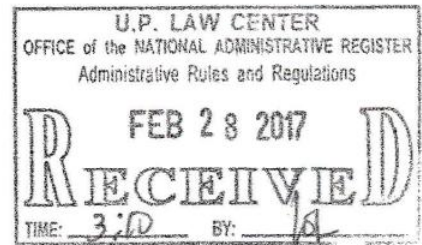




Republic of the Philippines
Department of Transportation
OFFICE FOR TRANSPORTATION SECURITY



MEMORANDUM CIRCULAR NO. 06 Series 2016

SUBJECT : GUIDELINES IN THE CERTIFICATION OF MARITIME SECURITY STAFF

DATE : 15 September 2016

Pursuant to Executive Order No. 311 dated 26 April 2004; Chapter XI-2 IMO-SOLAS 1974; the IMO-ISPS Code; The National Security Program for Sea Transport and Maritime Infrastructure (NSPSTMI); and Office for Transportation Security (OTS) Transportation Security Regulation (TSR) No. 011-2007 dated October 1, 2007 in compliance with the functional requirements set forth on 1.3.7 of the ISPS Code requiring training, drills and exercises to ensure familiarity with security plans and procedures, the OTS adopts the following guidelines governing the certification of maritime security screeners, supervisors, national inspectors/auditors, instructors, company security officers and port facility security officers.

I. RATIONALE

OTS sees the necessity to ensure that maritime security (MARSEC) personnel or staff involved in or charged with MARSEC responsibilities possess all competencies as described in the National Security Program for Sea Transport and Maritime Infrastructure (NSPSTMI) for the Republic of the Philippines, to perform assigned function(s) at an acceptable level, as defined by the OTS.

II. SCOPE

This Memorandum Circular (MC) applies to MARSEC staff/personnel particularly, supervisors(a) auditors/assessors; (b) instructors; (c) company security officers (CSOs); (d) port facility security officers (PFSOs); and (e) other shipboard or port facility personnel.

III. DECLARATION OF POLICY

- A.** The OTS, as the designated single authority responsible for the security of the transportation systems of the country, including Sea Transport and Maritime Infrastructure, by ensuring that the IMO ISPS Code is implemented and that a national security program for sea transport and maritime infrastructure is formulated, developed and implemented, shall ensure that all MARSEC staff/personnel possess all competencies, through the process of certification.
- B.** The CSO, PFSO and other shipboard and port facility personnel having security duties must be certified; and those performing non-security duties must be trained by OTS in accordance with its national certification system.
- C.** The certification of instructors, auditors/inspectors issued by OTS pursuant to MC No. 01 series 2014, dated 5 September 2014, shall remain valid and subsisting until its expiration date.

IV. ALLOCATION OF RESPONSIBILITY

A. OTS

1. Ensures that the national certification system is duly implemented and updated such that performance standards are consistently and reliably achieved;
2. Establishes certification and disqualification criteria for MARSEC personnel involved in MARSEC responsibilities, whether employment is permanent or temporary;
3. Administers the final written, practical and/or oral examinations of the applicant for certification;
4. Conducts the certification process, including background check, in accordance with the established national certification system; and issues the certificate containing a statement of competence as MARSEC staff to those who successfully completed/passed the certification process;
5. Develops, coordinates, facilitates and conducts oversight of MARSEC trainings;
6. Establishes and updates recruitment, selection and training (on-the-job and recurrent training) criteria for persons who may be certified to implement security controls;
7. Establishes procedures for maintaining certification and conditions that may affect it.

B. Ship and Port Facility Operators

1. Ensure compliance with the recruitment, selection and training criteria for persons who may be certified to implement security controls, as defined by OTS;
2. Ensure that their MARSEC personnel (screeners, national inspectors/auditors, instructors, CSOs, PFSOs and port personnel) performing security duties are certified by OTS
3. Ensure that OTS is allowed entry and access at any time to lecture notes and other training aids, training records, evidence of certification, including hiring records, and other documents relevant to the conduct of its oversight function.
4. Comply with the procedures and conditions for maintaining certification, as defined by OTS.

