

MEMORANDUM CIRCULAR NO. 41-A

TO : ALL FILIPINO DECK, ENGINE AND RADIO OFFICERS AND RATINGS FORMING PART OF THE NAVIGATIONAL OR ENGINE WATCH, SHIPPING COMPANIES AND MANNING AGENCIES

SUBJECT : REVISED GUIDELINES FOR THE ISSUANCE OF ENDORSEMENT CERTIFICATES AND RATING'S CERTIFICATE IN COMPLIANCE WITH THE REQUIREMENTS OF STCW CONVENTION

Please be informed that in its meeting on 21 January 1989, the Board approved the following guidelines, amending MC No. 41, for the issuance of certificates pursuant to the International Convention on Standards of Training Certification and Watchkeeping for Seafarers (STCW) 1978 which was acceded and deposited to the International and 22 February 1984, respectively, Executive Order Nos. 125 and 125-A, to wit:

A. SCOPE AND COVERAGE

1. OFFICERS

- a. All certificates of competency which were issued before 22 May 1984, the date in which the Convention entered into force for the Philippines, shall be recognized as valid for service and will be endorsed in accordance with the Convention to show their validity, only upon application and payment of the appropriate fee. Such certificates of competency are those issued by the Professional Regulations Commission (PRC) for deck and engine officers and by the National Telecommunications Commission for radio operators/officers.
- b. All certificates of competency which were issued on or after 22 May 1989 (the end of the five-year transition period allowed by the Convention) shall also be recognized as valid for service, provided however that the seafarers had commenced their sea service before 22 May 1984, within the specific ship department to which those certificates relate. Such certificates will be endorsed in accordance with the Convention to show their validity only upon application and payment of the appropriate fee.

- c. All certificates of competency which were issued on or after 22 May 1984 but before 22 May 1989, to seafarers who had commenced their sea service on the same period will require endorsement in accordance with the Convention in order to show their validity and upon application and payment of the appropriate fee. Such endorsement will be issued only to seafarers who have attended the upgrading courses conducted by any of the training schools recognized/accredited by MARINA.
- d. All certificates of competency issued to seafarers on competency issued to seafarers be strictly in compliance with the provision of the Convention, and therefore, upgrading courses conducted by any of the training schools recognized/accredited by MARINA. Such certificates will be endorsed in accordance with the Convention to show their validity upon application and payment of appropriate fee.

2. RATINGS

- a. Only seamen performing deck or engine watchkeeping duties shall be certificated/endorsed.
- b. Ratings who have served as Able Seaman or Oiler shall be qualified for certification/endorsement.
- c. Ratings who hold either AMT/BSMT or AME degree and have undergone a year of apprenticeship in deck department or two years of shipboard training in engine department may be qualified for certification/endorsement.

B. CERTIFICATES ISSUED

1. CERTIFICATE OF ENDORSEMENT

- a. All deck, engine and radio officers shall be required to have their licenses endorsed by the Maritime Industry Authority (MARINA) provided, however, that the said licenses are authenticated by the respective agencies which issued them. Likewise, they must present/submit documents e.g. health certificate, Seaman's Book for the required sea service, the required STCW training certificates, and other requirements as may be deemed necessary by MARINA.
- b. Officers and rating who are to have specific duties and responsibilities in connection with cargo and cargo equipment on oil, chemical or liquefied gas tankers shall take and complete a

specialized training program appropriate to their duties and type of ship they are to board. Certificates obtained from special training shall have to be endorsed by MARINA.

2. RATING'S CERTIFICATE

Only seafarers forming part of navigational or engine watch shall be issued the Rating's Certificate, provided they comply with the following requirements:

- a. At least 18 years of age;
- b. Must have passed a thorough physical examination particularly regarding eyesight (including color perception) and hearing from a MARINA accredited/recognized hospital or clinic;
- c. Must have served on board vessels of:

In deck dept - 250 GRT for at least six(6) months
As part of navigational watch.

