SPECIAL AUTHORITY TO OPERATE PASSENGER AND/OR CARGO LINER SHIPS DURING HOLIDAY SEASON

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Pursuant to the Public Service Act (Commonwealth Act No. 146, as amended), Presidential Decree No. 474, Executive Order 125/125-A, Memorandum Circulars Nos. 121 and 161, and to ensure safe, convenient, and uninterrupted public service during the Holiday Season, the following guidelines are hereby promulgated:

I. COVERAGE

This Flag State Administration Advisory shall cover all Philippine-registered domestic liner ships carrying passengers and/or cargoes.

II. DEFINITION

Holiday Season — refers to the following Regular Holidays and such nationwide Special Days as may be declared pursuant to Book 1, Chapter 7 of the Revised Administrative Code of 1987 unless modified by law, order or proclamation, to wit:

A. Regular Holidays

1. New year’s Day

—

January 01

2. Maundy Thursday

—

Movable dates (within the months of March or April)

3. Good Friday

—

Movable dates (within the months of March or April)

4. Labor Day

—

May 1

5. Independence Day

—

June 12

6. National Heroes Day

—

Last Sunday of August

7. Bonifacio Day

—

November 30

8. Christmas Day

—

December 25

9. Rizal Day

—

December 30

B. Nationwide Special Days

1. All Saints Day

—

November 1

2. Last Day of the Year

—

December 31

III. INSTANCES COVERED

Special authority to operate during Holiday Season covered by this Advisory includes changes/adjustments/amendments of schedule or route/automatic substitution, under any of the following circumstances:

a. fortuitous event;

b. emergency/calamity situations;

c. drydocking/repair/engine breakdown/trouble;

d. increase in frequency of trips in authorized route/s due to influx of passengers;

e. for cargo-carrying ships only; side trips/special trips to carry shut-out cargoes, empty containers or overbooked cargoes;

f. departure of ships as soon as they are filled to their authorized capacity regardless of the scheduled departure; and,

g. other analogous circumstances as may be determined by MARINA.

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IV. CONDITIONS/LIMITATIONS OF OPERATION

The implementation of the above changes/adjustments/amendments in ship/s schedule or routes shall be allowed subject to the following conditions:

1. Such change/amendment/adjustment shall be subject to confirmation by the MARINA and maybe modified/cancelled or revoked at anytime for valid cause;

2. That all the ship documents as required under Memorandum Circular Nos. 121 and 161 are and shall remain valid when such change/amendment/adjustment is effected;

3. That all passenger-carrying ships shall carry valid indorsement/rider from the insurance company regarding such change/amendment/adjustment;

4. That there shall be no conflict with the schedule of trips of the other authorized operators in the affected route/s and that no authorized route/s shall be left unserviced;

5. That an accompanying Marine Protest shall be submitted to the MARINA in case such change/amendment/adjustment is caused by a marine incident/accident; and,

6. That the concerned shipowner/ship operator shall submit, within the next twenty-four (24) hours of the next working day, together with the required documents mentioned in item III above, an application for confirmation of a special authority to operate a passenger and/or a cargo ship undertaken during the Holiday Season and shall pay expedite filing fees in the amount, as follows:

a. Steel-hulled ship P3,000.00/ship

b. Wooden-hulled vessels

i. 35 GT and above — P1,600.00/ship

ii. below 35 GT — P800.00/ship

For strict compliance.

Adopted: 21 Oct. 2002

(SGD.) ATTY. OSCAR M. SEVILLA
Administrator

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