



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY
PANGASIWAAN NG KALAKALANG PANDAGAT
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MEMORANDUM CIRCULAR NO. MD-2024-02
Series of 2024

**TO : ALL SHIPPING COMPANIES, FISHING COMPANIES, SEAFARERS,
AND ALL CONCERNED**

**SUBJECT : THE 2023 POLICIES, STANDARDS AND GUIDELINES FOR THE
ISSUANCE, REVOCATION AND REISSUANCE OF SEAFARER'S
IDENTIFICATION BOOK (SIB) FOR SEAFARERS ONBOARD
PHILIPPINE-REGISTERED SHIPS BELOW 35GT AND FISHING
VESSELS FROM 3GT TO BELOW 50GT OPERATING IN THE
PHILIPPINE WATERS**

Pursuant to PD 474, Section 12 Paragraph (j) of Executive Order No. 125-A, these rules and regulations are hereby adopted:

I. Objectives

1. To ensure that all Filipino seafarers onboard Philippine-registered ships below 35GT and fishing vessels from 3GT to below 50GT operating in the Philippine waters, are properly documented;
2. To enhance the safety of life, property and security at sea, and the protection of the marine environment; and
3. To prescribe the policies and minimum requirements in the issuance of SIB.

II. Coverage

These rules shall apply to Filipino seafarers, at least 18 years of age, onboard Philippine-registered ships below 35GT and fishing vessels from 3GT to below 50GT operating in Philippine waters, except those onboard warships, naval vessels, naval auxiliaries and other ships owned or operated by the Philippine government and engaged only in governmental, non-commercial service.

III. *Exception*

This Circular shall not apply to seafarers onboard ships below 3GT and fish workers or fishermen onboard ships/vessels operating in Philippine waters.

IV. *Definition of Terms*

For purposes of this Circular on the issuance of Seafarer's Identification Book (SIB), the following terms are defined:

1. **Administration** refers to the Maritime Industry Authority.
2. **Competent Authority** refers to any administrative agency or office vested with quasi-judicial or judicial jurisdiction to hear and adjudicate any action to enforce a right.
3. **Desertion**, in maritime law, refers to the act by which a holder of SIB deserts and abandons a ship or vessel, in which he/she had engaged to perform a voyage, before the expiration of his/her time, and without leave. By desertion, in maritime law, is meant, not a mere unauthorized absence from the ship, without leave, but an unauthorized absence from the ship with an intention not to return to his/her service; or as it is often expressed, *animo non revertendi*, that is, with an intention to desert.
4. **Fishing Vessel** refers to any boat or other watercraft equipped to be used for taking of fishery species, aiding or assisting one (1) or more vessels in the performance of any activity relating to fishing, including, but not limited to, preservation, supply, storage, refrigeration or processing.
5. **Fisherman or Fish Worker** refers to the personnel onboard fishing vessels of 3GT and above, participating in the preparation/maintenance of fishing gears, equipment devices, fish catching, loading and processing of catch. Fish workers shall not be considered as seafarers. Also, fishermen or fish workers are personnel not performing watchkeeping duties onboard fishing vessels of 3GT and above operating in Philippine waters.
6. **Marine Incident** refers to an event or sequence of events, other than a marine casualty, which has occurred directly in connection with the operations of a ship that has endangered, or if not corrected, would endanger the safety of the ship, its occupants or any other person, or environment.
7. **Marine Safety Investigation or MSI** refers to an investigation or inquiry into a maritime casualty or incident, conducted with the objective of preventing such occurrences in the future. The investigation includes the collection and analysis of evidence, the identification of causal factors, and the making of safety recommendations as necessary.



