

MEMORANDUM CIRCULAR NO. 83

TO : TO ALL SEAFARERS EMPLOYED OR TO BE EMPLOYED ON SHIPS OPERATING COASTWISE, DOMESTICS SHIPPING COMPANIES AND ALL CONCERNED

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

I. BACKGROUND, PURPOSE AND LEGAL BASES:

The International Maritime Organization (IMO) adopted the International Convention on Standards of Training Certification and Watchkeeping for Seafarers (STCW) on 7 July 1978. The Convention entered into force on 28 April 1984. The Republic of the Philippines is a signatory to this Convention and acceded to the Convention in May 1984. The Government has designated the Maritime Industry Authority (MARINA) as the Administration for purposes of implementing the provisions of said Convention. The Philippines Constitution of 1987 in Article II, Sec. 2 states that the Philippines adopts the generally accepted principles of international law as part of the law of the land.

The STCW Convention aims to promote safety of life and property at sea and the protection of the marine environment by establishing in common agreement international standards of training certifications and watchkeeping for seafarers. In accordance with Article I, State parties must take all necessary steps to ensure that seafarers are qualified and fit for their protection of the marine environment.

II. DEFINITION OF TERMS:

1. “Conventions” refers to the International Convention on Standards of Training Certification and Watchkeeping for Seafarers (STCW), 1978. Every references to the Conventions constitutes at the same time references to the Annex.
2. “Maritime Administrator” refers to the Administrator of the Maritime Industry Authority (MARINA).
3. “STCW Certificate” means a valid document by whatever name it may be known, issued by or under the authority of the Administration or recognized by the Administration authorizing the holder to serve as stated in the 1978 STCW Convention. In the case of Filipino seafarers, it means

the endorsement of certificates and ratings certificates issued by MARINA.

4. “DESPENSA” means the certificate issued by competent authority in accordance with Article VIII of the convention permitting a specified seafarer to serve in a specified ship for a specified period not exceeding six months in a capacity other than that of the radio operator or radiotelephone operator, except as provided by the relevant Radio Regulations for which he does not hold the appropriate certificate.
5. “Sea-going ship” 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 regulations apply.
6. “Ship Operating Coastwise” refers to sea-going ship which navigates primarily in domestic waters, except those which navigate exclusively in inland waters or in waters within or closely adjacent to sheltered waters or areas where port regulations apply.
7. “Port” means a harbor either government or privately owned with loading and unloading facilities or for anchoring, docking and/or mooring.
8. “Fishing Vessel” shall mean a vessel used for catching fish whales seals, walrus or other living resources of the sea.
9. “Wooden Ships of Primitive Build” refers to ships made of wood and provided with sails.

III. APPLICATION:

These Guidelines shall apply to Filipino seafarers serving on board ships operating coastwise except those serving on board:

1. Warships, naval auxiliaries or other ships owned or operated by the government 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.

Seafarers seeking endorsement certification and/or authentication of certificates shall direct apply in person with the MARINA.

These Guideline shall also apply to shipping companies and manning agencies which request endorsement certifications the in behalf of their seafarers.

Shipping companies and/or manning agencies, through their duly authorized representatives, shall be allowed to apply is behalf of their seafarers who are actually employed on board ships under the following instances only:

1. **PROMOTION** – Processing of certificates as a result of promotion of seafarers who are on board shall be allowed subject to the company's submission of the latest STCW Endorsement Certificate or Ratings' Certificate and the latest PRC license, as applicable, together with an Affidavit of Responsibility guaranteeing the payment of penalty that shall be imposed against the seafarer in case any document turns out to be spurious;
2. **REPLACEMENT OF LOST CERTIFICATE** – Seafarers on board vessels shall apply for the issuance for a replacement certificate through their respective shipping company or manning agency by presenting an Affidavit of Loss duly notarized;
3. **RENEWAL OF CERTIFICATE** – Seafarers whose certificates are about to expire while on board may have their certificates renewed through their respective shipping company or manning agency, by submitting a copy of their STCW Endorsement or Rating Certificate. The original certificate shall be surrendered to the MARINA within thirty (30) days after renewal.

