

RULES TO GOVERN PASSENGER MANIFESTS ON BOARD PHILIPPINE REGISTERED PASSENGER SHIPS

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In order to further enhance maritime safety for the protection of life, and in order to promote the convenience of the riding public, and pursuant to Presidential Decree (PD) No. 474, Executive Order (E.O.) 125/125-A, series of 1987, and relevant rules and regulations, Memorandum Circulars or Orders, the following rules are hereby adopted and prescribed:

I. Objective

To provide guidelines governing the counting and manifesting of all persons carried on board passenger ships, to ensure that all persons on board are duly and properly recorded in the Passenger Manifest.

II. Coverage

Philippine-registered passenger ships, regardless of size, plying the domestic trade.

III. Definition Of Terms

1. Child — a person who is twelve (12) years old and below.
2. Adult — a person who is above twelve (12) years old.
3. Passenger — any person carried on board a ship except:
 - the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship;
 - a person on board and carried either because of the obligation laid upon the Master to carry shipwrecked, distressed or other person by reason of force majeure; and
 - a child under one (1) year of age.
4. Passenger Manifest — the list of persons counted as passengers on board a passenger ship for a particular voyage, using the prescribed format with the required information.

IV. General Provisions

1. No passenger-carrying ship shall allow passengers on board in excess of the total number of passengers authorized for the ship.
2. The total number of persons on board shall not exceed the total number of persons allowed for each ship, except as provided for in Regulation I/7(I) of the PMMRR '97, as amended, involving the rescue of persons from other ships.
3. All passengers on board the ship shall be manifested using the herein attached format of Passenger Manifest.
 - a) In the case of children under one (1) year old, although not considered as passenger, as well as children under three (3) years of age who are allowed on board without charge, their names shall be attached to the

name of the accompanying adult passenger listed in the Passenger Manifest.

b) Other children granted discounted fare shall be manifested as passengers, but shall be listed as children. In cases of two (2) children in the same family/group granted discounted fares but sharing only one accommodation, their names will both be listed together as one entry in the Passenger Manifest and indicated as children.

4. Persons availing of discounted fares and complimentary passes (i.e., drivers, helpers, shippers, etc.) shall be counted as passengers and listed in the Passenger Manifest, subject to the terms attached to the grant of the discount/pass.

5. All persons listed in the Passenger Manifest, excluding those listed as companions of passengers, shall be entitled to the accommodations and amenities due to a paying passenger, and their total number should not exceed the total authorized passenger capacity with accommodations.

6. Entries in the Passenger Manifest should be legible, and whenever possible, computer-generated.

7. For purposes of headcounting of passengers in passenger-carrying ships with lying accommodations, wherein children are included despite being accorded free or discounted fares subject to their sharing lying accommodations together, or with accompanying adult passengers, the Certificate of Inspection issued to such ships shall henceforth reflect the Total Authorized Passenger Capacity in two categories: (a) With accommodations — to correspond to the total number of authorized passengers reckoned from the number of accommodations available for such ship, per approved Accommodation Plan; and (b) With shared/without lying accommodation — to correspond to 10% of the total number of authorized passengers entitled to lying accommodations, which will include children under one (1) year old, children under three (3) years of age without charge, and other children granted discounted fare which will share the same accommodation with passengers with accommodation. This will not however, apply to ferry vessels, High Speed Crafts and other similar ships where sitting accommodations are provided to passengers.

8. An Administration-approved lifejackets shall be provided for every person on board the ship. In addition, a number of lifejackets suitable for children equal to at least 10% of the total number of authorized passengers with accommodation on board shall be provided, subject however, to the condition that additional lifejackets shall be required in case the number of children exceeds 10% of the total number of authorized passengers on board the ship.

9. Passenger ships shall adhere strictly to the pertinent provisions of Chapter IX of the PMMRR '97, as amended, concerning Life-Saving Appliances.

VI. SANCTIONS

Violations

1st Violation

2nd Violation

3rd Violation

Insufficient number of life- jackets and life-saving appliances required to be on board a ship

P1,000.00/piece + non-operation of vessel/non extension of CPC/PA/SP until compliance

P2,000.00/piece + non- operation of vessel/non extension of CPC/PA/SP until compliance

P4,000.00/piece + revocation/cancellation of CPC/PA/SP

Carriage of passengers and/ or persons exceeding the authorized total number of passengers or persons.

Absence of Passenger Manifest for a particular voyage of a ship.

Master/Boat Captain

Ship 35 GT & below

P10,000.00

Suspension of SIRB and/ or QDC, or other related document, until payment of penalty.

Revocation of SIRB and/or QDC, or other related document.

Ship above 35 GT

P25,000.00

Suspension of SIRB and/or QDC, or other related document, until payment of penalty.

Revocation of SIRB and/or QDC, or other related document.

Shipowner/Operator

200% of the passage rate for the entire voyage x total excess passengers

Suspension of ship's CPC/ CPC/PA/SP

Revocation of ship's CPC/PA/SP

Failure to reflect all passengers in the Passenger Manifest for a particular voyage.

Deviations in passenger manifesting based on the herein guidelines.

Master/Boat Captain

P2,000.00

P 4,000.00 + suspension of SIRB and/or QDC, or other related document, until payment of penalty.

Revocation of SIRB and/or QDC, or other related document.

Shipowner/Operator

P5,000.00

P 10,000.00 + suspension of CPC/PA/SP until payment of penalty.

Revocation of CPC/ PA/SP

VII. REPEALING CLAUSE

All Memorandum Circulars, rules and regulations, issuances inconsistent herewith are hereby amended or repealed accordingly.

VIII. EFFECTIVITY

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

Adopted: 07 October 2002

BY THE AUTHORITY OF THE BOARD:

(SGD.) ATTY. OSCAR M. SEVILLA

Administrator

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