8. **Modified Basic Safety Training Course (MBSTC)** refers to a customized training course with Typhoon Awareness and Preparedness developed by the MARINA specifically for seafarers who will go onboard ships of any capacity 35 GT and below.
9. **Mutiny** refers to an insurrection or uprising of SIB/SRB holders against the authority of their commanders/ captain.
10. **Preventive Suspension** refers to a precautionary measure of temporarily invalidating, withdrawing, and the surrender of the SIB of a seafarer involved in a maritime accident or incident pending the investigation of any alleged violation of MARINA Circulars and other issuances. Preventive suspension is not a penalty.
11. **Philippine Penal Laws** refers to any violation of the provisions of the Revised Penal Code or special laws.
12. **Seafarer's Identification Book (SIB)** refers to the document issued by the MARINA to all Filipino seafarers onboard Philippine-registered ships below 35GT, or fishing vessels from 3GT to below 50GT.
13. **Seafarer** refers to a member of the crew who is employed or engaged or works onboard Philippine-registered ships below 35GT and fishing vessels from 3GT to below 50GT only performing navigation or engine watchkeeping duties.
14. **Suspension** refers to the penalty which may only be meted upon a seafarer at the termination of the investigation or the final disposition of the case.

V. General Provisions

1. Seafarers under this Circular must be properly documented and shall possess valid SIB while onboard.
2. All shipowners or operators operating Philippine-registered ships below 35GT and fishing vessels from 3GT to below 50GT operating in Philippine waters shall ensure that seafarers onboard their vessels possess a valid SIB.
3. Holders of valid Seafarer's Record Book (SRB) are accepted and shall be deemed compliant with this Circular.
4. All applications for the issuance of SIB shall be personally filed by the applicant or an authorized representative at the MARINA Central Office or at any of its MARINA Regional Office (MRO).
5. The MARINA, upon the request of shipping/fishing companies/ operators and other maritime entities, may dispatch the MARINA-SIB Mobile Team for on-site processing.



6. All seafarers covered by this Circular shall be required to undergo Modified Basic Safety Training Course (MBSTC) with Typhoon Awareness and Preparedness which shall be conducted by the qualified and duly certified MARINA Pool of Trainers.
7. Retraining shall be required for a seafarer, who is a holder of MBSTC, if he/she has not served onboard for at least a year within five (5) years from the date of issuance of MBSTC certificates or date of last disembarkation.
8. All seafarers onboard Philippine-registered ships below 35GT and fishing vessels from 3GT to below 50GT, respectively, operating in Philippine waters, shall ensure that the entries in the SIB are properly filled up and signed by the Master of the vessel upon embarkation and before disembarkation.
9. A seafarer, ship owner or operator, or a manning agency found liable for violation of this Circular shall be included in the Watchlist System of MARINA pursuant to MARINA Memorandum Circular No. 96 and its subsequent amendments.
10. A watchlisted seafarer, ship owner or operator, principal, or a manning and/or crewing agency shall be disqualified for issuance of SIB, unless a Legal Clearance has been issued by the MARINA Legal Service-Central Office or any MARINA Regional Office of proper jurisdiction where the same has been watchlisted.

VI. Specific Provisions

1. Documentary Requirements

Type of Application	Requirements
a. New	<ol style="list-style-type: none"> 1. Birth Certificate/ Baptismal Certificate/ Marriage Certificate/ Affidavit of Two Disinterested Persons; 2. Valid NBI or Police or Brgy Clearance; 3. Modified Basic Safety Training (MBST) Course with Typhoon Awareness and Preparedness; and 4. Documentary Stamp/s.
b. Renewal	<ol style="list-style-type: none"> 1. Valid NBI or Police or Brgy Clearance; 2. Modified Basic Safety Training (MBST) Course with Typhoon Awareness and Preparedness; 3. Sea service experience of at least 12 months if MBST Certificate was issued more than five (5) years; 4. Original SIB; and 5. Documentary Stamp/s.
c. Lost or Damaged	<ol style="list-style-type: none"> 1. Valid NBI or Police or Brgy Clearance;

	2. Modified Basic Safety Training (MBST) Course with Typhoon Awareness and Preparedness; 3. Sea service experience of at least 12 months if MBST Certificate was issued more than five (5) years; 4. Duly Notarized Affidavit of Loss or Damage, as applicable; and 5. Documentary Stamp/s
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2. The SIB shall be valid for five (5) years for new issuances, renewal, and replacement of damaged/lost SIB.

