

MEMORANDUM CIRCULAR NO. 82

TO : ALL SEAFARERS EMPLOYED OR TO BE EMPLOYED ON OCEAN- GOING SHIPS, SHIPPING COMPANIES, MANNING AGENCIES AND ALL CONCERNED

SUBJECT : GUIDELINES ON THE ISSUANCE OF ENDORSEMENT CERTIFICATES IN ACCORDANCE WITH THE STCW 1978 CONVENTION

I. Background, Purpose and Legal Bases:

The International Maritime Organization (IMO) adopted the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) on 7 July 1978. The Convention entered into force on 28 April 1984. The Republic of the Philippines is a signatory to this Convention and acceded to the Convention in May 1984. The Government has designated the Maritime Industry Authority (MARINA) as the “Administration” for purposes of implementing the provisions of said Convention. The Philippine Constitution of 1987 in Article II, Sec. 2, states that the Philippines adopts the generally accepted principles of international law as part of the law of the land.

The STCW Convention aims to promote safety of life and property at sea and the protection of the marine environment by establishing in common agreement international standards of training, certification and watchkeeping for seafarers. In accordance with Article I, State parties must take all necessary steps to ensure that seafarers are qualified and fit for their duties vis-a-vis the safety of life and property at sea and the protection of the marine environment.

II. Definition of Terms:

1. “Convention” refers to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978. Every reference to the Convention constitutes at the same time reference to the Annex.
2. “Maritime Administrator” refers to the Administrator of the Maritime Industry Authority (MARINA).
3. “STCW Certificate” means a valid document, by whatever name it may be known, issued by or under the authority of the Administration or recognized by the Administration authorizing the holder to serve as stated in the 1978 STCW Convention. In the case of Filipino seafarers, it means the endorsement of certificates and ratings certificates issued by MARINA.

4. “Dispensation Certificate” means the certificate issued by competent authority in accordance with Article VIII of the Convention permitting a specified seafarer to serve in a specified period not exceeding six months in a capacity other than that of the radio operator or Radio Regulations for which he does not hold the appropriate certificate.
5. “Ocean-going ships” refers to ships navigating overseas or in international waters, either Philippine or foreign-registered ships.
6. “Port” means a harbor either government or privately owned, with loading and unloading facilities, or for anchoring, docking and/or mooring.
7. “Fishing vessel” shall mean a vessel used for catching fish, whales, seals, walrus or other living resources of the sea.
8. “Wooden Ships of Primitive Build” refers to ships made of wood and provided with sails.

III. Application:

These Guidelines shall apply to Filipino seafarers serving on board ocean-going ships, except those serving on board:

1. warships, naval auxiliaries or other ships owned or operated by the government and engaged only on governmental non-commercial service;
2. fishing vessels;
3. pleasure yachts not engaged in trade; or
4. wooden ships of primitive build.

Seafarers seeking endorsement, certification and authentication of certificates shall directly apply in person with the MARINA.

STCW Endorsement Certificates and Ratings’ Certificates issued to seafarers for international trade shall be acceptable for use in the domestic trade.

These guidelines shall also apply to shipping companies and manning agencies which request endorsement certificates for and in behalf of their seafarers.

Shipping companies and/or manning agencies, through their duly authorized representatives, shall be allowed to apply in behalf of their seafarers who are employed on board ships under the following instances only:

1. **PROMOTION** - Processing of certificates as a result of promotion of seafarers who are on board shall be allowed subject to the company's submission a xerox copy of the latest STCW Endorsement Certificate or Ratings Certificate, as applicable, together with an Affidavit of Responsibility guaranteeing the payment of penalty that shall be imposed against the seafarer in case any document turns out to be spurious and submission of previous (replaced) Certificate upon disembarkation;
2. **REPLACEMENT OF LOST CERTIFICATE** - Seafarers on board vessels shall apply for the issuance of a replacement certificate through their respective shipping company or manning agency, by presenting an Affidavit was executed, and authenticated by the Philippine Embassy or Consulate;
3. **RENEWAL OF CERTIFICATE** - Seafarers whose certificates are about to expire while on board may have their certificates renewed through their respective shipping company or manning agency, by submitting a copy of their STCW certificates. The replaced certificate should be surrendered to the MARINA within ninety (90) days after renewal or disembarkation.

