REITERATING THE POLICY ON THE ENFORCEMENT OF RULES AND REGULATIONS GOVERNING THE OPERATION OF TRAINING CENTERS

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WHEREAS, it has been monitored that existing Rules and Regulations and other related issuances governing the establishment and operation of maritime training centers have not been properly observed;

WHEREAS, the entry into force of the STCW-78 Convention as amended, deems it necessary to strictly enforce such existing rules and regulations so as to fully comply with the training requirements of the said Convention; and

WHEREAS, there is a need to issue administrative sanctions to be imposed on training centers found violating such rules and regulations.

NOW, THEREFORE, in consideration of the foregoing premises, be it resolved as its is hereby resolved that the attached MTC Memorandum dated June 28, 1994 entitled "Imposition of Sanctions for Violation/s for MTC's Training Rules and Regulations * " shall now be strictly enforced.

BE IT FURTHER RESOLVED, that this Resolution shall take effect 15 days after its publication in a newspaper of general circulation.

Adopted: 30 May 1997

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SecretaryDepartment of Labor and Employment Chairman,Maritime Training Council
(SGD.) FELICISIMO O. JOSON, JR.
AdministratorPhilippine Overseas Employment Administration

(SGD.) WILHELM D. SORIANO
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* Imposition of Sanctions Violating MTC's Training Rules and Regulations

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Pursuant to Sections 1 and 2 (5) of LOI 1404 which empowers the Maritime Training Council 10 issue rules and regulations as a policy making body for the implementation of the STCW-78 Convention, and in order to ensure adherence to such rules and regulations, the following offenses and corresponding penalties shall be imposed to erring training centers or institutions:

Offenses
Penalties

1. Operating without or expired permit

a. First offense; non-renewal/ suspension of permit for at least 6 months and non- recognition of graduates

b. Second offense; cancellation of permit for 1 year and non-recognition of graduates

2. Extension of training activities other than the authorized place stated in the permit

a. First offense; non-renewal/ suspension of permit for6 months, a fine of P10,000 and non-recognition of graduates

b. Second offense; cancellation of permit for 1 year, fine of P20,000 and non-recognition of graduates

c. Third offense or more; cancellation of permit for 3 years, fine of P40,000 and non-recognition of graduates

3. Issuing fake certificates

a. First offense; cancellation of permit for 3 years, fine of P50,000, and non-recognition of certificat

4. Issuing certificates without out or less attendance

a. First offense; cancellation of permit for 1 year, fine of 50,000 and non-recognition of graduates

b. Second offense; cancellation permit for 2 years, fine of P100,000 and non-recognition of graduates

c. Third offense or more; blacklisting as training center, fine of P200,000 and non-recognition of graduates

5. Over-charging of training fees in violation of MTC's prescribed fees

a. First offense; fine of P10,000 plus suspension of permit for 6 months

b. Second offense; fine of P20, 000 plus cancellation of training permit of 1 year.

c. Third offense; fine of P50,000 plus cancellation of training permit for 3 years

The foregoing sanctions shall be enforced after conclusive results of investigation with strict observance of due process without prejudice to the-filing of civil and/or criminal case by aggrieved parties.

(SGD.) MA. NIEVES R. CONFESOR
SecretaryDepartment of Labor and Employment andConcurrent Chairperson, Maritime Training Council (MTC)

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