

[PRC BOARD OF MARINE DECK OFFICERS AND BOARD OF MARINE ENGINEER OFFICERS JOINT RESOLUTION NO. 2005-01, June 28, 2005]

LIFTING OF EXEMPTION FROM PRACTICAL ASSESSMENT

WHEREAS, Section 2, Declaration of Policy, and Section 3, Objectives, Article II of Republic Act No. 8544, otherwise known as the "Philippine Merchant Marine Officers Act of 1998", requires compliance with the provisions of the 1978 International Convention on Standards of Training, Certification and Watchkeeping (STCW) for Seafarers, as amended, to which the Philippines is a signatory.

WHEREAS, Part A of the STCW Code, the mandatory standards regarding provisions of the annex to the STCW Convention, contains the standards of competence required to be demonstrated by candidates for the issue and revalidation of certificates of competency under the provisions of the STCW Convention.

WHEREAS, on the basis of the foregoing, the Boards of Marine Deck and Engineer Officers (Boards), issued on February 1, 2002 Resolution Nos. 02-03 (Engine) and 02-04 (Deck), requiring candidates for certification to undergo the Practical Assessment on the skills/competence under Part A of the STCW Code.

WHEREAS, on February 24, 2003, the Boards issued Resolution Nos. 03-10 (Engine) and 03-11 (Deck), amending certain sections of Resolution Nos. 02-03 and 02-04, respectively, requiring among others, the administration of Practical Assessment to successful examinees in the written examination phase of the Officer in Charge of a Watch of the Marine Officers licensure examinations in compliance with Part A of the STCW Code, who have commenced approved education and training PRIOR to August 1, 1998, or may opt to submit the appropriate Certificate of Training and a Certificate of Assessment in lieu of the practical assessment.

WHEREAS, in the afore-mentioned resolutions, the Boards EXEMPTED the successful examinees in the written examination phase of the Officer in Charge of a Watch, who have commenced approved education and training AFTER August 1, 1998, from undergoing the practical assessment.

WHEREAS, to this date, successful examinees in the written examination phase of the Officer in Charge of a Watch licensure examination, who have commenced approved education and training AFTER August 1, 1998, are thus exempted from undergoing the practical assessment.

WHEREAS, Section 27, Article VI, of Republic Act No. 8544, provides:

"Sec. 27. Practice of Merchant Marine Profession - No person shall practice or offer to practice the merchant marine profession in the Philippines or offer himself as a marine deck/engineer officer, or use title, word, letter, figure or any sign tending to convey the impression that he is a marine deck/engineer officer, or advertise or indicate in any manner whatsoever that he is qualified to perform the work of a marine engineer officer unless he has satisfactorily passed the licensure examination given by the Board x x x." (Underlining supplied)

WHEREAS, passing the marine deck and engineer officers licensure examinations, which are both composed of the written examination and practical assessment, is bolstered in Opinion No. 51, series of 1998, of the Department of Justice (DOJ), wherein it was declared, thus:

"The clear and explicit language of (the) provisions of R.A. No. 8544, above quoted, leaves no room for doubt. By its very language, all applicants for registration for the practice of the Maritime Profession are required to undergo and satisfactorily pass the licensure examination given by the Boards of Marine Deck and Marine Engineer Officers x x x. (Underscoring supplied; pp. 5, 2nd par.)

WHEREAS, Section 10 (g and n) of Republic Act No. 8544, Powers and Duties of the Boards, provides, thus:

"(g) To look into the conditions affecting the practice of the Maritime Profession and whenever necessary, adopt such measures as may be deemed proper for the enhancement and maintenance of high professional and ethical standards of the profession;

x x x

"(n) To discharge such other powers and functions as the Board may deem necessary for the practice of the profession and the upgrading, enhancement, development and growth of merchant marine profession in the Philippines."

WHEREFORE, the Boards RESOLVE, as it is hereby RESOLVED that, effective immediately, successful examinees in the written examination phase of the Officer in Charge of a Watch licensure examination of the marine deck/engineer officers licensure examinations, who have commenced approved education and training AFTER August 1, 1998, shall undergo the practical assessment, or may opt to submit the appropriate Certificate of Training and a Certificate of Assessment in lieu of the practical assessment.

Adopted: 28 June 2005