

MEMORANDUM CIRCULAR NO. 103

TO : ALL SHIPPING COMPANIES, CREWING/MANNING AGENCIES, MARITIME SCHOOLS, MARITIME INSTITUTIONS AND OTHERS CONCERNED

SUBJECT : GUIDELINES FOR THE ACCREDITATION OF LIAISON OFFICERS (LOs) AND THE CREATION OF SPECIAL PROCESSING SYSTEM (SPS) ON THE AUTHENTICATION AND ISSUANCE OF MDO-RELATED DOCUMENTS.

At the instance of the affected private sectoral groups, MARINA shall hereby introduce a special processing system in authentication/issuance of MDO-related documents subject to the following guidelines:

I. DEFINITION OF TERMS:

1. **Special Processing System (SPS)** – refers to the system of authentication and issuance of MDO-related documents on the basis of applications filed/endorsed by shipping companies, crewing/manning agencies, maritime schools and training centers, through their duly accredited liaison officers (LOs), for and in behalf of seafarers/trainees whom they have employed or whom they are to confer titles/certificates as graduates of maritime courses, as the case maybe.
2. **MDO Related Documents** – refer to the pertinent documents due to authentication by MARINA, STCW Certificates, and Seafarer's Identification and Record Book (SIRB).
3. **Reissuance of SIRB** - refers to the issuance of another SIRB to replace expired and filled SSRB previously issued by the Philippine Coast Guard and replacement of lost/damaged or filled SIRB issued by the Maritime Industry Authority (MARINA).
4. **Revalidation of SIRB** – refers to the process of extending validity of expired SIRBs MARINA had previously issued to seafarers.
5. **Renewal of STCW** – is the process of replacing expired or about to expire STCW Certificates while the holder thereof is on board.
6. **Liaison Officer (LO)** – refers to a regular (organic) employee of shipping/manning agencies, and maritime schools and training centers authorized and designated through a Special Power of Attorney or by a

Resolution of its Board to apply and follow-up release of MDO related documents for and in behalf of their employed seafarers or graduates.

II. APPLICATION:

These guidelines shall apply in the following instances/cases:

1. Applications filed by MARINA accredited and designated LOs of shipping/manning agencies for and in behalf of their employed seafarers for:
 - a) Reissuance and revalidation of SIRBs
 - b) Reissuance of SIRBs which were either lost or damaged and while he concerned seafarers is still on board at the time of the filing of application.
 - c) Issuance of STCW Certificate of seafarers who are on board and due for promotion or extension of employment contract.
 - d) Authentication of xerox copies of SOLAS and other certificates previously authenticated by MARINA as a pre-employment requirement on-board foreign registered vessels.
 - e) Renewal of STCW Certificate issued by MARINA starting February 18, 1994.
2. Application for authentication of SOLAS certificates and issuance of SIRB filed by MARINA-POEA accredited and designated LOs of maritime schools for and in behalf of their graduating students in Nautical Sciences, Marine Engineering and other related maritime courses.
3. Application for batch authentication of SOLAS certificates filed by MARINA accredited and designated (LOs) of maritime training centers for and in behalf of their successful trainees.

III. ACCREDITATION OF LOs:

1. Designated LOs of Shipping Companies/Agencies and Manning/Crewing Agencies shall be recognized and accredited by MARINA's Maritime Legal Affairs Office (MLAO) upon presentation of the following documents:
 - a) Duly accomplished information sheet prescribed by MARINA.

- b) Letter signed by Chief Operating Officer or Operation Manager of the shipping company/agency or manning agency authorizing the (LOs) to represent the company.
 - c) Accreditation of the shipping/manning agencies with POEA or MARINA as the case maybe.
 - d) LOs Company ID
 - e) NBI clearance of LOs
 - f) Oath of undertaking executed by the company/agency assuming full responsibility for any liability resulting from the acts or omission of the LOs acting within the scope of their authority.
2. Designated LOs of maritime schools shall be recognized and accredited only upon submission of the following documents:
- a) Duly accomplished information sheet prescribed by MARINA.
 - b) Letter-request from the President/Administrator of maritime schools naming therein and designating not more than two Liaison Officer(s) who must be regular employees of the institution.
 - c) Specimen signatures and two recent black and white I.D. pictures of the desinated LOs.
 - d) Oath of undertaking executed by the school assuming full responsibility for any liability resulting from the acts or omission of the LOs acting within the scope of their authority.
 - e) CHED's or TESDA's permit/recognition/accreditation of school to offer maritime courses.
 - f) NBI clearance of the designated LO.
3. Designated LOs of maritime training centers shall be recognized and accredited only upon submission of the following documents:
- a) duly accomplished information sheet prescribed by MARINA
 - b) designation of LO(s) thru Special Power of Attorney or by Board Resolution from the Maritime Training Center
 - c) LO's appropriate ID card issued by the maritime training center

- d) NBI clearance of the LO
 - e) Permit to operate and offer SOLAS courses issued by the Commission of Higher Education (CHED) or Technical Educational Skill Development Authority (TESDA)
4. Procedure for issuance of MARINA Official Identification Card (ID) to accredited LOs
- a) The documents listed under the preceding Item 1, 2 or 3 as the case maybe, shall be filed with the Maritime Legal Affairs Office (MLAO), Marina Central Office, either personally or through the Maritime Regional Office where the shipping/manning agency/maritime school/training center is stationed.
 - b) After evaluation of the pertinent documents, the applicants (LOs) shall be issued the official ID with a corresponding control number. The Identification Card shall be valid for one (1) year, renewable yearly.
 - c) In case of loss of ID, an appropriate affidavit stating the circumstances of the loss shall be duly executed by the holder and submitted, for replacement thereof. The fact of loss or theft of the ID Card should be reported immediately to MLAO.