V. THE CERTIFICATION PROCESS FOR MARSEC STAFF

A. Application for Certification.

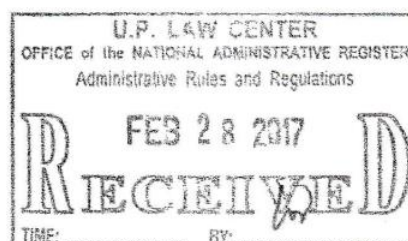
An applicant must:

1. File a letter of intent to be certified as a MARSEC staff, directly or through endorsement by MARSEC stakeholders, addressed to the Administrator and supported by documentary requirements;
2. Undergo a MARSEC training course relevant to his application
3. Take the written and practical examinations

B. Assessment of the Application for Certification.

In assessing whether the applicant may be issued the Statement of Competence or be certified, the following areas shall be taken into consideration:

1. Ratings in the written and practical examinations
2. Completeness of documentations submitted
3. Trainings
4. Education
5. Physical and mental condition and other qualification/criteria
6. Result of background check



C. Issuance of Statement of Competence.

The Statement of Competence shall issue upon proper determination that the applicant-MARSEC personnel:

1. Possesses all the qualifications and none of the disqualifications;
2. Submitted all the documentary requirements
3. Successfully passed the written examination, with an average passing mark of 80%; as well as the practical examination before the Certification Jury. The applicant who fails any of the examinations shall be allowed to re-take twice the failed subject area(s), within one (1) month from the date of examination.

VI. GRANDFATHERING ON INTERIM CERTIFICATION OF MARSEC STAFF

A. Guidelines.

1. Grandfathering on interim certification applies to experienced MARSEC personnel who are effectively performing their assigned security duties and functions for minimum number of years, prior to effectivity of this MC, of very satisfactory (VS) performance rating of at least:
 - a. 12 months for screeners, national inspectors/auditors, CSOs, and PFSOs; and
 - b. 2 (two) consecutive years for Team leaders of national inspectors/auditors

For Instructors, they should have completed the MARSEC training course for certification or have at least one year teaching experience in the field of MARSEC training.

For MARSEC inspector and auditor, they should file a letter-request for renewal, addressed to the Administrator, OTS, duly endorsed by: (a) Director of the Transport Security Oversight & Compliance Service (TSOCS) or of the Transport Security Risk Management Service (TSRMS), of OTS or his duly designated representative.

2. Grandfathering exempts a qualified PFSO, CSO, instructor, and auditor/inspector from the initial training requirement and written examination for certification but they shall undergo oral examination/interview conducted by the Certification Jury; while the screeners and port personnel with security duties shall only undergo practical or oral examination/interview conducted by the TSATMS training evaluators/assessors.
3. If the applicant fails the practical examination, he/she shall be allowed to retake only twice within one (1) month from the date of initial examination.

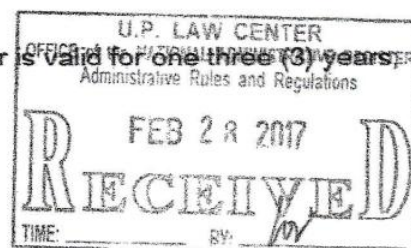
B. Validity. The interim certification as MARSEC staff shall be valid for one (1) year; and must be renewed, in accordance with the re-certification procedures, to continue the performance of MARSEC duties.

VII. RE-CERTIFICATION OF MARSEC STAFF

A. Purpose. To ensure that the required performance standards are maintained and reliably achieved.

B. Guidelines.

1. The re-certification as a MARSEC screener is valid for one three (3) years.



2. All security screeners/security guards will be required to attend specially designed refresher training on the third year of validity of the certification/re-certification before they can be re-certified.
3. The MARSEC inspectors, auditors, instructors, PFSOs, and CSOs must undergo recurrent MARSEC training every three (3) years; and their certification must be renewed one (1) month prior to its expiration date.
4. All requests for re-certification shall be deliberated by the Certification Jury. It may decide to exempt from rec-currency training the applicant for instructor with intensive and extensive experience as such. The applicants shall be notified by the Certification Jury of the result of its assessment.

