



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

MEMORANDUM CIRCULAR No. MD-2023-01

Series of 2023

TO : ALL SEAFARERS, SHIPPING COMPANIES,
SHIPOWNERS/ OPERATORS, MANNING AGENCIES
AND ALL OTHERS CONCERNED

SUBJECT : RULES AND REGULATIONS IN THE CONDUCT OF
ASSESSMENT OF COMPETENCE AND LICENSING OF
OFFICERS ONBOARD MERCHANT SHIPS¹ BELOW 500
GROSS TONNAGE (GT) OR WITH ENGINE PROPULSION
POWER (EPP) BELOW 750 KW AND FISHING VESSELS²
MORE THAN THREE (3) GROSS TONNAGE (GT) TO
BELOW 1000 GROSS TONNAGE (GT) IN PHILIPPINE
WATERS

Pursuant to Presidential Decree 474, Implementing Rules and Regulation of R.A. 9295, Philippine Merchant Marine Rules and Regulation (PMMRR) of 1997, as amended, Philippines Fishing Vessels Safety Rules and Regulations (PFVSRR) of 2018, as amended, the following rules and regulations in the assessment of competence of officers onboard merchant ships below 500 GT or with Engine Propulsion Power (EPP) below 750 kW and fishing vessels more than three (3) GT to below 1000 GT in Philippine waters are hereby prescribed:

I. OBJECTIVES

1. To adopt a rationalized assessment of competence of officers onboard merchant ships below 500 GT or with EPP below 750 kW and fishing vessels more than three (3) GT to below 1000 GT in Philippine waters.
2. To ensure that all officers performing duties and responsibilities including watchkeeping onboard merchant ships and fishing vessels in Philippine waters are assessed to meet the required competence.
3. To ensure and promote safety, security and protection of marine environment by capacitating the domestic seafarers through training and assessment.
4. To raise the level of standard of competence of Filipino seafarers in the domestic trade thereby paving the way to meet international standards.
5. To enhance the registry system of licensed officers under this Circular.

II. COVERAGE

¹ Steel hulled merchant ships pursuant to Memorandum Circular No. MD-2020-03

² Steel hulled fishing vessels pursuant to Memorandum Circular No. MD-2020-01

1. Application

This Circular shall apply to all candidates for assessment of competence of officers performing watchkeeping duties onboard merchant ships below 500 GT or with EPP below 750 kW and fishing vessels more than 3 GT to below 1000 GT in Philippine waters.

2. Exemption

This Circular shall not apply to officers who are onboard the following ships:

- 2.1. Warships, naval/coast guard auxiliaries or other ships owned or operated by the Government and exclusively engaged in governmental non-commercial service;
- 2.2. Officers covered by Memorandum Circular No. MD-2020-07;
- 2.3. Fishing vessels of below 3GT or propelled by non-mechanical means; and
- 2.4. Non-propelled ships.

III. DEFINITION OF TERMS

For purposes of this Circular the following terminologies are defined:

1. **Administration** refers to the Maritime Industry Authority (MARINA).
2. **Annual Program of Assessment** refers to the notice of schedule of assessment and Special Order approved by the MARINA Administrator for MARINA Central Office (MCO) and MARINA Regional Offices (MROs).
3. **Assessment of Competence** refers to the process of collecting evidence through theoretical examinations and/or practical assessment or testimonial assessment of the knowledge, understanding and proficiency of duties and responsibilities.
4. **Boat Captain 1** refers to a seafarer duly authorized by the Administration to act as Deck Officer and/or command a merchant ship below 15 GT or a fishing vessel from 50 GT to 3 GT.
5. **Boat Captain 2** refers to a seafarer duly authorized by the Administration to act as Deck Officer and/or command a merchant ship below 35 GT or a fishing vessel from 150 GT to 3 GT.
6. **Boat Captain 3** refers to a seafarer duly authorized by the Administration to act as Deck Officer and/or command a merchant ship below 100 GT or a fishing vessel from 350 GT to 3 GT.