VI. Fees and Charges

Type of Application	Fee (Pesos)
New/Re-issuance	350.00
Replacement of lost SIB <ul style="list-style-type: none"> • 1st Time • Succeeding Issuances 	500.00 Double the cost of the last replacement

VII. Guidelines in the suspension or revocation of SIB in view of marine incidents

1. *Preventive suspension of SIB in view of marine incidents*

1.1. In the interest of safe ship operations, and safety of life or property at sea, and protection of marine environment, the Administration may, upon motion or *motu proprio*, issue an order temporarily invalidating, withdrawing, surrendering and holding in abeyance the validity of the SIB of the seafarer involved in a marine incident under the following circumstances:

- 1.1.1. The marine casualty has resulted in any of the following which has occurred directly in connection with the operations of a ship:
- a. The death of a person;
 - b. The loss of a person from a ship;
 - c. The loss of a ship;
 - d. Material damage to a ship;
 - e. Involvement of a ship in a collision; or
 - f. Severe damage or potential for severe damage to the environment brought about by the damage or loss of a ship or ships.

1.1.2. There is reason to believe that the continued service of the seafarer onboard a ship, if not corrected, will endanger the safety of the ship, its passengers and crew or any other person or the environment; or

1.1.3. The Marine Safety Investigation recommends the preventive suspension of the seafarer's SIB stating the grounds relied upon or conditions for issuance of lifting order.

The seafarer whose SIB have been placed under preventive suspension shall not be allowed to join onboard any ship until the lifting order has been issued.

1.2. Unless otherwise provided for by law, the Administration may place the seafarer's SIB under preventive suspension for a **minimum period of thirty (30) days to a maximum period of ninety (90) days.**

During the period of preventive suspension, the involved parties shall, when invited, appear and fully participate before the investigation proceedings and provide relevant testimony or documentary evidence in relation to the case.

1.3. Unless the seafarer's SIB is suspended or revoked for another charge, the Administration may issue a lifting order when it is satisfied that:

- a. The period of preventive suspension has been fully served or has lapsed, even if the administrative case against the seafarer is not finally decided by the MARINA within the period of preventive suspension; and
- b. The conditions set forth for the preventive suspension has been fully complied.

2. *Suspension or revocation of SIB in view of marine incidents*

2.1. If a ship is involved in a marine incident, the SIB of the officer/s and crew on duty shall be under preventive suspension until such determination of whether or not liability exists. A seafarer shall not be allowed to board any ship while under preventive suspension.

For such purpose, a seafarer may submit a letter request to the MARINA Central Office or MARINA Regional Office which issued the preventive suspension for lifting of the same stating the grounds relied upon together with supporting documents.



3. *Filing of a verified complaint for the violation of this Circular*

- 3.1. The requesting party/complainant shall submit a verified complaint/request specifically stating the proper relief sought, copy furnished the party complained of/respondent. Pertinent documents submitted/attached shall be certified true copies.

Further, the requesting party/complainant is required to provide the complete address, email address (if any), birth date, middle name or any other relevant information of the party complained of/respondent.

