

MARINA CIRCULAR NO. 2013-10

Series of 2013

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

SUBJECT : RULES IN THE ACCREDITATION OF LIAISON OFFICERS (LOs) IN THE ISSUANCE OF CERTIFICATES OF PROFICIENCY (COP/s) AND OTHER STCW-RELATED CERTIFICATES FOR SEAFARERS

Pursuant to Executive Order No. 75 issued on 30 April 2012 and its Implementing Rules and Regulations, the following rules are hereby adopted:

I. OBJECTIVE

1. To provide rules for the accreditation of LO/s for the purpose of filing an application/s for the issuance of COP/s and other STCW-related certificates of seafarers; and,
2. To ensure an orderly and efficient filing of applications for the issuance of COP/s and other STCW - related certificates.

II. DEFINITION OF TERMS

For purposes of this Circular, the following terms are hereby defined as follows:

1. **Accreditation** refers to the registration with the MARINA of a duly authorized and designated LO of an entity to file an application for the issuance of Certificate of Proficiency (COP) and other STCW-related certificates including the registration of an entity/ies not yet accredited under existing MARINA Circulars. ,
2. **Convention** refers to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended.
3. **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.
4. **Entity** refers to a shipping company/agency, manning/crewing agency, maritime enterprise and maritime training institutions (MTI) duly accredited by MARINA.

5. **Liaison Officer (LO)** refers to a regular or organic employee of an entity, authorized and designated through a Special Power of Attorney or a Board Resolution, who shall represent or act for and in its behalf in the filing of application/s for the issuance of COP/s and other STCW-related certificates of its seafarers.

III. GENERAL PROVISIONS

1. An entity may designate a maximum of three (3) Liaison Officers who shall represent or act for and in its behalf in the filing of application/s for the issuance of COP/s and other STCW-related certificates of its seafarers.
2. Duly authorized Liaison Officer/s who will apply for the issuance of COP/s and other STCW-related certificates must be accredited under this Circular.
3. Application/s for the issuance of COP/s and other STCW-related certificates shall be filed with the STCW Office, MARINA Central Office or with any of the MARINA Regional Offices (MROs).
4. The LO/s can only apply for the issuance/revalidation/replacement of lost or damaged COP/s and other STCW-related certificates of those seafarers enumerated in the entity's letter request.
5. The LO shall be issued an ID valid for one (1) year and shall be worn at all times when transacting business with the MARINA. Application for renewal of the ID shall be filed at least one (1) month before its expiration.
6. The LO shall immediately report to the issuing Office any lost ID. An application for replacement of the lost ID must be filed upon submission of an affidavit of loss.
7. In case the LO ceases to be connected with an entity, the issued LO ID shall be surrendered to the issuing Office.

IV. DOCUMENTARY REQUIREMENTS

1. Duly accomplished application form prescribed by the MARINA with two (2) specimen signatures of the duly authorized and designated LO/s;
2. Special Power of Attorney or Board Resolution authorizing/designating the LO/s to represent or act for and in behalf of an entity;
3. Two (2) recent colored passport size photos;

4. Oath of Undertaking executed by an entity assuming full responsibility for any liability resulting from the act or omission of the LO/s acting within the scope of their authority;
5. Certificate of entity's accreditation by MARINA.

V. SCHEDULE OF FEES AND CHARGES

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|-------------------------------------|---|---------|
| 1. Issuance of LO ID | - | P500.00 |
| 2. Replacement of Lost ID/Damaged | - | P300.00 |
| 3. Surcharge for late renewal of ID | - | P250.00 |

VI. ADMINISTRATIVE SANCTIONS AND PENALTIES

1. An entity shall be liable for false statement or misrepresentation, fraudulent or spurious or tampered licenses, documents, certificates submitted, or where said entity or any of its 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 and suspension of the LO/s accreditation for 1 month
 - 1.3 Third Violation - P100,000.00 and revocation of the LO/s accreditation.

These penalties shall be without prejudice to the subject entity's suspension and/or cancellation of its accreditation.

2. The LO shall likewise be subject to an administrative penalty of Ten Thousand (P10,000.00) Pesos for any of the following:
 - 2.1 Submission of spurious/tampered and/or unauthorized document; or,
 - 2.2 Acts or omissions in excess of his/her authority.
3. The foregoing administrative sanctions and penalties shall be without prejudice to any criminal liability under the Revised Penal Code.

VII. REPEALING CLAUSE

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

VIII. EFFECTIVITY

This MARINA 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. 2013-10 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