

RULES GOVERNING THE ADOPTION AND IMPLEMENTATION OF A QUALIFICATION DOCUMENT CERTIFICATION SYSTEM IN THE DOMESTIC TRADE

MIA MEMORANDUM CIRCULAR NO. 164, S. 2001, March 15, 2001

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Pursuant to Section 12 (g) of Executive Order No. 125, as amended and DOJ Opinion No. 62, s. 1989, and in order to ensure greater safety of life and property at sea and protection of marine environment, the adoption of a qualification document certification system in the domestic trade is hereby prescribed.

I. OBJECTIVE

To ensure that all seafarers onboard domestic ships are properly certificated, qualified, competent and medically fit for the proper performance of functions onboard ships operating coastwise.

II. COVERAGE

These rules shall apply to all ships of at least 100 GT or of propulsion of at least 200 kW operating primarily in the domestic waters, except those onboard:

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

III. DEFINITION OF TERMS

- Qualification Document Certificate (QDC) means a document issued by the Maritime Industry Authority (MARINA) to seafarers serving onboard ships of at least 100 GT and of propulsion of at least 200 kW.
- Authentication refers to the MARINA's attestation/validation/confirmation of certificates and documents issued by it or by other agencies and entities.
- Officers refer to duly certificated and/or licensed deck, engine and radio officers.
- Ratings mean a ship's crew other than the Master or Officer performing deck or engine watchkeeping duties.
- Marine Diesel Mechanics means a person authorized by the MARINA to operate and maintain the ship diesel engine/s on the qualification/license to act as such.
- Fishing Vessel means a vessel exclusively used for catching fish, whales, seals, walrus or other living resources of the sea and excludes fish carriers.
- Wooden Ships of Primitive Build refer to ships made of wood and provided with sails.

- Domestic Waters — correspond to all waters within the Philippine territory.

IV. GENERAL PROVISIONS

- All seafarers serving onboard ships of at least 100 GT or with propulsion of at least 200 kW operating in domestic waters shall be properly certificated.
- Application for the issuance of QDC and/or authentication must be personally filed and secured by the applicant. The application can be filed, for and on behalf of the seafarer while on board by the duly authorized representative of the company.
- Promotion onboard requiring issuance of QDC may likewise be filed on behalf of the seafarer by the employer.
- Applications shall be filed at the Maritime Industry Authority (MARINA) Central Office or in any of its Maritime Regional Offices (MROs).
- Certificates issued by the PRC or TESDA pursuant to the 1978 STCW Convention, as amended shall be acceptable onboard ships operating in the domestic waters.
- Retraining shall be required of a holder of training certificates who has not served on board for at least a year within five (5) years from the date of issuance of certificate.
- Issuance of QDC may indicate limitations as to vessel's tonnage/engine propulsion based on the seafarers sea service.
- In meritorious cases, the MARINA may require equivalent or additional documents in the issuance of QDC.

V. QUALIFICATION REQUIREMENTS

A. DECK DEPARTMENT

1. Minimum Requirements for Officers and Ratings Serving Onboard Ships of Not Less than 100 GT

Requirements

Officers

Ratings

Age

- At least 20 years old
- At least 18 years old

Medical

- Certified physically and medically fit particularly regarding good eyesight and hearing from a Department of Health (DOH) accredited hospital or clinic.*

- Certified physically and medically fit particularly regarding good eyesight and hearing from a Department of Health (DOH) accredited hospital or clinic.*

License/ Examination

- PRC License**

Training***

- Basic Safety Course
- Basic Safety Course
- Deck Watchkeeping Course (DWK) [for non-graduate of maritime courses]
- Deck Watchkeeping Course (DWK) [for non-graduate of maritime courses]
- Collision Regulation (for non-graduate of maritime courses)
- ROC/SSROC, if applicable

Sea Service

- Must have served on board ship of not less than 100 GT for at least six (6) months in deck department.

* In the absence of DOH-accredited medical examination centers in the regions, MARINA may accept the medical findings from a medical center/clinic or physician employed by the shipping company where the applicant-seafarer is employed.**To include Major Patron/Minor Patron*** The training must have been taken from Maritime Training Council (MTC) accredited training centers.