IV. Where to Apply:

All seafarers who are employed or to be employed on board ocean-going vessels shall apply at the MARINA Central Office.

V. Qualifications/Requirements:

1. **Masters and Officers** - All Masters, deck, engine and radio officers shall be required to have their appropriate licenses endorsed by the Maritime Industry Authority (MARINA) provided, however, that they comply with the following requirements:
 - a. **Master and Deck Officer:**
 - 1) Must submit license duly authenticated by the Professional Regulation Commission (PRC) appropriate to the position being applied for;
 - 2) Must have passed a thorough medical examination, particularly eyesight (including color vision) and hearing examinations from a Department of Health (DOH) accredited hospital or clinic;
 - 3) Must have served on board vessels of 250 gross register tons (GRT) or more and have an approved length of sea-going service in the deck department as follows:

a. Master Mariner	-	two (2) years as Chief Mate
b. Chief Mate	-	one (1) year as Second Mate
c. Second Mate	-	one (1) year as Third Mate
d. Third Mate	-	one (1) year as Apprenticemate

Presentation of the Seaman's Service Record Book shall serve as proof of the applicant's sea service.

4) Must present certificates of training as required by these Guidelines.

b. Engine Officer:

1) Must submit a license duly authenticated by the PRC;

2) Must have passed a thorough medical examination, particularly eyesight (including primary color vision/perception) and hearing examinations from a DOH-accredited hospital or clinic;

3) Must have served on board a sea-going ship powered by main propulsion machinery of 750 kw propulsion power or more and have an adequate length of approved sea-going service as follows:

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|--------------------|---|--------------------------------------|
| a. Chief Engineer | - | two (2) years as Second Engineer |
| b. Second Engineer | - | one (1) year as Third Engineer |
| c. Third Engineer | - | one (1) year as Fourth Engineer |
| d. Fourth Engineer | - | two (2) years as Apprentice Engineer |

Presentation of the Seaman's Service Record Book shall serve as proof of the applicant's sea service.

4) Must present certificates of training as required by these Guidelines.

c. Radio Operator:

1) Must submit a First Class Radiotelegraph (1 RTG) license or General Operator's Certificate duly authenticated by the National Telecommunications Commission (NTC);

2) Must have passed a thorough medical examination, particularly on hearing and speech clarity from DOH-accredited hospital/clinic;

3) Must have served on board sea-going vessels for at least one (1) year as radio operator or apprentice radio operator;

4) Must present certificates of training as required by these Guidelines.

2. **Ratings** - Only ratings performing deck or engine watchkeeping duties shall be certificate/endorsed, i.e. they shall be issued Ratings' Certificates provided they comply with the following requirements/qualifications:

a. Deck Ratings:

- 1) At least 18 years of age;
- 2) Must have passed a thorough medical examination, particularly eyesight (including color vision/perception) and hearing examinations from a DOH-accredited hospital or clinic;
- 3) Must have served on board vessels of 250 GRT or more and must have adequate sea experience as indicated below:
 - (i) for graduates of BSMT/AMT - they must either have at least one(1) year shipboard experience or apprenticeship training in the deck department with exposure of at least six (6) months in navigational watch under the supervision of a qualified deck officer;
 - (ii) for graduates of Basic Seaman's Course (BSC) - they must have at least 1 1/2 years of shipboard experience in the bridge with exposure in navigational watch of at least twelve (12) months under the supervision of a qualified deck officer;
 - (iii) for undergraduates or non-graduates of maritime courses - they must have at least 1 1/2 years shipboard experience in the deck department with exposure in navigational watch of at least twelve (12) months under the supervision of a qualified deck officer;
- 4) For ratings cited under a. (3) (I) and (ii) of this set of guidelines; must submit a copy of diploma pr transcript of records from maritime school and Special Order (S.O.) from the DECS;
- 5) For ratings cited under a. (3) (iii); must have successfully undergone a special training on navigational watchkeeping;
- 6) Must present certificates of training on Firefighting, First Aid at Sea, Personal Survival Technique and Survival Craft/Lifeboat Handling.

