

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

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Pursuant to Section 12 (e) of Executive Order No. 125, as amended, and in consonance with the Philippines' accession to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) through the Instrument of Accession dated 11 January 1984 and pursuant further to Section 2, Article 11 of the 1987 Philippine Constitution which states that the Philippines adopts the generally accepted principles of International Law as part of the law of the land, the following revised guidelines in the issuance of Endorsement of Certificates are hereby prescribed.

I. OBJECTIVE

To ensure that all seafarers are properly certificated, qualified, competent and medically fit for the proper performance of functions onboard seagoing ships in accordance with the Convention.

II. COVERAGE

These guidelines shall apply to all Filipino seafarers serving onboard seagoing ships, except to 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

For purposes of this Circular:

- Administration refers to the Maritime Industry Authority (MARINA);
- Authentication refers to the Administration's attestation/ validation/confirmation of certificates, licenses and documents issued by agencies and entities in compliance with the requirements of the 1978 STCW Convention and its subsequent amendments; training certificates issued by other flag states shall likewise be recognized provided they have been approved by the Maritime Training Council (MTC);
- 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;
- Endorsement of Certificates means a valid document, by whatever name it may be known, issued by the Administration, authorizing the holder to serve as stated in this document;
- Fishing Vessel means a vessel used for catching fish, whales, seals, walrus or other living resources of the sea;
- Seagoing Ship means a ship other than those which navigate exclusively within Philippine waters;
- Relevant Capacity means the same position as reflected in the endorsement;

- Cross Entry means the recognition of training certificates issued by other flag states.

IV. GENERAL PROVISIONS

- All Filipino seafarers serving onboard seagoing ships shall be properly certificated in accordance with these guidelines.
- Application for issuance of endorsement of certificates and/or authentication must be personally filed and secured by the applicant. The application can be filed, on behalf of the seafarer while on board, by the duly authorized representative of the company, in case of replacement of lost or damaged certificates and for purposes of repatriation (for a maximum period of 90 days).
- Applications shall be filed at the MARINA Central Office (MCO) or at any of its authorized Maritime Regional Office (MRO).
- Endorsement of Certificates issued for purposes of employment onboard sea-going ships shall be acceptable for use onboard ships operating in the domestic trade.
- The medical and licensure examinations and training courses required by these guidelines shall have been taken from a government-accredited institution.
- Certificates in support of application for Endorsement of Certificates shall be authenticated by MARINA as part of the evaluation process. However, a separate authentication of certificates/documents can be undertaken as may be necessary.
- 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.
- Promotions on board may likewise be filed on behalf of the seafarer provided it is a position which requires an STCW endorsement.
- The Administration reserves its authority to modify the requirements in the issuance of endorsement of certificates/authentication in accordance with the Convention in cases deemed meritorious.

V. QUALIFICATION REQUIREMENTS

A. Deck Department

1. Minimum Requirements for Masters, Chief Mates and Officers in Charge of a Navigational Watch on Ships of 200 GRT or more

REQUIREMENTS

MASTER

OFFICER IN CHARGE OF A NAVIGATIONAL WATCH (Second Master/Third Mate)

Age

At least 20 years old

At least 18 years old

Medical

Certified medically fit, particularly regarding good eyesight and hearing

Examination/ License

Must have passed the equivalent licensure examination for officer in charge of navigational watch

Training

Must have undertaken the following training courses:

1. Basic Safety Courses (BSC)
2. Radar Observer Course (ROC)/Radar Observation and Plotting (ROP)
3. Radar Simulator Course (RSC)
4. Ship Restricted Radiotelephone Operator Course (SRROC) or General Operator Course (GOC)

Regulation

Regulation II/3

Note: 1 As per Regulation 1/15 (Transitional Provisions) of 1978 STWC Convention, as amended, the Party may, at its discretion, replace tonnage limitations appearing on the original certificate — "200 GRT" may be replaced by "500 GT".