- 3.2. A concerned party shall file an answer in writing, verified and under oath, shall be specific and shall contain material facts and applicable law/s, if any, including original or certified copies of documentary evidence, sworn statements covering testimonies of witness/es, if any, in support of one's defense³, shall be served or filed personally or by registered mail when allowed, and shall not be served or filed electronically, unless express permission is granted. In case of personal filing, the date of receipt by the concerned Office is the date of filing. In case of registered mail or private courier, the date of posting is the date of filing.⁴

If respondent fails or refuses to file an answer to the complaint, it shall be considered as a waiver on the part of the respondent to present controverting evidence and the case shall be decided based on the facts alleged in the complaint, its attachments and available records.⁵

- 3.3. If such officers and crew are found to be liable, suspension or revocation of their SIB shall be determined based on the corresponding fines and penalties set forth in Section VIII of this Circular.
- 3.4. A seafarer's SIB that has been suspended or revoked after due process shall be surrendered to or confiscated by the MARINA Regional Office of proper jurisdiction or the Manpower Development Service (MDS) of the Central Office.
- 3.5. Suspension shall be served successively for cases wherein a single act of the seafarer has resulted to multiple violations of this Circular.
- 3.6. Any seafarer whose SIB has been revoked or suspended shall be entitled to reinstatement/reissuance after he shall have been cleared of the charges for which his SIB was revoked.

³ Rule V, Section 22 of MARINA Rules of Practice and Procedure

⁴ Rule IV, Section 15 of MARINA Rules of Practice and Procedure

⁵ Rule V, Section 23 of MARINA Rules of Practice and Procedure

4. *Reinstatement/reissuance of a seafarer's SIB*

4.1. A party seeking reinstatement/reissuance of his/her SIB shall submit before the MARINA Central or Regional Office, which issued the decision to revoke or suspend the SIB, a letter request stating the grounds relied upon together with supporting documents.

The aforesaid Office may issue a decision ordering the reinstatement/reissuance of the SIB when the standard of substantial evidence is satisfied or the period of suspension has been served.

4.2. A decision or order declaring the reinstatement/reissuance of the seafarer's SIB shall be immediately executory, even pending appeal.

5. A copy of the final decision/order/declaration revoking, suspending and reinstating SRB/SID of a seafarer shall be copy furnished to the Department of Migrant Workers (DMW), Bureau of Immigration (BOI) and Department of Labor and Employment (DOLE) – National Labor Relations Commission (NLRC).

VIII. Administrative Violations and corresponding Fines and Penalties

Violations	Fines and Penalties
A. VIOLATIONS COMMITTED BY A SEAFARER	
1. Misconduct, immoral, and disgraceful conduct committed while acting under the authority of his license	First Violation – Officers – P 10,000.00 + warning/ reprimand Ratings/ Others – P 2,000.0 + warning/ reprimand
2. Negligence or incapacity in the performance of duty	Second Violation – Officers – P 15,000.00 + confiscation + suspension from issuance of SIB for six (6) months
3. Intemperate habits such as drunkenness tending to cause immediate loss or destruction or serious damage to the vessel or tending to endanger the life of any person organic to or passenger of such vessel.	Ratings/ Others – P 3,000.00 + confiscation + suspension from issuance of SIB for six (6) months
4. Insubordination or direct assault.	Third Violation - Revocation of SIB
5. Violations of the terms and conditions of the contract without just cause.	
6. Assault with a dangerous weapon.	Revocation of SIB and Disqualification from applying for the same
7. Malicious destruction of ship's property.	

8. Misconduct resulting in the loss of life and/or serious injury.		
9. Molestation of passenger and/or crew.		
10. Murder or attempted murder.		
11. Mutiny		
12. Possession, use, sale or association with prohibited drugs, including marijuana.		
13. Smuggling of aliens or undeclared personal effects including firearms and ammunition.		
14. Desertion.		
15. Conviction of a crime in the Philippines and/or in other countries.		
16. Behaving in an inappropriate manner while onboard or transacting within MARINA Offices, such as unruly, arrogant, disrespectful, disobedient conduct and similar behavior	First Violation – warning/ reprimand Second Violation – P5,000.00 + Suspension of SIB for six (6) months Third Violation - Revocation of SIB	
17. For going onboard vessel / joining vessel without a valid SIB	1 st Offense	P 2,000.00 + non employment onboard until compliance
	2 nd Offense	P 3,000.00 + non employment onboard until compliance
	Succeeding Offenses	P 5,000.00 + non employment onboard until compliance
18. For misrepresentation or submission of any false statement fraudulent or tampered certificates or documents	1 st Offense	Officers – P 10,000.00 Ratings/ Others – P 2,000.00
	2 nd Offense	Officers – P 15,000.00 + confiscation and suspension from issuance of SIB for one (1) year Ratings/ Others – P 3,000.00 + confiscation and suspension/ disqualification from issuance of SIB for one (1) year
	Succeeding Offenses	Officers – P 20,000.00 + confiscation and revocation of SIB Ratings/ Others – P 5,000.00 + confiscation and revocation of SIB

