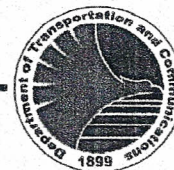




REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS



## **MARITIME INDUSTRY AUTHORITY**

PANGASWAAN NG KALAKALANG PANDAGAT

<http://www.marina.gov.ph>

### **MARINA Circular**

No. 2016-06

Series of 2016

**TO : ALL MASTERS AND ALL CONCERNED**

**SUBJECT : REVISED GUIDELINES FOR THE CONDUCT OF HARBOR PILOTS EXAMINATION AND ISSUANCE OF LICENSE**

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Pursuant to Section 12 (g) of Executive Order No. 125/125-A which mandates the Maritime Industry Authority (MARINA) to undertake the issuance of license to qualified Harbor Pilots, the following Rules and Regulations are hereby prescribed and adopted;

### **I. OBJECTIVES**

In recognition of the critical role of the efficient delivery of pilotage services in the promotion of safety of navigation and the protection of the coastal marine environment including its surrounding marine resources, this Circular shall aim to:

- 1.1. Prescribe and implement a system and procedure for the efficient conduct and administration of Harbor Pilot Licensure Examinations and issuance of appropriate Harbor Pilot Licenses;
- 1.2. Maintain a reservoir of trained, qualified and competent Harbor Pilots;
- 1.3. Promote professionalism in the delivery of pilotage services in relevant ports of the country; and
- 1.4. Implement, as far as practicable, rules and regulations including recommendations as adopted by relevant international multilateral bodies, organs or organizations on the matter of training and certification of Harbor Pilots.

### **II. COVERAGE**

This Circular shall apply to Master who are interested in becoming licensed harbor pilots in specific pilotage districts in the Philippines.



### III. DEFINITION OF TERMS

1. **Administration** shall refer to the Maritime Industry Authority or MARINA.
2. **Administrator** shall refer to the Head of Maritime Industry Authority (MARINA).
3. **Board** shall refer to the Chairman and Members of the MARINA Board.
4. **Harbor Pilot** shall refer to a Master duly licensed by MARINA and appointed by the Philippine Ports Authority (PPA) to act as pilot in a specific pilotage district in the Philippines.
5. **Harbor Pilot License** shall refer to the privilege and qualifications granted by the Administration for the practice of the profession associated to Harbor Pilotage in a specific Pilotage Area or District of the country.
6. **Master** shall refer to a person having command of a ship.
7. **Pilotage District/Area** shall refer to a navigable areas specified as such by PPA and named after its principal port the navigation of which requires a harbor pilot.

### IV. GENERAL PROVISIONS

1. All applicants for the Harbor Pilot Licensure Examination at the time of the filing of their applications must comply with the qualification requirements prescribed by this Circular which shall be supported by relevant documentary requirements and shall be filed at the MARINA Manpower Development Service (MDS) or at any MARINA Regional Offices nationwide on or before the published deadline. If found compliant, an Examination Permit shall be issued to the applicant attesting admission to take the examinations.
2. The Administration shall develop, formulate and implement a system of accountability which shall contain procedures and processes that aim to ensure the integrity and credibility of the whole examination and licensing process. It shall maintain a databank of questions to be updated regularly by the duly designated staff covered by a written authority or order from the Administrator.
3. The Examination shall be conducted at the MARINA Central Office once every quarter and the schedule shall be published in a newspaper of general circulation and simultaneously be posted at [www.marina.gov.ph](http://www.marina.gov.ph) on or before the 15<sup>th</sup> of January of each calendar year.
4. To pass the licensure examination, a candidate must obtain a general average of not less than 75 % with no grade lower than 70% in any of the subject areas.



5. The Panel shall submit to the Chairperson the ratings obtained by the applicants within thirty (30) days after the examinations.
6. Results of the licensure examination shall be published in a newspaper of general circulation within forty-five (45) days reckoned from the date of the scheduled examination and simultaneously be posted at [www.marina.gov.ph](http://www.marina.gov.ph). The names of successful examinees shall also be enrolled in the Registry of Licensed Harbor Pilots.
7. All applicants who successfully passed the licensure examination shall take their oath before the Administrator or his/her authorized representative prior to the issuance of the Harbor Pilot License.

