

PROVIDING FOR THE REVISION OF REPUBLIC ACT NUMBERED 5173 COMMONLY KNOWN AS THE COAST GUARD LAW, CONSOLIDATING FRAGMENTED FUNCTIONS AND FOR OTHER PURPOSES.

PRESIDENTIAL DECREE NO. 601, December 09, 1974

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WHEREAS, there is a need to organizationally modify the Philippine Coast Guard to enable it to discharge its functions more efficiently and effectively;

WHEREAS, there is a need to consolidate functionally related activities into an integrated system to best promote safety or life and property at sea;

WHEREAS, it is urgently necessary to maintain the present role of the Coast Guard as the guardian of sea safety, and afford a total approach in its supervision over the Philippine merchant ships with the end in view of promoting a progressive, reliable and safe merchant marine;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, in order to effect the desired charges and reforms in the social, economic and political structure of our society, do hereby decree and order that the following be adopted and made part of the laws of the land:

SEC. 1. Title. — This Decree shall be known as the Revised Coast law of 1974.

SEC. 2. Coast Guard Objectives. — The Philippine Coast Guard created pursuant to Republic Act No. 5173 shall have the following general objectives:

- To enforce or assist in the enforcement of all applicable laws upon the high seas and territorial waters of the Philippines including all ports, customs zones, waterways and other inland waters;
- To enforce laws, promulgate and administer regulations for the promotion of safety of life and property within the maritime jurisdiction of the Philippines;
- To develop, establish, maintain and operate with due regard to the requirements of national defense, aids to maritime navigation for the promotion of safety on and over high seas and territorial waters of the Philippines;
- To promulgate, administer and enforce rules and regulations for national sea search and rescue operations, operate rescue facilities and participate in behalf of the Philippine government in international conferences for regional cooperation relative to the promotion of safety of life and property at sea;
- To provide necessary assistance to government agencies promoting the economic development of the maritime industry in the Philippines; and
- To enforce laws, promulgate and administer regulations for marine environmental protection of the territorial waters of the Philippines.

SEC. 3. Abolition of Board of Visitors. — The Board of Visitors provided under Section 2 and RA 5173 is

abolished.

SEC. 4. Administration and Operation. — The Philippine Coast Guard shall be placed under the direct supervision and control of the Secretary of National Defense.

SEC. 5. Specific Functions. — The Philippine Coast Guard shall perform the following functions:

- To prevent and suppress illegal entry, illegal fishing, illegal gathering of corals and other marine products, smuggling, other customs frauds and violations of other maritime and fishery laws that may be committed within the waters of the Philippines and, for this purpose, surveillance and inspection by the Philippine Coast Guard may be made on vessels entering and/or leaving Philippine territory; Provided, That any other law enforcement agency may be called upon by the Philippine Coast Guard to render assistance in the discharge of this function:
- To approve plans for the construction, repair or alteration of vessels; approve materials, equipment and appliance of vessel; approve the classification of vessels; inspect vessels and their equipment and appliances; register all types of motorized watercraft plying in Philippine waters; issue certificates of inspection and/or permits, indicating the approval of vessels for operation; issue certificates of Philippine registry of vessels; administer load line requirements; promulgate and enforce other provisions for the safety of life and property of vessels; determine the numbering of undocumented vessels; Provided, That certification and approval of any plans, equipment and any vessels by internationally known classification societies which are recognized by the Philippine government shall be deemed to have complied with this Section;
- To promulgate and enforce rules for lights, signals, speed, steering, sailing, passing, anchorage, movement and towlines of vessels and lights and signals on bridges; supervise, control and regulate vessels engaged in the carriage of passengers and dangerous cargo; and, regulate the length, method and speed of tow in bays and rivers of the Philippines;
- To prescribe and enforce regulations for outfitting and operation of motorboats and the licensing of motor-boats;
- To destroy or tow in port sunken or floating dangers to navigation, including fish traps at or close to sea lanes, and to issue permits for the salvage of vessels and to supervise all marine salvage operations as well as prescribe and enforce rules and regulations governing the same;
- To establish, develop, operate and maintain aids to navigation and facilities for search and rescue operations as well as prescribe rules and regulations relative thereto;
- To promulgate, administer and enforce rules and regulations giving effect to the provisions of international conventions for the safety of life and property at sea and to represent the Philippine government in such conventions in the interest of promoting regional cooperation;
- To supervise nautical school and maritime training programs and prescribe minimum requirements in the conduct of courses in navigation, seamanship, marine engineering and other allied matters in coordination with the Department of Education and Culture;
- To establish, maintain and operate a Seaman's Training Center for the training of seafarers for employment aboard inter-island and ocean-going vessels, and in this connection, to establish, maintain and operate a registration and placement unit or office for the administration or seaman's affairs;
- To enforce laws and promulgate rules and regulations governing manning of merchant vessels and fishing boats as well as those governing citizenship and mustering drilling of crews requirements control of logbooks, shipment, discharge, protection, and welfare of merchant seamen;