C. Procedures for re-certification.

1. File a letter-request for renewal, addressed to the Administrator, duly endorsed by: (a) Directors of the Transport Security Oversight & Compliance Service(TSOCS) and Transport Security Risk Management Service (TSRMS) of OTS – for OTS national inspector/auditor; (b) maritime training school/institution – for instructor; and (c) OTS accredited RSO – for non-OTS auditors/inspectors.
 - In the case of instructor, support the letter-request with copy of MARSEC training certificates and other refresher courses; and documentation on taught courses for at least 40 hours in the case of instructor, taken during the validity of the holder's certification;
2. For security personnel/guard/screener/supervisor/CSO/PFSO, undertake a specially-designed refresher or recurrent training; and pass the written and practical examinations of said training.
 - Those who fail in the exam he shall be allowed to retake the failed examination twice, within one (1) month from the date of examination.
3. Submit a certificate of medical fitness issued by the Department of Health-accredited medical unit.

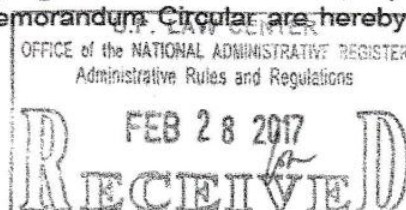
VIII. CANCELLATION/REVOCAION OF CERTIFICATION

The certification issued to a holder shall be recalled, cancelled or revoked in any of the following cases:

- A. Separation from service/work due to resignation
- B. Incapacity - physical and/or mental unfitness which renders him/her incapable to perform duties and responsibilities
- C. Termination/dismissal from service due to administrative offense, civil liability, or crime involving moral turpitude
- D. Suspension of six months and more

IX. MISCELLANEOUS PROVISIONS

- A. **Construction.** The provisions herein shall be liberally construed in order to promote its MARSEC objectives.
- B. **Reservation.** Nothing herein shall be construed as precluding OTS, through its Administrator, from prescribing additional or other requirements/criteria to meet the constantly evolving challenges in maritime security.
- C. **Amendments.** Nothing in this circular shall restrict the authority of OTS to modify, amend or repeal, through its Administrator, any provision of this circular by subsequent issuances.
- D. **Repeal.** All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Memorandum Circular, are hereby repealed or modified accordingly.

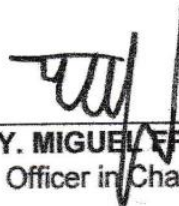


The certification of MARSEC personnel granted under Memorandum Circular No. 01, series of 2014, dated April 1, 2014, re Guidelines in the Accreditation of Maritime Security Instructors shall remain valid only up to its expiration date; thereafter, same is deemed repealed.

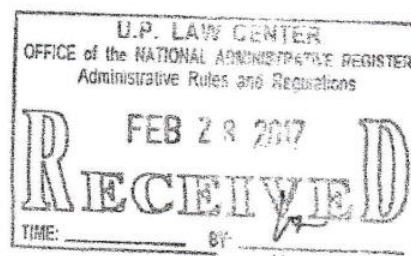
- E. **Separability.** If any provision or section of this Circular is declared null and void by competent authority, the remaining provisions not affected thereby shall remain in full force and effect.
- F. **Effectivity.** This memorandum circular shall take effect immediately upon approval. A copy of this Circular shall be deposited with the University of the Philippines Law Center in compliance with the Revised Administrative Code.

X. **ANNEXES**

- A. Definitions
- B. Requirements for Certification
 - 1. Documentation
 - 2. Standard Qualifications/Criteria



ATTY. MIGUEL F. ORAA
Officer in Charge



ANNEX A

Definitions

Background check - a check of a person's identity and previous experience, including where legally permissible, any criminal history, as part of the assessment of an individual's suitability to perform or be allowed maritime security (MARSEC) responsibilities.

Certification – a formal evaluation and confirmation by or on behalf of the OTS that a person possesses the necessary competencies to perform assigned functions at an acceptable level, as defined by the OTS.