IV. DOCUMENTARY REQUIREMENTS:

- A Applications filed by shipping companies/agencies and manning/crewing agencies through LOs under this Memorandum Circular shall in addition to compliance with the basic, qualification, documentary and other requirements under MC Nos. 82, 83, 85, 87 and their amendments, submit the following documents:
- 1. Letter endorsements which shall be signed at least by the Chief Operating Officer or Operations Manager of the company. The letter must include the names of the crew and their positions, and, for those crew who are on-board, the vessel's name and the duration of the contract.
 - 2. Plane ticket or immigration boarding clearance to prove that the seafarer is scheduled to leave or join the vessel within 48 hours from filing (for expedite applications only).
 - 3. Proof of promotion of the seafarer or extension of his employment contract on board as the case maybe.

4. Oath of Undertaking to the effect that the seafarer(s) being endorsed have been employed by them, and in good faith attest that:
 - 4.1 The documents submitted for issuance of SIRB, STCW and authentication of SIRB/STCW related documents are not tampered/spurious.
 - 4.2 Show cause orders and other processes issued by MARINA against the seafarer whose documents are found spurious/tampered with, will be served to the latter to enable him to answer the charges and attend hearings thereon.
 - 4.3 In cases where the required NBI clearance cannot be presented at the time of application with MARINA and is undertaken to be submitted later by the company/seafarer and the seafarers were allowed to join the vessel, the company shall report to MARINA seafarer's completion of the employment contract and/or the seafarer's return/arrival schedule.

B. Applications filed by maritime schools for batch issuance of SIRB's for and in behalf of their graduating students shall through their designated LOs submit to MARINA the following documentary requirements:

1. List of candidates for graduation noted/approved by CHED or TESDA, whose SIRBs are to be processed;
2. Letter request signed by the President/Head of the school; and
3. Duly accomplished individual SIRB application forms.
4. All documentary requirements relative to the issuance of SIRB as enumerated under MARINA Memorandum Circular No. 87 or its subsequent amendments;

C. Applications filed by maritime schools for batch authentication of SOLAS certificates of their graduating students which can be simultaneous with the application for issuance of SIRB's shall, in addition to the above item B, be supported by the following documents, to wit:

1. Memorandum of Agreement executed by and between the maritime school and the training center for the conduct of the SOLAS training.

2. Certification signed by MARINA inspectors relative to the conduct of SOLAS training, or proof of notice of inspection or monitoring request when no MARINA inspection was undertaken.
- D. Applications filed by maritime training centers for batch authentication for and in behalf of their successful trainees thru their designated LOs submit to MARINA the following documentary requirements:
1. Letter request signed by the President/Training Director or any other authorized responsible officer;
 2. Duly accomplished individual application forms with attached I.D. pictures of the seafarers;
 3. Original SOLAS Certificates with a xerox copy of each of the certificates;
 4. Certification signed by MARINA inspectors relative to the conduct of SOLAS training, or proof of notice of inspection or monitoring request when no MARINA inspection was undertaken;
 5. Memorandum of Agreement executed by and between the maritime school and the training center for the conduct of the SOLAS training; and
 6. List of graduating students prepared by the maritime school, signed by its President/Head of school and duly noted/approved by CHED or TESDA.

V. PROCEDURAL REQUIREMENT:

1. Applications by shipping companies/agencies, crewing/manning agencies through LO shall be directly filed with Manpower Development Office of the MARINA Central Office or with the Maritime Regional Offices (MROs) where the head office of the shipping company/agency, crewing/manning agency is located.
2. Applications for batch authentication and batch issuance of SIRB filed by maritime schools in behalf of their graduates maybe filed at the MARINA Central Office or with the Maritime Regional Offices(MROs) where the maritime school is located.

3. The Liaison Officers must wear the official ID issued by MARINA at all times when transacting business with MARINA relative to applications herein covered; otherwise, they shall not be entertained.
4. Except for expedite applications, special processing time shall be 3 days provided that all pertinent documents/requirements shall have been submitted for pre-evaluation purpose.

