

**[PRC BOARD OF MARINE ENGINEER OFFICERS
BOARD RESOLUTION NO. 48, S. 1999, November
10, 1999]**

**RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO.
8544, THE "PHILIPPINE MERCHANT MARINE OFFICERS ACT OF
1998" (FOR MARINE ENGINEER OFFICERS)**

Pursuant to Section 34, Article VII of Republic Act No. 8544, otherwise known as the 'Philippine Merchant Marine Officers Act of 1998', the following rules and regulations for the effective implementation of the said Act is hereby formulated and adopted:

ARTICLE I

TITLE, PURPOSE AND DEFINITION OF TERMS

SECTION 1. Title. — This Resolution shall be known and cited as the "Rules and Regulations Implementing the Philippine Merchant Marine Officers Act of 1998."

SECTION 2. Purpose. — This Rules and Regulations is formulated and adopted to prescribe the standards and procedures to be observed in carrying out the provisions of R.A. No. 8544 insofar as the merchant marine engineer officers are concerned in order to ensure the accomplishment of the following objectives:

- a. The examination, assessment, registration and issuance of certificate of registration, certificate of competency and its revalidation, and the endorsement attesting the issue of a certificate and the recognition of a certificate issued to a foreign merchant marine engineer officers.
- b. The supervision, control and regulation of the practice of Merchant Marine Engineer profession in the Philippines: Provided, That the above objectives shall be attained through compliance with STCW '78 Convention, as amended.

SECTION 3. Definition of Terms. — Unless otherwise provided, the following shall mean:

1. COMMISSION — shall mean the Professional Regulation Commission (PRC) created under P.D. No. 223, as amended.
2. CHAIRMAN OF THE COMMISSION — shall refer to the Commissioner of the Professional Regulation Commission.
3. BOARD — shall mean the Board of Marine Engineer Officers.
4. PRACTICE OF MERCHANT MARINE PROFESSION — shall refer to the profession requiring the application of fundamental and known principles of navigation, seamanship and engineering to the peculiar condition and requirements of on board

management, operation and maintenance of main propulsion and auxiliary engines, stability and trim of the vessel and cargo handling. It shall also cover but will not be limited to the following:

(a) The proper handling and stowage of cargoes on board ship which includes the safe carriage of passengers from port of origin to port of destination.

(b) The safe watch keeping of the vessel's navigation in accordance with the Rules of the Road at Sea.

(c) The Maritime Education and Training of Cadets and other Marine Professionals.

(d) Employment with government, provided such item or position requires the knowledge and expertise of a Merchant Marine Engineer Officer.

(e) Employment with private companies/entities as port engineers, marine superintendents and those engaged in the recruitment, selection and hiring of Filipino marine engineer officers to work on board vessels.

(f) Service in shipyards, dry-docks, and stationary power plant for marine engineer officer including surveys and certification of ships.

5. CERTIFICATE OF REGISTRATION — shall refer to the document issued to a Marine Engineer Officer after passing the required examination and upon compliance with all the requirements prescribed by the Board and the Commission.

6. MERCHANT MARINE VESSEL — shall apply only to commercial ships, public or private, propelled by machinery, strictly engaged in maritime commerce, both seagoing and/or near-coastal trade; vessels engaged in the training of cadets for the merchant marine profession; and non-combatant vessels of the Philippine Government.

7. MERCHANT MARINE OFFICER — shall refer to marine deck or engineer officer.

8. MERCHANT MARINE ENGINEER OFFICER - shall refer to a registered, certificated chief engineer, second engineer and officer-in-charge of an engineering watch in a manned engine-room or designated duty engineer in a periodically unmanned engine-room.

9. CHIEF ENGINEER OFFICER — is a registered and certificated marine engineer officer who shall have over-all charge of and shall be responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship/vessel.

10. SECOND ENGINEER OFFICER — is a registered and certificated marine engineer officer next-in-rank to the Chief Engineer Officer who shall exercise supervision over all the machineries and auxiliaries as well as the engine personnel of the ship/vessel and upon whom shall devolve/fall the responsibilities of the Chief Engineer Officer on board the ship/vessel in the absence of or in the event of

incapacity of the Chief Engineer Officer.

11. THIRD ENGINEER OFFICER — is a registered and certificated marine engineer officer designated officer-in-charge of an engineering watch in a manned engine-room or designated duty engineer in a periodically unmanned engine-room who shall be responsible for the operation and maintenance of the machineries and equipments assigned to him by the Chief Engineer.

12. FOURTH ENGINEER OFFICER — is a registered and certificated engineer officer designated officer-in-charge of an engineering watch in manned engine-room or designated duty engineer in a periodically unmanned engine-room who shall be responsible for the proper operation and maintenance of the machineries and equipment assigned to him by the Chief Engineer Officer including the inspection, maintenance and repair of electrical installations in the ship/vessel.

13. STCW CONVENTION — means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

14. The Engineer Officers complement of a ship shall be of two levels, namely:

A) MANAGEMENT LEVEL — refers to the level of responsibility associated with:

(1) serving as Chief Engineer Officer or Second Engineer Officer on board a seagoing ship; and

(2) ensuring that all functions within the designated area of responsibility are properly performed.

B) OPERATIONAL LEVEL — refers to the level of responsibility associated with:

(1) serving as officer-in-charge of an engineering watch in a manned engine room or as designated duty engineer in a periodically unmanned engine room or machinery spaces on board a seagoing ship; and

(2) maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction and supervision of merchant marine engineer officer serving in management level for that area of responsibility.