b. Engine Ratings:

- 1) At least 18 years of age;

- 2) Must have passed a thorough medical examination, particularly eyesight (including color vision/perception) and hearing examinations from a DOH-accredited hospital or clinic;
- 3) Must have served on board vessels of 750 kw or more:
 - (i) for graduates of BSMar.E/AME - they must have at least two (2) years shipboard experience or apprenticeship training in the engine room with exposure in engineering watch of at least one (1) year under engine officer;
 - (ii) for graduates of Basic Seaman's Course (BSC) - they must have at least 2 1/2 years of shipboard experience in the engine room supervision with exposure in engineering watch of at least 1 1/2 years under the supervision of a qualified engine officer;
 - (iii) for undergraduates or non-graduates of maritime courses - they must have at least 2 1/2 years shipboard experience in the engine room with exposure in engineering watch of at least 1 1/2 years under the supervision of a qualified engine officer;
- 4) For ratings cited under b. (3) (i) and (ii) of this set of guidelines; must submit a copy of diploma or transcript of records from maritime school and Special Order (S.O.) from the DECS;
- 5) For ratings cited under b. (3) (iii): must have successfully undergone a special training course on engine watchkeeping;
- 6) Must present certificates of training on Firefighting, First Aid at Sea, Personal Survival Technique and Survival Craft/Lifeboat Handling.

c. Special Ratings:

Ratings such as Electricians, Electronic Technicians, Pumpman, Reeferman, Machinist, etc. are considered as Special Ratings. They are categorized separately from the traditional ratings for they are concerned only on certain and highly specialized tasks.

This group of ratings pay special attention to maintenance and support of all machinery, including mechanical, electrical, hydraulic and pneumatic systems. In such cases, the MARINA may issue to an applicant he complies with the following qualification requirements:

- 1) must be at least 18 years of age;

- 2) must have passed a thorough medical examination, including eyesight (color perception test) and hearing test);
- 3) must have taken the following training:

For Pumpman

- (I) SOLAS courses
- (ii) Basic Tanker Safety Course
- (iii) Advance Tanker Safety Course
- (iv) Engine watchkeeping course (optional, in case the applicant wants to have an additional qualification
 - A Pumpman with no training in engine watchkeeping shall be issued a certificate in “cargo watchkeeping” only.

For Other Special Ratings

- (I) SOLAS courses;
 - (ii) Engine watchkeeping course as appropriate, (this may be substituted with a PRC license as Master Electrician, Mechanical Engineer, Electrical Engineer, Electronic Engineer or Communications Engineer);
4. Must have the required minimum sea service or relevant job experience:

For Pumpman

- (I) one (1) year relevant sea service appropriate to his duties ; or
- (ii) Three (3) years relevant land-based job experience and six (^) months’ sea experience as Pumpman;

Special For Other Ratings

- (I) One and a half (1 1/2) years sea service.