VI. GENERAL PROVISIONS:

1. Shipping companies/agencies and crewing/manning and agencies in order to avail of the Special Processing System under this Circular shall:
 - a. Designate a maximum of two (2) liaison officers to represent its company who must be regular (organic) employees of said company.
 - b. Have its company/agency accordingly accredited with POEA/MARINA.
 - c. Submit the name(s) and specimen signature(s) of the responsible and duly authorized officer of the company to endorse applications through LO.
2. Maritime schools shall assume the following duties and obligations relative to applications to be filed for and in behalf of their graduating students:
 - a. Designate a maximum of two(2) LOs authorized to transact with MARINA for batch issuance of SIRBs and authentication of SOLAS certificates.
 - b. File applications and follow up the release of subject SIRB and SOLAS certificates only through their designated LOs duly accredited by MARINA.
 - c. Furnish MARINA with the number of enrolled maritime students, one month after the start of each school year.
 - d. Submit to MARINA two(2) months before graduation, the list of students expected to graduate from the maritime courses, as certified by the President/Head of the school and noted by CHED or TESDA.
 - e. At least five(5) days prior to the SOLAS training, furnish MARINA with information as to the schedule of the training and

its location together with the list of the students who will undergo the training. This shall serve as the required notice under item VI.C.2. Failure to notify MARINA therewith, shall disqualify the maritime school from availing the Special Processing System (SPS) over the SOLAS Certificates issued to the graduates.

3. Maritime training centers shall assume the following duties and obligations relative to applications to be filed for and in behalf of their successful trainees:
 - a. designate a Liaison Officer (LO) who must be a regular (organic) employee of the center, to file and follow-up applications for the authentication of SOLAS Certificates issued by it.
 - b. submit to MARINA a copy of its permit issued by CHED or TESDA authorizing it to operate and offer SOLAS courses.
 - c. Submit to MARINA the names(s) and specimen signature(s) of the responsible and duly authorized officer of the Training Center to endorse applications through LOs.
 - d. At least five(5) days prior to the SOLAS training, furnish MARINA with information as to the schedule of the training and its location together with the list of the trainees duly certified by its registrar. MARINA, through its designated employees, shall be allowed to inspect/observe the conduct of the SOLAS training, both the theoretical and practical exercises of each training class.
4. No LO can act as such for two(2) or more companies/schools.

VII. SCHEDULE OF FEES

Considering that a special concession is granted herein, i.e., applications are filed through representatives, the filing fees shall correspondingly be at a higher rate than the regular fee, or in the amount an indicated below:

1. STCW Endorsement of Certification and Authentication of Documents
 - a) Issuance of STCW endorsement certificate including authentication of documents - P 350/certificate issued
 - b) Authentication of xerox copies of training certificates previously authenticated by MARINA and STCW/SIRB related documents - P 30/document authenticated

- c) Authentication of SOLAS certificate - P 40/certificate authenticated
2. Issuance of SIRB
 - a. Batch issuance of SIRB including authentication of SOLAS training certificates - P 700/SIRB issued
 - b. Reissuance and revalidation and replacement of SIRB - P 700/SIRB issued
 3. Issuance of LO's I.D.
 - a. Original issuance P 100.00
 - b. Renewal/Replacement P100.00

The above fees may be adjusted from time to time by MARINA as the need arises.

VII. ADMINISTRATIVE FINES AND/OR PENALTIES:

1. The shipping companies/agencies, crewing/manning agencies, maritime schools and training centers shall be liable for irregularly issued certificate/document submitted to this Authority which were secured or tampered by the shipping company/agency, crewing/manning agency, maritime school/training center or any of their employees or liaison officers/managers or where said company or agency or maritime school or training center or employee, liaison officer, has participated in securing such certificates/documents from any source and they shall be made solidarily liable to the following administrative fines:

- First Infraction - Twenty-five Thousand Pesos (P 25,000.00)
- Second Infraction - Fifty Thousand Pesos (P 50,000.00) and/or recommendation for the suspension of the company's or school license/authority/permit by proper government agency

Third Infraction - One Hundred Thousand Pesos (P100,000.00) and/or recommendation for the cancellation of company's or school license/authority/permit by the proper government agency

2. Designated Liaison Officers of companies/agencies/maritime schools/training centers shall be subject to criminal prosecution under the Revised Penal Code and cancellation/revocation of their accreditation as Liaison Officer for:
 - a. submitting spurious, tampered and unauthorized documents required for his accreditation by MARINA or at the time of filing applications under the special processing system.
 - b. acts or omissions done in excess of his/her authority.
3. In addition to the criminal liability and cancellation/revocation of their accreditation, the concerned LO shall subject to administrative penalty in the amount of three thousand (P3,000) pesos for each violation.

VIII. SAVING CLAUSE:

Let it be understood, however, that all the provisions of MCs 82, 83, 85, 87 and their amendments, shall remain in full force and effect and must, therefore, be observed, except those which are otherwise provide herein.

IX. EFFECTIVITY

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

On 06 April 1995, at Manila Philippines.

BY AUTHORITY OF THE BOARD

PACIENCIO M. BALBON, JR.
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 103 has been approved during the Special Meeting of the Maritime Industry Authority Board held on 06 April 1995.

EMERSON M. LORENZO
Deputy Corporate Board Secretary

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