2. Minimum Requirements for Masters and Officers in Charge of a Navigation Watch on Ships of Less 200 GRT

a. Ships Not Engaged on Near-Coastal Voyages

REQUIREMENTS

MASTER

OFFICER IN CHARGE OF A NAVIGATIONAL WATCH (Second Master/Third Mate

Age

At least 20 years old

At least 18 years old

Medical

Certified medically fit, particularly regarding good eyesight and hearing

Examination/ License

Must have passed the equivalent licensure examination for officer in charge of navigational watch

Training

Must have undertaken the following training courses:

1. Basic Safety Courses (BSC)
2. Radar Observer Course (ROC)/Radar Observation and Plotting (ROP)

3. Radar Simulator Course (RSC)

4. Ship Restricted Radiotelephone Operator Course (SRROC) or General Operator Course (GOC)

Regulation

Regulation II/3

b. Ships Engaged on Near-Coastal Voyages

REQUIREMENTS

MASTER

OFFICER IN CHARGE OF A NAVIGATIONAL WATCH (Second Master/Third Mate

Age

At least 20 years old

At least 18 years old

Medical

Certified medically fit, particularly regarding good eyesight and hearing

Examination/ License

Must have passed the equivalent licensure examination for officer in charge of navigational watch

Training

Must have undertaken the following training courses:

1. Basic Safety Courses (BSC)

2. Radar Observer Course (ROC)/Radar Observation and Plotting (ROP)

3. Radar Simulator Course (RSC)

4. Ship Restricted Radiotelephone Operator Course (SRROC) or General Operator Course (GOC)

Regulation

Regulation II/3

3. Minimum Requirements for Ratings Forming Part of a Navigational Watch on a Seagoing Ship of 200 GRT or More

REQUIREMENTS

BSMT/AMT/CMT GRADUATES

BASIC SEAMAN TRAINING COURSE (BSTC) (Deck Watchkeeping) GRADUATES

UNDERGRADUATE OR NON- GRADUATE OF MARITIME COURSES

Age

At least 18 years old

Medical

Certified medically fit, particularly regarding good eyesight and hearing

Must have undertaken the Basic Safety Courses (BSC)

Must have undertaken the following training courses:

1. Basic Safety Course (BSC);

2. Deck Watchkeeping Course (DWK)

Seagoing Service

1. 12 months seagoing service in the deck department which includes six months navigational watchkeeping duties; or

2. 12 months approved apprenticeship training

12 months seagoing service in the deck department which includes six months navigational watchkeeping duties

Regulation

Regulation II/6

Note: Must submit a copy of diploma or transcript of records from maritime school and special Order (S.O) issued by the DECS/CHED

B. Engine Department

1. Minimum Requirements for Chief Engineer Officers, Second Engineer Officers of Ships Powered by Main Propulsion Machinery of 750 kW Propulsion Power or More

REQUIREMENTS

CHIEF ENGINEER

SECOND ENGINEER

ENGINEER OFFICER IN CHARGE OF A WATCH (Third Engineer/Fourth Engineer

Age

At least 20 years old

Medical

Certified medically fit, particularly regarding good eyesight and hearing

Examination/License

Must have passed the licensure examination for:

Chief Engineer

Second Engineer

Third Engineer/Fourth Engineer

Training

Must have undertaken Basic Safety Courses (BSC)

Regulation

Regulation III/2 (Ship powered by main propulsion machinery of 3,000 kW propulsion power or more

Regulation III/4

Regulation III/3 (Ship powered by main propulsion machine of between 750 and 3,000 kW propulsion power)

2. Minimum Requirements for Ratings forming Part of an Engine Room Watch

REQUIREMENTS

GRADUATES OF MARINE ENGINEERING COURSES (BSMarE/AME/CME) 1

HIGH SCHOOL GRADUATES

Age

At least 18 years old

Medical

Certified medically fit, particularly regarding good eyesight and hearing

Training

Must have undertaken the Basic Safety Courses (BSC)

Must have undertaken the following training courses:

1. Basic Safety Courses (BSC);

2. Engine Watchkeeping Course (EWK)

Seagoing Service

12 months seagoing service in the engine room

18 months seagoing service in the engine room

Regulation

Regulation III/6

Note: 1. Must submit a copy of diploma or transcript of records from maritime school and Special Order (S.O.) issued by DECS/CHED

*. Sea service on board the engine department of fishing vessels of 750 kw and above may be considered.

C. Radio Department

Mandatory Minimum Requirements for Radio Officers

REQUIREMENTS

RADIO OFFICER

Age

At least 18 years of age

Medical

Certified medically fit, particularly regarding good eyesight, hearing and speech

Must have passed the licensure examination for General Operator (GOC) or

License

First Class Radiotelegraph Operator (1RTG)

Regulation

Regulation IV/1

D. Special Ratings

Ratings such as Electrician, Electronic Technician, 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 pays special attention to the maintenance and support of all machinery, pneumatic systems. In such cases, the MARINA may issue to an applicant a Rating's Certificate provided he complied with the aforecited qualification requirements. Certificates for deck and engine watchkeeping being required of non-graduates of maritime courses shall be updated every five (5) years for those holding special ratings positions.