7. **Candidate** refers to a seafarer applying for assessment of competence under this Circular.
8. **Certificate of Training** refers to the document issued by the MRO Director upon completion of the training on Ship Handling and Safe Navigation 1 and Engine Operation and Maintenance 1.
9. **Chief Engineer Officer** refers to a senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship.³
10. **Chief Mate/Officer** refers to the officer next in rank to the Master and upon whom the command of the ship will fall in the event of the incapacity of the Master.³
11. **Coastwise Voyage/Trade** refers to carriage for hire of passenger and/or merchandise on ships between ports and places in the Philippines.³
12. **Company** refers to the owner of the ship/fishing vessel/ or any organization/person such as manager or bareboat charterer, who has assumed responsibilities for the operation of the ship from the ship's owner and who, on assuming such responsibilities, has agreed to take over all the duties and responsibilities in the operation of the ship or the fishing vessel.³
13. **Competency Map** refers to the specifications of minimum standards of competence for Major Patron, Minor Patron, Boat Captain 3, Boat Captain 2, Boat Captain 1, Marine Engine Mechanic 3, Marine Engine Mechanic 2 and Marine Engine Mechanic 1 as provided in this Circular.
14. **Engine Propulsion Power (EPP)** refers to the maximum continuous rated power in Kilowatts (KW) of the ship's main propulsion which appears on the ship's certificate of registry. In case of multiple engines, it is the highest power rating of one propulsion engine.⁴
15. **Fishing Vessel** refers to any boat or watercraft equipped to be used for taking of fishery species or aiding or assisting one or more vessels in the performance of any activity relating to fishing, including but not limited to preservation, supply, storage, refrigeration or processing.⁵
16. **Fishing Vessel Officer** refers to duly licensed deck and engine officers of a fishing vessel. ⁵
17. **Gross Tonnage (GT)** refers to the tonnage as measured in accordance with the International Tonnage Convention, 1969, and for ships of less than 24m in length in accordance with the PMMRR, 1997.³

³ Philippine Merchant Marine Rules and Regulations

⁴ STCW Code

⁵ Philippine Fishing Vessel Safety Rules and Regulations

18. **License** refers to the Identification (ID) card issued to a person attesting that the holder is qualified to hold a position as appearing thereon.
19. **Major Patron** refers to a seafarer duly authorized by the Administration to command a merchant ship below 500 GT or a fishing vessel from 1000 GT to 3 GT.
20. **Marine Engine Mechanic 1 (MEM1)** refers to a seafarer duly authorized by the Administration to act as Engine Officer and/or Chief Engine Officer responsible for the operation of the mechanical propulsion and other machinery equipment of merchant ships with EPP below 250 kW or fishing vessel with EPP below 750 kW.
21. **Marine Engine Mechanic 2 (MEM2)** refers to a seafarer duly authorized by the Administration to act as Engine Officer and/or Chief Engine Officer responsible for the operation of the mechanical propulsion and other machinery equipment of ships with EPP below 500 kW or fishing vessel with EPP below 1500 kW.
22. **Marine Engine Mechanic 3 (MEM3)** refers to a seafarer duly authorized by the Administration to act as Chief Engine Officer responsible for the operation of the mechanical propulsion and other machinery equipment of ships with EPP below 750 kW or fishing vessel with EPP 3000 kW and below.
23. **Master** refers to a duly licensed person having command of a merchant ship.⁶
24. **Merchant Ships** refers to Cargo, Passenger, and Tanker Vessels.
25. **Minor Patron** refers to a seafarer duly authorized by the Administration to act as Deck Officer and/or command a merchant ship below 250 GT or a fishing vessel 750 GT to 3 GT.
26. **Notice of Passing theoretical or practical or testimonial assessment (NPTA/NPPA/NPTesA)** refers to the document issued by the Administration to the candidate after passing such an assessment.
27. **Panel of Experts (POEs)** refers to a body created under this Circular to be chaired by the MARINA Administrator or his duly authorized representative. Members of the said Panel shall consist of qualified Marine Deck and Engine Officers tasked to formulate test questions, performance criteria standards and procedures on the conduct of assessments. POEs shall also conduct the practical assessment of candidates.
28. **Philippine Waters** refers to all bodies of water within the Philippines territory such as lakes, rivers, streams, creeks, brooks, ponds, swamps, lagoons, gulfs, bays and seas and other bodies of water now existing or