IV. WHERE TO APPLY:

All seafarers who are employed or to be employed on ships operating coastwise shall apply at the MARINA Central Office or at the MARINA Regional Office closest to the Residence of the seafarer or to the homeport of the vessel they are employed in.

V. QUALIFICATIONS/REQUIREMENTS:

1. **MASTERS AND OFFICER** – All Master, deck, engine and radio officers shall be required to have their license endorsed by the Maritime Industry Authority (MARINA) provided however that they comply with the following requirements:

- a. Master and Deck Officer:
- 1) Must submit license duly authenticated by the Professional Regulation Commission (PRC) Appropriate to the position being applied for:
 - 2) Must have passed a thorough medical examination, particularly eyesight (including color vision) and hearing examinations from a Department of Health (DOH) accredited hospital or clinic:
 - 3) Must have served on board vessels of 250 gross register tons (GRT) or more and have an approved length of sea-going serve in the deck department as follows:
 - a. Master Mariner – two (2) YEARS AS Chief Mate
 - b. Chief Mate – one (1) year as Second Mate
 - c. Second Mate – one (1) years as Third Mate
 - d. Third Mate – one (1) years as Apprenticemate

Presentation of the Seaman's Service Record Book shall serve as proof of the applicant's sea service.

4. In the case of Major Patron or Minor Patron Must have the following minimum sea-going serve in the deck department:
 - a. Major Patron – at least ten years as boatswain quartermaster, sailor or apprentice mate on a merchant marine vessel of not less than two hundred fifty gross tons or that he has navigated as minor Patron for at least five years.
 - b. Minor Patron – not less than five years as boatswain or quartermaster or sailor.
 5. Must present certificates of training as required by these Guidelines.
- b. Engine Officer:
1. Must submit a license duly authenticated by the PRC:
 2. Must have passed a thorough medical examination particularly eyesight (including primary color vision/perception) and hearing examinations from a DOH-accredited hospital or clinic:

3. Must have served on board a sea-going ship powered by man propulsion machinery of 750.
 4. Must present certificate of training as required by these Guidelines.
- c. Radio Operator:
1. Must submit a First Class Radiotelegraph (1 RTG) license or General Operator's Certificate duly authenticated by the National Telecommunications Commission (NTC);
 2. Must have passed a thorough medical examination, particularly on hearing and speech clarity from a DOH – accredited hospital/clinic;
 3. Must have served on board sea-going vessels for at least one(1) year as radio operator or apprentice radio operator;
 4. Must present certificates of training as required by these Guidelines.
2. RATINGS – Only ratings performing deck or engine watchkeeping duties shall be certificated/endorsed, i.e. they shall be issued Ratings' Certificates provided they comply with the following requirements/qualifications;
- a. Deck Ratings:
1. At least 18 years of age;
 2. Must have passed a thorough medical examination, particularly eyesight (including color vision/perception) and hearing examinations from a DOH-accredited hospital or clinic;
 3. Must have served on board vessels of 250 GRT or more and must have adequate sea experience as indicated below:
 - i. for graduates of BSMT/AMT – they must either have at least one(1) year shipboard experience or apprenticeship training in the deck department with exposure in navigational watch for at least six(6) months in navigational watch under the supervision of a qualified deck officer;
 - ii. for graduates of Basic Seaman's Course (BSC) – they must have at least 1 ½ years of shipboard

experience in the bridge with exposure in navigational watch for at least twelve (12) months under the supervision of a qualified deck officer;

iii. for undergraduates or non-graduates of maritime courses – they must have at least 1 ½ years shipboard experience in the deck department with exposure in navigational watch for at least twelve(12) months under the supervision of a qualified deck officer.

4. For ratings cited under a.(3) (i) and (ii) of this set of guidelines: must submit a copy of diploma or transcript of records from maritime school and Special Order (SO) from the DECS

5. For ratings cited under a.(3) (iii); must have successfully undergone a special training on navigational watchkeeping;

6. Must present certificates of training on Firefighting, First Aid at Sea, Personal Survival Technique and Survival Craft/Lifeboat Handling.

b. Engine Ratings:

1. At least 18 years of age;

2. Must have passed a thorough medical examination, particularly eyesight (including primary color vision/perception) and hearing examinations from a DOH – accredited hospital or clinic;

3. Must have served on board vessels of 750 kw or more;

i. for graduates of BS Mar. E/AME – they must have at least two(2)years shipboard experience or apprenticeship training in the engine room, with exposure in engineering watch for at least one(1) year under the supervision of a qualified engine officer.

ii. for graduates of Basic Seaman’s Course – they must have at least 2 ½ years of shipboard experience in the engine room with exposure in engineering watch for at least 1 ½ years under the supervision of a qualified engine officer.

