

**[PRC BOARD OF MARINE DECK OFFICERS BOARD
RESOLUTION NO. 21, S. 1999, November 04, 1999
]**

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

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 deck 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 deck officers.
- b. The supervision, control and regulation of the practice of Merchant Marine Deck 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 Deck 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 watchkeeping 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 Deck Officer.

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

5. CERTIFICATE OF REGISTRATION — shall refer to the document issued to a Marine Deck 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 DECK OFFICER — shall refer to a duly registered, certificated and licensed master mariner, chief mate, officer-in-charge of navigational watch classified as Second Mate or Third Mate, and Major or Minor Patron.

9. MASTER — is a registered and certificated Master Mariner having command of a ship/vessel.

10. CHIEF MATE — is a registered and certificated marine deck officer next-in-rank to the Master who shall exercise supervision of the deck personnel of the ship; the loading and unloading of cargo; the maintenance and upkeep of the ship; perform such other functions as the Master may assign to him from time to time.

11. SECOND MATE — is a registered and certificated marine deck officer next-in-rank to the Chief Mate, in charge of a navigational watch duly designated as such, in charge of navigational equipments, the ship/vessel's medical supplies medicines and the ship's hospital including such other duties and functions as the Master may direct.

12. THIRD MATE — is a registered and certificated marine deck officer next-in-rank to the second mate, in charge of a navigational watch duly designated as such, in charge of the maintenance and upkeep of the lifeboats and all other life saving and firefighting equipments including such other duties and functions as the Master may direct.

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

14. The Deck 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 master or chief mate, 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 a navigational watch; 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 a merchant marine deck officer serving in management level for that area of responsibility.

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

16. ENDORSEMENT CERTIFICATE — refers to the document issued by the Commission attesting the issue of Certificate of Competency to a Marine Deck 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 deck 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 deck officer who

has been issued a valid certificate of registration and a valid certificate of competency.

21. SEAGOING SHIP/VESSEL — 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 DECK OFFICERS — refers to the written and practical examinations given by the Board to measure the competence of applicants for registration as marine deck 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 deck 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 deck officers into one national organization for recognition by the Board of Marine Deck 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. SEAGOING 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 DECK OFFICERS — A set of rules and regulations governing the conduct and deportment of a marine deck officer in the practice of his profession.

30. RECOGNITION OF FOREIGN CERTIFICATES — shall refer to the authority or recognition issued by the Commission to a foreign marine deck 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.

31. TRAINING RECORD BOOK — an official record indicating the activities and performance of a deck cadet or watchkeeping deck officer on seagoing ship under

the supervision of the Master or a qualified and certificated Deck Officer on board the ship in which the approved seagoing service is performed in accordance with Regulation II/1 of the STCW Convention.

32. 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.

33. 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/11.

ARTICLE II OFFICIAL SEAL OF THE BOARD

SECTION 4. Official Seal of the Board of Marine Deck Officers. — The seal of the Board of Marine Deck Officers shall be circular in form consisting of two concentric circles, the outer circle being 40 mm. in diameter and the inner circle being 20 mm. in diameter. On the upper half portion of the circular band shall be inscribed "Board of Marine Deck Officers", and the lower half portion shall be inscribed "Professional Regulation Commission". Both inscriptions shall be within the circumference of the band and separated by two (2) screws. At the center of the inner circle shall be engraved two (2) crossed anchors signifying the Marine Deck Officers' profession, with two (2) ropes entwined around both anchors signifying unity in the profession and the Philippine Flag being superimposed thereon signifying the Board's authority. Above the emblem is the lighthouse with five (5) rays representing the five (5) Board Members serving as guide to the profession. Below the emblem are two (2) crossed leaves signifying honor in the profession. The upper half of the inner circle is colored white at the top and light blue at the bottom signifying the integrity of the Board and the lower half, colored blue signifying the oceans and seas of the world.

ARTICLE III COMPOSITION AND MEETINGS OF THE BOARD

SECTION 5. Composition. — The Board of Marine Deck 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 Deck Officers.

SECTION 6. Board, a Collegial Body. — The Chairman and members of the Board shall act as a collegial body in matters involving the exercise of its powers and functions as well as the implementation of its policies. Official action on such matters by the Board shall be effective only when approved by the Commission.

SECTION 7. Meetings. — The Board shall hold regular meetings at least twice a month within the Commission's premises or in such other places as may be agreed upon by the Board and approved by the Commission, Special meetings as often as