VI. Medical Requirements :

In accordance with the guidelines issued by the Department of Health, seafarers shall undergo medical examination which shall include the following:

1. Complete physical examination
2. Chest X-ray using plates not smaller than 11 “x 14 “
3. Complete blood count (CBC) including hemoglobin determination
4. Blood Typing
5. Urinalysis
6. Stool Examination
7. Dental Examination
8. Psychological Examination
9. Visual Acuity with emphasis on color perception:
 - 1) For deck officers and ratings with navigational watchkeeping duties and electricians, Ishihara color test;
 - 2) For engine officers and ratings performing watchkeeping duties in the engine room, primary color perception test;
10. Hearing and audiometry tests for all officers, deck/ engine watchkeepers and radio operators;
11. Speech clarity test for radio operators;
12. Test for HIV Antibodies, Hepatitis-B Antigen, or VDRL when required by country of destination.

VII. Basic Common Training Requirements

The basic training requirement for all hands are the four (4) basic safety courses; i.e, fire-fighting, first aid at sea, survival craft handling and personal survival techniques, or what is known as the SOLAS courses. Certain ship departments need additional training to qualify, among others, for issuance of STCW Certificate. The different departments and other corresponding training per group of officers or rating are as follows:

1. Deck Department:	Additional Training
For Master Mariners and Chief Officers	ROC, RSC and SRROC / GOC
For Second or Third Mates	ROC, RSC and SRROC / GOC
For Navigational watchkeepers	NWK for non-graduates of maritime institutions

2. Engine Department:	
For Engine Watchkeeper	EWK (for no-graduates of maritime institutions)

3. Radio Department	
For Radio Officers	GOC or 1 RTG and INMARSAT and GMDSS

Where:

ROC	-	Radar Observe Course
RSC	-	Radar Simulator Course
SRROC	-	Ship Restricted Radiotelephone Course
GOC	-	General Operator Course/Certificate
INMARSAT-		International Maritime Satellite Course
GMDSS	-	Global Maritime Distress and Safety System
NWK	-	Navigational Watchkeeping Course
EWK	-	Engineering Watchkeeping Course
1RTG	-	First Class Radiotelegraphy Certificates

4. Specialized Tanker Regulations (Qualifications)

Mandatory requirements for Officers and Ratings who specific and immediate duties and responsibilities for loading, discharging and care in transit or handling cargo on board tankers shall have the following qualifications:

- a. At least one (1) year sea service on board tanker vessels; or,
- b. Have taken an approved Tanker Familiarization or Basic/General Tanker Safety Course.
- c. To merit additional regulation number under Chapter V (Special Requirements for Tankers) of the ANNEX to the STCW

Convention, the applicant must comply with the following additional requirements on top of the foregoing:

- 1.) For Regulation No. V/1:
 - I) At least one (1) year experience on board oil tankers during the last five years; and.
 - ii) Completed an Advanced/Specialized Oil Tanker Course.
- 2.) For Regulation No. V/2:
 - I) At least one (1) year experience on board chemical tankers during the last five years: and,
 - ii) Completed an Advanced/Specialized Chemical Course.
- 3.) For Regulation No V/3:
 - I) At least one (1) year experience on board LPG/LNG Tankers during the last five years; and,
 - ii) Completed an Advanced /Specialized LPG/LNG Tanker Course.

VIII. Documentary Requirements

Documentary requirements for applications of Endorsement of Certificates/Rating Certificates are as follows:

Set 1 (MARINA's File)

- a. Letter-request from employer for the issuance of Endorsement of Certificates/Ratings Certificates, if application is filed by employer in behalf of the seafarer.
- b. Duly accomplished MARINA application form
- To be accomplished in duplicate.
- c. Authenticated photocopy of the Professional Regulation Commission (PRC) and/or National Telecommunications Commission (NTC) Licenses.
- d. One photocopy of the medical certificate from a DOH-accredited medical clinic. A medical certificate should also bear the picture of the applicant with the clinic's seal stamped on the picture. Also to be attached is the

referral slip from the company/agency for the clinic to conduct medical examination.

- e. Seaman's Service Record Book (old and new). One photocopy each of pages 1 and 2 and all other pages reflecting sea services.
- f. One photocopy of each training certificate such as fire-fighting aid at sea, personal survival techniques, survival craft handling, ROC, Rsc, SRROC/GOC, ARPA, tanker certificates.