⁶ Philippine Merchant Marine Rules and Regulations

which may hereafter exist in the provinces, cities, municipalities, and barangays and the waters around, between and connecting the islands of the archipelago regardless of their breadth and dimensions, the territorial sea, the sea beds, the insular shelves, and all other waters over which the Philippines has sovereignty and jurisdiction including the 200-nautical miles Exclusive Economic Zone and the continental shelf.⁷

29. **Pool of Trainers (POTs)** refers to a body created under this Circular to be chaired by the MARINA Administrator or his duly authorized representative. Pool of Trainers shall consist of qualified Marine Deck and Engine Officers tasked to conduct the training on Ship Handling and Safe Navigation 1 and Engine Operation Maintenance 1, respectively.
30. **Practical Assessment** refers to a method of assessment of competence through panel interview and/or one-on-one interview to assess the ability of the candidate.
31. **Rating** refers to a ship's crew other than the master or an officer. This may also refer to a Deckhand or Engine Hand on fishing vessels.
32. **Secretariat** refers to personnel of the Manpower Development Service or the concerned MARINA Regional Office tasked to perform the assigned duties in the conduct of examinations, issuance of Notice of Passing and license to passers of the assessment.
33. **Skipper** refers to a duly licensed person in command of a fishing vessel.⁸
34. **Testimonial Assessment** refers to a method of assessment of competence through panel interview and/or one-on-one interview to assess the ability of the candidate by the MDS/ MARINA Regional Offices (MRO) Director/OIC and/or authorized technical personnel.
35. **Theoretical Assessment** refers to a method of assessment through written examination without precluding the future use of computer-based examination of the candidate's knowledge, understanding and proficiency of the required competence as prescribed under this Circular.
36. **Watchkeeping** refers to the function of concerned division of qualified personnel to operate a ship continuously around the clock, on the bridge and over the running machinery, which include the responsibility of safely navigating the ship, keeping the ship on course and away from dangers and ensure that running machinery continues to operate, with ability to respond to emergencies be it on own ship or involving other ships.⁹

⁷ R.A. No. 8550 "The Philippine Fisheries Code of 1998"

⁸ Philippine Fishing Vessel Safety Rules and Regulations

⁹ MARINA Circular Nos. 2012-04, MD-2020-02, and MD-2020-04

IV. GENERAL PROVISIONS

1. All seafarers who intend to man domestic merchant ships or fishing vessels as officers shall undertake the assessment prescribed under this Circular.
2. All officers who shall command ships covered by this Circular are required to hold valid licenses for every responsibility onboard domestic ships.
3. Shipowners or operators shall ensure that their ships are manned only by duly licensed officers.
4. A candidate for assessment must be a Filipino citizen, at least 18 years of age, and must be medically fit for sea duty.
5. The candidates for the assessment of competence must comply with the requirements under this Circular and its Annexes.
6. A candidate for assessment shall undergo re-training of the required training courses if he or she has not gone onboard for at least a total of 12 months in the last five years from evaluation reckoned from the date of issuance of the training certificate or date of last disembarkation.¹⁰
7. MARINA shall pursue the digitalization of the processing, issuance and conduct of assessment of competence including the establishment of registry of licenses.
8. MARINA shall create an Annual Program of Assessment for each calendar year through Special Order and Notice of Schedule of Assessment.
9. MARINA shall create a Selection Committee for the selection of Panel of Experts and Pool of Trainers through Special Order.
10. The Panel of Experts shall be independent from the Pool of Trainers.