19. For holding fake/ tampered/ forged SIB	1 st Offense	Officers - P 10,000.00 + confiscation and suspension from issuance of SIB for one (1) year Ratings/ Others – P 5,000.00 + confiscation and suspension from issuance of SIB for one (1) year
	2 nd Offense	Officers - P 20,000.00 + confiscation and Disqualification from issuance of SIB Ratings/ Others - P 10,000.00 + confiscation and Disqualification from issuance of SIB
B. VIOLATIONS COMMITTED BY A SHIP OWNERS/OPERATORS OR SHIPPING/FISHING COMPANY		
1. For deploying a seafarer without SIB onboard vessel;	1 st Offense	P 5, 000.00 + Suspension from applying for any certificate/ license until such has been complied with
	2 nd Offense	P 10, 000.00
	Succeeding Offenses	P 15, 000.00
2. For deploying a seafarer onboard with SIB, the validity of which is shorter than his/her contract;	1 st Offense	P 10, 000.00 + Suspension from applying for any certificate/ license until such has been complied with
	2 nd Offense	P 20, 000.00
	Succeeding Offenses	P 30,000.00
3. For allowing a seafarer to continue serving onboard with expired SIB;	1 st Offense	P 2, 500.00 + Suspension from applying for any certificate/ license until such has been complied with
	2 nd Offense	P 5, 000.00
	Succeeding Offenses	P 10, 000.00
4. For requesting or recommending issuance of SIB for and/or in behalf of a seafarer whose documents have been tampered by the operator/shipping/fishing company or any of their employees or liaison officer has participated in securing the tampered documents from any source;	1 st Offense	P 10, 000.00 + Suspension of Certificate of Accreditation of the vessel for six (6) months
	2 nd Offense	P 20, 000.00 and recommendation to proper government agency for the suspension of company's license.
	Succeeding Offenses	P 30, 000.00 and recommendation to proper government agency for the

<p>In addition, responsible officials/employees of the company/agency/operator or employee/liaison officer/messenger shall be subject to criminal prosecution under the Revised Penal Code;</p>		<p>cancellation and/or revocation of the company's license.</p>
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The imposition of penalties under items A.18 & A.19 shall be without prejudice to criminal prosecution under the Revised Penal Code.

Suspension shall be served successively for cases wherein a single act of the seafarer has resulted in multiple violations of this Circular.

IX. Repealing Clause

Provisions of MARINA Circular No. 2010-02 and all other related issuances which are inconsistent herewith are hereby repealed accordingly.

X. Transitory Provision

All previously issued SIB under MC 2010-02 shall remain valid until expiration. Seafarers who are holders of valid SIB under MC 2010-02 are allowed to go onboard Philippine-registered ships below 35GT and fishing vessels from 3GT to below 50GT operating in the Philippine waters, until the expiration of the validity of the said SIB.

XI. Separability Clause

Should any provision of this Circular be declared by a competent authority to be invalid or unconstitutional, the remaining provisions or parts hereof shall remain valid and effective.

SECRETARY'S CERTIFICATE

This is to certify that the MARINA Circular No. MD-2024-02 has been approved by the MARINA Board during its ~~303rd~~ Regular Board Meeting held on 19 February 2024.


ATTY. SHARON D. ALEJO
Board Secretary

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