Items e and f may be waived in case of promotion or renewal of certificate when the seafarer applies in person with MARINA.

Set 2 (Seaman's file)

- Originals of the documents specified in items c, d, e, and f.(For verification purpose only)

Application filed in behalf of seafarers who are on board, shall comply with the following requirements;

1. Promotion or Renewal of Certificate
 - a. Letter-request from the employer;
 - b. Affidavit of Responsibility guaranteeing the payment penalty that shall be imposed against the seafarer in case any document turns out to be spurious;
 - c. Latest PRC license, if applicable;
 - d. Latest training certificate(s), if any;
 - e. Latest SSRB or service record duly certified by the shipping company;
2. Replacement of Lost Certificate
 - a. Set 1 documents;
 - b. Affidavit of Responsibility guaranteeing the payment of penalty that shall be imposed against the seafarer in case any document turns out to be spurious;

- c. Affidavit of Loss, duly notarized in the country where said Affidavit was executed and authenticated by the Philippine Embassy or Consulate.

IX. Steps in Applying for STCW Certificates :

1. Check all documentary requirements and indicate complete dates if issuance of all training certificates, his certificates are genuine and he really attended the training courses to avoid fatalities and unnecessary delays. See back page of application form for the list of requirements/instructions and strictly follow the arrangements and number of copies needed.
2. Go to the Manpower Development Office, 6th floor, right wing PPL Building, fall in line and wait until you are called.
3. Submit all documents for assessment/evaluation. If accepted, wait for the order of payment. If denied, you will be advised accordingly.
4. Pay the prescribed fee at the Cashier Section located at the 6th floor, left wing.
5. After payment, submit Set 1 or the required documents at the receiving section of the Manpower Development Office located at the 6th floor, right wing.
6. You will be issued a return slip indicating the date of release of your STCW Certificate.

X. Continued Proficiency an Updating of Knowledge :

1. Every deck, engine and radio operator 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 clarity for radio operators.
 - b. His professional competence:
 - 1) as evidenced by his approves sea-going service as Deck/Engineer Officer or Radio officer of at least one year during the preceding five years; or

- 2) 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 I (b) (1); or
- 3) by one of the following:
 - passing an approved test; or
 - successfully completing an approved course or courses appropriate to the position; 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) (3) 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.

X. Validity

All STCW certificates shall have five (5)- year validity period. The MARINA may issue a provisional certificate with a validity period of not more than one (1) year on cases such as:

1. Insufficient sea service (provided the deficiency does not exceed six months);
2. The application is filed by a shipping company or manning agency for and in half of the seafarer who is on board;
3. At least severe hearing loss for one ear and moderate to severe hearing loss for the other ear (in engine department only);
4. At least moderate to severe hearing loss (in deck department only);
5. The seafarer cannot present the original PRC license but possesses a PRC certification for a particular capacity/position.

XII. Replacement of Lost Certificate :

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

XIII. Schedule of Fees :

1. STCW Endorsement Certificates and Authentication of Documents

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| a. Issuance of STCW endorsement certificate including authentication of documents | P-250.00 per certificate issued |
| b. Replacement of lost STCW Endorsement certificate including authentication | P 500.00 per Certificate |
| c. Rush Processing | An additional fee of P100.00 per certificate |

Rush Processing shall be extended to seafarers who present confirmed plane tickets indicating that the seafarer is scheduled to depart within seventy-two hours. Xerox copies of plane tickets shall not be honored. If a seafarer is joining a ship within the Philippines, he may present proofs that the ship is in Philippines waters and that he is employed on said ship. Such proofs shall be presented together with the plane tickets.

The Overseas Employment Certificates issued by the POEA shall be presented together with the plane tickets.