V. SPECIFIC PROVISIONS

For the purpose of this Circular, the following nomenclatures with their corresponding limitations are hereby adopted:

Deck Department		
License	Merchant Ships	Fishing Vessel
Major Patron	Below 500 GT	1000 GT to 3 GT
Minor Patron	Below 250 GT	750 GT to 3 GT
Boat Captain 3	Below 100 GT	350 GT to 3 GT
Boat Captain 2	Below 35 GT	150 GT to 3 GT
Boat Captain 1	Below 15 GT	50 GT to 3 GT

¹⁰ Memorandum Circular Nos. MD-2020-01 and MD-2020-03

Engine Department		
License	Merchant Ships	Fishing Vessel
Marine Engine Mechanic 3	Below 750 kW	3000 kW and below
Marine Engine Mechanic 2	Below 500kW	Below 1500 kW
Marine Engine Mechanic 1	Below 250 kW	Below 750 kW

VI. QUALIFICATION REQUIREMENTS

Minimum Qualification Requirements. The candidate shall comply with education, training, current license or certification and sea service experience for the license applied for as found in Annexes 1 to 8 as attached to this Circular. Provided, that the cumulative sea service experience shall be calculated exclusively based on the number of months required:

1. **Major Patron** (see Annex 1)
2. **Minor Patron** (see Annex 2)
3. **Boat Captain 3** (see Annex 3)
4. **Boat Captain 2** (see Annex 4)
5. **Boat Captain 1** (see Annex 5)
6. **Marine Engine Mechanic 3** (see Annex 6)
7. **Marine Engine Mechanic 2** (see Annex 7)
8. **Marine Engine Mechanic 1** (see Annex 8)

VII. DOCUMENTARY REQUIREMENTS

Every candidate for assessment shall submit:

1. Accomplished application form
2. Valid SRB or SIRB or SIB and its pertinent pages
3. Certificate of Sea Service supporting SRB or SIRB entries
4. Valid Medical Certificate
5. Valid NBI Clearance (for BC3, MIP, MAP, MEM3 and MEM2)
6. Valid Police Certificate (for BC1, BC2 and MEM1)
7. Transcript of Records or Official Record of Grades (if applicable)
8. College Diploma or Certificate of Completion (if applicable)
9. Certificate of Training on Ship Handling and Safe Navigation 3, 2, 1 for Deck and, Engine Operation and Maintenance 3, 2, 1 for Engine, respectively.
10. Recent passport size picture wearing appropriate marine officer for merchant ships and appropriate uniform for fishing vessel officer
11. Affidavit of Loss or Marine Protest (if applicable)

VIII. PROCEDURAL REQUIREMENTS

1. Process

- 1.1. Major Patron, Minor Patron, Boat Captain 3 and Marine Engine Mechanic 3. A candidate shall be subjected to Theoretical Assessment and Practical Assessment.
- 1.2. Marine Engine Mechanic 2 and Boat Captain 2. A candidate shall be subjected to Practical Assessment only
- 1.3. Marine Engine Mechanic 1 and Boat Captain 1. A candidate shall be subjected to Testimonial Assessment only.

License	Assessment
Major Patron	Theoretical and Practical
Minor Patron	Theoretical and Practical
Boat Captain 3	Theoretical and Practical
Boat Captain 2	Practical only
Boat Captain 1	Testimonial only
Marine Engine Mechanic 3	Theoretical and Practical
Marine Engine Mechanic 2	Practical only
Marine Engine Mechanic 1	Testimonial only

2. Theoretical Assessment

2.1. Coverage

- 2.1.1. Major Patron and Minor Patron (see Annex 9 – Table 1)
- 2.1.2. Boat Captain 3 (see Annex 10 – Table 1)
- 2.1.3. Marine Engine Mechanic 3 (see Annex 11 - Table 1)

2.2. Requirements for passing

- 2.2.1. A candidate must complete all subject areas listed in the Table of Specifications (see Annex 9 - Table 1, Annex 10 - Table 1 and Annex 11 - Table 1) on the license applied.
- 2.2.2. A candidate must obtain a general average of not less than 70% to qualify for the practical assessment.

