

SCHEDULE OF PENALTIES AND/OR ADMINISTRATIVE FINES RELATIVE TO VESSEL REGISTRATION/LICENSING/ DOCUMENTATION AND VESSEL SAFETY REGULATION

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/d2e7b892764e/>

Pursuant to the provisions of Executive Order No. 125, as amended, the administrative fines and penalties for violation of the rules and regulations appertaining vessel registration and safety regulations shall be, as follows:

A. Violation of Guidelines on Vessel Registration, Licensing and Documentation

1. Operation/navigation of a vessel without Certificate of Vessel Registry

1.1 3 GRT and below) For vessels

P200

1.2 Over 3 GRT to 15 GRT) engaged in the

400

) carriage of goods

) and/or passenger

) for hire

1.3 Over 15 GRT to 35 GRT

600

1.4 Over 35 GRT to 100 GRT

1.5 Over 100GRT to 250 GRT

960

1.6 Over 250 GRT to 500GRT

1,410

1.7 Over 500GRT

1,910

2. For yachts, launches and other crafts being used/ employed exclusively for pleasure and recreation without Pleasure Yacht Registration

2.1 Powered

(i) 15 GRT and below

P 3,000.00

(ii) Over 15 GRT to 50 GRT

4,000

(iii) Over 50 GRT to 100 GRT

5,000

(iv) Over 100GRT

6,000

2.2 Without Powers

(i) 15 GRT and below

P 100

(ii) Over 15 GRT to 50 GRT

200

(iii) Over 50 GRT to 100 GRT

300

(iv) Over 100 GRT

400

3. Operation/navigation of a vessel without Certificate of Number

3.1

1 GRT nor less

P100

3.2

Over 1GRT to 3 GRT

200

3.3

Over 3 GRT to 5 GRT

300

3.4

Over 5 GRT to 10 GRT

400

3.5

Over 10 GRT to 15 GRT

500

4. Operation/navigation of a vessel without Certificate of Ownership

4.1 Over 5 GRT to 50 GRT P 500

P500

4.2 Over 50 GRT to 100 GRT

700

4.3 Over 100 GRT to 250 GRT

960

4.4 Over 250 GRT to 500 GRT

1,410

4.5 Over 500 GRT 1,910

1,910

4.6 Over 1,000 GRT to 5,000 GRT

2,400

4.7 Over 5,000 GRT to 10,000 GRT

10,000

4.8 Over 10,000 GRT

16,000

5. For vessels engaging in coastwise trade/protected/partly protected waters with expired/without valid/without Coastwise License/Bay and River License

1st

Offense

2nd

Offense

3rd &

Succeeding

Offense

5.1 Power-driven

P12/NRT

P24/NRT

P48/NRT

5.2 Non-power driven

8/NRT

16/NRT

32/NRT

6. For yachts, launches and other crafts being used/ employed exclusively for pleasure and recreation with expired/without valid/without Pleasure Yacht License

1st Offense

P 200

2nd Offense

400

3rd and Succeeding Offense

800

7. Failure to delete vessels registered under the Philippine flag under the circumstances stated in existing/ pertinent circular(s)

7.1 Domestic

P500

7.2 Overseas

1,000

8. Non-compliance with the required registration of Engine and Deck Logbook/Roll Book and other Books — P500 per book

9. Non-compliance with the required registration of Grain Loading Booklet/Stability Booklet - P500 per booklet

10. Failure to keep/maintain Record of Changes for registered vessels

10.1 Change of Place of Registry

P500

10.2 Change of Homeport of Vessel

500

10.3 Change of Name of Vessel

500

10.4 Change of Name of Owner

500

10.5 Change of Trading Status

500

10.6 Change of Rig Type

500

10.7 Change of Service Type

500

10.8 Change of Engine

500

11. Failure to keep/maintain Record of Changes for vessels issued Certificate of Number

11.1 Change of Homeport Vessel

P 100

11.2 Change of Name of Vessel

100

11.3 Change of Name of Owner

100

11.4 Change of Trading Status

100

11.5 Change of Rig Types

100

11.6 Change of Service Type

100

11.7 Change of Engine

100

B. Violation of Guidelines on Vessel Safety Regulation

1. Operation/navigation of a vessel above 3 GRT with expired/without valid/without Certificate of Inspection/Interim Certificate of Inspection

