

PHILIPPINE PORTS AUTHORITY

PPA Building, Bonifacio Drive, South Harbor, Port Area, Manila
Tel. No. (0632) 527-8356, Fax No. (0632) 527-4855, <http://www.ppa.com.ph>

FACSIMILE FORM

DATE:	13 June 2011	NO. OF PAGE(S) INCLUDING THIS PAGE:	One (1)
TO:	The Managers, All PDOs and PMOs	FAX NO.:	
FROM:	The AGM for Operations	FAX NO.:	(02) 527-4726
SUBJECT:	Agreed Minutes of the Concluded 12 th Joint Committee on Maritime Affairs Meeting between the Republic of the Philippines and the Royal Kingdom of Netherlands		
ATTENTION:	If you have received this communication in error or if pages are NOT READABLE/GARBLED, or are less than what is reflected, please notify us immediately through Tel./Fax No. 301-9065. Thank you.		
MESSAGE:	<p>Disseminated herewith is the 26 May 2011 letter from MARINA Administrator Emerson M. Lorenzo providing the Authority a copy of the Minutes of the Concluded 12th Joint Committee on Maritime Affairs Meeting between the Republic of the Philippines and the Royal Kingdom of Netherlands held last 17 May 2011 in Manila.</p> <p>For information and reference.</p> <p>RAUL T. SANTOS</p> <p>Encl. : As stated</p> <p>POSD/MSD/MRS RCA/ <u>RS</u> NOC/ <u> </u> JLBB/ <u> </u></p>		



MARITIME INDUSTRY AUTHORITY

26 May 2011

Atty. JUAN C. STA. ANA
General Manager
Philippine Ports Authority
Bonifacion Drive, South Harbor
Port Area, Manila
1018 Philippines

RECEIVED	
DATE:	JUNE 8, 2011
TIME:	3:45
NO.:	28-060811
BY:	JEC
PORT OPS. & SVCS DEPT. PHIL. PORTS AUTHORITY	

PPA RECORDS DIV 31

JUN 23 1027

Attention: **Mr. Jose Louie B. Banua**
Chief, Marine Service Division

Dear General Manager Sta. Ana:

The Maritime Industry Authority (MARINA) is pleased to provide you a copy of the Agreed Minutes of the concluded 12th Joint Committee on Maritime Affairs (JCMA) Meeting between the Republic of the Philippines and the Royal Kingdom of Netherlands held last 17 May 2011.

Our warmest regards.

Very truly yours,


EMERSON M. LORENZO, CESO V
Administrator

cc: Overseas Shipping Office

01-061011

.20110602052 (E)

**TWELFTH (12th) PHILIPPINES – NETHERLANDS
JOINT COMMITTEE ON MARITIME AFFAIRS (JCMA) MEETING**

17 May June 2011
Manila, Philippines

Members of the Netherlands Delegation

1. **Ms. RUTH EMMERINK** = Deputy Head of Mission and Counselor
Embassy of the Kingdom Of The
Netherlands
2. **Mr. ROB HUYSER** = Director
Maritime Affairs
Ministry of Infrastructure and the
Environment
3. **Mr. SIBRAND HASSING** = Senior Policy Adviser
Maritime Affairs
Ministry of Infrastructure and the
Environment
4. **Mrs. TINEKE NETELENBOS** = President
Royal Association Of The Netherlands
Shipowners (KVNR)
5. **Mr. ALBERT BOS** = Shipping and Transport College -
Rotterdam
6. **Mr. JAN WILLEM VERHOEFF** = Project Manager
Palompon Institute of Technology (PIT)
- KVNR
7. **MS. PATRICIA S. ALVENDIA** = Senior Economic Officer
Economic Affairs
Embassy of the Kingdom Of The
Netherlands



TWELFTH (12th) MEETING
of the
REPUBLIC OF THE PHILIPPINES – KINGDOM OF THE NETHERLANDS
JOINT COMMITTEE ON MARITIME AFFAIRS
17 May 2011
Manila, Philippines

AGREED MINUTES

1. OPENING STATEMENTS BY HEADS OF DELEGATION

The Head of the Philippine delegation, MARINA Administrator Emerson M. Lorenzo, delivered the opening remarks. He welcomed the delegates from the Netherlands and the Philippines to the 12th meeting of the Joint Committee on Maritime Affairs (JCMA). He stated that this year's JCMA between the governments of the Republic of the Philippines and the Royal Kingdom of the Netherlands is a testament of the mutual understanding and commitment which have strengthened the ties of friendship, understanding and cooperation on international shipping and other maritime matters of the two (2) countries.