3. Practical Assessment

3.1. Coverage

- 3.1.1. Major Patron and Minor Patron (see Annex 9 – Table 2)
- 3.1.2. Boat Captain 3 (see Annex 10 – Table 2)
- 3.1.3. Boat Captain 2 (see Annex 10 - Table 3)
- 3.1.4. Marine Engine Mechanic 3 (see Annex 11 – Table 2)
- 3.1.5. Marine Engine Mechanic 2 (see Annex 11 – Table 3)

3.2. Requirements for passing

3.2.1. Every candidate for practical assessment shall demonstrate and pass the required competence under this Circular:

- 3.2.1.1. For Major Patron and Minor Patron (see Annex 9 – Table 2)
- 3.2.1.2. For Boat Captain 3 (see Annex 10 – Table 2)
- 3.2.1.3. For Boat Captain 2 (see Annex 10 – Table 3)
- 3.2.1.4. For Marine Engine Mechanic 3 (see Annex 11 – Table 2)
- 3.2.1.5. For Marine Engine Mechanic 2 (see Annex 11 – Table 3)

4. Testimonial Assessment

4.1. Coverage

- 4.1.1. Boat Captain 1 (see Annex 12 - Table 1)
- 4.1.2. Marine Engine Mechanic 1 (see Annex 12 – Table 2)

4.2. Requirements for passing

4.2.1. Every candidate for testimonial assessment shall demonstrate and pass the required competence under this Circular:

- 4.2.1.1. For Boat Captain 1 (see Annex 12 - Table 1)
- 4.2.1.2. For Marine Engine Mechanic 1 (see Annex 12 – Table 2)

5. Results of Assessment

5.1. Theoretical Assessment

Results of theoretical assessment shall be made available after 7 days following the schedule of assessment.

5.2. Practical Assessment

Results of practical assessment shall be made available after 7 days following the schedule of assessment.

5.3. Testimonial Assessment

Results of testimonial assessment shall be made available after 7 days following the schedule of assessment.

6. Performance Criteria and Standard, Schedule of Assessment, Oath-Taking Ceremonies and Documents Issued

6.1. Performance Criteria and Standard

- 6.1.1. Performance criteria and standard to measure the required competence of a candidate are provided in the competency map for

Deck and Engine Department of this Circular (see Annex 9 to Annex 12).

- 6.1.2. Annex 9 to Annex 12 shall be used by the Panel of Experts as guide on formulating test questions and on the conduct of practical assessment.
- 6.1.3. Annex 9 to Annex 12 shall be used by the MDS/ MARINA Regional Offices (MRO) Director/OIC and/or authorized technical personnel as guide in the conduct of testimonial assessment.

6.2. Schedule of Assessment

6.2.1. Schedule of Theoretical Assessment

- 6.2.1.1. The approved Annual Program of Assessment shall be posted in the MARINA website on or before the 31st of December of each calendar year;
- 6.2.1.2. Assessment shall be conducted at the MARINA Central or Regional Offices as provided in the approved Annual Program of Assessment;
- 6.2.1.3. Theoretical assessment shall be conducted by authorized MDS/MRO personnel; and
- 6.2.1.4. Deadline for filing an application is 3 working days before the conduct of assessment.

6.2.2. Schedule of Practical Assessment

- 6.2.2.1. The practical assessment shall be scheduled 15 working days upon posting of theoretical assessment official results;
- 6.2.2.2. Assessment shall be conducted at the MARINA Central or Regional Offices as per schedule;
- 6.2.2.3. Practical Assessment shall be conducted by the Panel of Experts; and
- 6.2.2.4. Deadline for filing an application is 5 working days before the conduct of assessment.

6.2.3. Schedule of Testimonial Assessment

- 6.2.3.1. The testimonial assessment shall be scheduled together with the conduct of Modified Basic Safety Training (MBST);
- 6.2.3.2. The approved Annual Program of Assessment shall be posted in the MARINA website on or before the 31st of December of each calendar year;
- 6.2.3.3. Assessment shall be conducted at the MARINA Central or Regional Offices or venue of MBST as per schedule;
- 6.2.3.4. Deadline for filing an application is 5 working days before the conduct of assessment.

