

MEMORANDUM CIRCULAR NO. 126

TO : ALL SEAFARERS EMPLOYED OR TO BE EMPLOYED ON SEA-GOING SHIPS, SHIPPING COMPANIES, SHIPPING AGENCIES, MANNING AGENCIES AND ALL CONCERNED

SUBJECT: REVISED GUIDELINES ON THE ISSUANCE OF ENDORSEMENT OF CERTIFICATES IN ACCORDANCE WITH THE STCW 1978 CONVENTION

Pursuant to Section 12 (e) of Executive Order No. 125, as amended, and in consonance with the Philippines' accession to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) through the Instrument of Accession dated 11 January 1984 and pursuant further to Section 2, Article II of the 1987 Philippine Constitution which states that the Philippines adopts the generally accepted principles of International Law as part of the law of the land, the following revised guidelines in the issuance of Endorsement of Certificates are hereby prescribed.

I. Objective:

To ensure that all seafarers are properly certificated, qualified, competent and medically fit for the proper performance of functions on board seagoing ships in accordance with the Convention.

II. Coverage:

These guidelines shall apply to all Filipino seafarers serving onboard seagoing ships, except to those onboard:

1. warships, naval auxiliaries or other ships owned or operated by a State and engaged only on governmental non-commercial service;
2. fishing vessels;
3. pleasure yachts not engaged in trade; or
4. wooden ships of primitive build.

III. Definition of Terms:

For purposes of this circular:

1. **Administration** refers to the Maritime Industry Authority (MARINA);
2. **Authentication** refers to the Administration's attestation/ validation/ confirmation of certificates, licenses and documents issued by agencies and entities in compliance with the requirements of the 1978 STCW Convention and its subsequent amendments;
3. **Convention** refers to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978. Every reference to the Convention constitutes at the same time reference to the Annex;

4. **Endorsement of Certificates** means a valid document, by whatever name it may be known, issued by the Administration, authorizing the holder to serve as stated in this document;
5. **Fishing Vessel** means a vessel used for catching fish, whales, seals, walrus or other living resources of the sea;
6. **Seagoing Ship** means a ship other than those which navigate exclusively within Philippine waters.

IV. GENERAL PROVISIONS

1. All Filipino seafarers serving onboard seagoing ships shall be properly certificated in accordance with these guidelines.
2. Application for issuance of endorsement of certificates and/or authentication must be personally filed and secured by the applicant. The application can be filed, on behalf of the seafarer while on board, by the duly authorized representative of the company, in cases of replacement of lost or damaged certificates and for purposes of repatriation (for a maximum period of 90 days).
3. Applications shall be filed at the MARINA Central Office (MCO) or at any of its authorized Maritime Regional Office (MRO).
4. Endorsement of Certificates issued for purposes of employment onboard seagoing ships shall be acceptable for use onboard ships operating in the domestic trade.
5. The medical and licensure examinations and training courses required by these guidelines shall have been taken from a government-accredited institution.
6. Certificates in support of application for Endorsement of Certificates shall be automatically authenticated by MARINA. However, a separate authentication of Certificates/documents can be undertaken as maybe necessary.
7. Retraining shall be required to holder of training certificates who has not served on board for at least a year within five(5) years from the date of issuance of certificate.
8. The Administration reserves its authority to waive/modify the requirements in the issuance of endorsement of certificates/authentication in cases deemed meritorious.

V. QUALIFICATION REQUIREMENTS

A. Deck Department

1. *Minimum Requirements for Masters, Chief Mates and Officers in Charge of a Navigational Watch on Ships of 200 GRT or more¹*

REQUIREMENTS	MASTER	CHIEF MATE	OFFICER IN CHARGE OF A NAVIGATIONAL WATCH (Second Mate/Third Mate)
Age	At least 20 years old		
Medical	Certified medically fit, particularly regarding good eyesight and hearing.		
Training	Must have undertaken the following training courses: <ol style="list-style-type: none"> 1. Basic Safety Courses (BSC) 2. Radar Observer Course (ROC)/Radar Observation and Plotting (ROP) 3. Radar Simulator Course (RSC) 4. Ship Restricted Radiotelephone Operator Course (SRROC) or General Operator Course (GOC) 		
Examination/ License	Must have passed the licensure examination for:		
	Master Mariner	Chief Mate	Second Mate/Third Mate
Sea-going Service	<ol style="list-style-type: none"> 1) 36 months as officer in charge of a navigational watch; or 2) 12 months as chief mate and 12 months as officer in charge of a navigational watch 	18 months as officer in charge of a navigational watch	<ol style="list-style-type: none"> 1) 36 months approved sea-going service in the deck department which includes six months bridge watchkeeping duties; or 2) 12 months approved apprenticeship training and 12 months seagoing service in the deck department which includes six months bridge watchkeeping duties.
Regulation	Regulation II/2		Regulation II/4

Note:

¹ As per Regulation I/15 (Transitional Provisions) of 1978 STCW Convention, as amended, the Party may, at its discretion, replace tonnage limitations appearing on the original certificate - "200 GRT" may be replaced by "500 GRT".

