

MEMORANDUM CIRCULAR NO. 164

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

SUBJECT: RULES GOVERNING THE ADOPTION AND IMPLEMENTATION OF A QUALIFICATION DOCUMENT CERTIFICATION SYSTEM IN THE DOMESTIC TRADE

Pursuant to Section 12 (g) of the Executive Order No. 125, as amended and DOJ Opinion No. 62, S. 1989, and in order to ensure greater safety of life and property at sea and protection of marine environment, the adoption of qualification document certification system in the domestic trade is hereby prescribed.

I. OBJECTIVES:

To ensure that all seafarers onboard domestic ships are properly certificated, qualified, competent and medically fit for the proper performance of functions onboard ships operating coastwise.

II. COVERAGE:

These rules shall apply to all ships of at least 100 GT or of propulsion of at least 200 kW operating primarily in the domestic waters, 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

1. **Qualification Document Certificate (QDC)** means a document issued by the Maritime Industry Authority (MARINA) to seafarers serving onboard ships of at least 100 GT and of propulsion of at least 200 kW.
2. **Authentication** refers to the MARINA's attestation / validation / confirmation of certificates and documents issued by it or by other agencies and entities.
3. **Officers** refer to duly certificated and/or licensed deck, engine and radio officers.

4. **Ratings** mean a ship's crew other than the Master or Officer performing deck or engine watchkeeping duties.
5. **Marine Diesel Mechanics** means a person authorized by the MARINA to operate and maintain the ship diesel engine/s on the qualification/ license to act as such.
6. **Fishing Vessel** means a vessel exclusively used for catching fish, whales, seals, walrus or other living resources of the sea and excludes fish carriers.
7. **Wooden Ships of Primitive Build** refer to ships made of wood and provided with sails.
8. **Domestic Waters** – correspond to all waters within the Philippine territory.

IV. GENERAL PROVISIONS

1. All seafarers serving onboard ships of at least 100 GT or with propulsion of at least 200 kW operating in domestic waters shall be properly certificated.
2. Application for the issuance of QDC and/or its authentication must be personally filed and secured by the applicant. The application can be filed, for and on behalf of the seafarer while on board by the duly authorized representative of the company.
3. Promotion onboard requiring issuance of QDC may likewise be filed on behalf of the seafarer by the employer.
4. Applications shall be filed at the Maritime Industry Authority (MARINA) Central Office or in any of its Maritime Regional Offices (MROs).
5. Certificates issued by the PRC or TESDA pursuant to the 1978 STCW Convention, as amended shall be acceptable onboard ships operating in the domestic waters.
6. Retraining shall be required of a 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.
7. Issuance of QDC may indicate, limitations as vessel's tonnage/ engine propulsion based on the seafarers sea service.

8. In meritorious cases, the MARINA may require equivalent or additional documents in the issuance of QDC.

V. QUALIFICATION REQUIREMENTS

A. Deck Department

1. Minimum Requirements for Officers and Ratings Serving Onboard Ships of Not Less than 100 GT

REQUIREMENTS	OFFICERS	RATINGS
Age	<ul style="list-style-type: none"> At least 20 years old 	<ul style="list-style-type: none"> At least 18 years old
Medical	<ul style="list-style-type: none"> Certified physically and medically fit particularly regarding good eyesight and hearing from a Department of Health (DOH) accredited hospital or clinic. * 	<ul style="list-style-type: none"> Certified physically and medically fit particularly regarding good eyesight and hearing from a Department of Health (DOH) accredited hospital or clinic. *
License/ Examination	<ul style="list-style-type: none"> PRC License ** 	-
Training ***	<ul style="list-style-type: none"> Basic Safety Course Deck Watchkeeping Course (DWK) [for non-graduate of maritime courses] Collision Regulation (for non-graduate of maritime courses) ROC/SSROC, if applicable 	<ul style="list-style-type: none"> Basic Safety Course Deck Watchkeeping Course (DWK) [for non-graduate of maritime courses]
Sea Service		<ul style="list-style-type: none"> Must have served on board ship of not less than 100 GT for at least six (6) months in deck department.

* In the absence of DOH-accredited medical examination centers in the regions, Marina may accept the medical findings from a medical center/clinic or physician employed by the shipping company where the applicant-seafarer is employed.

