



**Republic of the Philippines**  
**Department of Transportation and Communications**  
**MARITIME INDUSTRY AUTHORITY**



**MARINA CIRCULAR NO. 2013-08**

Series of 2013

**TO : ALL SEAFARERS IN THE RATINGS CATEGORY AND ALL MARITIME TRAINING INSTITUTIONS (MTIs), MANNING AGENCIES, SHIPPING COMPANIES, SEAFARERS' ASSOCIATIONS/ ORGANIZATIONS AND ALL OTHERS CONCERNED**

**SUBJECT : RULES IN THE ISSUANCE OF CERTIFICATES OF PROFICIENCY (COPs) FOR SEAFARERS WHO ARE HOLDERS OF TESDA CERTIFICATES OF COMPETENCY (COCs) IN ACCORDANCE WITH THE 1978 INTERNATIONAL CONVENTION ON THE STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING, AS AMENDED**

Pursuant to Executive Order No. 75 issued on 30 April 2012 and its Implementing Rules and Regulations, and the Memorandum of Agreement (MOA) between the Department of Transportation and Communications (DOTC) through the Maritime Industry Authority (MARINA) and the Technical Education Skills and Development Authority (TESDA) signed on 18 March 2013, the following rules are hereby adopted:

**I. OBJECTIVES**

1. To provide the rules in the issuance of COPs for seafarers who are holders of valid TESDA COCs to ensure that they are properly certificated in accordance with the Convention; and,
2. To provide rules in the issuance of COPs for Able Seafarer Deck and Able Seafarer Engine under Regulations II/5 (para 6) and III/5 (para 4).

**II. COVERAGE**

1. Deck Ratings who are holders of valid TESDA COCs;
2. Engine Ratings who are holders of valid TESDA COCs; and,
3. Holders of valid TESDA COCs or MARINA COPs issued under this Circular who are qualified to apply as AB Seafarer Deck or AB Seafarer Engine under the Convention.

### III. DEFINITION OF TERMS

For purposes of this Circular, the following terms shall be defined as follows:

1. **Able Seafarer Deck** refers to a seafarer serving in the support level in the deck department on board seagoing ship of 500 gross tons or more (Regulation II/5).
2. **Able Seafarer Engine** refers to a seafarer serving in the support level in the engine department on board seagoing ship with engine propulsion power of 750kW or more (Regulation III/5.)
3. **Approved seagoing service** refers to the service of a seafarer on board ship of 500 GT or more (for deck ratings) or on board ship with engine propulsion power of 750 kW or more (for engine ratings), duly recorded in the SIRB and certified by the manning agency or shipping company detailing the seafarer's position/designation and the period covered.
4. **Approved training** refers to a training program/ course required under the Convention and accredited by the MARINA. .
5. **Certificate of Proficiency (COP)** refers to a certificate issued to a seafarer by the MARINA, attesting to the compliance with the relevant requirements of training, competencies and seagoing service prescribed in the Convention.
6. **Convention** refers to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended.
7. **Portfolio Assessment** refers to the evaluation of documents submitted in support of the seafarer's application for the issuance of COP for ratings.
8. **Rating** refers to a member of the ship's crew other than the Master or an officer.
9. **Seagoing Ship** refers to 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.
10. **Seafarers Identification and Record Book (SIRB)** refers to a document issued by the MARINA under MARINA Circular No. 2009-10, and its amendment, to qualified merchant marine officers and ratings, fishermen and offshore workers to provide the holder with identity papers and record of their sea service.

11. **TESDA COC** refers to the Certificate of Competency issued by the Technical Education and Skills Development Authority (TESDA) attesting to the compliance with the relevant requirements of training, competencies and seagoing service prescribed in the 1995 STCW Convention.

#### **IV. GENERAL PROVISIONS**

1. The MARINA shall issue the COP to seafarers in the ratings category pursuant to Regulations II/4, III/4, II/5, and III/5 of the Convention.
2. All COCs issued by TESDA under Regulations II/4 or III/4 of the 1995 STCW Convention shall be recognized by MARINA until its expiration but not beyond 31 December 2016.
3. Seafarers whose TESDA-issued COCs which will expire on or before 31 December 2016 shall apply for the issuance of MARINA COP without any validity under Regulations II/4 or III/4 of the Convention subject to portfolio assessment.
4. Seafarers who are holders of valid TESDA COCs under Regulations II/4 and III/4 may apply for the issuance of MARINA COP under Regulations II/5 and III/5 of the Convention; provided that they comply with the qualification and documentary requirements under item VI.1 of this Circular. This transition policy shall be effective until 31 December 2016.

#### **V. SPECIFIC PROVISIONS**

1. Applications for the issuance of COP under this Circular may be filed with the STCW Office, MARINA Central Office or with any of the MARINA Regional Offices (MROs).
2. Applications for issuance of COP under this Circular may be filed by the seafarer or by Liaison Officer/s (LO/s) as defined under the relevant MARINA Circular.
3. Applications for issuance of COP for seafarers on board ships may be allowed in cases of promotion on board or lost/damaged certificates or correction of entry/ies in the certificate.