Certification Jury (CJ) – a panel composed of qualified OTS personnel, involved in security control, who shall conclude the certification process by conducting practical examination and/or presentation for instructors. The certification jury shall be chaired by the Administrator, OTS or his duly appointed representative composed of the Directors of the Transport Security Oversight & Compliance Service (TSOCS), Transport Security Risk Management Service (TSRMS), Transport Security Accreditation & Training Management Service (TSATMS), Transport Security Policy & Program Service (TSPPS) and Legal Service (LS) or their duly appointed representative. The Accreditation and Certification Division, TSATMS shall be the Secretariat and repository of all related records.

Company Security Officer (CSO)- a person designated by the Company to ensure that a ship security assessment is carried out; that a ship security plan is developed, submitted for approval, and thereafter implemented and maintained, and for liaison with port facility security officers and the ship security officer.

Experienced MARSEC auditor - a person appointed and designated by OTS tasked to do port and ship security audit, inspection, verification and tests who applies for grandfathering or interim certification as national auditor, possessing the required competency and other qualifications for national auditor.

Experienced MARSEC instructor – a person who applies for grandfathering or interim certification as MARSEC instructor, possessing the required competency and other qualifications for MARSEC instructor.

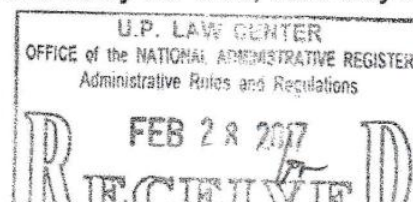
Experienced MARSEC screener - a person tasked to perform screening of baggage, person and cargo who applies for grandfathering or interim certification as MARSEC screener possessing the required competency and other qualifications for MARSEC screener.

Experienced MARSEC staff – personnel who works in a port facility and ship who applies for (grandfathering or interim) certification as such, possessing the required competency and other qualifications for MARSEC staff.

Experienced national inspector - a person who applies for grandfathering or interim certification as national inspector, possessing the required competency, very satisfactory performance rating for twelve (12) months at the minimum, and other qualifications for national inspector

Grandfathering - a process of certification whereby some requirements are waived in case of experienced MARSEC personnel.

Interim Certification – a certification issued to experienced MARSEC personnel, possessing the required qualifications and competency, as defined by the OTS, valid only for three (3) years.



International Ship and Port Facility Security (ISPS) Code - an amendment to the Safety of Life at Sea (SOLAS) Convention (1974), included as an Annex to Chapter XI-2 of said Convention; consisting of comprehensive measures to enhance the security of ships and port facilities, which consists of two parts: mandatory provisions (part A) and recommendatory provisions (Part B) adopted on 12 December 2002, by resolution 2 of the Conference of Contracting Governments to the International Convention for the SOLAS, 1974.

MARSEC auditor – a national inspector, duly certified by the OTS, who have exhibited very satisfactory performance as designated/assigned Team Leader/Auditor of national inspectors for at least two (2) consecutive years, and have successfully passed the oral examination for national auditor conducted by the Certification Jury

MARSEC instructor – a person responsible for conducting MARSEC training.

MARSEC screener - a person responsible for screening and searching of persons, goods, vehicles, baggage, and cargo.

National inspector – a person responsible to perform quality control functions, such as audits, test, survey and inspections, for the security of transportation system.

Oral examination – an evaluation process, through interview by the Certification Jury, which tests the communication skills and validates the competency of an applicant.

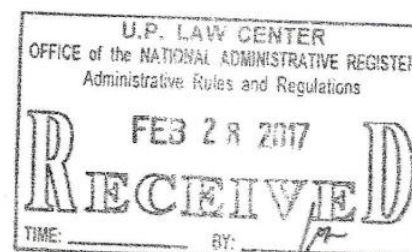
Port Facility - a location, as determined by the Contracting Government or by the Designated Authority, where the ship/port interface takes place. This includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate.

Port Facility Security Officer (PFSO) - the person designated for each port facility responsible for the development, implementation, revision and maintenance of the port facility security plan and for liaison with the ship security officers and company security officers.

Practical examination – an evaluation process wherein applicants undertake actual demonstration of skills and knowledge in the assigned security functions.

Security - safeguarding sea transport and maritime infrastructure against acts of unlawful interference. This objective is achieved by a combination of measures and human and material resources.

Security staff - personnel charged with MARSEC responsibilities, training and management.



