

MEMORANDUM CIRCULAR NO. 130

TO : ALL PHILIPPINE SEAFARERS EMPLOYED OR TO BE EMPLOYED ON SEAGOING SHIPS, COMPANIES, SHIPPING AGENCIES, MANNING AGENCIES AND ALL CONCERNED.

SUBJECT : RULES ON THE ISSUANCE OF CERTIFICATES AND ENDORSEMENTS FOR EXISTING SEAFARERS IN ACCORDANCE WITH THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED.

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), 1978, 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, and Executive Order No.396 designating the Maritime Industry Authority(MARINA) as the lead agency in the implementation of the international Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, the following rules in the issuance of Certificates and Endorsement are hereby prescribed:

I. OBJECTIVE

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

II. COVERAGE

These rules shall apply to all Philippine seafarers serving onboard seagoing ships who have commenced approved seagoing service, an approved education and training programme or an approved training course prior to 01 June 1998, except 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 MARINA pursuant to the Implementing Rules and Regulations of Executive order No. 396.
2. **Convention** refers to the International Convention of Standards of Training, Certification and watchkeeping for Seafarers(STCW), 1978, as amended. Reference to the Convention constitutes at the same time reference to the Annex and the STCW Code.
3. **Existing Seafarers** refer to all Philippine seafarers serving onboard seagoing ships who had commenced approved seagoing service, an approved education and training programme or an approved training course prior to 10 June 1998.
4. **Certificate** refers to the STCW certificate issued by the Administration authorizing the holder to serve as stated in this document.
5. **Endorsement** issued by the Administration refers to either of the following:
 - Document attesting the issue of a Certificate of Competency by the PRC
 - Document attesting the recognition of a Certificate issued by other Flag States.
6. **Fishing Vessel** means a vessel used for catching fish, whales, seals, walrus, or other living resources of the sea.
7. **Seagoing ships** means a ship other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulation apply.
8. **Management Level** means the level of responsibility associated with:
 - Serving as master, chief mate, chief engineer or second engineer officer on board a seagoing ship; and
 - Ensuring that all functions within the designated area of responsibility are properly performed.
9. **Operational Level** means the responsibility associated with:
 - Serving as officer-in-charge of a navigational watch or as designated duty engineer for periodically unmanned machinery spaces or as radio operator onboard a seagoing ship; and
 - Maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and

under the direction of an individual serving in the management level for that area of responsibility.

10. **Support Level** means the level of responsibility associated with performing assigned task, duties, and responsibilities onboard a seagoing ship under the direction of an individual serving in the operational or management level.
11. **Long absence** means unable to save onboard seagoing ships for at least one(1) year within the last five(5) year from the date of issuance of Certificate Of Endorsement.

IV. GENERAL PRINCIPLES

1. All existing Philippine seafarers serving onboard seagoing ships shall be properly certificated in accordance with this Circular.
2. Certificates issued for masters and officers shall be endorsed by the Administration in a form prescribed under the Convention.
3. Certificates and endorsement issued under the provisions of 1978 STCW Convention shall be valid until 01 February 2002.
4. All Philippine seafarers whose Certificates and Endorsement were issued under the provisions of the STCW Convention including those who have not yet been certificated are enjoined to comply and apply for the issuance under the 1995 Amendments as soon as deemed qualified.
5. Application for issuance of Certificates and Endorsement and other documents is required to be filed personally by the applicant at the MARINA Central Office (MCO) or at any of its authorized Maritime Regional Offices(MROs). The application may, however, be filed, on behalf of the seafarer onboard, by duly authorized representative of the company in cases of renewal, replacement of lost or damaged Certificates, or promotion on board.
6. Certificates under Chapters IV (Radiocommunication and Radio Personnel), or V (Special Training Requirements for Personnel on Certain Types of Ships, or VI(Emergency, Occupational Safety, Medical Care and Survival Functions) may be issued together with Certificates under Chapters II (Master and Deck Department) or III (Engine Department) of the Convention, or issued separately as appropriate.
7. The renewal/revalidation and the replacement of lost/damaged certificates and endorsements issued under this Circular shall be governed by MC No. __A - RULES ON THE ISSUANCE OF CERTIFICATES AND INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING ,

CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW),
1978 AS AMENDED.

8. Existing seafarers who have not been certificated and endorsed under 1978 STCW Convention may be certificated under this Circular provided the qualification requirements provided under MC No.126 - REVISED GUIDELINES ON THE ISSUANCE OF ENDORSEMENT OF CERTIFICATES IN ACCORDANCE WITH THE 1978 STCW CONVENTION and under this Circular are complied with.
9. The Administration reserves the right to waive/modify the requirements in the issuance of Certificates and Endorsement in cases deemed meritorious.

V. QUALIFICATION REQUIREMENTS

The Administration hereby prescribes the following requirements:

LEVEL / REQUIREMENTS	MANAGEMENT LEVEL	OPERATIONAL LEVEL	SUPPORT LEVEL
NEW ISSUANCES			
A. Deck	<ol style="list-style-type: none"> 1. With at least one (1) year approved seagoing on the level of his certificate within the last five(5) years; 2. Have completed the following training in: <ol style="list-style-type: none"> 2.1 Advanced Fire-Fighting 2.2 Medical Care 2.3 GMDSS (GOC) 2.4 RSC 2.5 ARPA 2.6 ECDIS* 2.7 MERSAR 2.8 Survival Craft and Rescue Boat 2.9 Emergency Preparedness; and 	<ol style="list-style-type: none"> 1. With at least one (1) year approved seagoing service on the level of his certificate within the last five (5) years; 2. Have completed the following training in: <ol style="list-style-type: none"> 2.1 Advanced Fire-Fighting 2.2 Medical first Aid 2.3 GMDSS(GOC) 2.4 RSC 2.5 ARPA; and 2.6 Survival Craft and Rescue Boat 3. Have passed the PRC licensure examination; and 4. Medically fit particularly with 	<ol style="list-style-type: none"> 1. with at least one (1) year approved seagoing service on the level of his certificate within the last five (5) years.

	2.10 Crowd Management** 2.11 Have passed the PRC licensure examination; and 2.12 Medically fit particularly with good eyesight and hearing 2.13	good eyesight and hearing.	
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* only applicable, if the seafarer will board a vessel with ECDIS

** only applicable, on Ro-Ro/passenger vessels.

LEVEL / REQUIREMENTS	MANAGEMENT LEVEL	OPERATIONAL LEVEL	SUPPORT LEVEL
B. ENGINE	1. With at least one(1) year approved seagoing service on the level of his certificate within the last five(5) years; 2. Have completed the following training in: 2.1 Advanced Fire-Fighting; 2.2 Medical first Aid; and 2.3 MERSAR 3. Have passed the PRC licensure examination; and 4. Medically fit	1. With at least one(1) year approved seagoing service on the level of his certificate within the last five (5) years; 2. Have completed the following training in: 2.1 Advanced Fire-Fighting; and 2.2 Medical first aid 3. Have passed the PRC licensure examination; and 4. Medically fit	1. With at least one(1) year approved seagoing service on the level of his certificate within the last five (5) years

	particularly with good eyesight and hearing	particularly with good eyesight and hearing	
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LEVEL/ REQUIREMENTS	MANAGEMENT LEVEL	OPERATIONAL LEVEL	SUPPORT LEVEL
LONG ABSENCE			
A. DECK	<ol style="list-style-type: none"> 1. Have completed the following training in: <ol style="list-style-type: none"> 1.1 Advanced Fire-Fighting; 1.2 Medical Care; 1.3 GMDSS (GOC); 1.4 RSC; 1.5 ARPA 1.6 ECDIS* 1.7 MERSAR 1.8 Collision Avoidance; and 1.9 Pollution Prevention. 2. Medically fit particularly with good eyesight and hearing. 3. Have completed the following: <ol style="list-style-type: none"> 3.1 Shiphandling; 3.2 Stability and Trim; 3.3 Any other refresher/ Updating Course approved by the Administration, 	<ol style="list-style-type: none"> 1. Have competed the following training in: <ol style="list-style-type: none"> 1.1 Advanced Fire-Fighting; 1.2 Medical Care; 1.3 GMDSS (GOC); 1.4 RSC; 1.5 ARPA 1.6 ECDIS* 1.7 MERSAR 1.8 Collision Avoidance; and 1.9 Pollution Prevention; and 1.10 Any other refresher/updatin g course approved by the Administration, provided, however that such course is not less than 40 hours; and 2. Medically fit particularly with good eyesight and hearing. 3. Have performed any of the 	Have completed the Basic safety Courses

	<p>provided, however that such course is not less than 40 hours; or</p> <p>3.4 Have performed any of the following related functions for at least 2 years:</p> <p>3.4.1 Maritime Instructor; or</p> <p>3.4.2 Ship Surveyor or Inspector or Inspector; or</p> <p>3.4.3 Port Captain or</p> <p>3.4.5 Maritime Safety Officer or</p> <p>3.4.6 Such other equivalent positions or experience or</p> <p>4. With approved seagoing service as deck officer for a period of not less than three(3) months in a supernumerary capacity</p>	<p>following related functions for at least 2 years:</p> <p>3.1 Maritime instructor; or</p> <p>3.2 Ship surveyor or inspector; or</p> <p>3.3 Port Captain; or</p> <p>3.4 Maritime Safety Officer; or</p> <p>3.5 Marine Superintendent; or</p> <p>3.6 Such other equivalent positions or experience; or</p> <p>4. with approved seagoing service as deck officer for a period of not less than three (3) months in a supernumerary capacity.</p>	
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* only applicable, if seafarer will board a vessel with EDIS

LEVEL / REQUIREMENTS	MANEGEMENT LEVEL	OPERATIONAL LEVEL	SUPPORT LEVEL
B. ENGINE	<p>1. Have completed the following:</p> <p>1.1 Instrumentation & Automation; and</p> <p>1.2 Advanced Electronics; and</p> <p>1.3 Any other refresher / updating course approved by the Administration, provided, however that such course is not less than 40 hours; or</p> <p>2. Have performed any of the following/ related functions for at least 2 years:</p> <p>2.1 Maritime Instructor; or</p> <p>2.2 Ship Surveyor or Inspector; or</p> <p>2.3 Port Engineer; or</p> <p>2.4 Maritime Safety Officer; or</p> <p>2.5 Marine Superintendent; or</p> <p>2.6 Such other equivalent positions or experience or</p> <p>3. with approved seagoing service as engineer officer for a period of not less</p>	<p>1. Have completed the following:</p> <p>1.1 Marine Electrotechnology ; and</p> <p>1.2 Advanced Electronics; and</p> <p>1.3 Any other refresher/updating course approved by the Administration, provided however that such course is not less than 40 hours; or</p> <p>2. Have performed any of the following related functions for at least 2 years:</p> <p>2.1 Maritime instructor or</p> <p>2.3 Ship surveyor or Inspector; or</p> <p>2.4 Maritime Safety Officer; or</p> <p>2.5 Marine superintendent; or</p> <p>2.6 Such other equivalent positions or experience or</p> <p>3. With approved seagoing service as engineering officer for a period of not less than three(3) months in a supernumerary capacity or in a lower</p>	Have completed the Basic Safety Courses

	than three(3) months in a supernumerary capacity or in lower rank than for which he holds the certificate	rank than that for which he holds the Certificate.	
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Abbreviations used:

- GMDSS - Global Maritime Distress and Safety System
GOC - General Operator's Course
RSC - Radar Simulator Course
ARPA - Automatic Radar Plotting Aid
ECDIS - Electronic Chart Display and Information System
MERSAR - Merchant Ship Search and Rescue

VI. DOCUMENTARY REQUIREMENTS

A. NEW ISSUANCES¹	B. LONG ABSENCE
1. Duly accomplished application form	1. Duly accomplished application form
2. Valid PRC and/or NTC Certificates	2. Previously issued certificate
3. Photocopy of medical certificate	3. Photocopy of medical certificate ²
4. SIRB - one photocopy each pages one and two and all other pages reflecting sea service.(In case of loss/damage SIRB, any acceptable substitute documentary proof of sea service and affidavit shall be required)	4. Photocopy of SIRB reflecting sea service with alt least one year within the last five years
5. Training Certificate as appropriate.	

VII. VALIDITY OF CERRIFICATE

The Certificate and Endorsement shall be valid for five(5) years from date of issuance.

Renewal/Revalidation of Certificate and Endorsement shall be in compliance with regulation I/II of the Convention.

¹ The original copies documents of their authenticated copies must be available for verification purposes.

² Medical certificates must have been issued within the current year and shall cover 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 ratings performing watchkeeping duties-Ishihara test; and
 - b. For engine officers and ratings performing watchkeeping duties in the Engine room - Primary Color Tests.
10. Hearing and audiometry tests for all officers, deck/engine watchkeepers and Radio Officers
11. Speech clarity tests for radio officers
12. Test for HIV-antibodies, hepatitis-B, antigen or VDRL when required by a country or destination.

VIII. SCHEDULE OF FEES

1. New issuance of Certificate/Renewal/Revalidation
 - a. Regular Processing - P500.00 per issuance
 - b. Expedite Processing - P700.00 per issuance
2. Replacement of Lost/Damage Certificate - P600.00 per certificate
3. Authentication by Certificates/ Documents - P25.00 per certificate /type of document

IX. ADMINISTRATIVE PENALTIES/MEASURES

1. Any seafarer who shall go abroad a seagoing ship, and/or a shipping company/manning/shipping agency which will allow a seafarer to go onboard/join a seagoing ship without holding a Certificate appropriate to his function as required by the Convention shall be jointly and severally liable as follows:

	Seafarer	Manning Agency	Shipping Company
First Violation	P2,000.00	P10,000.00	P15,000.00
Second Violation	P3,000.00	P15,000.00	P25,000.00
Third and	P5,000.00	P20,000.00	P50,000.00

Succeeding Violation			
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2. A seafarer who shall misrepresent, or submit any false statement, fraudulent or tampered or irregularly issued licenses in the application for the issuance of Certificate shall be liable to pay the following fines:

POSITION	FIRST VIOLATION	SECOND VIOLATION	THIRD AND SUCCEEDING VIOLATION
Master Mariner	P7,000.00	P14,000.00	P28,000.00
Chief engineer	P6,000.00	P12,000.00	P20,000.00
Chief Mate/Second Engineer	P5,000.00	P10,000.00	P20,000.00
Second Mate/Third Engineer	P4,000.00	P8,000.00	P16,000.00
Ratings and others	P2,000.00	P4,000.00	P8,000.00

- 2.1 Penalties for third and succeeding violations shall include recommendation to appropriate government agency for suspension or disqualification to practice profession.
3. Any seafarer/company found to have secured or in possession of fake or fraudulent Certificate or has obtained said certificate by fraud, shall be liable to pay the aforesaid fines and shall be subject to criminal prosecution under the Revised penal Code.
4. Shipowners/operators, manning/shipping agencies requesting the issuance of Certificates for and in behalf of seafarers shall be liable for the false statement of misrepresentation, fraudulent or spurious or tampered licenses, or documents submitted where said shipowners or liaison officers/messengers have consented or participated in the misrepresentation, or in tampering/securing the questioned licenses, and/or documents from any source:
 - 4.1 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.
 - 4.2 The above penalties shall not prejudice other actions taken or to be taken by the other concerned agencies/entities.
5. Shipping companies, shipping agencies and manning agencies shall be required to post or cause the posting of this Circular in conspicuous places in their offices and onboard vessels with Philippine seafarers employed. Failure of concerned shipping/manning companies/agencies to comply with this

requirement shall be subject to an administrative fine of ten thousand pesos (P10,000.00).

X. REPEALING CLAUSE

Any Circular, rules, issuances, or any part thereof inconsistent herewith are hereby repealed.

XI. EFFECTIVITY

This Memorandum Circular shall take effect on 01 August 1998 immediately after its publication once in a newspaper of general circulation.

BY THE AUTHORITY OF THE BOARD:

AGUSTIN R. BENGZON
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 130 has been approved by the MARINA Board through Board Resolution No. 98-006 dated 15 July 1998.

ATTY. GLORIA J. VICTORIA-BANAS
Corporate Board Secretary

Published on 28 July 1998 at Phil. Daily Inquirer copy filed with UP Law Center on 30 July 1998.