## **V. SPECIFIC PROVISIONS**

### **1. Panel of Examiners**

#### **1.1. Composition**

A Panel of Examiners, hereinafter referred to as "Panel" shall be constituted by the Board upon recommendation of the Administrator. The Panel shall be composed of the following:

- 1.1.1. Administrator or his/her authorized representative as Chairperson;
- 1.1.2. Three (3) Masters licensed as Harbor Pilot; and
- 1.1.3. One (1) Harbor Pilot as interim member to be selected from the pilotage district being applied for.

In the event of the unavailability of qualified Harbor Pilots in the concerned pilotage district, Harbor Pilots of other pilotage districts who are familiar with the port may sit as an interim member.

The Panel shall meet at least twice a year and may hold special meetings to consider urgent matter/s upon the call of the Chairperson.

#### **1.2. Term of Office**

The MARINA Administrator or his/her authorized representative shall sit as Chairperson ex-officio. The members shall serve for a term of three (3) years unless sooner replaced for a valid cause.

#### **1.3. Duties and Responsibilities**

- a. Formulate test questions and periodically review and update the same;
- b. Check test papers of examinees;
- c. Submit results of the examination to the Administrator;



- d. Recommend to the Administrator the issuance of Harbor Pilot Licenses to all successful examinees; and
- e. Perform other duties as directed by the Administrator.

#### **1.4. Qualifications of Panel of Examiners**

- a. Must be a Licensed Harbor Pilot;
- b. Five (5) years' experience in a pilotage district;
- c. Physically and medically fit; and
- d. Good moral character.

**1.5. Entitlement to Honoraria** – The Panel shall be entitled to a reasonable amount of honoraria to be determined and prescribed by the MARINA Board.

### **2. Qualification Requirements of Applicants for the Examinations**

#### **2.1. Basic Qualifications**

- a. At least thirty five (35) years of age on the date of licensure examination;
- b. Mentally and physically fit;
- c. Master who has been in command of a merchant vessel/s or PCG, NAMRIA and other non-combatant vessel/s of more than 500GT for not less than five (5) years;
- d. Of good moral character; and
- e. Not included in the MARINA Watchlist.

**2.2. Documentary Requirements** – Applicants for the Harbor Pilot Licensure Examination shall submit certified true copies of the following documents:

- a. Data Page of Valid SIRB;
- b. SIRB pages reflecting five (5) years of Sea Service;
- c. Valid Master's License;
- d. Valid Certificate of Competency issued under the provisions of the STCW Convention and any succeeding amendments in force;
- e. Valid NBI Clearance;
- f. Medical Certificate which shall not be more than two (2) years from the date of issuance by a DOH- Accredited medical facility or clinic; and
- g. Two (2) recent passport-size colored photographs of applicant in uniform without headgear.



### 3. Schedule, Coverage/ Scope, Mechanics and Results of Written Examination

**3.1. Schedule of Examinations** - Harbor Pilot Examination shall be conducted quarterly at MARINA Central Office, Manpower Development Service (MDS).

**3.2. Coverage/ Scope of Examinations** - The Harbor Pilots Examination shall cover the following subject areas:

- a. Maneuvering behavior of various types of ships;
- b. Ship traffic management system in the area/Rules of the Road;
- c. Weather and mooring of vessels;
- d. Local banks, tides, currents, anchorages, berths, and general conditions;
- e. Customs and quarantine laws, MARINA, PCG and PPA rules and local regulations, including Notice to Mariners; and,
- f. Practical Problems.

**3.3. Passing Grade** - An examinee must obtain a general average rating of 75% provided that no rating in any subject area is lower than 70% in order to pass the licensure examination.

**3.4.** The result of examination shall be released/published within forty five (45) days after the examination.

## VI. FEES AND CHARGES

|  |   |                        |               |
|--|---|------------------------|---------------|
| a. Examination Fee                                     | - | Five Thousand Pesos    | Php 5,000.00  |
| b. Harbor Pilot License + ID                           | - | Sixteen Thousand Pesos | Php 16,000.00 |
| c. Issuance/Renewal/<br>Replacement of Harbor Pilot ID | - | Two Thousand Pesos     | Php 2,000.00  |
| d. Replacement of Lost/<br>Damaged License             | - | Eight Thousand Pesos   | Php 8,000.00  |

## VII. FINES AND PENALTIES

Holders of Harbor Pilot licenses and the Panel of Examiners shall be held liable for the following offenses with their corresponding penalties.