ANNEX B

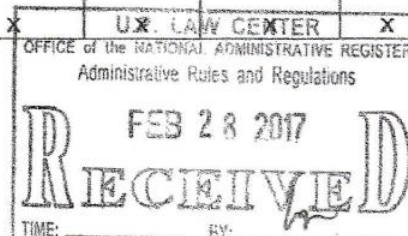
DOCUMENTATION

The letter-request for application for certification must be supported by relevant documents, which as a minimum, shall include:

- A. Full details of personal data;
- B. Recent and authenticated 2x2 photograph;
- C. Documents to validate:
 1. education;
 2. work experience;
 3. training; and
 4. other information for verification of the applicant's identity, conformance to the required qualifications or competence.
- D. Certification of clean bill of health issued by the DOH-accredited medical unit;
- E. National and/or local clearance (NBI, RTC, Police, or Barangay)
- F. Other documents to validate skills, special abilities or other information relevant to the performance of MARSEC duties, if any.

QUALIFICATIONS and CRITERIA

| Qualifications and criteria | Screener | Inspector | Auditor | Instructor | CSO | PFSO |
|--|----------|-----------|---------|------------|-----|------|
| Unimpaired vision and hearing ability | x | x | x | x | x | x |
| Color perception suitable for operating color X-ray equipment and checking color-coded passes | x | | | | | |
| Good/adequate oral and written communication skills, without speech impediments | x | x | x | x | x | x |
| Good interpersonal skills | x | x | x | x | x | x |
| Healthy lifestyle (no drug/alcohol dependence) | x | x | x | x | x | x |
| Reasonable physical strength and ability (i.e. to lift and carry baggage or bend, reach, stoop, squat and stand for prolonged periods) | x | | | | | |
| Healthy physical and mental condition attested by a Department of Health-accredited medical unit | x | x | x | x | x | x |
| Successful result of background check (NBI, RTC, Police and Barangay clearance) | x | x | x | x | x | x |
| Completion of tertiary education | | x | x | x | x | |
| Two-year experience in maritime security | | x | x | x | x | x |
| Knowledge of the ISPS Code, SOLAS, NSPSTMI, & other MARSEC conventions and regulations | x | x | x | x | x | x |
| Verifiable experience in sea transport/MARSEC operations | | x | x | x | x | x |
| Working knowledge of MARSEC measures and its implementation | x | x | | | | x |



Guidelines in the Certification of
Maritime Security Staff

| | | | | | | |
|---|---|---|---|---|---|---|
| Clearance for access to sensitive information | | x | x | x | x | x |
| Designated as Team Leader of national inspectors/auditors for at least two (2) years, with very satisfactory performance rating | | | x | | | |
| Completion of national inspector course | | | x | | | |
| Completion of basic MARSEC training course | | | | x | | |
| Knowledge in the following areas: | | | | | | |
| Security administration | | | | x | x | x |
| Emergency preparedness and response and Contingency planning | x | x | x | x | x | x |
| Instruction techniques (security training and education) | | | | x | x | x |
| Handling of sensitive security-related information and communications | x | x | x | x | x | x |
| Current security threats and patterns | x | x | x | x | x | x |
| Restricted articles and prohibited item | | | | | | |
| Recognition of characteristics/behavioral pattern of a person likely to threaten security | x | x | x | x | x | x |
| Techniques used to circumvent security measures | x | x | x | x | x | x |
| Security equipment and systems and their operational limitations | x | | | x | x | x |
| Methods of conducting audits, inspection, control and monitoring | | x | x | x | x | x |
| Method of physical search and non-intrusive inspection | x | x | x | x | x | x |
| Security drills, exercises and their assessment | | | | x | x | x |
| Overview of terrorism | | | | | | |
| Responsibilities and functions of other security organizations | x | x | x | x | x | x |
| Methodologies in ship/port security assessment, surveys and inspections | | | | | | |
| Ship and port operations and conditions | | x | x | x | x | x |
| Ship and port facility security measures | x | x | x | x | x | x |
| Recognition and detection of weapons, dangerous substances and devices | x | | | x | x | x |
| Other security-related areas considered appropriate to enhance security awareness | | | | | | |

