

MEMORANDUM CIRCULAR NO. 99

TO : ALL SHIPPING COMPANIES, SHIPOWNERS, SHIPOPERS, OPERATORS, MOTORBOAT OPERATORS, OTHER ENTITIES AND ALL CONCERNED

SUBJECT : GUIDELINES FOR THE ISSUANCE/RENEWAL OF MOTORBOAT OPERATOR'S LICENSE (MBOL)

Pursuant to Section 12 of Executive Order No.125, as amended, the following guidelines shall govern the issuance/renewal of motorboat operator's license (MBOL).

I. OBJECTIVE

This Memorandum Circular shall prescribe the guidelines and procedures for the issuance/renewal of Motorboat Operator's License (MBOL) to operate vessels/watercraft 3 GT and below.

II. COVERAGE

This Memorandum Circular shall apply to the operation of a power watercraft of 3 GT and below and the operation of other watercraft which does not require a duly licensed merchant mariner.

III. DEFINITION OF TERMS

- A. Motorboat - A watercraft of 3 gross tons and below, propelled by an inboard or outboard engine.
- B. Motorboat Operator - An individual who operates a motorboat for trade, service, livelihood or pleasure.
- C. Motorboat Operator's License - A license issued by the Maritime Industry Authority (MARINA) to an individual who is qualified to operate a motorboat as covered under this Circular

IV. GENERAL PROCEDURES

1. ISSUANCE OF LICENSE

- 1.1 Applicant shall submit to the nearest MARINA Office (Central Office (CO)/ Maritime Regional Office(MRO)/ Maritime Extension Office (MEO) duly accomplished application form together with the following:

- a) Barangay Clearance
- b) Birth Certificate from Local Registrar or affidavit of two (2) disinterested persons, or certified true copy of the National Identification Card
- c) Duly notarized Barangay Certification on the Ability to Operate a Motor Banca
- d) Picture 1"x1" (2 copies)

2. RENEWAL/SUSPENSION OF LICENSE

- 2.1 The MBOL shall be renewed on or before its expiry date by the MARINA issuing Office upon submission of the duly accomplished application form and the old MBOL.
- 2.2 In case renewal is applied for in a MARINA Office which is not the issuing Office of the former MBOL, renewed MBOL shall be released only upon endorsement of the former issuing Office.
- 2.3 In case of violation of safety and operational procedures prescribed on watercraft 3 GT and below, three (3) reported violations are sufficient grounds for denial and two (2) reported violations for suspension of the license. However, the motorboat operator may apply for new license after three (3) months from date of denial.

3. REPLACEMENT OF LOST LICENSE

Lost MBOL can be replaced if the following conditions are met:

- a) Submission of duly accomplished application form together with an Affidavit of Loss stating the circumstances.
- b) The license of no record of violation/suspension in MARINA
- c) In case request for replacement is made in a MARINA Office other than the issuing Office, the applicant is requested to get clearance from the previous issuing Office.

4. CARRIAGE OF LICENSE

The Motorboat Operator shall carry with him at all times his MBOL when operating a motorboat.

V. FEES AND CHARGES

Applications covered by this Circular shall be charged with the corresponding fees/charges as provided in the MARINA Memorandum Circular on Fees and Charges.

VI. APPREHENSION

1. The MBOL shall be confiscated by MARINA Enforcement Officer or any MARINA deputized law enforcement officer in case the operator:
 - a) Commits a crime while operating the motorboat;
 - b) Violates any law or regulation in maritime environment; and
 - c) Is involved in a maritime accident.
2. As a summon or proof of custody of the MBOL, MARINA shall issue a Show Cause Order.
3. The motorboat operator shall be required to appear before the MARINA hearing Officer for investigation and disposition. The Hearing Officer shall decide on the return of the MBOL to its user as the situation warrants.

VII. FINES AND PENALTIES

Any violation of the provision of this Circular shall be subject to fines and penalties under existing rules/regulations and circulars and their subsequent amendments.

VIII. EFFECTIVITY

This Memorandum Circular shall take effect fifteen (15) days following its publication once in a newspaper of general circulation.

Manila, Philippines, 06 April 1995.

PACENCIO M. BALBON, JR.
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 99 has been approved by the MARINA Board on its Special Meeting held on 06 April 1995.

EMERSON M. LORENZO
Deputy Corporate Board Secretary

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