Administrator Lorenzo expressed that the collaborative efforts of everyone allowed the two (2) countries to gain substantive progress in bilateral relations, thus bringing into fruition the commitments towards growth and progress. The progress achieved by the previous JCMA meetings indicates the expanding concerns of both governments not only in the field of maritime transport, but on other measures as well to continuously sustain the Philippines' position as the number one supplier of competent shipboard labor.

Mr. Rob Huyser, the Director of Maritime Affairs, Ministry of Infrastructure and Environment and the Head of Delegation expressed his appreciation to the Philippines' Delegation. He noticed that there are new faces, and he is very glad to meet the new Chairperson of the Philippine Delegation, assuring that the Netherlands will continue to have the cooperation and fruitful relationship between the two (2) countries.

He personally apologized of not being able to attend the 11th JCMA due to the eruption of the volcano but he received feedback and as he read the minutes of the last meeting, it was a very productive and fruitful meeting.

Mr. Huyser introduced the members of his Delegation. He mentioned that the 2010 JCMA was the 10th anniversary of the formal ties between the two (2) countries on maritime cooperation and said JCMA is already entering the 2nd decade. According to him, the cooperation is based on the undertaking of two (2) countries, and to date, the Netherlands has no such in depth agreement with any other countries in the world, so the Philippines and Netherlands have unique relationship. He also mentioned that in the past decade, much was accomplished for the benefit of both countries, with certain issues/problems which still remain to be resolved.

Mr. Huyser updated the Meeting with the information on the following:

1. New tax rules;



2. Actions to protect seafarers on Dutch-flagged ships against piracy; and
3. Implementation actions.

He also advised the Philippines to work on the issues raised in the European Maritime Safety Agency report and the implementation of the MLC, which are included in the 12th JCMA agenda.

2. ADOPTION OF THE PROVISIONAL AGENDA

The Meeting approved/adopted the provisional agenda.

3. REVIEW OF THE 11TH JCMA AGREED MINUTES

4.3 Status on the Duplication of the Commission on Higher Education (CHED) and the Maritime Training Council (MTC) requirements

- i. CHED and MTC are already conducting series of dialogues/meetings with other agencies and/or parties concerned (e.g. TESDA, NTC, PAMTCI, etc.) to address the issue.

There is no duplication since students from 1998 onwards are not required to undergo any training for issuance of Certificate of Competence (CoC) as all courses were already taken during their BS courses.

- ii. On the comment that the "CHED curriculum is in line with the STCW requirements but the maritime higher education institutions cannot issue the appropriate certificates for the training courses completed by the BSMT and BSMarE students". It must be understood that the issuance of training certificates is not within the authority of such institution unless they are at the same time accredited by the Maritime Training Council to provide training courses and issue certificates upon completion thereof.
- iii. In the Philippine higher education system, the completion of any course as part of the curriculum of a higher education program (e.g. BMST and/or BSMarE) is being certified through the official Transcript of Records and the Diploma or certificate of graduation issued by the institution concerned to the graduates of a particular program.

However, the CHED-Office of Programs and Standards (CHED-OPS), with the recommendation of the Technical Panel for Maritime Education (TPME), is considering the adoption of a special form of Certification, Authentication and Verification (CAV) for purposes of BSMT and BSMarE graduates. This document would certify among others, that:

- a. the person whose name appears in the certificate has completed the academic requirements for graduation in the BSMT or BSMarE; and



- b. he/she has completed the required trainings for the program.

The Netherlands Delegation commented that besides the CoC, underlying certificates may be required to be presented to Port State control officers or vetting organizations.

MTC informed that the above matter will be elevated for decision in the next Council Meeting.

- iv. The MTC informed that the ARPA/MARPOL courses among others, are part of the curriculum and complies with the requirement for CoC, the concerned Port State Authorities should recognize the said certificates issued to the seafarers.
 - v. The Head of the Philippine Delegation proposed that MTC should come up with a general advisory for dissemination to the stakeholders that the issued CoC/Certificate of Proficiency (CoP) cover required trainings under STCW.
- 4.4 Status of Amendments of MARINA Memorandum Circular No. 170 on the "Rules on the Conduct of Examination and Issuance of License to Major Patrons, Minor Patrons, Boat Captains, and Marine Diesel Mechanics"

The Philippine government provided the highlights of the draft Memorandum Circular No. 170 amendment which will be tabled for discussion in the next MARINA Board Meeting, as follows:

1. No amendments for the Engine Department;
2. Issuance of license to major patron, minor patron, boat captain 1, 2, 3 and marine diesel mechanic 1 and 2 and motorman;
3. Issuance of the Identification Card to all licensed officers renewable every three (3) years, subject to the satisfactory result of the practical assessment;
4. Creation of a Panel of Examiners for the Deck and Engine Officers;
5. Examination will be conducted every month which can also be done onsite, provided that there will a minimum of 24 examinees and the MARINA Regional Offices will be allowed to conduct the examination, wherein the examination materials will be coming from Manila Central Office.

