

MARINA CIRCULAR NO. 04
Series of 2008

**TO : ALL SHIPPING COMPANIES, FISHING COMPANIES,
MANNING AGENCIES, SEAFARERS, AND ALL CONCERNED**

**SUBJECT : REVISED RULES ON THE ISSUANCE OF ENHANCED
SEAFARER'S IDENTIFICATION AND RECORD BOOK (SIRB)**

Pursuant to PD 474, Section 12 Paragraph (j) of Executive Order No. 125-A and in conformity with the applicable provisions of the Seafarer's Identity Documents Convention, 1958 ILO Convention No. 108, these revised guidelines on the issuance of Seafarer's Identification and Record Book (SIRB) are hereby adopted:

I. OBJECTIVES:

1. To enhance the security features of the existing system for the efficient and effective provision of an identification document for Filipino seafarers;
2. To maintain a complete and continuing record of a Filipino seafarer's services onboard ships;
3. To prescribe the policies and minimum requirements in the issuance of SIRB; and
4. To adopt the provisions of ILO Convention No. 108.

II. COVERAGE:

These rules shall apply to the following persons:

1. Every seafarer as defined herein and who is engaged in any capacity onboard a Philippine-registered ship 35 GT and above;
2. Any Filipino seafarer who intends to be engaged in any capacity onboard any foreign-flagged ship.

The following are exempted from the application of these rules:

1. Seafarer's onboard warships/ naval vessels/ naval auxiliaries.
2. Fisherman onboard fishing vessels regardless of tonnage engaged in domestic fishing operation.

In the case of personnel onboard ships not engaged in commercial activity, the SIRB shall be optional.

III. DEFINITION OF TERMS:

1. **Basic Safety Training (BST)** – refers to a training course prescribed under Regulation VI/I of the 1978 STCW Convention, as amended.
2. **Cadet** – refers to a student/learner at least 16 years old enrolled in a maritime course approved by CHED or TESDA.
3. **Fishermen** – refer to the personnel onboard fishing vessels, participating in the preparation/maintenance of fishing gears, equipment devices, fish catching, loading and processing of catch.
4. **MARINA** – refers to the Maritime Industry Authority.
5. **Order** – refers to the directive issued by the MARINA.
6. **Rating** – refers to crew other than officers.
7. **Re-issuance** – refers to second and subsequent issuance of SIRB.
8. **Seafarer** – refers to ship officers and ratings manning ships, cadets, service providers, company representatives and fishing vessel personnel.
9. **Seafarer's Identification and Record Book (SIRB)** – refers to a document issued by the MARINA to all Filipino seafarers as defined herein that serves as identification and record of sea service of the holder.
10. **Service Provider** – refers to personnel onboard ships who provide services other than those that relate to navigation.
11. **Ship** – refers to all craft or artificial contrivance capable of floating in water, designed to be used or capable of being used as means of water transportation utilizing its own motive power or that of others.
12. **Ship Officer** – refers to the duly certificated and/or licensed deck, engine and radio officer.
13. **Company Representative** – refers to personnel onboard ships who provide special services which may include Supernumerary/Super Cargo, Marine Superintendent, Port Captain/Engineer, Marine

Surveyor/Auditor, and other personnel authorized by the company such as joining spouse.

IV. GENERAL PROVISION:

1. All Filipino seafarers covered under this Circular must possess a valid SIRB at all times.
2. All maritime enterprises operating Philippine-registered ships shall ensure that seafarers onboard their ships possess valid SIRB.
3. Filipino seafarers employed in foreign-registered ships shall be required to secure and possess a valid SIRB pursuant to the provisions of these rules, notwithstanding the fact that an equivalent identity document has been issued to them by the flag state.
4. Application for the issuance of SIRB shall be personally filed by the applicant. However, a seafarer who is onboard may be allowed to file his application for SIRB through a duly authorized representative.
5. The MARINA upon the request of maritime schools/institutions, shipping/fishing companies and other maritime entities, may dispatch the MARINA-SIRB Mobile Team for on-site processing.
6. The minimum qualification requirements for the issuance of SIRB are as follows: a) must be a Filipino citizen, and b) 18 years of age, except for cadets applying for the issuance of SIRB for shipboard apprenticeship training who must be at least 16 years old at the time of application.
7. Work experience for a period of one (1) year within the preceding five (5) years as instructor in maritime institution/training center, marine superintendent, port captain/engineer and marine surveyor/auditor are acceptable substitute work experience for "long absence" and will not be required to undergo retraining of the Basic Safety Training Course.
8. Retraining shall be required of holder of basic safety training certificate for seafarer who has not served onboard for at least a year within five (5) years from the date of issuance of said certificate or date of last disembarkation.
9. Seafarers who have gone onboard for at least 1 year in the last 5 years will no longer be required to present the basic safety-training certificate when they apply for re-issuance or replacement of lost SIRB.

