

RESCINDING RESOLUTION NO. 05, SERIES OF 2009, ENTITLED “APPROVING THE TABLE OF EQUIVALENCY FOR IMPLEMENTATION OF THE MANAGEMENT LEVEL COURSES AND AMENDMENT OF SECTION 2 OF MTC R...

MTC RESOLUTION NO. 2, S. 2011, June 02, 2011

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WHEREAS, the European Union (EU) directive 2008/106/EC requires that seafarers holding certificates issued by certificate issuing countries serving on board the seagoing ship flying the flag of EU Member States shall have a level of competence equivalent to that required by the STCW Convention.

WHEREAS, the European Maritime Safety Agency (EMSA) is empowered to assist the European Union to verify compliance by certificate issuing countries with bilateral arrangement on the recognition of certificates with EU Member States under regulation I/10 of the STCW Convention.

WHEREAS, the Philippines has bilateral arrangement with at least twelve (12) EU Member States on recognition of certificates under Regulation I/10 of the STCW Convention.

WHEREAS, in a follow-up inspection visit to the Philippines in April 2010 to verify actions taken on the deficiencies found in the 2006 inspection, one area cited with a “serious deficiency” is the implementation of the Management Level Courses which stated that:

“The management level courses were required to be completed partially. Candidates for either deck or engineering management level certificates were required to complete one function out of three and four functions that comprise the course for deck officers and the course for engineering officers, respectively. The remaining functions were waived for those candidates having served at least 24 months as officers at the operational level. This procedure was based on an approved MTC Resolution. The equivalence of seagoing service and training appears not to be consistent with the requirements established in Regulation II/2 and III/2 of the STCW Convention.”

WHEREAS, MTC Resolution No. 05, series of 2009, entitled “Approving the Table of Equivalency for Implementation to the Management Level Courses and Amendment of Section 2 of MTC Resolution No. 08, series of 2007”, exempts marine officers who are candidates for certification to the management level responsibilities from completing the approved education and training specified under Regulations II/2 and III/2, respectively, if the candidate could show that he has attended a particular short modular course under the table of equivalency and have served on board ship for at least 24 months as operational level.

WHEREAS, in consideration of the EMSA findings, the MTC Secretariat convened a Technical Working Group to review and discuss the issues and to come up with recommendations for the guidance of the Council.

WHEREAS, after a thorough discussion on the recommendations made by the Technical Working Group, the Council deemed it expedient to revoke/rescind Resolution No. 05, series of 2009, on the ground that the incomplete attendance to the MLC does not ensure the level of competence required under the STCW Convention and STCW Code.

NOW, THEREFORE, the Council RESOLVES, AS IT IS HEREBY RESOLVED, to REVOKE/RESCIND Resolution No. 05, Series of 2009.

RESOLVED FURTHER THAT:

- All candidates for certification to the management level responsibility must have taken ALL the FUNCTIONS of the Management Level Course (MLC) pursuant to the provisions under regulations II/2 for marine deck officers and III/2 for marine engineer officers;
- All training providers with accreditation under Resolution No. 04, Series of 2005, as revised by Resolution No. 05, Series of 2010, shall strictly abide with this resolution; and
- The Professional Regulation Commission is directed to issue the corresponding memorandum circular for the implementation of this Resolution.

This Resolution shall take effect fifteen (15) days after its complete publication in the official gazette or in a newspaper of nationwide circulation.

Adopted: 02 June 2011

Approved:

(SGD.) ATTY. DANILO P. CRUZ

Acting Secretary, Department of Labor and Employment

Presiding Chair, Maritime Training Council

(SGD.) TERESITA R. MANZALA

(SGD.) CARLOS S. CAO, JR.

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Administrator, Philippine Overseas

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(SGD.) CARMELITA S. DIMZON

(SGD.) PATRICIA LICUANAN

Administrator, Overseas Workers

Chairman, Commission on Higher

Welfare Administration (OWWA)

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(SGD.) EMERSON M. LORENZO

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Administrator, Maritime Industry

Executive Secretary

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(SGD.) ALBERT F. DEL ROSARIO

(SGD.) DR. CONRADO F. OCA

Secretary, Department of Foreign

President, Associated Marine Officers

Affairs (DFA)

and Seaman's Union of the Philippines

(AMOSUP)

Attested:

(SGD.) LIBERTY T. CASCO

Executive Director

Maritime Training Council (MTC)

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