15. CERTIFICATE OF COMPETENCY — a document issued by the Board to a Marine Engineer Officer after payment of the prescribed fees, certifying that the Marine Engineer Officer has been found qualified to perform the functions of the level of responsibility involved on board the vessel/ship for which such officer has been examined and assessed and which shall attest to the authority/license of the engineer officer to practice the Merchant Marine profession in the capacity specified therein.

16. ENDORSEMENT CERTIFICATE — refers to the document issued by the Board which attests to the issuance of Certificate of Competency to a Marine Engineer Officer or attesting the recognition of a Certificate issued by other Flag States in accordance with and upon compliance of all the relevant requirements of the International Convention on the Standards of Training, Certification and

Watchkeeping for Seafarers, 1978, as amended.

17. PARTY — means a State for which the Convention has entered into force.

18. ADMINISTRATION — means the Government of the Party whose flag the ship is entitled to fly.

19. CERTIFICATE — a document, by whatever name it may be known, issued by or under the authority of the national administration attesting or certifying to the authority of the marine engineer officer named therein to serve in the capacity as stated in the document in accordance with national regulations.

20. CERTIFICATED — refers to the condition or status of a marine engineer officer who has been issued a valid certificate of registration and a valid certificate of competency.

21. SEAGOING SHIPVESSEL — means a ship/vessel other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply.

22. SYLLABUS — refers to a table of specifications containing the contents systematically arranged according to topics and subtopics of the subjects in accordance with which the preparation of test questions for the licensure examination shall be strictly within the scope of the syllabus for each subject.

23. LICENSURE EXAMINATION FOR MARINE ENGINEER OFFICERS — refers to the written and practical examinations given by the Board to measure the competence of applicants for registration as marine engineer officers on the functions of the levels of responsibility required by law and the STCW Convention for such officer and which must be taken and passed by the applicants to be registered as such marine engineer officer.

24. REMOVAL EXAMINATION — is an examination that an examinee must take in the subject or subjects where he obtained a grade lower than sixty percent (60%) in any given licensure examination.

25. INTEGRATION — means the unification or consolidation of the members of the different organizations of marine engineer officers into one national organization for recognition by the Board of Marine Engineer Officers and the Commission.

26. NEAR COASTAL VOYAGE — shall refer to voyages which cover a maximum distance of two hundred (200) nautical miles from the Philippine baseline or voyages which by agreement between the Philippines and another state is considered or treated as coastwise voyage.

27. SEA-GOING SERVICE — shall refer to the actual service on board a ship/vessel relevant to the issued Certificate or other qualification.

28. WALK-IN EXAMINATION — shall refer to the computer-based system of written technical examination similar to the regularly given examination administered at a designated test center for any capacity, function and level, and a definite number of examinees outside of the Board's regular examination schedule.

29. CODE OF PROFESSIONAL ETHICS FOR MARINE ENGINEER OFFICERS — A set of rules and regulations governing the conduct and deportment of a marine engineer officer in the practice of his profession.

30. PROPULSION POWER — shall refer to the total maximum continuous rated output power in kilowatts of the ship's main propulsion machinery which appears on the vessel's certificate of Registry or other official documents.

31. RECOGNITION OF FOREIGN CERTIFICATES — shall refer to the authority of the Commission to issue an Endorsement Certificate to a foreign marine engineer officer holding a Certificate of Competency issued by his national administration complying with the requirements of the 1978 STCW Convention, as amended, to serve on board a Philippine registered ship.

32. TRAINING RECORD BOOK — an official record indicating the activities and performance of a cadet engineer or watchkeeping engineer on seagoing ship under the supervision of the Chief Engineer Officer or a qualified and certificated engineer officer on board the ship in which the approved seagoing service is performed in accordance with Regulation III/1 of the STCW Convention.

33. STCW '78 CERTIFICATE — means a certificate recognized under the transitional provisions of Article VII, paragraph (2), or regarded as the equivalent of a certificate issued under the Convention by virtue of paragraph (3) of that same article, or issued in accordance with the provisions of the Convention in force prior to 1 February 1997, or issued on or after that date in accordance with the transitional provisions of Regulation I/15.

34. STCW '95 CERTIFICATE — means a certificate issued on or after 1 February 1997 in accordance with all applicable requirements of the Convention and the STCW Code, or a STCW '78 certificate duly endorsed after 1 February 1997 in accordance with Regulation I/1.

ARTICLE II OFFICIAL SEAL OF THE BOARD

SECTION 4. Official Seal of the Board of Marine Engineer Officers. — The seal of the Board of Marine Engineer Officers shall be in the form of a gear: the outer gear being 40 mm circular in diameter; the inner circle being 20 mm in diameter; inside the 10 mm circular band shall be inscribed the name of the Board, the words being equally spaced to occupy the full circumference of the band and inside the inner circle shall be engraved a three-bladed propeller with a ship on the background.

ARTICLE III COMPOSITION AND MEETINGS OF THE BOARD

SECTION 5. Composition. — The Board of Marine Engineer Officers shall be composed of a Chairman and four (4) members who shall be appointed by the President of the Philippines from a list of three (3) recommendees for each position recommended by the Commission from a list of five (5) nominees for each position chosen and ranked by the integrated and accredited association of Marine Engineer Officers.