** To include Major Patron / Minor Patron

*** The training must have been taken from Maritime Training Council (MTC) accredited training centers

B. ENGINE DEPARTMENT

1. Minimum Requirements for officers and Ratings Serving onboard Ships Powered by Main Propulsion Machinery of not less 200 kW Propulsion Power

REQUIREMENTS	OFFICERS	RATINGS
Age	<ul style="list-style-type: none"> At least 20 years old 	<ul style="list-style-type: none"> At least 18 years old
Medical	<ul style="list-style-type: none"> Certified physically and medical fit particularly regarding good eyesight and hearing from a Department of Health (DOH) accredited or clinic. * 	<ul style="list-style-type: none"> Certified physically and medically fit particularly regarding good eyesight and hearing from a Department of Health (DOH) accredited hospital or clinic. *
License/ Examination	<ul style="list-style-type: none"> PRC License** 	
Training ***	<ul style="list-style-type: none"> Basic Safety Course (BSC) 	<ul style="list-style-type: none"> Basic Safety Course (BSC)
Sea Service		<ul style="list-style-type: none"> Must have served onboard vessels powered by main propulsion of not less than 200 kW propulsion power for six (6) months in the engine department.

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

** *To include **Marine Diesel Mechanics***

*** *The training must have been taken from **Maritime Training Council (MTC)** accredited training centers*

VI. DOCUMENTARY REQUIREMENTS

New / Renewal		Promotion/ Upgrading	Replacement of Lost/ Damaged Certificates
1.	Duly accomplished MARINA application form	1. Duly accomplished MARINA application form	1. Duly accomplished MARINA application form
2.	PRC License	2. Training Certificate	2. Affidavit of Loss/ Damage
3.	Medical certificates from DOH-accredited medical clinic/hospital.	3. Seafarer's Identification and Record Book (SIRB)/ Certificate of Employment	
4.	Seafarer's Identification and Record Book (SIRB)/ Certificate of Employment	4. Authenticated photocopy of valid medical certificates from DOH-accredited medical clinic/hospital	
5.	Training Certificate		

* Medical Certificate shall include the following:

1. Complete physical and medical examination
2. Complete x-ray using plates not smaller than 11 x 14
3. Dental examination
4. Psychological examination
5. Primary Color Perception Test
6. Hearing test and audiometry test

VII. VALIDITY OF CERTIFICATES

QDC shall be valid for a period of three (3) years from the date of issue.

VIII. SCHEDULE OF FEES

Issuance of QDC		Fees	
		Officer	Ratings
a.	Issuance of QDC	P 200.00 / Certificate	P 200.00 / Certificate
b.	Replacement of Lost QDC including authentication of documents	P 300.00 / Certificate	P 300.00 / Certificate
c.	Expedite Processing	P 500.00 / Certificate	P 500.00 / Certificate
d.	Authentication of Documents	P 50.00 / Certificate	P 50.00 / Certificate

The above fees include documentary stamps and may be adjusted by the MARINA as the need arises.

IX. ADMINISTRATIVE FINES AND/OR PENALTIES

1. A seafarer who shall go on board ships and/or a shipping company/operator which shall allow a seafarer to go board/ join a ship without first securing a QDC shall be jointly liable and shall be subject to the following administrative fines:

	First Offense	Second Offense	Third and Succeeding Offenses
Seafarer	P 1,000.00	P 2,000.00	P 3,000.00
Shipping Company/Manning/ Shipping Agency	P 5,000.00	P 10,000.00	P 15,000.00
For going on board with expired QDC or of late renewals – half of the aforecited penalties shall be imposed			

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/ shipping agency.

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

First Offense:	P 2,000.00
Second Offense:	5,000.00
Third and Succeeding Offense:	10,000.00

3. Shipping companies/ operators shall be held responsible for spurious or tampered documents submitted by any seafarer to MARINA which were secured or tampered by the shipping company /operator or any of their employees or liaison officers/ messengers, or where said company /operator or employee / liaison officer/ messenger has tampered or participated in securing the questioned documents from any source, and shall be made solidarily liable to the following administrative fines:

First Violation	P 25,000.00
Second Violation	P 50,000.00
Third Violation	P 100,000.00 and recommendation for the cancellation of the company's license by proper government agency

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 who found to have secured or in possession of fake and fraudulent or irregularly issued QDC/ authentication shall be subject to criminal prosecution under the Revised Penal Code and administrative fine of P5000.00.

X. REPEALING CLAUSE

The provisions of Memorandum Circular Nos. 47-A, 83 and 83-A inconsistent herewith are hereby modified or emended accordingly.

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

ATTY.OSCAR M.SEVILLA
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 164 has been approved during the 156th Regular Meeting of the Maritime Industry Authority (MARINA Board on 15 March 2001).

ATTY. GLORIA V. BANAS
Corporate Board Secretary

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