The Netherlands Delegation inquired whether MARINA Memorandum Circular No. 170 and PRC Resolution 2010-42 are the same.

PRC answered that those who passed the MARINA examination can take the PRC examination and can be issued CoC for overseas.



Item 4. Items for Discussion

.4 Status of Implementation by the Republic of the Philippines on the International Maritime Labour Convention No. 185 (Seafarer's Identity Documents (Revised), 2003)

The MARINA informed that Brazil has been implementing ILO No. 185 and seafarers coming from countries which have not ratified the convention are being subjected to fines and penalties. With that situation, MARINA and DOLE made a representation with the DFA on the issue and Brazil suspended the imposition of fines and penalties temporarily.

Brazil re-imposed the fines and penalties for the seafarers. MARINA issued a Flag State Administration Advisory advising shipowners, manning agencies and all concerned to secure the appropriate visa for Filipino seafarers onboard ships intending to call on any Brazilian ports to avoid being fined.

Further, the MARINA informed that the Certificate of Concurrence for the ratification of ILO No. 185 has been submitted to the Department of Foreign Affairs (DFA.) He assured that MARINA is ready to implement ILO No. 185 considering that the agency is issuing the Seafarers' Identification Record Book under ILO No. 108. Also, the MARINA is planning to issue the Seafarers' Identity Document, once ratified by the Philippines.

The Netherlands Delegation reiterated its position during the last year's meeting that they do not intend to ratify ILO No. 185. They also informed that they also experienced the issue on Brazil's imposition of fines and penalties. However, they are still making clarification with the Brazilian authorities.

.5 Status of Management Level Course

CHED reported that MLC functions for deck and engine have already been integrated in the proposed revised curricula. In view of the recent STCW Manila 2010 amendments, CHED is again in the process of reviewing the revised curricula to consider the STCW Manila Amendments, including the Operational Level. The review is ongoing and targeted for completion by the 4th Quarter of 2011.

The Netherlands Delegation suggested to CHED to consider that MLC courses be offered only in maritime institutions having the capability and resources to offer the same.

Item 5. MARPOL I - VI: Status of Official Announcement on the "Transcript of Records"

OPS-CHED has recommended to the (CHED) Commission en banc the issuance of a Memorandum Order directing maritime higher education institutions that MARPOL I – VI should be itemized in the Transcript of Records of BSMT and BSMarE graduates.



CHED emphasized that although they are planning to introduce the Consolidated MARPOL in the curriculum, there is no deviation from the requirements to the present MARPOL under CMO 13, series 2005.

4. Items for Discussion

1. Implementation Status on Maritime Labour Convention (MLC) 2006

The DOLE informed that, following the series of meetings under the Maritime Industry Tripartite Council (MITC), it is already in the process of endorsing the Resolution for the ratification of MLC and will be forwarded to DFA.

The Netherlands delegation informed that they intend to ratify MLC 2006 in the second half of 2011. It is expected that all EU countries will ratify not later than 2012.

It was agreed that in case the Philippines will not be able to ratify MLC 2006, as a fall back position, both governments have the intention to enter into a Memorandum of Agreement on how to implement the MLC regarding recruitment and placement services. IMO Regional Coordinator, Atty. Brenda V. Pimentel, pointed out that in the recent Cairns Conference on the MLC, Cleopatra Henry of ILO reiterated the no favourable treatment to countries who do not ratify. The Chair however, underscored that the principal objective would be to ratify MLC 2006 which the IMO Regional Coordinator supported.

2. Implementation Status on the 2010 STCW Manila Amendments

MTC reported, that in coordination with the other government agencies as members of the Council, it has come-up with the timetable in the development and/or revision of courses required under the STCW 2010 amendments. It has mentioned that there are about four (4) new courses that has been developed for the first quarter of 2011 and seven (7) new courses for the third quarter of 2011.

The Netherlands Delegation informed the Meeting that they are in the process of changing their current regulations to comply with the STCW Manila Amendments 2010 by 2013.

The Netherlands proposed to have a maritime safety retraining every five (5) years for those elements that cannot be conducted onboard.

The IMO Coordinator for Regional Presence in Asia and the Pacific informed that the IMO will conduct a National Workshop on STCW Manila 2010 in Manila within the year.