2. *Minimum Requirements for Masters and Officers in Charge of a Navigational Watch on Ships of Less 200 GRT*

a. **Ships Not Engaged on Near-Coastal Voyages**

REQUIREMENTS	MASTER	OFFICER IN CHARGE OF A NAVIGATIONAL WATCH (Second Mate/Third Mate)
Age	At least 20 years old	At least 18 years old
Medical	Certified medically fit, particularly regarding good eyesight and hearing.	
Examination/ License	Must have passed the equivalent licensure examination for officer in charge of navigational watch	
Training	Must have undertaken the following training courses: 1. Basic Safety Courses (BSC) 2. Radar Observer Course (ROC)/Radar Observation and Plotting (ROP) 3. Radar Simulator Course (RSC) 4. Ship Restricted Radiotelephone Operator Course (SRROC) or General Operator Course (GOC)	
Sea-going Service	1) 36 months as officer in charge of a navigational watch; or 2) 12 months as chief mate and 12 months as officer in charge of a navigational watch	1) 36 months approved seagoing service in the deck department which includes six months bridge watchkeeping duties; or 2) 12 months approved apprenticeship training and 12 months seagoing service in the deck department which includes six months bridge watchkeeping duties.
Regulation	Regulation II/3	

b. **Ships Engaged on Near-Coastal Voyages**

REQUIREMENTS	MASTER	OFFICER IN CHARGE OF A NAVIGATIONAL WATCH (Second Mate/Third Mate)
Age	At least 20 years old	At least 18 years old
Medical	Certified medically fit, particularly regarding good eyesight and hearing.	
Examination/ License	Must have passed the equivalent licensure examination for officer in charge of navigational watch	
Training	Must have undertaken the following training courses: 1. Basic Safety Courses (BSC) ¹ 2. Radar Observer Course (ROC)/Radar Observation and Plotting (ROP) 3. Radar Simulator Course (RSC) 4. Ship Restricted Radiotelephone Operator Course (SRROC) or GOC	

Seagoing Service	12 months as officer in charge of a navigational watch	1) 36 months approved seagoing service in the deck department; or 2) 12 months approved apprenticeship training.
Regulation	Regulation II/3	

3. Minimum Requirements for Ratings Forming Part of a Navigational Watch on a Seagoing Ship of 200 GRT or More

REQUIREMENTS	BSMT/ AMT/ CMT GRADUATES¹	BASIC SEAMAN TRAINING COURSE (BSTC) (Deck Watchkeeping) GRADUATES¹	UNDERGRADUATE OR NON-RADUATE OF MARITIME COURSES
Age	At least 18 years old		
Medical	Certified medically fit, particularly regarding good eyesight and hearing.		
Training	Must have undertaken the following training courses: 1. Basic Safety Courses (BSC) ; 2. Deck Watchkeeping Course (DWK)		
Seagoing Service	1. 12 months seagoing service in the deck department which includes six months navigational watchkeeping duties; or 2. 12 months approved apprenticeship training	12 months seagoing service in the deck department which includes six months navigational watchkeeping duties	
Regulation	Regulation II/6		

Note:

- ¹ Must submit a copy of diploma or transcript of records from maritime school and Special Order (S.O.) issued by the DECS/CHED.

B. Engine Department

1. Minimum Requirements for Chief Engineer Officers, Second Engineer Officers of Ships Powered by Main Propulsion Machinery of 750 kW Propulsion Power or more

REQUIREMENTS	CHIEF ENGINEER	SECOND ENGINEER	ENGINEER OFFICER IN CHARGE OF A WATCH (Third Engineer/ Fourth Engineer)
Age	At least 20 years old		
Medical	Certified medically fit, particularly regarding good eyesight and hearing.		
Examination/ License	Must have passed the licensure examination for:		
	Chief Engineer	Second Engineer	Third Engineer/ Fourth Engineer
Training	Must have undertaken Basic Safety Courses (BSC)		
Seagoing Service	<u>Regulation III/2</u> (Ship powered by main propulsion machinery of 3,000 kW propulsion power or more)		<u>Regulation III/4</u> 12 months approved seagoing service in the engine room
	24 months as engineer officer in charge of a watch and 12 months as second engineer	12 months approved seagoing service as engine officer in charge of a watch	
	<u>Regulation III/3</u> (Ship powered by main propulsion machinery of between 750 and 3,000 kW propulsion power)		
	12 months as engineer officer in charge of a watch and 12 months as second engineer	12 months approved seagoing service as engine officer in charge of a watch	

