

RULES ON ACCREDITATION OF MANUFACTURERS/SUPPLIERS/SERVICING ENTITIES OF LIFE-SAVING AND OTHER SAFETY-RELATED APPLIANCES/EQUIPMENT

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Pursuant to the relevant provisions of P.D. 474, Sec. 12(e) of E.O. No. 125 as amended, Chap. III, Sec. 9 of R.A. No. 9295, and Reg. 1/8 of the PMMRR 97 as amended, the following rules are hereby adopted.

I. Objective

To insure that appliances and equipment for life-saving, fire-fighting, communications and navigation used on-board Philippine-registered domestic ships meet the standards and specifications to foster safety of life at sea and marine environment protection, through the accreditation of their manufacturers, suppliers and servicing entities.

II. Coverage

All companies/entities duly organized under existing Philippine laws to engage in the business of manufacturing. Supplying and/or servicing appliances and equipment for life-saving, fire-fighting, communications, navigation, etc. including related supplies/ materials for such, used on board Philippine-registered domestic ships; as well as owners/operators/charterers of such ships using the required appliances and equipment on board their ships.

III. General Provisions

1. Upon the effectivity of this Circular, all companies/entities manufacturing, supplying and/or servicing life-saving and other safety related appliances and equipment used, or for use, on-board Philippine-registered domestic ships shall apply for accreditation with the Maritime Industry Authority (MARINA), Maritime Safety Office. Only those accredited by the MARINA shall be authorized to engage in and transact business as manufacturers, suppliers and/or servicing entities of life-saving, fire-fighting, communications and/or navigation appliances and equipment for Philippine-registered domestic ships.

2. Accredited manufacturers of safety-related appliances and equipment shall have their products type-approved by a recognized classification society, their equivalents, or other competent bodies recognized by the MARINA (i.e., SOPI, DOST, DTI, Bureau of Product Standards, NTC) before being offered in the market. Where deemed more practicable, the MARINA may also grant approval/type-approval in so far as alternative or equivalent safety-related appliances/equipment are concerned, as provided in MARINA M.C. No. 197. Approval shall be preceded by a design approval for each appliance/equipment to be manufactured, followed by prototype production, then testing which should be in the presence of authorized surveyor. The prototype shall be tested following the universally accepted procedure such as those following the ISO system or its equivalents, or those recommended by the LSA Code. Each appliance/equipment type-approved/approved for manufacture shall bear a mark of such approval, and other required details (i.e. standard/ quality type, expiry date if applicable, etc.), in the product itself.

3. Suppliers of imported safety-related appliances, equipment, supplies and materials shall offer in the market

only those which were manufactured with type approval by class societies or their equivalents, as duly documented and/or certified. Clearance shall first be secured from the MARINA before offering such imported safety-related appliances and equipment in the market, after verification of their type-approval/documentation, or testing where warranted.

4. Servicing entities of safety-related appliances and equipment shall adhere to class-approved procedures, or ISO compliant system or its equivalent, supported by duly-trained and competent service technicians/engineers, as well as required resources and equipment, and should be so authorized by the original manufacturers of said appliances and equipment.

5. Domestic shipowners/operators/charterers of Philippine-registered ships shall insure that safety-related appliances and equipment to be used on board their ships are manufactured, supplied and serviced by MARINA-accredited companies/entities.

6. The MARINA reserves the right to conduct spot inspection/audits to the office facilities and operations of accredited companies/entities, as well as conduct random testing of manufactured products.

IV. Requirements in Applying for Accreditation

1. Letter application for MARINA accreditation, with request for verification/inspection of office/laboratory facilities, equipment and personnel.

2. SEC Registration Certificate and Articles of Incorporation/BOI Accreditation/BDT-DTI Registration and Mayor's Permit.

3. List of officers and key personnel with corresponding Bio-data and credentials.

4. List of facilities and equipment owned/operated by applicant company/entity.

5. For applicants to be accredited as manufacturers, original copy of ISO certification or its equivalent, or proof of having applied for certification and that such is under process (only for the initial application).