3. Timeframe for completion of all requirements before obtaining a Certificate of Competency after onboard training

For those seafarers who are in a hurry in obtaining the CoC, they should have an expedite documentation which requires a request from the company and an airline ticket and they can have their oath-taking anytime. The processing time for CoC is within 5 to 10 days; the processing of CoC takes eleven (11) stages and the verification of



documents takes the most difficult time. PRC is requested to provide the Netherlands a checklist of requirements on CoC, timeframe and procedures for the expediting of CoCs. Expedite processing will take three (3) days.

The MARINA was tasked to prepare a letter-request to TESDA to provide the timeframe, procedures and requirements for issuance of CoC for ratings.

5. European Maritime Safety Agency Inspection, April 2010

According to the Netherlands Delegation, there has been an inspection in April 2010, and they are interested in the reaction of the government to the results.

MTC received a copy of the EMSA report of the inspection and MTC have worked on the corrective action taken on the non-conformities and prepared draft documents to support the corrective action taken. These corrective action taken and the draft document will be submitted to the Council for approval prior to the submission to European Union. MTC positively responded to the non-conformities and observations made by EMSA.

6. Palompon Institute of Technology (PIT)/KVNR-STC Presentation

The PIT Vice-President for Academic Affairs, Dr. Balunan, gave the status report of the PIT-KVNR/STC on maritime education. On 21 April 2010 the European Maritime Safety Agency (EMSA), with the assistance from the Maritime Training Council conducted a verification visit on PIT's maritime programs. PIT was found to be compliant with all the recommendations that EMSA made during its March 2006 visit. During the debriefing meeting conducted in April 2010 in Manila, the EMSA team reported that PIT was operating at par with international standards.

It was informed that the 9th Recognition and Awarding Ceremony was held on 23 April 2010 at the PIT with a total of 187 third year maritime students (96 BSMT and 91 BSMarE) who had satisfactorily completed the academic requirements of their respective curricula. There are 153 cadets who passed the assessment conducted by the KVNR-STC maritime experts and who were selected by the participating Dutch shipping companies, were made to sign their contracts with the shipping companies in whose ships they would undergo their shipboard training.

An opening and turn-over ceremony of a new marine engineering building at PIT was also conducted during the Awarding Ceremony, with the signing of the Deed of Donation.

PIT also reported that there are already fifteen (15) licensure toppers from the maritime education since 2007.

Further, PIT reported that Det Norske Veritas (DNV) conducted an audit on the Quality Management System (QMS) of PIT's maritime program on 14-15 October 2010 with the following audit findings: 7 noteworthy efforts, 3 opportunity for improvements, 4 observations and no nonconformity.



The latest donations for 2010 includes a new polaris radar/ARPA bridge simulator worth P6.0 Million of which the P5.0 Million was donated by KVNR while the P1.0 Million was funded by CHED, two (2) container vans of tools, equipment and other materials for maritime education from the Netherlands.

As regards the results of the entrance examination of applicants for BSMT/BSMarE for 2011-2012, below is the break-down:

- 1,029 (657 for MT and 372 for MarE)
- 556 passed (369 for MT and 187 for MarE)
- 270 qualified after the interviews (135 for MT and 135 for MarE)

7. Other Matters

7.1 Marine Environment Awareness Training

The Netherlands Delegation will provide information on trainor's training program in the Philippines in the light of the STCW Manila Amendments. If the Philippines positively responds to this proposal, the Netherlands will inform PRO-SEA to start such a project including to look for an appropriate funding. They will be writing MTC on the details of the training program.

7.2 Philippines' Requests for Training

The Philippines is requesting the Netherlands Government to grant the following trainings to continuously upgrade their staff:

- a. Post Graduate Diploma Course in Ports, Shipping and Transport Management, an 8-month training diploma course. MARINA has been a recipient of this scholarship grant in previous years, the last of which was in SY 2006-2007.
- b. Master in Shipping and Transport, an 18-month master's degree course.

The Netherlands Delegation requested the Philippine government to formally submit a letter-request on the matter.

- 8. The next meeting has been agreed to be held on May 8, 2012.**

9. ADJOURNMENT

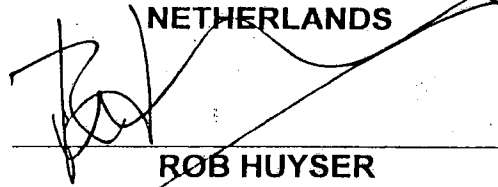
There being no other matters to discuss, the meeting was adjourned at 2:30 p.m.

**FOR THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES**



EMERSON M. LORENZO, CESO V
Administrator
Maritime Industry Authority
Department of Transportation and
Communications

**FOR THE KINGDOM OF THE
NETHERLANDS**



ROB HUYSER
Director, Maritime Affairs
Ministry of Infrastructure and the
Environment
Royal Kingdom of the Netherlands