- iii. for undergraduates or non-graduates of maritime courses – they must have at least 2 ½ years shipboard experience or apprenticeship training in the engine room with exposure in engineering watch for at least 1 ½ years under the supervision of a qualified engine officer.
4. For ratings cited under b.(3) (i) and (ii) of this set of guidelines; must submit a copy of diploma or transcript of records from maritime school and Special Order (SO) from the DECS;
5. For ratings cited under b.(3) (iii): must have successfully undergone a special training course on engine watchkeeping;
6. Must present certificates of training on Firefighting, First Aid at Sea, Personal Survival Technique and Survival Craft/Lifeboat Handling.

Special Ratings:

Rating such as Electricians, Electronic Technicians, Pumpman, Reeferman, Machinist, etc. are considered as Special Ratings. They are categorized separately from the traditional ratings for they are concerned only on certain and highly specialized tanks.

This group of ratings pays special attention to the maintenance and support of all machinery, including mechanical, electrical, hydraulic and pneumatic systems. In such cases, the MARINA may issue an applicant a Rating's Certificate provided he complies with the following qualification requirements:

1. At least 18 years of age;
2. Must have passed a thorough medical examination, including eyesight (color perception test) and hearing test;
3. Must have taken the following training:

For Pumpman

- i. SOLAS courses;

- ii. Basic Tanker Safety Course;
- iii. Advance Tanker Safety Course;
- iv. Engine watchkeeping course (optional, if applicant wants to have an additional qualification) - A Pumpman with no training in engine/ deck watchkeeping shall be issued only a certificate in “cargo watchkeeping”.

For other Special Ratings:

- i. SOLAS courses;
 - ii. Engineering watchkeeping course, as appropriate; (this may be substituted with a PRC license as Master electrician, Mechanical Engineer, Electrical Engineer, Electronic Engineer or Communications Engineer);
4. Must have the required minimum sea services or relevant job experience:

For Pumpman:

- i. One (1) year relevant sea service appropriate to his duties; or
- ii. Three(3) years relevant land-based job experience and six (6) months sea experience as Pumpman;

For other Special Rating;

- i. One and a half (1 ½) years sea service.

VI. MEDICAL REQUIREMENTS:

In accordance with the guidelines issued by the Department of Health (DOH), seafarers shall undergo pre-employment medical examination which shall include the following:

- 1. Complete physical examination
- 2. Chest X-ray using plates not smaller than 11” x 14”
- 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, ratings with navigation watchkeeping duties and electricians, Ishihara color test;
 - b. For engine officers and rating performing watchkeeping duties in the engine room, primary color perception test;
10. Hearing test and audiometry test for all officers, deck/engine watchkeepers and radio officers;
11. Speech clarity test (only for radio operators on ships operating coastwise with radio and/or radiotelephone equipment)

In regions where the Ishihara test or primary color perception test cannot be performed, a certification from an ophthalmologist attesting that the applicant is not color blind shall be submitted.

In the absence of DOH-accredited medical examination centers in the regions, the MARINA may accept the medical findings from a Medical center/clinic or physician employed by the Shipping Company where the applicant-seafarer is employed.

Within a sixth month period after this Circular takes effect, interisland shipping companies or their manning agencies may avail themselves of the services of the company – designated clinics and/or physicians in the medical examination of their seafarers. During the same period, the MARINA shall request the Department of Health (DOH) to conduct inspection of the medical examination facilities of the company-designated clinics and physicians to determine compliance with the minimum standards of the DOH. Those clinics which meet the standards of the DOH shall be recognized as a medical examination clinic for seafarers serving in the domestic or coastwise trade. After

the sixth-month period expires, the MARINA shall honor only the medical certificates issued by DOH-accredited/recognized clinics.

