RULES TO GOVERN THE INSTALLATION AND IMPLEMENTATION OF AUTOMATIC IDENTIFICATION SYSTEMS (AIS) OF PASSENGER SHIPS 300GT AND ABOVE AND CARGO SHIPS 500GT AND ABOVE

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Adopted: 07 May 2015
Date Filed: 11 August 2015
Pursuant to Presidential Decree No. 474, Executive Order Nos. 125/125A as amended, and RA 9295 and its Revised Implementing Rules and Regulations (R- lRR) and lMO Resolution MSC.74(69), Chapter V, Regulation 19 of the International Convention for the Safety of Life at Sea (SOLAS) 1974, the following rules are hereby prescribed:

I. OBJECTIVES

- To foster the safe operation of Philippine-registered ships;

- To further enhance the safety of life and property at sea, and the protection of the marine environment;

- To prescribe the rules and regulations to implement the AIS on domestic ship.

- To promote safe navigation through timely exchange of relevant data ship to ship.

II. COVERAGE

This Circular shall cover passenger ships of 300GT and above and cargo ships of 500GT and above.

III. DEFINITIONS

For purposes of this Circular, the following terms are hereby defined:

- Administration refers to me Maritime industry Authority (MARINA).

- Automatic Identification System (AIS) refers to an automatic tracking system used on ships and by vessel traffic services (VTS) for identifying and locating vessels by electronically exchanging data with other nearby ships, AIS base stations, and satellites.

- Company refers to the owner of the ship or any organization or person such as the manager, or the bareboat charterer, who has assumed responsibility for the operation of the ship from the ship owner and who on assuming such responsibility, has agreed to take over all duties and responsibilities imposed by this Circular.

IV. GENERAL PROVISIONS

- All companies covered under this Circular shall be required to install Class A AIS on their existing ships after the effectivity of this Circular according to the schedule set out in the transitory provisions.

- All newly acquired ships covered under this Circular shall be equipped with Class A AIS before they shall be

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allowed to operate in the domestic trade.

- The AIS shall be capable of:

- Providing automatically to appropriately equip other ships, information including the ship's identity, type, position, course, speed, etc.

- Receiving automatically such information from similarly fitted ships.

- Compliance with the requirement of AIS shall be one of the requirements for the issuance of ship safety certificate.

- Ships found to be operating without the required/non-functional AIS shall be in a no sail condition and shall be liable to the administrative fines and penalties as stipulated in Section V of this Circular.

- Ships fitted with AIS shall maintain its operation at all times except, where international agreements, rules or standards provide for the protection of navigational information. Should continual operation of AIS compromise the safety or security of the vessel or where a security incident is imminent, the AIS may be switched off. This action and the reason for taking it must be recorded in the ship's logbook. The AIS should be returned to continuous operation as soon as the source of danger has been mitigated.

V. PENALTIES

Any particular ship of a company operating without/with non-functional AIS shall be liable to the following Administrative fines and penalties.

Size of ship	Penalty
Cargo ships 500 GT and Above	P40,000.00 and "Suspension of Safety Certificate" until Compliance
Passenger Ships 300 GT and above	P50,000.00 and "Suspension of Safety Certificate" until Compliance

VI. REPEALING CLAUSE

Any provision of MARINA Memorandum Circulars, rules and regulations and issuances inconsistent herewith are hereby amended or modified accordingly.

VII. SEPARABILITY CLAUSE

Should any provision of this Circular be declared by competent authority to be invalid or unconstitutional, the remaining provisions or parts hereof shall remain in full force and effect and shall continue to be valid and effective.

IX. TRANSITORY PROVISION

All ships covered under this Circular shall be installed with AIS within six (6) months from effectivity of this circular.

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X. EFFECTIVITY CLAUSE

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

Manila, Philippines

BY AUTHORITY OF THE BOARD

(SGD) MAXIMO Q MEJIA JR., PhD
Administrator

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