2. Minimum Requirements for Ratings Forming Part of an Engine Room Watch

REQUIREMENTS	GRADUATES OF MARINE ENGINEERING COURSES (BSMarE/ AME/ CME)¹	HIGH SCHOOL GRADUATES
Age	At least 18 years old	
Medical	Certified medically fit, particularly regarding good eyesight and hearing.	
Training	Must have undertaken the Basic Safety Courses (BSC)	Must have undertaken the following training courses: 1. Basic Safety Courses (BSC); 2. Engine Watchkeeping Course (EWK)
Seagoing Service	12 months seagoing service in the engine room	18 months seagoing service in the engine room
Regulation	Regulation III/6	

Note:

¹ Must submit a copy of diploma or transcript of records from maritime schools and Special Order (S.O.) issued by DECS/CHED.

C. Radio Department

Mandatory Minimum Requirements for Radio Officers

REQUIREMENTS	RADIO OFFICER
Age	At least 18 years of age
Medical	Certified medically fit, particularly regarding good eyesight, hearing and speech.
License	Must have passed the licensure examination for General Operator (GOC) or First Class Radiotelegraph Operator (IRTG)
Regulation	Regulation IV/1

D. Special Requirements for Tankers

To qualify for the additional Regulation under Chapter V of the Convention, the following requirements must be complied with:

1. For Masters, Officers and Ratings of Oil Tankers

REQUIREMENTS	OFFICERS IN CHARGE AND RATINGS	MASTER, CHIEF ENGINEER, CHIEF MATE AND SECOND ENGINEER
Training/ Sea-going service	<ol style="list-style-type: none"> General/Oil Tanker Familiarization Course; or Six months supervised shipboard service on oil tanker 	<ol style="list-style-type: none"> Advanced/Specialized Oil Tanker Course; and Six months shipboard service on oil tanker
Regulation	Regulation V/1	

2. For Masters, Officers and Ratings of Chemical Tankers

REQUIREMENTS	OFFICERS IN CHARGE AND RATINGS	MASTER, CHIEF ENGINEER, CHIEF MATE AND SECOND ENGINEER
Training/ Sea-going service	<ol style="list-style-type: none"> General/Chemical Tanker Familiarization Course; or Six months supervised shipboard service on chemical tanker 	<ol style="list-style-type: none"> Shore-based Fire-fighting Course; and Six months shipboard service on chemical tanker
Regulation	Regulation V/2	

3. For Masters, Officers and Ratings of Liquefied gas Tankers

REQUIREMENTS	OFFICERS IN CHARGE AND RATINGS	MASTER, CHIEF ENGINEER, CHIEF MATE AND SECOND ENGINEER
Training/ Sea-going service	<ol style="list-style-type: none"> General/Liquefied gas Tanker Familiarization Course; or Six months supervised shipboard service on liquefied gas tanker 	<ol style="list-style-type: none"> Advanced/Specialized Liquefied gas Tanker Course; and six months shipboard service on liquefied gas tanker
Regulation	Regulation V/3	

VI. DOCUMENTARY REQUIREMENTS (All original documents, if applicable must be presented for verification purposes)

A. New/Upgrading	B. Renewal	C. Replacement of Lost/Damaged Certificate
<ol style="list-style-type: none"> 1. Duly accomplished application form 2. Certified true copy of valid PRC and/or NTC License 3. Photocopy of valid medical certificate* 4. SIRB - one photocopy copy each of pages one and two and all other pages reflecting sea service(In case of lost/damaged SIRB, any acceptable substitute documentary proof of sea service and affidavit shall be required) 5. Photocopy of each training certificate required 	<ol style="list-style-type: none"> 1. Duly accomplished application form 2. Photocopy of valid medical certificate* 3. Previously issued Endorsement Certificate 4. Photocopy of SIRB reflecting sea service with at least one year within the last five years 	<ol style="list-style-type: none"> 1. Duly accomplished application form 2. Affidavit 3. Photocopy of valid medical certificate* 4. proof of previously issued Endorsement of Certificate

*Medical shall include the following:

1. Complete physical examination
2. Chest x-ray using plates not smaller than 11"x14"
3. Complete blood count (CBC) including hemoglobin determination
4. Blood typing
5. Urinalysis
6. Stool examination
7. Dental examination
8. Psychological examination
9. Visual acuity with emphasis on color perception:
 - a. For deck officers and rating with navigational watchkeeping duties- Ishihara test; and
 - b. For engine officers and ratings performing watchkeeping duties in the engine room- primary color perception test
10. Hearing and audiometry test for all officers, deck/engine watchkeepers and radio officers
11. Speech clarity test for radio officers

12. Test for HIV antibodies, hepatitis-B antigen or VDRL when required by a country or destination

VII. Validity

Endorsement of Certificates shall be valid for five years.

VIII. Schedule of Fees

1. Issuance of Endorsement of Certificates (including authentication)
 - a. Regular Processing - P325.00 per issuance
 - b. Expedite Processing - P700.00 per issuance
2. Replacement of Lost/
Damaged Endorsement of
Certificate/Repatriation - P600.00 per issuance
3. Authentication of Certificates/
Documents - P25.00 per certificate /
type of document

IX. Administrative Fines and Penalties

1. Any seafarer that shall go onboard seagoing ship and/or a shipping company/
manning/shipping agency, which shall allow a seafarer to go onboard/join a
seagoing ship without an Endorsement of Certificates, shall be severally liable
to pay the following fines:

	<u>Seafarer</u>	<u>Shipping Company/ Shipping/Manning Agency</u>
1.1 First Offense	P2,000.00	P10,000.00
1.2 Second Offense	P3,000.00	P15,000.00
1.3 Third and Succeeding Offenses	P5,000.00	P20,000.00
1.4 The liability of the seafarer, shipowner/ship operator, shipping/ manning agent shall be equivalent to 1/2 of the aforecited penalties, if a seafarer goes onboard with an Endorsement of Certificates, the validity of which is shorter than his/her contract of employment, or where there is failure on the part of the seafarer to hold at all times valid Endorsement of Certificate while on board.		

2. A seafarer who shall submit any false statement or misrepresentation or
fraudulent or tampered or irregularly issued certificates, licenses or documents
required for authentication or in the issuance of an Endorsement of
Certificates shall be liable to pay the following fines:

	<u>First Offense</u>	<u>Second Offense</u>	<u>Succeeding Offense(s)*</u>
Master Mariner	P 7,000.00	P14,000.00	P28,000.00
Chief Engineer	P 6,000.00	P12,000.00	P24,000.00
Chief Mate/ Second Engineer	P 5,000.00	P10,000.00	P20,000.00
Second Mate/ Third Engineer/ Radio Officer	P 4,000.00	P 8,000.00	P16,000.00
Third Mate/ Fourth Engineer	P 3,000.00	P 6,000.00	P12,000.00
Ratings and Others	P 2,000.00	P 4,000.00	P 8,000.00

*This includes recommendation to appropriate government agency for suspension or disqualification to practice profession.

3. Shipowners/ operators, manning/ shipping agencies requesting the issuance of an Endorsement of Certificates for and in behalf of a seafarer shall be liable for the false statement or misrepresentation, fraudulent or spurious or tampered licenses, documents, certificates submitted, or where said shipowners/operators, manning/shipping agencies or any of their employees or liaison officers/messengers have consented or participated in the tampering/misrepresentation or in securing the questioned licenses, documents, and/or certificates from any source:

- 3.1 First violation - P 25,000.00
3.2 Second violation - P 50,000.00
3.3 Third & Succeeding - P100,000.00 and recommendation for cancellation of the company's license by the appropriate government agency

- 3.4 In addition to the foregoing fines, the responsible official of the company or agency and employee, liaison officer/messenger shall be subject to criminal prosecution under the Revised Penal Code.

4. Any seafarer/company found to have secured or in possession of fake, or fraudulent Endorsement of Certificate/authentication shall be liable to pay the fine of P5,000.00 and shall be subject to criminal prosecution under the Revised Penal Code.

X. REPEALING CLAUSE

Memorandum Circular No. 82 and any circular, regulation or any parts thereof inconsistent herewith are hereby repealed.

XI. EFFECTIVITY

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

By Authority of the Board:

(SGD.)RADM PIO H GARRIDO JR AFP (Ret)
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 126 has been approved during 138th Regular Meeting of the Maritime Industry Board on 02 October 1997.

(SGD.) GLORIA J. VICTORIA-BANAS
Deputy Corporate Board Secretary

Published on 11 October 1997 at Phil. Star, copy filed with UP Law Center on 14 October 1997.