A medical certificate shall have a validity period of six (6) months from the date of the medical examination. The MARINA shall not accept any application for STCW Endorsement or Ratings Certificate without a valid medical certificate being presented.

VII. BASIC COMMON TRAINING REQUIREMENTS:

The basic training requirements for all hands are the four (4) basic safety courses; i.e, fire-fighting, first aid at sea, survival craft handling and personal survival techniques, or what is known as the SOLAS courses. Certain ship departments need additional training to qualify, among others, for issuance of STCW Certificate. The different departments and corresponding training per group of officers or ratings are as follows;

- | | | |
|----|---|---|
| 1. | Deck Department: | Additional Training |
| | For Master Mariners and Chief Engineers | ROC, RSC (or MB) and SRROC (low power or mobile) |
| | For Second or Third Mates | ROC, RSC (or MB) and SRROC (low power or mobile) |
| | For Navigational Watchkeepers | NWK (for non-graduates of maritime institutions) |
| | The SRROC requirement shall apply only to deck officers on vessels with radiotelephone equipment. | |
| | Similarly, if the vessel is not equipped with radar, the ROC requirement for deck officers shall not apply. In lieu thereof, deck officers shall be required to attend a seminar on Collision Regulation. | |
| 2. | Engine Department: | |
| | For Engine Watchkeepers | EWK(for non – graduates of maritime institutions) |
| 3. | Radio Department | |
| | For Radio Officers | GOC or 1 RTG |
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where:

ROC	-	Radar Observer Course
RSC	-	Radar Simulator Course
MB	-	Training on Maneuvering Board
SRROC	-	Ship Restricted Radiotelephone Course
GOC	-	General Operator Course/Certificate
NWK	-	Navigational Watchkeeping Course
EWK	-	Engineering Watchkeeping Course
1RTG	-	First Class Radiotelegraphy Certificate

4. Specialized Tanker Regulations (Qualifications)

Mandatory requirements for Officers and Ratings who have specific and immediate duties and responsibilities for loading, discharging and care in transit or handling of cargo on board tankers shall have the following qualifications:

- a. At least one(1) year sea service on board tanker vessels; or,
- b. Have taken an approved Tanker Familiarization or Basic/General Tanker Safety Course.

To merit additional regulation number under Chapter V (Special Requirements for Tankers) of the Annex to the STCW Convention, the applicant must comply with the following requirements on top of the foregoing:

- a. For Regulation No. V/1:
 1. At least one(1) year experience on board oil tankers during the last five years; and,
 2. Completed an Advanced/Specialized Oil Tanker Course.
- b. For Regulation No. V/2:
 1. At least one(1) year experience on board chemical tankers during the last five years; and,
 2. Completed an Advanced/Specialized Chemical Tanker Course.

- c. For Regulation No. v/3
 - 1. At least one(1) year experience on board LPG/LNG Tankers during the last five years; and'
 - 2. Completed an Advanced/Specialized LPG/LNG Tanker Course.

VIII. DOCUMENTARY REQUIREMENTS:

Documentary requirements for applications of Endorsement of Certificates/Ratings Certificates are as follows:

Set 1 (MARINA's File)

- a. Letter – request from employer for the issuance of Endorsement of Certificates/Ratings Certificates, if application is filled by employer in behalf of the seafarer.
- b. Duly accomplished MARINA application form – to be accomplished in duplicate.
- c. Authenticated photocopy of the professional Regulation Commission (PRC) and/or National Telecommunications Commission (NTC) Licenses.
- d. One photocopy of medical certificate from DOH-accredited medical clinic. A medical certificate should also bear the picture of the applicant with the clinic's seal stamped on the picture. Also to be attached is the referral slip from the company/agency for the clinic to conduct medical examination.
- e. Photocopy of the seaman's Service Record Book (old and new) or, in lieu of the SSRB the seafarer's service record as certified by the shipping company shall be submitted.
- f. One photocopy of training certificate such as fire-fighting, first aid at sea, personal survival techniques, survival craft handling, ROC, RSC, SRROC/GOC, ARPA, tanker certificates, etc.

