall cover the role of the Maritime Industry Authority as the single maritime Administration mandated to implement and enforce the 1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), as amended, for all seafarers registered or certificated in the Philippines. These rules shall likewise cover all government agencies and entities involved in the entire process of securing all relevant certificates and documentary evidence for the seafarer under STCW.

**RULE II
DEFINITION OF TERMS**

Section 4. Definition of Terms

As used in this IRR, the following definitions shall apply:

1. "STCW Convention" or "STCW" refers to the 1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, and its subsequent amendments;
2. "MARINA" refers to the Maritime Industry Authority, which is the "Maritime Administration" or "Single Maritime Administration", in accordance with Sec. 2 (e) of R.A. 10635, or simply the "Administration" under STCW;
3. "STCW Office" (STCWO) refers to the office in MARINA, specifically tasked to give full and complete effect to the requirements of STCW;
4. "CHEO" refers to the Commission on Higher Education;
5. TESDA" refers to the Technical Education and Skills Development Authority;
6. "PRC" refers to the Professional Regulation Commission;
7. "NTC" refers to the National Telecommunications Commission;
8. "DOH" refers to the Department of Health;
9. "TPME" refers to the Technical Panel on Maritime Education of the CHED, chaired by the Administrator;
10. "MERC" refers to the Monitoring, Evaluation and Review Committee of the CHED, chaired by the STCW Executive Director;
11. "BOMDO" refers to the Board of Marine Deck Officers under MARINA;
12. "BOMEO" refers to the Board of Marine Engineer Officers under MARINA;
13. "BODRA" refers to the Board of Deck Ratings under MARINA;
14. "BOERA" refers to the Board of Engine Ratings under MARINA;
15. "EAP" refers to the Examiners of Ancillary Proficiencies under MARINA;
16. "POSE" refers to the Panel of STCW Experts, chaired by the STCW Executive Director;
17. "NQSS" refers to the National Quality Standards System of MARINA;
18. "QSS" refers to the Quality Standards System of MARINA;
19. "Certificate" means a valid document, such as a Certificate of Competency, a Certificate of Endorsement, or a Certificate of Proficiency, issued by, under the authority of, or recognized by the Administration, authorizing the holder to serve as stated in this document, or as authorized otherwise by the Administration;
20. "Certificated" means properly holding a certificate;
21. "Certificate of competency" (CO C) refers to a certificate issued and endorsed for masters, officers and Global Maritime Distress and Safety System (GMDSS) radio operators in accordance with the provisions of Chapters II , III, IV or VII of the Annex to the STCW Convention, entitling the lawful holder to serve and perform the functions involved at the level of responsibility specified therein;
22. "Certificate of endorsement" (COE) is an attestation of the Administration as to the authenticity and validity of the certificates, incorporated in the format of the certificates issued to masters, officers and GMDSS radio operators, stating that the issuance of the relevant certificate is in compliance with the requirements of the STCW Convention;
23. "Certificate of proficiency" (COP) means a certificate, other than a certificate of competency, issued to a seafarer by or under the authority of the Administration, stating that the relevant requirements of training competencies or seagoing service under the STCW Convention have been met;
24. "Documentary evidence" (DE) refers to any documentation, other than a COC, COE, or COP, used to establish that the relevant requirements of the STCW Convention have been met;

25. "Seafarer" means any person who is employed, engaged or works onboard seagoing ships, whether or not such ships are engaged in the domestic or overseas trade, and to whom the STCW Convention applies;
26. "Deck officer" means an officer qualified in accordance with the provisions of chapter II of the STCW Convention;
27. "Master" means the person having command of a ship;
28. "Chief mate" means the officer next in rank to the master and upon whom the command of the ship will fall in the event of the incapacity of the master;
29. "Officer in Charge of Navigational Watch" (OIC-NW) means a deck officer in the operational level who has direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction of the master or chief mate for that responsibility;
30. "Engineer officer" means an officer qualified in accordance with the provisions of regulation 111/1 , 111/2 or 111/3 of the Convention;
31. "Chief engineer officer" means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;
32. "Second engineer officer" means the engineer officer next in rank to the chief engineer officer and upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the chief engineer officer;
33. "Officer in charge of an engineering watch" (OIC-EW) means an engineer officer in the operational level who has direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction of the chief engineer officer or second engineer officer for that responsibility;
34. "Electro-technical officer" (ETO) means an engineer officer who performs the tasks, duties and responsibilities listed in column 1 of Table A-11116 of the STCW Code.
35. "GMDSS radio operator" means a person who is qualified in accordance with the provisions of chapter IV of the STCW Convention;
36. "Ship security officer" (SSO) means the person on board the ship, accountable to the master, designated by the company as responsible to the security of the ship including implementation and maintenance of the ship security plan and liaison with the company security officer and port facility security officers;
37. "Rating" means a member of the ship's crew other than the master or an officer;
38. "Able seafarer deck" means a deck rating competent to perform the functions at the support level, as specified in column 1 of Table A-II/4 of the STCW Code, and who has previously qualified to serve as a rating forming part of a navigational watch;
39. "Rating forming part of a navigational watch" means a deck rating competent to perform the navigation function at the support level, as specified in column 1 of Table A-11/4 of the STCW Code, and pursuant to Section A-11/4, Paragraph 4 of the STCW Code, the appropriate training, assessment and certification requirements to personnel performing other functions at the support level, that may be determined by the Administration;
40. "Able seafarer engine" means an engine rating competent to perform the functions at the support level, as specified in column 1 of Table A-III/5 of the