E. Special Requirements for Tankers

To qualify for the additional Regulation under Chapter V of the Convention, the following requirements, seafarers must have completed a Shore-based Firefighting Course; and

1. For Masters, Officers and Ratings of Oil Tankers

REQUIREMENTS

OFFICERS IN CHARGE AND RATINGS

MASTER, CHIEF ENGINEER, CHIEF MATE AND SECOND ENGINEER

Training/Sea-going service

1. General/Oil Tanker Familiarization Course; or

2. Six months supervised shipboard service on oil tanker

1. Six months shipboard service on oil tanker; and Advanced/Specialize Oil Tanker Course

2. One (1) year shipboard service on oil tanker in a relevant capacity in the last five (5) years

Regulation

Regulation V/1

2. For Masters, Officers and Ratings of Chemical Tankers

REQUIREMENTS

OFFICERS IN CHARGE AND RATINGS

MASTER, CHIEF ENGINEER, CHIEF MATE AND SECOND ENGINEER

Training/Sea-going service

1. General/Chemical Tanker Familiarization Course; or

2. Six months supervised shipboard service on oil tanker

1. Six months shipboard service on chemical tanker and Advanced/ Specialized Chemical Tanker Course; or

2. One (1) year shipboard service on chemical tanker in a relevant capacity in the last five (5) years

Regulation

Regulation V/2

3. For Masters, Officers and Ratings of Liquefied Gas Tankers

REQUIREMENTS

OFFICERS IN CHARGE AND RATINGS

MASTER, CHIEF ENGINEER, CHIEF MATE AND SECOND ENGINEER

Training/Sea-going service

1. General/Chemical Tanker Familiarization Course; or
2. Six months supervised shipboard service on oil tanker
1. Six months shipboard service on chemical tanker and Advanced/ Specialized Chemical Tanker Course; or
2. One (1) year shipboard service on chemical tanker in a relevant capacity in the last five (5) years

Regulation

Regulation V/3

V. LONG ABSENCE

STCW endorsement of certificates under regulation II/5 and III/5 may be issued to deck or engine officers who intend to return to sea after a period ashore but who have not had approved seagoing service as deck or engine officers of at least one year during the preceding five (5) years, provided they comply with the following requirements:

1. Approved training in Advance Safety Course, MARPOL and specialized training, if applicable;
2. Equivalency/substitutes for approved sea-service under any of the following:
 - 2.1 performed function as any of the following during the last five (5) years as:

- 2.1.1 Maritime Instructor, or
- 2.1.2 Ship Surveyor/inspector, or
- 2.1.3 Port Captain/Port Engineer/Training Director,
- 2.1.4 Maritime Safety Officer, or
- 2.1.5 Marine Superintendent, or
- 2.1.6 Other related functions

2.2 completed approved courses on

2.2.1 For Master and Chief Mate

2.2.1.1 Shiphandling Course, and

2.2.1.2 GOC

2.2.2 For Second Mate and Third Mate

2.2.2.1 ROC, and

2.2.2.2 RSC, and

2.2.2.3 GOC

2.2.3 For Chief Engineer and Second Engineer

2.2.3.1 Control Engineering, and

2.2.3.2 Marine Electrotechnology

2.2.4. For Third Engineer and Fourth Engineer

2.2.4.1 Control Engineering, and

2.2.4.2 Introduction to Marine Electrotechnology

2.3 Completed approved seagoing service

2.3.1 For deck officers — approved seagoing service as deck officers for a period of no less than three (3) months in a supernumerary capacity.

