

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

DEPARTMENT OF LABOR AND EMPLOYMENT	
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DEPARTMENT ORDER NO. 130-A
Series of 2013

**GUIDELINES ON THE AUTHORIZATION
OF RECOGNIZED ORGANIZATIONS TO CONDUCT INSPECTION AND
CERTIFICATION OF PHILIPPINE REGISTERED SHIPS ENGAGED IN
INTERNATIONAL VOYAGES PURSUANT TO THE MARITIME LABOUR
CONVENTION (MLC), 2006**

Pursuant to Rule X of Department Order 130, Series of 2013, issued in accordance with Article 128 of the Labor Code of the Philippines, as amended, and in compliance with the Maritime Labour Convention, 2006, the Department of Labor and Employment shall accredit Recognized Organizations (ROs) to be authorized to conduct inspection of ships and issue Maritime Labour Certificate subject to the following conditions:

1. The applicant RO must be a member of a reputable international classification organizations presently performing classification of ships in the international trade such as the International Association of Classification Societies (IACS);
2. It has the necessary expertise in the relevant aspects of the Convention and an appropriate knowledge of ship operations, including the minimum requirements for seafarers to work on a ship, conditions of employment, accommodation, recreational facilities, food and catering, accident prevention, health protection, medical care, welfare and social security protection;
3. It has the ability to maintain and update the expertise of its personnel;
4. It has the necessary knowledge of the requirements of the Convention as well as of applicable national laws and regulations and relevant international instruments; and
5. It is of appropriate size, structure, experience and capability commensurate with the type and degree of authorization.

Interested ROs shall submit the following requirements for authorization to the Department of Labor and Employment through the Bureau of Working Conditions (BWC):

1. Letter of intent or application for authorization as RO;
2. Photocopy of existing Memorandum of Agreement with MARINA;
3. Company Profile; and
4. Adequate resources, in terms of technical, managerial and information system capability to conduct inspection and certification of PRS relative to MLC, 2006 which can be demonstrated by the following:
 - a) ISO Certification or IACS Quality Assurance Certification;
 - b) Directory of personnel to be involved in the inspection and certification, representing an adequate geographical coverage and local representative at least in major international and national ports;
 - c) Documented system for qualification and training of personnel;
 - d) Documented system in conducting inspection and certification pursuant to the requirements of the Convention, inclusive of the planning, scheduling, performing verifications and reporting results; and
 - e) Corrective actions in case of minor and major non-conformity.

Within three (3) days from receipt of the application, the BWC shall evaluate and recommend to the Secretary the issuance of the authorization through a Memorandum of Agreement between the DOLE and the RO. In evaluating the capability of the RO, the BWC shall determine whether the RO:

1. Has adequate technical, managerial and support staff;
2. Has a system for qualification of staff employed by them as inspector;
3. Has track record of demonstrated achievement of the required standards to be covered by the services;
4. Has sufficient qualified professional staff to provide the required service, representing an adequate geographical coverage;

5. **Has proven ability to provide a timely service of satisfactory quality; and**
6. **Is independent and accountable in its operations.**

The Memorandum of Agreement between the DOLE and the RO shall include the following:

1. **Scope of application;**
2. **Purpose;**
3. **General conditions;**
4. **The execution of functions under authorization;**
5. **Legal basis of the functions under authorization;**
6. **Reportorial obligations of the RO to DOLE;**
7. **Specification of the authorization from DOLE to RO to:**
 - a. **Carry out initial, intermediate and renewal inspections, as the case may be, on the following matters covered by Appendix A5-I of the MLC, 2006:**
 - **Minimum age**
 - **Medical certification**
 - **Qualifications of seafarers**
 - **Seafarer's employment agreement**
 - **Use of any licensed or certified or regulated private recruitment and placement service**
 - **Hours of work or rest**
 - **Manning levels for the ship**
 - **Accommodation**
 - **On-board recreational facilities**
 - **Food and catering**
 - **Health and safety and accident prevention**

- On-board medical care
- On-board complaint procedures
- Payment of wages

b. Issue to the shipowner:

b.1. Interim Maritime Labour Certificate – which is valid for not more than six months for new ships on delivery or when a ship changes flag or when a shipowner assumes responsibility for the operation of a ship; or

b.2. Full Term Maritime Labour Certificate – which is valid for not more than five years.

8. The DOLE's supervision of activities of the RO and revocation, upon notice, of the authority in case of violation or non-compliance with the terms and conditions of the authority to conduct inspection and certification of Philippine Registered Ships engaged in international voyages. The authorization given to ROs shall be valid for a period five (5) years.

This Department Order shall take effect immediately.

Manila, Philippines, 05 July 2013.


ROSALINDA DIMAPILAS-BALDOZ
Secretary