B. ENGINE DEPARTMENT

1. Minimum Requirements for Officers and Ratings Service Onboard Ships Powered by Main Propulsion Machinery of Not Less Than 200 kW Propulsion Power

Requirements

Officers

Ratings

Age

- At least 20 years old
- At least 18 years old

Medical

- Certified physically and medically it particularly regarding good eyesight and hearing from a Department of Health (DOH) accredited hospital or clinic.*
- Certified physically and medically fit particularly regarding good eyesight and hearing from a Department of Health (DOH) accredited hospital or clinic.*

License/ Examination

- PRC License**

Training***

- Basic Safety Course
- Basic Safety Course
- Engine Watchkeeping Course (EWK) [for non-graduate of maritime courses]
- Engine Watchkeeping Course (EWK) [for non-graduate of maritime courses]

Sea Service

- Must have served onboard vessels powered by main less than 200 kW propulsion power department for six (6) months in the engine propulsion of not less than 200 kW propulsion power for six (6) months in the engine department.

* In the absence of DOH-accredited medical examination centers in the regions, MARINA may accept the medical findings from a medical center/clinic or physician employed by the shipping company where the applicant-seafarer is employed.

** To include Major Patron/Minor Patron

***The training must have been taken from Maritime Training Council (MTC) accredited training centers.

VI. DOCUMENTARY REQUIREMENTS

New/Renewal**Promotion/ Upgrading****Replacement of Lost/Damaged Certificates****1. Duly accomplished MARINA application form**

1. Duly accomplished MARINA application form
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 2. PRC License
 2. Training Certificate
 2. Affidavit of Loss/Damage
 3. Medical certificates from DOH-accredited medical clinic/hospital
 3. Seafarer's Identification and Record Book (SIRB)/Certificate of Employment
 4. Seafarer's Identification and Record Book (SIRB)/Certificate of Employment
 4. Authenticated photocopy of valid medical certificates from DOH-accredited medical clinic/hospital
 5. Training Certificate
- * Medical Certificate shall include the following:
1. Complete physical and medical examination
 2. Complete x-ray using plates not smaller than 11 x 14
 3. Dental examination
 4. Psychological examination

- 5. Primary Color Perception Test
- 6. Hearing test and audiometry test

VII. VALIDITY OF CERTIFICATES

QDC shall be valid for a period of three (3) years from date of issue.

VIII. SCHEDULE OF FEES

Issuance of QDC

Fees

Officer Ratings

a.

Issuance of QDC

P200.00/Certificate

P200.00/Certificate

b.

Replacement of Lost QDC including authentication of documents

P300.00/Certificate

P300.00/Certificate

c.

Expedite Processing

P500.00/Certificate

P500.00/Certificate

d.

Authentication of Documents

P50.00/Certificate

P50.00/Certificate

The above fees include documentary stamps and may be adjusted by the MARINA as the need arises.

IX ADMINISTRATIVE AND/OR PENALTIES

- A seafarer who shall go on board ships and/or a shipping company/operator which shall allow a seafarer to go onboard/join a ship without first securing a QDC shall be jointly liable and shall be subject to the following administrative fines:

First Offense

Second Offense

Third and Succeeding Offenses

Seafarer

P1,000.00

P2,000.00

P3,000.00

Shipping Company/Manning Shipping Agency

P5,000.00

P10,000.00

P15,000.00

For going on board with expired QDC or of late renewals - half of the aforecited penalties shall be imposed.

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

- A seafarer who shall submit any false statement or misrepresentation or fraudulent or tampered or irregularly issued QDC, licenses or documents required for authentication or in the issuance of QDC shall be liable to pay the following fines:

First Offense : P 2,000.00

Second Offense : P 5,000.00

Third and Succeeding Offense : P10,000.00

- Shipping companies/operators shall be held responsible for spurious or tampered documents submitted by any seafarer to MARINA which were secured or tampered by the shipping company/operator or any of their employees or liaison officers/messengers, or where said company/operator or employee/liaison officer/messenger has tampered or participated in securing the questioned documents from any source, and shall be made solidarily liable to the following administrative fines:

First Violation

P25,000.00

Second Violation

P50,000.00

Third Violation

P100,000.00 and recommendation for the cancellation of the company's license by proper government agency

In addition to the foregoing fines, the responsible official of the company or agency and employee liaison officer/messenger shall be subject to criminal prosecution under the Revised Penal Code.

- Any seafarer who found to have secured or in possession of fake and fraudulent or irregularly issued QDC/authentication shall be subject to criminal prosecution under the Revised Penal Code and administrative fine of P5,000.00.

X. REPEALING CLAUSE

The provisions of Memorandum Circular Nos. 47-A, 83 and 83-A inconsistent herewith are hereby modified or amended accordingly.

XI. EFFECTIVITY

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

Adopted: 15 Mar. 2001

By Authority of the Board:

(SGD.) ATTY. OSCAR M. SEVILLA
Administrator

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