STCW Code, and who has previously qualified to serve as a rating forming part of an engineering watch;

41. "Rating forming part of an engineering watch" means an engine rating competent to perform the marine engineering function at the support level, as specified in column 1 of Table A-111/4 of the STCW Code, and pursuant to Section A-111/4, Paragraph 4 of the STCW Code, the appropriate training, assessment and certification requirements to personnel performing other functions at the support level, that may be determined by the Administration;
42. "Electro-technical rating" means an engine rating competent to perform the functions at the support level, as specified in column 1 of Table A-III/7 of the STCW Code;
43. "Assessment" means the process of evaluating evidence of competence through one or more of the methods of demonstrating competence (Column 3 of the tables) under the STCW Code;
44. "Function" means a group of tasks, duties and responsibilities, as specified in the STCW Code, necessary for ship operation, safety of life at sea or protection of the marine environment, and are as follows: Navigation; Cargo Handling and Stowage; Controlling the operation of the ship and care for persons on board; Marine engineering; Electrical, electronic and control engineering; Maintenance and repair; and Radiocommunications;
45. "Level of responsibility" refers to either Management level, Operational level or Support level;
46. "Competence" refers to a specific task, as identified in Column 1 of the Competency Tables of the STCW Code, or as otherwise specifically determined by the Administration;
47. "Standard of competence" refers to the minimum knowledge, understanding and proficiency, as listed in the relevant Column of the STCW Competency Tables, which a seafarer must be able to demonstrate to be entitled to certification, to the satisfaction of the Administration;
48. "Approved in-service experience on board" means experience while serving on board a ship relevant to specific competency for the purpose of issuance or revalidation of certificates under STCW, as established and recognized by the Administration.
49. "Approved in-service experience ashore" means experience acquired other than while serving on board ship relevant to specific competencies for the purpose of issuance or revalidation of certificates under STCW, as established and recognized by the Administration.
50. "In-service training on board" means training of a seafarer on board ship, intended to be used for qualifying for certification under STCW, as approved by the Administration;
51. "In-service training ashore" means training of a seafarer ashore, intended to be used for qualifying for certification under STCW, as approved by the Administration;
52. "Approved training program" (ATP) means a training program relevant to specific competencies, as established and approved by the Administration;
53. "Practical training" means a component of a training program covering the practical aspects relevant to specific competencies, as approved by the Administration;
54. "Distance learning" means a component of a training program relevant to specific competencies, on an individual basis, to learners who are not physically present in a traditional setting, by providing access to learning when

- the source of information and the learners are separated by time and distance, as approved by the Administration;
55. "E-Iearning" means the use of electronic media and information and communication technologies for the purpose of educating and training learners relevant to specific competencies, as approved by the Administration;
 56. "Approved training ship experience" means experience on board a registered sea-going training ship relevant to specific competencies, as established and approved by the Administration;
 57. "Approved simulator training" means training using machines, which can simulate the operating capabilities of shipboard equipment concerned to a level of physical and behavioral realism producing a variety of actual or probable real life conditions, events or situations, compliant with STCW performance standards for simulators, relevant to specific competencies, as established and approved by the Administration;
 58. "Approved laboratory equipment training" means training using actual laboratory equipment in a controlled environment, relevant to specific competencies under the STCW, as established and approved by the Administration;
 59. "Approved manned scale ship model training" means training using miniature fully scaled model ships in the professional training and development of seafarers in the art of handling a ship, relevant to specific competencies under the STCW, as established and approved by the Administration;
 60. "Daily journal of bridge watch keeping duties" is a documentary evidence required by the Administration showing specific activities during bridge watch keeping of a candidate for COC and COE as Officer-in-Charge of a Navigational Watch, under the supervision of the master or a qualified officer for a period of not less than one hundred eighty (180) days, in compliance with Regulation 11/1 (2.3) of the STCW;
 61. "Daily journal of engine-room watch keeping duties" is a documentary evidence required by the Administration showing specific activities during engine-room watchkeeping activities of a candidate for COC and COE as Officer-in-Charge of an Engineering Watch, under the supervision of the chief engineer officer or a qualified engineer officer for a period of not less than one hundred eighty (180) days, in compliance with Regulation 111/1 (2.3) of the STCW;
 62. "Security duties" include all tasks and duties on board ship as defined by Chapter IX-2 of the International Convention for the Safety of Life at Sea (SOLAS) and the International Ship and Port Facility Security (ISPS) Code;
 63. "Examination" means a formal test of a person's knowledge, understanding or proficiency in any of the specific competencies under Column 1 of the Competency Tables of the STCW Code;
 64. "Record of Examination" (ROE) means a documentary evidence maintained and regularly transmitted within the prescribed period by an approved examination institution to the Administration;
 65. "Record of Assessment" (ROA) means a documentary evidence maintained and regularly transmitted within the prescribed period by an approved assessment institution to the Administration;
 66. "Seagoing ship" means a ship other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply;
 67. "Maritime Higher Education Institution" or "MHEI" refers to a higher education institution that offer Bachelor of Science in Marine Transportation or Bachelor