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| 2. Authentication of documents | P 20.00 per document |
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The above fees may be adjusted from time to time by the Administration as the need arises.

XIV. Administrative Fines and/or Penalties: -

1. Any seafarer who shall go on board vessels and/or a shipping company/manning agency which shall allow a seafarer to go on board/join a vessel without first securing a MARINA endorsement/authentication shall be solidarity liable and shall be subject to the following administrative fine:

FIRST OFFENSE	-P 2,000	10,000
SECOND OFFENSE	-P 3,00	15,000
THIRD AND SUCCEEDING OFFENSES	-P 5,00	20,000

In case a seafarer goes on board with expired STCW certificates or of late renewals, the liability of the seafarer and the shipping company/manning agency shall be equivalent to one-half the penalties above provided.

Imposition of such fines shall be without prejudice to whatever action MARINA may take towards suspension or revocation of license/accreditation of the seafarer and the shipping company/manning agency.

2. Any seafarer who submits any false statement or misrepresentation in his application, fraudulent or tampered, or irregularly issued certificate or document shall be subjected to criminal prosecution under the Revised Penal Code and administrative penalty, as follows:

	FIRST OFFENSE	SECOND AND SUCCEEDING OFFENSES
O f f i c e r s :	P 7,000.00	P14,000.00
Master Mariner - - - - -	P 6,000.00	12,000.00
Chief Engineer - - - - -	P5,000.00	10,000.00
Chief Mate/Second Engineer -		
Radio Operator/Electrician - -	P4,000.00	8,000.00
Third Mate/Fourth Engineer - -	P 3,000.00	6,000.00
R a t I n g - - - - -	P 2,000.00	4,000.00

For succeeding offenses, suspension or disqualification to practice his profession by the Professional Regulation Commission on proper government agency, upon recommendation of the Maritime Industry Authority, shall be imposed.

3. Shipping companies or manning agencies shall be held responsible for the spurious, tampered or irregularly issued certificate/document submitted to this Authority which were secured or tampered by the shipping company or manning agency or any of their employees of liaison officer/messengers, or where sales company or agency or employee/liaison officer/messenger has tampered or participates in securing documents from any source, and they shall be made solidarily liable to the following administrative fine:

First Infraction	-	Twenty-Five Thousand five (P25,000.00)
Second Infraction-		Fifty Thousand (P50,000.00) Pesos and suspension of company's license for one (1) month by the Philippine Overseas Employment Administration or proper government agency upon recommendation of the Maritime Industry Authority
Third Infraction	-	P100,000.00 and recommendation for cancellation of company's license by the Philippine Overseas Employment Administration or proper government agency.

No permit, license or authority shall be granted pending compliance with this Memorandum Circular.

In addition, the responsible officials of the Company or Agency and employee/liaison officer/messenger shall be subject to criminal prosecution under the Revised Penal Code.

For Purpose of this Circular, irregularly issued documents shall refer to training certificates issued without the required actual practical and theoretical training.

XV. Due Process Clause :

A show cause order shall be issued against the offending part, and the case shall be heard in accordance with the administrative rules on practice and procedure complying with the requirements of notice and hearing.

XVI. Repealing Clause :

Memorandum Circulars /nos. 41-! And 41-B are hereby repealed.

XVII. Effectivity :

This memorandum Circular take effect fifteen (15) days after its publication in the Official Gazette or a newspaper general circulation.

A copy of this Memorandum Circular, duly published, shall be furnished to the International Maritime Organization Secretary General, through the Department of Foreign Affairs, pursuant to Article IV of the 1978 STCW International Convention.

By Authority of the Board

TACIENCIO M. BALBON, JR.
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 82 has been approved during 118th Regular Meeting of the Maritime Industry Board on 21 January 1994.

EMERSON M. LORENZO
Deputy Corporate Board Secretary

Date of Publication 03 February 194, Malaya Newspaper

Date of Submission to the U.P. Law Center 10 February 1994