10. Fishermen, as defined herein, onboard fishing vessels engaged in international fishing operation and fishing vessel crew involved in the navigation of ships shall comply with the requirement stated herein.
11. Applications of manning/shipping/fishing companies with outstanding obligations/unpaid penalties with MARINA will not be accepted/accommodated until the same are settled.

V. SPECIFIC PROVISIONS:

1. The Basic Safety Training (BST) is the training course prescribed for seafarers onboard ships 35 GT and above under Regulation VI/I of the STCW Convention, as amended. The BST has four (40) modules based on the IMO Model Course as follows:
 - 1.1. Elementary First Aid – IMO Model Course 1.13
 - 1.2. Personal Survival Technique – IMO Model Course 1.19
 - 1.3. Fire Prevention and Fire Fighting – IMO Model Course 1.20
 - 1.4. Personal Safety and Social Responsibility – IMO Model Course 1.21
2. Documentary Requirements

Particulars	New		Re-Issuance		Lost or Damaged	
	Regular Seafarer	Cadets	Regular seafarer	Onboard application	Regular seafarer	Onboard application
PERSONAL IDENTIFICATION DOCUMENT						
• Birth Certificate on SECPA or Passport	√	√				
• Marriage Contract (for seawoman applying for change of name)	√		√			
SECURITY DOCUMENT						
• NBI Clearance	√	√	√		√	
SAFETY TRAINING CERTIFICATE (as applicable)						
• Valid Basic Safety Training (MARINA Authenticated, 1995 STCW Complaint) or STCW Certificate	√	√	√	√	√	√

Particulars	New		Re-Issuance		Lost or Damaged	
	Regular Seafarer	Cadets	Regular seafarer	Onboard application	Regular seafarer	Onboard application
ADDITIONAL REQUIREMENTS (as applicable)						
• MARINA/PRC/NTC License or Board Certificate			√	√	√	√
• MARINA/PRC/NTC ID (for Licensed Officers)			√	√	√	√
• Transcript of Records (for applicants enrolled in maritime course)		√				
• Original SIRB			√			
SUPPLEMENTARY REQUIREMENTS						
• Letter request from The Company/ Agency				√		√
• POEA approved Employment Contract				√		√
• Crew list duly signed by the Master				√		√
• Clearance from MLAO as to monetary obligation				√		√
• Photocopy of SIRB				√		√
• Affidavit by the seafarer and confirmation by the Master						√
• Duly Notarized Affidavit of Loss					√	√
• latest passport size photograph	√	√	√	√	√	√
• Documentary stamp	√	√	√	√	√	√

VI. VALIDITY:

1. The SIRB shall be valid for five (5) years.
2. For onboard applications, validity of the SIRB shall be as follows:
 - 2.1. Extension – one (1) year

- 2.2. Replacement of damaged/lost – the validity shall be the unexpired portion of the previously issued SIRB

VII. RESPONSIBILITIES OF SHIPPING / FISHING COMPANIES/ MANNING AGENCIES/ MARITIME INSTITUTIONS/ SEAFARERS AND OTHER CONCERNED MARITIME ENTITIES:

1. All shipping companies/ manning agencies covered by this Circular shall ensure:
 - a. That all Filipino seafarers on board Philippine-flagged ships shall hold valid SIRB at all times, appropriate to their position;
 - b. That all Filipino seafarers deployed in foreign-flagged ships shall likewise hold valid SIRB at all times, notwithstanding that an equivalent identity document has been issued to them by the flag state;
 - c. The genuineness and authenticity of all documents and supporting papers of every seafarer where the application is endorsed by the shipping company/manning agency; and
 - d. That he seafarers shall be engaged/shall provide services with due regard to the applicable limitations specified in SIRB.
2. All seafarers covered by this Circular shall:
 - a. Secure a valid SIRB before going on board/ joining a ship.
 - b. Submit authentic documents and/ or papers in support of his application for the issuance of SIRB.
3. For on-site processing of SIRB, all maritime schools/ institutions shall ensure the genuineness and authenticity of all documents and supporting papers submitted by the applicant cadet/ apprentice.

VIII. FEES AND CHARGES:

Type of Application	Fees
<ul style="list-style-type: none"> ▪ New/ Re-issuance <ul style="list-style-type: none"> ➤ Regular ➤ Expedite 	P 800.00 1,500.00
<ul style="list-style-type: none"> ▪ Replacement of Lost SIRB* <ul style="list-style-type: none"> ➤ 1st Time ➤ Succeeding issuance 	P 1,500.00 Double the cost of last issuance

▪ Onboard	P 1,500.00
▪ On-site	P 1,500.00

* Replacement of lost SIRB accompanied with marine protest or proof of accident/ damage shall be charged the same fee as with the New/ Re-issuance.

IX. ADMINISTRATIVE SANCTIONS:

1. A seafarer's SIRB may be suspended/revoked after due process for any of the following grounds:
 - 1.1 Suspension of SIRB
 - 1.1.1 Negligence or incapacity in the performance of duty;
 - 1.1.2 Intemperate habits such as drunkenness tending to cause immediate loss or destruction or serious damage to the ship or tending to endanger the life of any person organic to or passenger of such ship;
 - 1.1.3 Insubordination or direct assault;
 - 1.1.4 Violations of the terms and conditions of the contract without just cause;
 - 1.1.5 Repeated violations of any of the provisions of this circular.
 - 1.2 Revocation of SIRB:
 - 1.2.1 Assault with dangerous weapon;
 - 1.2.2 Malicious destruction of ships property;
 - 1.2.3 Misconduct resulting in the loss of life and/ or serious injury;
 - 1.2.4 Molestation of passenger and/or crew;
 - 1.2.5 Murder or attempted murder;
 - 1.2.6 Mutiny;
 - 1.2.7 Possession, use, sale or association with prohibited drugs, including marijuana;
 - 1.2.8 Smuggling of aliens or undeclared personal effects including firearms and ammunition;
 - 1.2.9 For misrepresentation or submission of any false statement, fraudulent or tampered certificates or documents;
 - 1.2.10 Desertion;
 - 1.2.11 Other violation of Philippine Penal laws or conviction of a crime committed in other countries.

X. ADMINISTRATIVE FINES AND/ OR PENALTIES:

1. A shipping company/ manning agency shall be liable for the following acts:

1.1. For deploying a seafarer without SIRB onboard ships;

1 st Offense	10,000
2 nd Offense	15,000
3 rd & succeeding Offenses	20,000

1.2. For allowing a seafarer to continue serving onboard with expired SIRB:

1 st Offense	10,000
2 nd Offense	15,000
3 rd & succeeding Offenses	20,000

1.3. For requesting or recommending issuance of SIRB for and/ or in behalf of a seafarer whose documents have been tampered by the shipping company/ manning agency or any of their employees or liaison officers/ messengers or where said company/agency/employee or liaison officer has participated in securing the tampered documents from any source:

First Infraction	P25,000.00
Second Infraction	P50,000.00 and recommendation to the Philippine Overseas Employment Administration (POEA) or proper government agency for the suspension of Company's license for one (1) month
Third Infraction	P100,000.00 and recommendation to the Philippine Overseas Employment Administration (POEA) or proper government agency for the cancellation and/ or revocation of the company's license.

1.4. In addition, responsible officials/ employees of the company/ agency and employee/ liaison officer/messenger shall be subject to criminal prosecution under the Revised Penal Code;

2. A seafarer shall be liable for the following acts:

2.1. For going on board ship / joining ship without SIRB or with expired SIRB:

First Offense	3,000.00
Second Offense	4,000.00
Third and Succeeding Offense	5,000.00

- 2.2. For misrepresentation or submission of any false statement, fraudulent or tampered certificates or documents:

Particulars	First Offense	Second Offense	Third and Succeeding Offense
Master Mariner/ Chief Engineer	P 8,000.00	P16,000.00	P32,000.00
Chief mate/ 2 nd Engineer	6,000.00	12,000.00	24,000.00
All other officers	4,000.00	8,000.00	16,000.00

- 2.3. For holding fake/tampered/ forged SIRB.

	First Offense	Second Offense
Master Mariner/ Chief Engineer	25,000.00 + confiscation and cancellation + disqualification from issuance of SIRB for one (1) year	Permanent Disqualification from issuance of SIRB
Chief Mate/ 2nd Engineer	20,000.00 + confiscation and cancellation + disqualification from issuance of SIRB for one (1) year	Permanent Disqualification from issuance of SIRB
All other Officers	10,000.00 + confiscation and cancellation + disqualification from issuance of SIRB for one (1) year	Permanent Disqualification from issuance of SIRB
Ratings/ Others	5,000.00 + confiscation and cancellation + disqualification from issuance of SIRB for one (1) year	Permanent Disqualification from issuance of SIRB

XI. STANDARD PROCESSING TIME:

Regular applications shall be released within eight (8) working hours while expedite applications shall be released within four (4) working hours.

XII. REPEALING CLAUSE:

MARINA Memorandum Circular No. 163 and any circular/ regulations or any parts thereof inconsistent herewith are hereby deemed repealed.

XIII. SEPARABILITY CLAUSE:

Should any part of these Rules be declared null and void, the same shall not affect the validity of the remaining part.

XIV. EFFECTIVITY:

This Memorandum Circular shall take effect fifteen (15) days after its publication once in a newspaper of general circulation in the Philippines.

BY AUTHORITY OF THE BOARD:

(Sgd.) VICENTE T. SUAZO, JR.
Administrator

SECRETARY'S CERTIFICATION

This is to certify that MARINA Circular No. 2008 – 04 has been approved by the MARINA Board in its 178th Regular Board Meeting held on November 8, 2007.

(Sgd.) ATTY. MANUEL C. PORTUS
Corporate Board Secretary

Date of Publication: 09 February 2008 – Manila Times newspaper
Date of Submission to the U.P. Law Center: 14 February 2008