6.3. Oath-taking Ceremony

Passers shall take their oath as licensed officers before the MARINA Administrator or his duly authorized representative for the Central Office or the Directors/OICs for the MARINA Regional Offices prior to the issuance of License ID.

6.4. Documents Issued by the Administration

6.4.1. All candidates who will pass the assessment shall be issued:

6.4.1.1. Notice of Passing Theoretical Assessment (MAP, MIP, BC3, MEM3)

6.4.1.2. Notice of Passing Practical Assessment shall be issued upon passing of the Practical assessment.

6.4.1.3. Notice of Passing Testimonial Assessment shall be issued upon passing of the Testimonial assessment.

6.4.1.4. A license in the form of an identification (ID) card valid for five (5) years shall be issued upon submission/presentation of the Notice of Passing and payment of the corresponding license fee.

7. Issuance/Renewal of License ID

7.1. All candidates who passed the assessment shall submit the following documentary requirements for the issuance of License ID

7.1.1.1. For issuance of license ID:

7.1.1.1.1. Notice of Passing Theoretical or Practical or Testimonial Assessment (NPTA/NPPA/NPTesA)

7.1.1.1.2. Proof of payment for issuance of license ID

7.1.1.2. For renewal of license ID:

7.1.1.2.1. License ID

7.1.1.2.2. Valid SRB or SIRB or SIB

7.1.1.2.3. Recent passport size picture in appropriate marine officer uniform or fishing vessel officer uniform

7.1.1.2.4. Proof of payment for issuance of license ID

7.1.1.3. For replacement of lost/damaged license ID:

7.1.1.3.1. Affidavit of loss (as applicable)

7.1.1.3.2. Damaged license ID

7.1.1.3.3. Documents required for renewal of license ID

7.1.1.4. For CMP Holders pursuant to MARINA Circular No. 2012-03

- 7.1.1.4.1. Certificate of Marine Profession and license ID
- 7.1.1.4.2. Valid SRB or SIRB or SIB
- 7.1.1.4.3. Recent passport size picture in appropriate marine officer uniform or fishing vessel officer uniform
- 7.1.1.4.4. Proof of payment for issuance of license ID

IX. TRAINING PROVIDERS

1. MARINA Accredited Maritime Training Institutions (MTIs) shall be the training providers for Ship Handling and Safe Navigation 1, 2, 3 and Engine Operation and Maintenance 1, 2, 3.
2. The POTs will conduct training programs for SHSN 1 and EOM 1 free of charge. Provided, that a Special Order to that effect is issued by MARINA.
3. The funding requirements for the training equipment, materials, per diem and other remunerations, and incidental expenses shall be chargeable against the MDS or MRO budget, subject to the applicable accounting and auditing rules.
4. MROs shall not collect any registration fees for the conduct of the training. The expenses to be incurred for the training materials as well as the travelling expenses and board and lodging of POTs shall be for the account of MDS or MRO fund.
5. The training program shall be conducted through face-to-face mode of delivery.
6. The SHSN 1 and EOM 1 shall be conducted by the POTs through the MROs subject to the following conditions:
 - a. A written-request from the operator, company or the local government unit (LGU) with a certification that it will provide the necessary training materials, equipment and appliances needed for the training; and
 - b. Schedule of Training shall be posted in the MARINA website before the 31st of December of each year.
 - c. Special request for training must meet the minimum number of 15 seafarers for SHSN 1 or EOM 1
7. Each training program to be conducted shall have corresponding batch reference, the format of which shall be in alphanumeric, representing the MRO which conducted the training, the acronym of the program, the year and the frequency.

Example:

“MRO10SHSN12023-01” refers to the first training of SHSN 1 in MRO10 in 2023;

“MRO10EOM12023-01” refers to the first training of EOM 1 in MRO10 in 2023.

8. Certificate of Training conducted by the POTs

Certificate of Training on SHSN 1 and EOM 1 conducted by the POTs shall be issued by the MRO Director upon completion of the training see Annex 13.