6. For applicant to be accredited as suppliers, list and details of the appliances and equipment to be marketed, with the corresponding documentation on the type-approval/ approval for each, and proof of sole distributorship for imported items, when applicable.

7. For applicants to be accredited as servicing entities, list of appliances and equipment to be serviced, their corresponding authorizations from manufacturers to service each appliance/equipment, copies of the corresponding procedures/systems governing the servicing of each with the corresponding class approval or ISO certification, and list of employed service technicians/engineers with corresponding proof of training and credentials.

8. Other requirements as may subsequently be deemed necessary by the MARINA.

N.B. In cases of applications for renewal of accreditation, a report on appliances/ equipment manufactured, serviced and/or sold shall be submitted to the MARINA as an additional documentary requirement.

Over and above the requirements to be submitted by the applicant, the evaluation and processing to be undertaken by the MARINA shall include a verification/inspection by a MARINA inspector of the office/laboratory facilities, equipment and personnel of the applicant company/entity, as well as its implementation of a quality assurance system – with the resulting Inspection Report, inclusive of Findings and Recommendations, forming part of the requirements to be evaluated.

V. Validity of Certificate of Accreditation

The Certificate of Accreditation to be issued by the MARINA shall be valid for a period of one (1) year, renewable every year thereafter. A provisional Certificate of Accreditation valid for six (6) months may be issued by the MARINA to an applicant company/entity in cases where the quality assurance system required is pending approval/certification.

Any violation of conditions, requirements and standards imposed by the MARINA to the accredited company/entity shall provide a basis for the withdrawal of such accreditation, after due process.

The list of MARINA-accredited entities under this Circular shall be posted in the MARINA website, and periodically updated for the guidance of all concerned.

VI. Fees and Charges

The following fees and charges shall be paid for the corresponding application for accreditation (new and renewal) filed;

Application for Accreditation as: Processing Fee Accreditation Certificate

Manufacturer P2,000.00 P10,000.00

Supplier P1,500.00 P5,000.00

Servicing Entity P2,000.00 P10,000.00

Combination of Manufacturer/ P2,500.00 P15,000.00

Supplier/Servicing Entity

Type Approval (inclusive of Design Approval & Prototype Testing) P10,000.00

Quality Systems Approval P10,000.00

Inspection Fee P 5,000.00

(To be conducted only for Manufacturers, Servicing Entities, or their combination, in cases where their facilities, equipment and systems & procedures have not been inspected and certified by other recognized competent bodies which issued the type-approval/approval)

VII. Fines and Penalties

1. Companies/entities engaged in or transacting business for the manufacture, servicing and/or supply of life-saving and other safety-related appliances, equipment, supplies and materials without valid MARINA accreditation shall, after due process, pay the following schedule of penalties;

First Offense: P50,000.00

Second Offense: P75,000.00

Third & succeeding Offense P100,000.00

2. Domestic shipowners/operators/charterers of Philippine-registered ships found to be using on-board their ships life-saving and other safety-related equipment/appliances which is/are not approved/type-approved, or not manufactured, supplied and/or serviced by MARINA-accredited companies/entities shall, after due process, serve as a basis for the suspension of the affected ship's operation until the appliance/equipment is replaced with another that is approved by the MARINA, in addition to the payment of a penalty not to exceed P100,000.00.

VIII. Transitory Provisions

1. companies/entities covered by this Circular which have valid and subsisting accreditation from other government agencies such as the Philippine Coast Guard (PCG) shall likewise apply for re-accreditation with the MARINA, upon the effectivity of this Circular.

2. Existing safety-related appliances/equipment already used on-board domestic ships prior to the effectivity of this Circular shall be checked and approved by inspectors from the concerned MARINA Maritime Regional Office. After the effectivity of this Circular, safety-related appliances/equipment directly imported by domestic shipowners/operators shall first be inspected for verification whether type-approved or not, or inspected & tested, then approved by the MARINA, if not type-approved.

IX. Effectivity

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

Adopted: 28 Dec. 2005

By the Authority of the Board:

(SGD.) VICENTE P. SUAZO, JR.

Administrator

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