1st Offense

P 500

2nd Offense

1,000

3rd and Succeeding Offense

1,500

2. Operation/navigation of a vessel 3 GRT and below utilized to carry passengers/passengers and cargoes for hire with expired/without valid/without Special Certificate of Inspection

1st Offense

P 200

2nd Offense

400

3rd and Succeeding Offense

800

3. Operation/navigation of cargo and fishing vessel 3 GRT and below with expired/without Permit to Operate

1st Offense

P 200

2nd Offense

400

3rd and Succeeding Offense

800

4. Operation/navigation of a vessel without the necessary Special Permit to Navigate—P 300

5. Operation/navigation of a vessel with expired/without valid/without Special Permit to Carry/Load Inflammable/Dangerous/Hazardous Cargoes

1st Offense

P 200

2nd Offense

400

3rd and Succeeding Offense

800

6. Operation/navigation of a Philippine-registered overseas vessel with expired/without valid/without the necessary Manning Certificate/Solas and other Safety Certificates

1st Offense

P 500/certificate

2nd Offense

1,000/ "

3rd and Succeeding Offense

2,000/ "

7. Operation/navigation of a Philippine-registered domestic vessel engaging in overseas trade with expired/without valid/without the necessary Exemption Certificate

1st Offense

P 500

2nd Offense

1,000

3rd and Succeeding Offense

2,000

8. Operating with expired/without valid/without the following permits/licenses:

1st

Offense

2nd

Offense

3rd

Offense

8.1

Special Permit for Unlicensed Officer

P 200

P 400

P 800

8.2 Dispensation Permit

Domestic

P400

800

1,600

Overseas

1,000

2,000

4,000

8.3 Motorboat Operator's

License

P 200

P 400

P 800

9. For failure to secure MARINA approval of vessel plans prior to (he vessel's construction, conversion, alteration or rehabilitation to ensure compliance with safety rules and regulations or for purposes of vessel registration

9.1 With NAMARE requirement

Over 5 GRT to 50 GRT P 50/section

P 50/section

Over 50 GRT to 100 GRT

75/ "

Over 100 GRT to 250 GRT

75/ "

Over 250 GRT to 500GRT

75/ "

Over 500 GRT to 1,000 GRT

75/ "

Over 1,000 GRT to 5,000 GRT

75/ "

Over 5,000 GRT to 10,000 GR

75/ "

Over 10,000 GRT 300/

75/ "

10. For operating as a marine surveying company/entity without the necessary MARINA accreditation certificate pursuant to existing/pertinent circular—P 10,000

C. Violation of Terms/Conditions/Requirements Stipulated Under the Certificates/Licenses/Circulars issued

Relative to Vessel Registration A licensing Documentation and Vessel Safety Regulation —200% of the prescribed fees/charges per certificate/license concerned

D. For any false statement or misrepresentation in the filing of application relative to vessel registration/licensing/documentation and vessel safety regulation—P 10,000

E. For presenting/using/possessing spurious/fake vessel certificates/licenses/documents without prejudice to the imposition of other penalties under this Circular—P 10,000

F. Due Process and Hearing

- For violations of this Circular, a show cause order shall be issued by the MARINA directing the offender to explain in writing why no punitive action shall be taken against him/her/it or no administrative penalty or fine shall be imposed. A cease and desist order may likewise be issued whenever the interest of the public so demands.

- In case an act or omission constitutes one or more violations, the offender shall be charged with the most serious offense or that with the highest/maximum imposable penalty.

- Notice and hearing shall be in accordance with the provisions of MARINA Memorandum Circular No. 74, s. 1993. The provisions of the Rules of Court and the Administrative Code of 1987 (Executive Order No. 292, s. 1987) shall be supplementary thereto.

- Repeated violations committed by a vessel/maritime enterprise shall, in addition to the foregoing administrative fines and penalties, be subject to the suspension or cancellation of the certificate/license/ authority to operate, as the case may be.

- For purposes of determining the number and repetitions of violations, it shall mean that a case shall have been decided finding a vessel or maritime enterprise liable of the charge.

G. Repealing Clause

The provision of existing circulars, rules and regulations which are inconsistent with this Circular are hereby amended accordingly.

H. Effectivity

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

Adopted: 13 July 1995

(SGD.) PACIENCIO M. BALBON, JR.

Administrator

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