2.3.2 For engine officers — approved seagoing service as engineer officers for a period of not less than three (3) months in a supernumerary capacity or in a lower rank than that for which he holds the certificates; and

3. All other applicable requirements under this Circular.

VI. DOCUMENTARY REQUIREMENTS (All original documents, if applicable must be presented for verification purposes)

A. NEW/UPGRADING

B. RENEWAL

REPLACEMENT OF LOST/DAMAGED CERTIFICATE

1. Duly accomplished application

1. Duly accomplished application form

1. Duly accomplished application form

2. Certified true copy of valid PRC and/or NTC License

2. Photocopy of valid medical certificate

2. Affidavit

3. Photocopy of valid medical certificate

3. Previously issued Endorsement Certificate

3. Photocopy of valid medical certificate*

4. SIRB - one photocopy each of pages one and two and all other pages reflecting sea service (in case of lost/damaged SIRB, any acceptable substitute documentary proof of sea service and affidavit shall be required)
4. Photocopy of SIRB reflecting sea service with at least one year within the last five years
4. Proof of previously issued Endorsement of Certificate
5. Photocopy of each training certificate required

*Medical Certificate 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 primary color perception:
 - a. For deck officers and rating with navigational watchkeeping duties; and
 - b. For engine officers and ratings performing watchkeeping duties in the engine room.
10. Hearing and audiometry test for all officers, deck/engine watchkeepers and radio officers
11. Speech clarity test for radio officers
12. Test for HIV antibodies, hepatitis-B antigen or VDRL when required by a country or destination

VII. VALIDITY

Endorsement of Certificates shall be valid up to 31 January 2002.

VIII. SCHEDULE OF FEES

1. Issuance of Endorsement of Certificates (including authentication)
 - a. Regular Processing — P325.00 per issuance
 - b. Expedite Processing — P700.00 per issuance
 2. Replacement of Lost/ — P600.00 per issuance
- Damaged Endorsement of
Certificate/Repatriation
3. Authentication of Certificates/ — P25.00 per certificate /

Documents type of document

IX. ADMINISTRATIVE FINES AND PENALTIES

1. Any seafarer that shall go onboard a seagoing ship and/or a shipping company/manning/shipping agency, which shall allow a seafarer to go onboard/join a seagoing ship without an Endorsement of Certificates, shall be severally liable to pay the following fines:

Seafarer

Shipping Company/ Shipping/Manning Agency

1.1 First Offense

P2,000.00

P10,000.00

1.2 Second Offense

P3,000.00

P15,000.00

1.3 Third and Succeeding

Offenses

P5,000.00

P20,000.00

1.4 The liability of the seafarer, ship owner/ship operator, shipping / manning agent shall be equivalent to ½ of the aforecited penalties, if a seafarer goes onboard with an Endorsement of Certificates, the validity of which is shorter than his/her contract of employment, or where there is failure on the part of the seafarer to hold at all times valid Endorsement of Certificate while on board.

2. A seafarer who shall submit any false statement or misrepresentation or fraudulent or tampered or irregularly issued certificates, licenses or documents required for authentication or in the issuance of an Endorsement of Certificates shall be liable to pay the following fines:

FIRST OFFENSE

SECOND OFFENSE

SUCCEEDING OFFENSE (S) *

Master Mariner

P7,000.00

P14,000.00

P28,000.00

Chief Engineer

P6,000.00

P12,000.00

P24,000.00

Chief Mate/Second Engineer

P5,000.00

P10,000.00

P20,000.00

Second Mate/Third Engineer/Radio Officer

P4,000.00

P8,000.00

P16,000.00

Third Mate/Fourth Engineer

P3,000.00

P6,000.00

P12,000.00

Ratings and Others

P2,000.00

P4,000.00

P8,000.00

* This includes recommendation to appropriate government agency for suspension or disqualification to practice profession

3. Ship owners/operators, manning/shipping agencies requesting the issuance of an Endorsement of Certificates for and in behalf of a seafarer shall be liable for the false statement or misrepresentation, fraudulent or spurious or tampered licenses, documents, certificates submitted, or where said ship owners/operators, manning/shipping agencies or any of their employees or liaison officers/messengers have consented or participated in the tampering/misrepresentation or in securing the questioned licenses, documents, and/or certificates from any source:

3.1 First violation - P25,000.00

3.2 Second violation - P50,000.00

3.3 Third & Succeeding - P100,000.00 and

recommendation for

cancellation of the

company's license by

the appropriate

government agency

3.4 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.

4. Any seafarer/company found to have secured or in possession of fake, or fraudulent Endorsement of Certificate/authentication shall be liable to pay the fine of P5,000.00 and shall be subject to criminal prosecution under the Revised Penal Code.

X. REPEALING CLAUSE

Memorandum Circular No. 126 and any circular, regulation or any parts thereof inconsistent herewith are hereby repealed.

XI. EFFECTIVITY

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

Adopted: 15 October 1999

(SGD.) AGUSTIN R. BENGZON

Administrator

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