Items e and f may be waived in case of promotion or renewal of certificate when the seafarer applies in person with MARINA.

Set 2 (Seaman's File)

Originals of the document specified in Items c, d, e, and f. (for verification purposes only)

Applications filed in behalf of seafarers who are on board, shall comply with the following requirements:

1. Promotion or Renewal of Certificates
 - a. Letter – request from the employer;
 - b. Duly accomplished MARINA application form – to be accomplished in duplicate;
 - c. Affidavit of Responsibility guaranteeing the payment of penalty that shall be imposed against the seafarer in case any document turns out to be spurious;
 - d. Latest PRC license, if applicable;
 - e. Latest training certificate(s), if any;
 - f. Latest SSRB or service record duly certified by the shipping company.
2. Replacement of Lost Certificate
 - a. Set 1 documents;
 - b. Affidavit of Responsibility guaranteeing the payment of penalty that shall be imposed against the seafarer in case any document turns out to be spurious;
 - c. Affidavit of Loss.

IX. STEPS IN APPLYING FOR STCW CERTIFICATES:

1. Check all documentary requirements and indicate complete dates of issuance of all training certificates and sea service. The applicant must make sure that all his certificates are genuine and that he really attended the training courses to avoid penalties and unnecessary delays. See back page of application form for the list of requirements/instructions and strictly follows the arrangement and number of copies of documents needed.

2. Go to the Manpower Development Office, 6th floor, right wing, PPL Building or to the MARINA Regional Office, get a queue number or line up and wait until your number is called.
3. Submit all documents for assessment/evaluation. If accepted, wait for the order of payment. If denied, you will be advised accordingly.
4. Pay the prescribed fee at the Cashier Section, or to the Cashier when applying at the Regional Office.
5. After payment, submit Set 1 or the required documents at the receiving section of the Manpower Development Office at the Central Office or to the concerned personnel at the Regional Office.
6. You will be issued a return slip indicating the date of release of your STCW Certificate.

X. CONTINUED PROFICIENCY AND UPDATING OF KNOWLEDGE:

1. Every deck, engine and radio officer holding a certificate who is serving at sea or intends to return to sea after a period ashore in order to continue to qualify for sea – going service in the rank appropriate to his certificate shall be required to have his certificate revalidated by the Maritime Industry Authority (MARINA) at intervals not exceeding five years. Such revalidation is subject to the satisfaction of the Administration as to the following;
 - a. his medical fitness, particularly regarding eyesight and hearing, including speech clarity for radio officers.
 - b. his professional competence:
 1. as evidenced by his approved sea – going service as Deck/Engineer officer or Radio operator of at least one year during the preceding five years; or
 2. by virtue of having performed functions relating to the duties appropriate to the grade of certificate held which are considered to be at least equivalent to the sea – going service required in paragraph 1 (b) (1); or
 3. by one of the following:
 - passing an approved test; or

- successfully completing an approved course or courses appropriate to the position; or
 - having completed approved sea – going service as a deck officer/engineer officer or as a radio officer for a period of not less than three months in a supernumerary capacity immediately prior to taking up the rank to which he is entitled by virtue of his certificate.
2. The course or courses referred to in paragraph 1 (b) (3) above shall include, in particular, changes in the relevant international regulations and recommendations concerning safety of life at sea and the protection of the marine environment.

XI. VALIDITY:

All STCW certificates shall have five(5) years validity period. The MARINA may issue a provisional certificate with a validity period of not more than one(1) year on cases such as:

1. The seafarer has insufficient sea service, provided the deficiency does not exceed six(6) months;
2. The seafarer cannot personally file his application, e.g., the seafarer is on board;
3. At least severe hearing loss for one ear and moderate to severe hearing loss for the other ear (in engine department only);
4. At least moderate to severe hearing loss in either ear (in deck department only);
5. The seafarer cannot present the original PRC license but possesses a PRC certification for a particular capacity/position;
6. No audiometry test can be conducted because there is no audiometry facility in the region, where the application was filed.

XII. REPLACEMENT OF LOST CERTIFICATE:

Any officer or rating who loses his original endorsement certificate must report the matter immediately to MARINA. He may apply for a replacement provided he submits an affidavit of loss and pays the appropriate fee.

