

MEMORANDUM CIRCULAR NO. 10-7-98

Subject: Rules, Regulations and Guidelines in the Implementation of STCW-95 Concerning Radio Personnel and Radio Training Schools Offering GMDSS Radiocommunication Courses.

In compliance with Chapter NIX Article 55 of the ITU Radio Regulations, the provisions of Section IV of the STCW Convention of 1995 on the issuance and use of Global Maritime Distress Safety System (GMDSS) Certificates and Department Order No. 7 on the rules and regulations governing radio training schools in the Philippines, the National Telecommunications Commission (NTC) pursuant to the powers vested upon it hereby promulgates the following rules, regulations and guidelines in the effective implementation by radio personnel and radio training schools offering GMDSS radiocommunication courses.

1. Scope

In order that the standards of competency and quality of development and delivery of radiocommunication courses, curriculum and programs are ensured, all radio personnel and radio training schools shall strictly comply with the following:

- 1.1. Section IV of the STCW Convention of 1995
- 1.2. Chapter NIX of Article 55 of the ITU Radio Regulations
- 1.3. Department Order No. 7 (Rules and Regulations Governing Radio Training Schools in the Philippines)
- 1.4. Memorandum Circular No. 13-11-91 (Guidelines in the Issuance of General Operators Certificate)
- 1.5. Memorandum Circular No. 6-6-98 [Guidelines in the Issuance of Radio Electronic Certificate (REC)]
- 1.6. Memorandum Circular No. 8-7-98 (Amending M.C. No. 13-11-91)
- 1.7. Memorandum Circular No. 9-7-98 [Guidelines in the Issuance of Restricted Operator's Certificate (ROC)]

2 General Provisions

2.1 Issuance of GMDSS certificates to radio personnel.

2.1.1 The NTC shall issue the appropriate GMDSS certificates to radio personnel who has shown competence in the operation of GMDSS radiocommunication equipment and passed the appropriate written and/or practical examinations conducted by this Commission.

2.1.2 The certificate shall be valid for a period of not more than five (5) years per STCW Code unless sooner revoked/cancelled.

2.1.3 No application for renewal of a certificate shall be acted upon unless accompanied by a certificate of employment from a shipping company for at least one (1) year.

2.2 Examination System for GMDSS radiocommunication courses.

2.2.1 The NTC shall adopt an examination system that shall test the level of competence, knowledge, understanding and skills required under the STCW Code. Its examiners shall possess the following qualifications:

2.2.1.1 A registered Electronics and Communications Engineer (ECE).

2.2.1.2 Has attended local and/or international training on GMDSS

2.2.1.3 Has knowledge and understanding of the training programme and the specific objective of assessing the level of competence of seafarers concerning the operation of GMDSS equipment and facilities.

2.2.1.4 Has at least five (5) years experience in the regulatory implementation of SOLAS and STCW Convention of 1995 in the training and certification of radio personnel.

2.3 Quality Standard System of RTS

2.3.1 A duly accredited Radio Training School (RTS) offering GMDSS radiocommunication courses shall be a holder of a valid radio station license (RSL) and certificate of recognition (COR) issued by NTC.

2.3.2 The RSL and COR shall be valid for a maximum period of five (5) years per STCW Codes unless sooner revoked/cancelled for cause by the NTC

2.3.3 A training certificate submitted as proof of compliance with the requirements of the STCW Convention issued by an RTS, not duly accredited by the Commission, shall not be honored. It may subject the RTS to administrative sanctions by the NTC, without prejudice to the appropriate legal action by an applicant before the regular courts.

2.3.4 The NTC shall maintain a record of the RTS list of graduates who successfully passed the written examination conducted by this Commission.

2.3.5 The RTS who fails to maintain a 70% passing of NTC examinations of its graduates shall be temporarily suspended from offering GMDSS radiocommunication courses until the Commission has re-evaluated and the necessary corrective measures taken to improve the quality of teaching on said RTS.

2.3.6 The NTC shall monitor the performance of RTS to ensure that they meet the required standards of the STCW Code at all times.

2.3.7 The NTC shall regularly review and update the curriculum of GMDSS radiocommunication courses, as may be necessary, in line with IMO Model Courses in consultation with radio training schools to ensure effective implementation of the objectives of STCW-95 Convention.

2.3.8 The RTS shall establish and maintain documented procedures for identifying training needs and the training of their personnel performing activities affecting the quality of education and training services. Personnel or instructors performing specific tasks are to be qualified on the basis of appropriate education, training and/or experience.

3. GMDSS Radiocommunications Courses.

3.1 REC Course

Must cover subject matters described under item-I of Memorandum Circular No. 6-6-98 to ensure their level of understanding, knowledge and proficiency of the course.

3.2 GOC Course

Must cover subject matters described under Item-II of Memorandum Circular No. 13-11-91 and Item 1 and 2 of Memorandum Circular No. 8-7-98 to ensure their level of understanding, knowledge of proficiency of the course.

3.3 ROC Course

Must cover subject matters described under Item 1 of Memorandum Circular No. 9-7-98 to ensure their level of understanding, knowledge and proficiency of the course.

4. Course Curriculum

4.1 The curriculum of all GMDSS radiocommunication courses shall cover the training's recommended in Chapter IV, Section B-IV/2 of STCW Code and provided under NIX of ITU Radio Regulations.

4.2 Details of the curriculum are found in Annex A and B of this Circular.

All applicants shall adhere strictly to the provisions of the herein prescribed guidelines and any misrepresentation made by an applicant shall be a ground for the revocation or suspension of the certificate issued and/or the imposition of the appropriate penalties in accordance with law.

All existing memoranda, guidelines, circulars, rules and regulations inconsistent with the provisions of this circular are repealed or amended accordingly.

This circular may be revised, revoked or amended as necessary in accordance with law and shall take effect fifteen (15) days after publication in a newspaper of general circulation, provided further, that at least three (3) certified true copies thereof shall be filed with UP law Center.

Quezon City, Philippines, July 20, 1998.

ORIGINAL SIGNED

PONCIANO V. CRUZ, JR.
Commissioner

ORIGINAL SIGNED

ROBERTO L. DUQUE
Deputy Commissioner