

RULES TO IMPLEMENT SAFETY MEASURES FOR PASSENGER SHIPS WITH OPEN DECKHOUSE

MIA MARINA CIRCULAR NO. 2008-08, December 12, 2008

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/9f2e0abddd77/>

Pursuant to the provisions of PD 474, E.O. 125/125-A and R.A. 9295, the following rules are hereby prescribed.

I. OBJECTIVES

1. To promote and maintain safety on board ships;
2. To instill awareness, preparedness and alertness in case of maritime emergencies and accidents.

II. COVERAGE

All passenger ships with open deckhouse.

III. GENERAL PROVISIONS

1. All ships shall be required to implement safety measures.
2. All ships must provide a Public Address (PA) System, like megaphone, mini amplifier, karaoke with microphone to announce the safety measures.
3. The instructions for safety measures must be in the local dialect or Filipino, with English version.
4. Life jackets shall be numbered according to the total capacity (passengers and crew) of the ship and must indicate the name of the ship. The lifejackets shall likewise be properly marked either for “ADULT” or for “CHILD”. (See attached Annex “C”* for illustration).

IV. SPECIFIC PROVISIONS

1. The safety announcement and the conduct of actual demonstration on the wearing of lifejacket shall be made prior to departure of the ship. Said announcement may be done also at the passenger terminal.
2. The crew shall distribute life jackets and safety instruction leaflets on the proper wearing of the life jackets and the use of other life saving appliances prior to departure of the ship. The number of leaflets must correspond to the number of authorized passenger capacity.
3. All passengers shall be required to wear lifejackets from the time of departure and during the entire voyage, except in floating restaurants and in ships used in river crossings, in which case the lifejackets shall be placed in an easily accessible location. Any passenger who refuses to wear the lifejacket will be requested to disembark. Such passenger shall get a refund of his ticket, subject to the surcharge under Memorandum Circular 112.
4. The crewmembers shall at all times wear uniform, a T-shirt with the printed word “CREW” for easy identification.
5. The owner/operator, Boat Captain including the crew must keep the lifejackets clean and ready for use at all times.
6. The Boat Captain shall ensure that all the requirements of this Circular are complied with prior to departure.
7. A pro-forma public announcement on safety, attached as Annex “A”*, is hereby prescribed/shall be used.
8. A pro-forma public announcement before docking, attached as Annex “B”*, is hereby prescribed/shall be

used.

V . PENALTIES AND SANCTIONS

Violations of the provisions of this Circular shall be subject to the following fines and penalties:

Boat Captain/Crew

Violations

1st Offense

2nd Offense

3rd Offense

No demonstration on the wearing of life jackets Five Thousand pesos (P5,000) and Warning Ten Thousand pesos (P10,000) and 30 days suspension of BC License Fifteen Thousand pesos (P15,000) and revocation of BC License

No distribution of Life jackets and leaflets Five Thousand pesos (P5,000) and Warning Ten Thousand pesos (P10,000) and 30 days suspension of BC License Fifteen Thousand pesos (P15,000) and revocation of BC License

Failure to keep clean lifejackets

Five Thousand pesos (P5,000) and Warning Ten Thousand pesos (P10,000) and 30 days suspension of BC License Fifteen Thousand pesos (P15,000) and revocation of BC License

Non-wearing of uniform

Five Thousand pesos (P5,000) and Warning

Ten Thousand pesos (P10,000) and 30 days suspension of BC License

Fifteen Thousand pesos (P15,000) and revocation of BC License

Owner

Violations

1st Offense

2nd Offense

3rd Offense

Failure to implement safety and measure

Five Thousand pesos (P5,000) and Warning

Ten Thousand pesos (P10,000) per ship and 30 days suspension of authority to operate (CPC/SP) Fifteen Thousand pesos (15,000) per ship and revocation of authority to operate (CPC/SP)

No PA System

Five Thousand pesos (P5,000) and Warning

Ten Thousand pesos (P10,000) per ship and 30 days suspension of authority to operate (CPC/SP) Fifteen

Thousand pesos (15,000) per ship and revocation of authority to operate (CPC/SP)

No leaflets

Five Thousand pesos (P5,000) and Warning

Ten Thousand pesos (P10,000) per ship and 30 days suspension of authority to operate (CPC/SP) Fifteen Thousand pesos (15,000) per ship and revocation of authority to operate (CPC/SP)

VI. Repealing Clause

Any provision of existing MARINA Circulars and rules and regulations inconsistent herewith is hereby repealed/amended accordingly.

VII. TRANSITORY PROVISION

All existing ships covered by this Circular are given one (1) month to comply with Sections III.4 and IV.4 and three (3) days for all other provisions, from the publication of this Circular.

VIII. EFFECTIVITY

This Circular shall take effect immediately upon its publication once in a newspaper of general circulation.

Adopted: 12 Dec. 2008

BY THE AUTHORITY OF THE MARINA BOARD:

(SGD.) MARIA ELENA H. BAUTIS TA

Undersecretary for Maritime Transport, DOTC and Officer-in-Charge, MARINA

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