### 1. For Holders of Harbor Pilot License

| GROUND/ OFFENSES | FIRST<br>OFFENSE | SECOND<br>OFFENSE | THIRD<br>OFFENSE |
|------------------|------------------|-------------------|------------------|
|------------------|------------------|-------------------|------------------|



|  |   |   |  |
|--|---|---|--|
| a. Unjustified refusal to render pilotage service  | Suspension for 6 months plus fine of Php 250,000.00             | Suspension for 1 year plus fine of Php 500,000.00 | Revocation of license and perpetual disqualification |
| b. Failure or refusal to observe and comply with safety standards and port policies  | Suspension for 6 months plus fine of Php 250,000.00             | Suspension for 1 year plus fine of Php 500,000.00 | Revocation of license and perpetual disqualification |
| c. Gross negligence, which resulted to loss of cargoes, loss of lives and destruction of vessel and harbor properties            | Suspension for 6 months plus fine of Php 250,000.00             | Suspension for 1 year plus fine of Php 500,000.00 | Revocation of license and perpetual disqualification |
| d. Involvement or participation in illegal activities such as but not limited to smuggling and trafficking passengers            | Revocation of license and perpetual disqualification            |   |  |
| e. Intoxication and/or use of prohibited drugs during the performance of one's duties as a Harbor Pilot                          | Suspension for 6 months plus fine of Php 250,000.00             | Suspension for 1 year plus fine of Php 500,000.00 | Revocation of license and perpetual disqualification |
| f. Use and submission of any false or forged documents for the purpose of obtaining the Harbor Pilot License                     | Disqualification to take the Harbor Pilot Licensure Examination |   |  |
| g. Failure to inform the Administration of a physical or mental impediment to render pilotage services as may be determined by a | Revocation of license and perpetual disqualification            |   |  |



|   |  |  |  |
|---|--|--|--|
| qualified physician<br>accredited by the<br>Department of<br>Health |  |  |  |
|---|--|--|--|

2. **For Members of the Panel of Examiners** – Any member of the panel who are found guilty of involvement in or abetting collusion or cheating in a harbor pilot examination shall be terminated as Member of the Panel and his/her Harbor Pilot License shall likewise be revoked. S/he shall be perpetually disqualified from practice as a Harbor Pilot.

#### **VIII. TRANSITORY PROVISIONS**

1. All duly licensed harbor pilots must apply with MARINA for re-issuance of Harbor Pilot ID card within 6 months after effectivity of this Circular.
2. Upon effectivity of this Circular, the existing Panel of Examiners shall continue to function in the interim until such time as the new Panel shall have been appointed and constituted.

#### **IX. SEPARABILITY CLAUSE**

Should any provision or part of this Circular be declared by competent Authority to be invalid or unconstitutional, the remaining provisions or parts hereof shall remain in full force and in effect and shall continue to be valid and effective.

#### **X. REPEALING CLAUSE**

Memorandum Circular No. 141 hereby repealed. All other provisions of other MARINA Circulars and issuances which are inconsistent with this Circular are hereby amended or modified accordingly.

#### **XI. EFFECTIVITY**

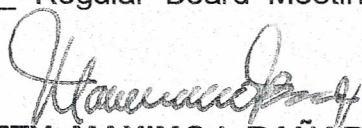
This MARINA Circular shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

**BY AUTHORITY OF THE BOARD:**

  
C/E MARCIAL QUIRICO C. AMARO III, PhD  
Administrator

### SECRETARY'S CERTIFICATE

This is to certify that the foregoing MARINA Circular No. 2016-06 has been approved by the MARINA Board in its 241<sup>st</sup> Regular Board Meeting held on 16 June 2016

  
ATTY. MAXIMO I. BAÑARES, JR.  
Corporate Board Secretary

Date of Publication: 07 September 2016  
Business Mirror  
Date of Submission to ONAR: