

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 242

**HARMONIZING THE INSTITUTIONAL FRAMEWORK IN THE
ADMINISTRATION OF THE INTERNATIONAL CONVENTION ON THE
STANDARD OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR
SEAFARERS (STCW), 1978, AS AMENDED**

WHEREAS, it is imperative for the Government to demonstrate that full and complete effect is given to the provisions of the Convention, as amended, in order that the Philippines shall be identified as a complying Party;

WHEREAS, the non-identification of the Philippines among the Parties that have given the Convention, as amended, full and complete effect will adversely affect the continued employment of Filipino seafarers on ocean-going vessels;

WHEREAS, it is necessary to clearly designate the agency that shall have responsibility for the administration of the Convention, as amended, in the light of the various laws, rules and regulations promulgated to give full and complete effect to the STCW Convention, as amended;

WHEREAS, it is essential to restate and clarify the authority of the Maritime Training Council over different government instrumentalities involved in the implementation of the 1995 amendments to the Convention and all matters pertaining thereto;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. Agency Responsible for the Implementation of the 1978 STCW Convention, as Amended. Pursuant to Section 1 of Letter of Instructions No. 1404, the Maritime Training Council (MTC) shall be responsible in giving full and complete effect to the 1978 STCW Convention, as amended. As such, the Council shall:

- 1 ensure that all legal and administrative measures taken and provided by the concerned government agencies and instrumentalities are appropriate and compliant to the Convention, as amended;



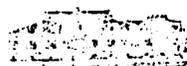
2. ensure that the evaluation of the quality standards of the government instrumentalities involved in the administration of the certification system, training courses and programs, examination and assessment carried out by or under the authority of that government instrumentality concerned, including the qualification of Instructors and Assessors are conducted in accordance with paragraph 2 of Regulation I/8 of the Convention, as amended;
3. be responsible to other State Parties with respect to the Philippine compliance to the Convention, as amended, including compliance with Regulation I/10;
4. communicate to the International Maritime Organization (IMO) information required under Regulation I/7 of the Convention, as amended.

Section 2. The Executive Committee. The Executive Committee created under EO 149, series of 1999, shall continue to assist the Council in its policy-making task. It shall be headed by the Maritime Industry Authority (MARINA) Administrator and whose members shall be representatives from the following: Commission of Higher Education (CHED), Philippine Overseas Employment Administration (POEA), Professional Regulations Commission (PRC), Philippine Coast Guard (PCG), Overseas Worker Welfare Administration (OWWA), Technical Education and Skills Development Authority (TESDA), Department of Health (DOH), National Telecommunication Commission (NATELCOM) and the Maritime Training Council (MTC) Secretariat. The representatives to the Executive Committee should have a rank not lower than Director II.

Section 3. Lead Agency. The Maritime Industry Authority (MARINA) shall remain to be the lead agency in the Council with regards to the implementation of the 1978 STCW Convention, as amended, and shall:

1. serve as central repository of information relative to Regulation I/9 of the Convention;
2. issue Certificate of Dispensation in accordance with Article VIII of the Convention;
3. enforce Regulation I/14 of the Convention;
4. perform such other functions as may be directed and delegated by the Maritime Training Council.

Section 4. Issuance of Certificates of Competency. The Professional Regulations Commission (PRC) shall, in accordance with the express provision



of Republic Act No. 8544, issue the STCW Certificates of Competency and the corresponding endorsement certificate in accordance with the 1978 STCW Convention, as amended, for all marine deck and engineer officers. The Technical Education and Skills Development Authority (TESDA), shall by virtue of its mandate under RA 7796, issue the Certificates of Competency to ratings forming part of navigational and engineering watches.

Section 5. Institutional Framework. The Council shall prepare an institutional framework indicating the government agencies and their respective functions relative to the implementation of the 1978 STCW Convention, as amended.

Section 6. Additional Members to the Council. On account of the international obligation of the Philippine government vis-à-vis the STCW Convention, as amended, the Office of the President and the Department of Foreign Affairs shall be represented in the Council.

Section 7. Implementing Rules and Regulations. The Maritime Training Council shall amend its existing implementing rules and regulations to reflect the provisions of this Order.

Section 8. Fiscal and Administrative Support. To strengthen the fiscal, administrative and technical capabilities of the Council, the Department of Budget and Management shall assist in the provision of regular plantilla positions for the personnel requirements of the Secretariat.

Pursuant to LOI 1404, the Council shall continue to be provided funds from the Seafarer's Welfare Fund through the Overseas Workers Welfare Administration.

The members of the Maritime Training Council shall be entitled to an honoraria of P3,000.00 per meeting subject to the usual accounting rules and regulations.

Section 9. Report. The Maritime Training Council shall provide periodic reports to the President, through the Executive Secretary, on the status of the government's compliance with the Convention.

Section 10. Repealing Clause. Executive Order No. 396, Executive Order No. 93, Executive Order No. 104 and Executive Order No. 149 dated 30 January 1997, 12 April 1999, 27 May 1999 and 07 September 1999, respectively, and all other issuances, rules and regulations or parts thereof, inconsistent with the provisions of this Order, are hereby modified, amended and/or repealed accordingly.

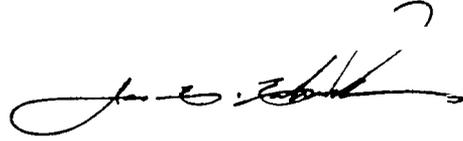


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Section 11. Effectivity. This Order shall take effect fifteen (15) days from the date of publication in a newspaper of general circulation.

Done in the City of Manila this 12th day of May in the year of our Lord two thousand.



By the President

RONALDO B. ZAMORA
Executive Secretary

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