9. MROs are required to submit to MDS the Enrollment Report during the first day of the training and Training Completion and Record of Assessment Report (TCROA) immediately after the conduct of the training. For this purpose, Annex 14 and Annex 15 are hereby adopted to form part of this Memorandum Circular.

X. PANEL OF EXPERTS

The Constitution and composition, qualifications of Panel of Experts, selection, terms of office and compensation, and duties and responsibilities relating to the Panel of Experts shall be in accordance with Annex 16 provided under this Circular.

XI. POOL OF TRAINERS

The Constitution and composition, qualifications of Pool of Trainers, selection, terms of office and compensation, and duties and responsibilities relating to the Pool of Trainers shall be in accordance with Annex 17 provided under this Circular.

XII. SPECIFICATIONS OF MINIMUM STANDARDS OF COMPETENCY AND PERFORMANCE CRITERIA STANDARDS

The specifications of the minimum standards of competency and performance criteria standards for seafarers under this Circular shall be in accordance with Annex 18 provided hereof.

XIII. SCHEDULE OF FEES AND CHARGES

1. Assessment Fees:

Type of Assessment	Fees
1. Theoretical	Php 500.00
2. Practical	Php 1,000.00
3. Testimonial	Php 500.00

2. License ID Fees:

Application Type	Fees
1. New Issuance	Php 250.00
2. Renewal	Php 250.00
3. Lost/Damaged	Php 250.00

XIV. FINES AND PENALTIES

1. The seafarer who shall go onboard/ join a ship without licenses or with expired licenses shall be liable to pay the following administrative fines and penalties:

Seafarers	Fines and Penalties	
	Without licenses	With expired licenses
1st Offense	10,000.00	5,000.00
2nd Offense	20,000.00	10,000.00

2. The shipping company, agency, or person responsible in allowing, permitting, facilitating the seafarer to join onboard a ship without licenses or with expired licenses shall be liable to pay the following administrative fines and penalties:

Shipping Company/ Agency/ Person	Fines and Penalties
1st Offense	10,000.00
2nd Offense	20,000.00

3. Ships not adequately manned by sufficient number of certificated, and licensed officials, crew or ratings shall be **placed under no-sail condition until compliance thereof** in accordance with the provision of MARINA MC No. MS-2020-03.
4. Any person who shall give any false or misleading statement, or submit fraudulent or tampered document/licenses shall be liable for an administrative fine of **not more than twenty-five thousand pesos (Php25,000.00)**, without prejudice to the institution of criminal action in courts of competent jurisdiction.

XV. FRAUD OR MISREPRESENTATION

Possession of any spurious documents for assessment or issuance of license is prima facie evidence of illegal possession of fraudulent documents.

XVI. TRANSITORY PROVISION

Applicants who have submitted complete documentary requirements before the effectivity of this Circular may choose and/or be allowed to take the assessment under this Circular without undergoing the training required. Applicants who passed the assessment under MARINA Circular No. 2012-03 who were not issued with the license required shall be issued a license under this Circular. A payment fee of P150 shall be paid for the reissuance of license for the existing CMP holders.

All CMP licenses issued prior to the effectivity of this Circular shall remain valid until December 31, 2024.

XVII. REPEALING CLAUSE

MC 170, MC 2012-03, MC MD-2020-03, PFVSRR Rule 10, MC MD-2020-01, Administrative Orders, MARINA Advisories and all other MARINA issuances inconsistent herewith are hereby deemed repealed, revoked and/or superseded accordingly.

XVIII. SEPARABILITY CLAUSE

Should any provision 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.

XIX. EFFECTIVITY CLAUSE

This Memorandum Circular shall take effect after 15 days following its publication in a newspaper of general circulation.

Manila, Philippines, August 24, 2023.

BY AUTHORITY OF THE BOARD:

Atty. 
HERNANI N. FABIA
Administrator

SECRETARY'S CERTIFICATION

This is to certify that MARINA Circular No. MD-2023-01 has been approved by the MARINA Board during its 299th Regular Board Meeting held on August 24, 2023.


ATTY. SHARON L. DE CHAVEZ-ALEDO
Corporate Board Secretary

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