In engine dept.- 750 KW for at least one(1) year as
Part of engine watch;

- d. For High School graduates and undergraduates of Maritime Courses, must have successfully undergone special training on Navigational or Engine Watchkeeping Courses;
- e. For ratings cited under A.2.c. of this M.C. must submit to copy of Diploma or Transcript of Records;
- f. Must present Certificate/Certification of training of Fire-Fighting, First-Aid, personal Survival Technique and Survival Craft; and
- g. Other requirements as may be deemed necessary by MARINA.

3. REPLACEMENT OF LOST CERTIFICATE

Any officer or rating who loses his original endorsement certificate must report immediately to MARINA and apply for a replacement provided he submits an affidavit and pays the appropriate fee.

C. CONTINUED PROFICIENCY AND UPDATING OF KNOWLEDGE

- 1. Every deck, engine and radio officer holding a certificate who is serving at sea or intends to return to sea after a period ashore in order to continue to

qualify for sea-going service in the rank appropriate to his certificate shall be required to have his certificate revalidated by the Maritime Industry authority (MARINA) at intervals not exceeding five years. Such revalidation is subject to the satisfaction of the Administration as to the following:

- a. his medical fitness, particularly regarding eyesight and hearing, including speech for radio officers;
- b. his professional competence:
 - (i) by approved sea-going service as Deck/Engineer officer or Radio Officer of at least one year during the proceeding five years; or
 - (ii) by virtue of having performed functions relating to the duties appropriate to the grade of certificate held which are considered to be at least equivalent to the sea-going service required in paragraph 1(b); or
 - (iii) by one of the following:
 - passing an approved test; or
 - successfully completing an approved courses or courses; or
 - having completed approved sea-going service as a deck officer/engineer officer or as a radio officer for a period of not less than three months in a supernumerary capacity immediately prior to taking up the rank to which he is entitled by virtue of his certificate.

- 2. The course or courses referred to in paragraph 1(b)(iii) above shall include, in particular, changes in the relevant international regulations and recommendations concerning safety of life at sea and the protection of the marine environment.

D. APPLICANT

- 1. Seafarers seeking endorsement or certification may apply in person provided they submit the required documents to MARINA.
- 2. Shipping companies and manning agencies through their liaison officers, shall be permitted to apply in behalf of their seafarers. In case, the

seafarers being applied for are already employed on board ships and the required documents to be submitted are incomplete, the applicant company shall be required to submit an affidavit guaranteeing the veracity of the said documents, letter request from employer, and employment contract.

E. FINES AND PENALTIES

- 1. Any person who submits false statement or misrepresentation in his application, fraudulent certificates or documents shall be disqualified to practice his profession, and subject to criminal prosecution under Revised Penal Code and Administrative penalty of P20,000.00.
- 2. Shipping companies of manning agencies requesting or recommending endorsement for and/or in behalf of a particular seaman shall be held responsible for the documents submitted to this Authority and if any of which is found to be spurious, the company shall be made liable to the following Administrative fine:

First Infraction	-	P100,000.00
Second Infraction	-	P200,000.00 and suspension of Company's License for one(1) Month
Third Infraction	-	Cancellation of company's license By the proper agency upon Recommendation of MARINA

In addition, the responsible officials of the Company or Agency shall be subject to criminal prosecution under the Revised Penal Code.

F. SCHEDULE OF FEES:

- 1. Issuance of endorsement certificate including authentication of documents.....P200.00 per certificate

G. EFFECTIVITY

This Memorandum Circular shall take effect fifteen (15) days after publication in the Official Gazette and/or a newspaper of general circulation.

Strict compliance herewith is enjoined.

Manila, Philippines.

PHILIP S. TUAZON
Administrator

NOTED:

ARTURO C. MOJICA
Chairman
Maritime Industry Board

This is to certify that the Memorandum Circular No. 41-A has been approved in the meeting of the Maritime Industry Authority Board held on 31 March 1989.

PURITA . CENTENO
Corporate Secretary