XIII. SCHEDULE OF FEES:

1. STCW Endorsement Certificates
 - a. Issuance of STCW endorsement certificate including authentication of documents P250 per certificate issued
 - b. Replacement of lost STCW Endorsement/ Ratings Certificate including authentication P500 per certificate
 - c. Rush Processing An additional fee of P100 per certificate
2. Authentication of Documents P20 per document

The above fees include documentary stamps and maybe adjusted from time to time by the Administration as the need arises.

XIV. ADMINISTRATIVE FINES AND/OR PENALTIES:

1. A shipping company/manning agency which shall allow a seafarer to go on board/join a vessel without first securing a MARINA endorsement/authentication shall be solidarily liable and shall be subject to the following administrative fine:

	Seafarer	Shipping Company or Manning Agency
First Offense	P2,000	P10,000
Second Offense	P3,000	P15,000
3RD & Succeeding Offense	P5,000	P25,000

In case of a seafarer on board with expired STCW certificates or of late renewals, the liability of the seafarer and the shipping company/manning agency shall be equivalent to One-half the penalties where provided.

Imposition of such fines shall be without prejudice to whatever action MARINA may take towards possible suspension or revocation of license/ accreditation of the seafarer and the shipping company/manning agency.

2. Any seafarer who submits any false statement or misrepresentation in his application, fraudulent or tampered certificates or documents shall be

subject to criminal prosecution under the Revised Penal Code and administrative penalty as follows:

First Offense	Second And Succeeding Offense.
Officers:	
Master Mariner - - - - -P7,000.00	P14,000.00
Chief Engineer - - - - - P6,000.00	P12,000.00
Chief Mate/ 2 nd Eng'r. - - -P5,000.00	P10,000.00
2 nd Mate/3 rd Eng'r. - - - - -P4,000.00	P8,000.00
Radio Operator/Electrician 3 rd Mate/fourth Eng'r. - - - P3,000.00	P6,000.00
RATING - - - - - - - - -P2,000.00	P4,000.00

For succeeding offenses, suspension or disqualification to practice his profession by the Professional Regulation Commission or proper government agency, upon recommendation of the Maritime Industry Authority, shall be imposed.

3. Shipping companies or manning agencies, requesting or recommending endorsement for and/or in behalf of a particular seaman shall be held responsible for the spurious or tampered documents submitted to this Authority which were secured or tampered by the shipping company or manning agency or any of their employees or liaison officer/messengers or where said company or agency or employee/liaison officers/messengers has tampered or participated in securing documents from any source, and shall be made solidarily liable to the following administrative fine:

First Infraction	-	Twelve Thousand Five Hundred (P12,5000.00) Pesos
Second Infraction	-	Fifty Thousand ((P50,000.00) Pesos
Third Infraction	-	One Hundred Thousand (P100,000.00) Pesos and suspension of the company's Certificate of Public Convenience

No permit license or authority shall be granted pending compliance with this Memorandum Circular.

In addition the responsible officials of the Company or Agency and employee/liaison officer/messenger shall be subject to criminal prosecution under the Revised Penal Code.

For purposes of this Circular, irregularly issued documents shall refer to training certificates issued without the required actual, practical and theoretical training.

XV. DUE PROCESS:

A show cause order shall be issued against the offending party, and the case shall be heard in accordance with the Administrative rules on practice and procedure complying with the requirements of notice and hearing.

XVI. REPEALING CLAUSE:

Memorandum Circular Nos. 41, 41-A and 41- B are hereby repealed.

XVII. AFFECTIVITY:

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

A copy of this Memorandum Circular duly published, shall be furnished to the International Maritime Organization Secretary General through the Department of Foreign Affaire, pursuant to Article IV of the 1978 STCW Convention.

By Authority of the Board:

PACIENCIO M. BALBON, JR
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 83 has been approved during 118th Meeting of the Maritime Industry Board on 21 January 1994.

EMERSON M. LORENZO
Deputy Corporate Board Secretary

Date of Publication 03 February 1994, Malaya Newspaper
Date of Submission
to the U.P. Law Center 10 February 1994