## VI. QUALIFICATION AND DOCUMENTARY REQUIREMENTS FOR THE ISSUANCE OF COP

The following qualification and documentary requirements for the issuance of COPs must be complied with:

1. For Deck and Engine Ratings with valid TESDA COCs.

Regulations		Sea Service Requirements	Documentary Requirements
<b>Regulation II/4</b>	Mandatory Minimum Requirements for Certification of Ratings Forming Part of a Navigational Watch	Approved seagoing service as Ordinary Seaman or Boatswain or Pumpman for a minimum period of twelve (12) months within the last five (5) years on board ship of 500 GT or more prior to 01 July 2013.	<ul style="list-style-type: none"> <li>• Screening/Application Form</li> <li>• TESDA COC for Deck Watchkeeping</li> <li>• Certification from the manning agency or shipping company attesting to the seagoing service (original or certified true copy)</li> <li>• SIRB</li> <li>• Medical Fitness in eyesight, color vision and hearing</li> </ul>
<b>Regulation III/4</b>	Mandatory Minimum Requirements for Certification of Ratings Forming Part of a Watch in a Manned Engine-Room or Designated to Perform Duties in a Periodically Unmanned engine Room	Approved seagoing service as Wiper or Oiler or Motorman or Electrician or Fitter/Welder or Mechanic, for a minimum period of twelve (12) months within the last five (5) years on board a ship with propulsion power of 750 kW or more prior to 01 July 2013.	<ul style="list-style-type: none"> <li>• Screening/Application Form</li> <li>• TESDA COC for Engine Watchkeeping</li> <li>• Certification from the manning agency or shipping company. attesting to the seagoing service (original or certified true copy)</li> <li>• SIRB</li> <li>• Medical Fitness in eyesight, color vision and hearing</li> </ul>
<b>Regulation II/5</b>	Mandatory minimum requirements for certification of ratings as able seafarer deck	Approved seagoing service as Able Bodied Seaman or Boatswain or Pumpman for a minimum period of twelve (12)	<ul style="list-style-type: none"> <li>• Screening/Application Form</li> <li>• TESDA COC for Deck watchkeeping</li> <li>• Training Certificate for</li> </ul>

		months within the last five (5) years on board a ship with 500 GT or more prior to 01 July 2013.	<p>PSCRB</p> <ul style="list-style-type: none"> <li>• Certification from manning agency or shipping company attesting to the seagoing service (original or certified true copy)</li> <li>• SIRB</li> <li>• Medical Fitness in eyesight, color vision and hearing</li> </ul>
<b>Regulation III/5</b>	Mandatory minimum requirements for certification of ratings as able seafarer engine in a manned engine-room or designated to perform duties in a periodically unmanned engine-room	Approved seagoing service as Oiler, Motorman or Electrician or Fitter/Welder or Motorman for a minimum period of twelve (12) months within the last five (5) years on board ship of with propulsion power of 750kW or more prior to 01 July 2013.	<ul style="list-style-type: none"> <li>• Screening/Application Form</li> <li>• TESDA COC for Deck watchkeeping</li> <li>• Certification from manning agency or shipping company attesting to the seagoing service (original or certified true copy)</li> <li>• SIRB</li> <li>• Medical Fitness in eyesight, color vision and hearing</li> </ul>

2. For expedite applications :

- a. Letter request from the shipping company/manning agency signed by at least the Chief Operating Officer or Operations Manager of the company/agency;
- b. Electronic ticket to prove that the seafarer is scheduled to leave or join the vessel within five (5) working days from date of filing of the application;
- c. Overseas Employment Certificate (OEC) from the Philippine Overseas Employment Administration (POEA); and
- d. Contract of Employment from the POEA;

3. For applications of seafarers on board ships :
  - a. Letter request from the shipping company/manning agency signed by at least the Chief Operating Officer or Operations Manager of the company/agency;
  - b. Certification from the shipping company/manning agency as to the promotion of seafarer/s on board; or
  - c. Duly notarized Affidavit of Loss in case of lost COP.

**VII. SCHEDULE OF FEES**

- |  |   |         |
|--|---|---------|
| 1. Issuance of COP                     |   |         |
| Regular Processing                     | - | P200.00 |
| Expedite Processing                    | - | 400.00  |
| 2. Replacement of Lost/<br>Damaged COP | - | 200.00  |
| 3. Correction of entry/ies in the COP  | - | 200.00  |

**VIII. ADMINISTRATIVE SANCTIONS AND PENALTIES**

1. Any shipping company or manning agency shall be liable for false statement or misrepresentation, fraudulent or spurious or tampered licenses, documents, certificates submitted, or where said shipping company or manning agency or any of its MARINA accredited LO/s have consented or participated in the tampering/misrepresentation or in securing the questioned licenses, documents, and/or certificates from any source:
  - 1.1 First Violation -P25, 000.00
  - 1.2 Second Violation -P50, 000.00, without prejudice to the suspension for one (1) month of the accreditation of the shipping company or manning agency.
  - 1.3 Third & Succeeding Violations-P100,000.00, without prejudice to the cancellation and / or revocation of the accreditation of the shipping company or manning agency.

2. Any seafarer who shall submit to the MARINA any fraudulent or tampered or irregularly issued licenses, certificates or documents shall be subject to a penalty of P10,000.00 and disqualification from applying for COP for at least three (3) months.

The above sanctions and penalties are without prejudice to any criminal liability under the Revised Penal Code.

#### **IX. REPEALING CLAUSE**

Any rules or regulations which are inconsistent with this Circular are hereby repealed.

#### **X. EFFECTIVITY**

This Circular shall take effect immediately upon its publication once in a newspaper of general circulation.

Manila, Philippines, 30 August 2013.

BY AUTHORITY OF THE BOARD:

(SGD) **MAXIMO Q MEJIA JR, PhD**  
Administrator

#### **SECRETARY'S CERTIFICATE**

This is to certify that MARINA Circular No. 2013-08 was approved by the MARINA Board of Directors pursuant to Board Resolution No. 2013-01 dated 30 August 2013.

(SGD) **ATTY. VIRGILIO B. CALAG**  
Acting Corporate Board Secretary