- To qualify officers, pilots, major and minor patrons and seamen through proper examinations and issue licenses and certificates as proof of their qualification, as well as suspend and revoke such licenses and certificates in accordance with the rules and regulations prescribed by the Commandant of the Philippine Coast Guard;
- To prescribe rules and regulations for the training and certification of unlicensed merchant marine personnel and selected skills in the shipbuilding industry;
- To enforce laws and promulgate rules and regulations requiring performance of duties of ship-owners and officers after accidents and investigate marine casualties and disasters including those arising from marine protests relative to the liability of shipowners and officers;
- To render aid to distressed persons or vessels on the high seas and on waters subject to the jurisdiction of the Philippines, and, in this connection, the Philippine Coast Guard may perform any and all acts necessary to rescue and aid persons; furnish clothing, food, lodging, medicine and other necessary supplies and services to persons succored; protect, save, and take charge of all property saved from marine disasters until such property is delivered to persons authorized to receive it or is otherwise disposed of in accordance with law or applicable regulations; and, collect and take charge of bodies of those who may perish in such disasters;
- To regulate regattas and marine parades;
- To enforce laws, promulgate and administer rules and regulations for the prevention of marine pollution within the territorial waters of the Philippines in coordination with the National Pollution Control Commission;
- To perform functions pertaining to maritime communications in coordination with the Radio Control Office and other cognizant agencies, particularly the requirements of international conventions on Safety of Life at Sea (SOLAS) as regards maritime communications;
- To control, operate and manage all privately owned ships, barges and other watercraft of Philippine registry relative to the movement of strategic materials as the national security and economic interest of the country may warrant or as ordered by the President of the Philippines or his duly designated representative;
- To enforce laws and prescribe rules and regulations relative to vessels engaged in the barter trade as provided in Presidential Decree No. 93;
- To exercise exclusive jurisdiction over seizure proceedings against vessels apprehended for violation of the Coast Guard Law, rules and regulations;
- To assist within its capabilities and upon request of the appropriate authorities, other government agencies in the performance of their functions, within the waters subject to the jurisdiction of the Philippines, relating to matters and activities not specifically mentioned in this section; Provided, That in the exercise of these functions, personnel of the Philippine Coast Guard shall be deemed to be acting as agents of the particular department, bureau, office, agency or instrumentality charged with the enforcement and administration of the particular law. Members of the Philippine Coast Guard are peace officers for all purposes of this Decree and shall be, and shall act, as law enforcement agents of the Bureau of Customs, the Bureau of Fisheries and Aquatic Resources, the Commission on Immigration and Deportation, the Bureau of Internal Revenue, the National Pollution Control Commission, the Radio Control Office and such other departments, bureaus or offices in the enforcement of pertinent laws, rules and regulations.

SEC. 6. Organization. — The Philippine Coast Guard shall continue to be headed by a Commandant who shall be a Flag Officer. The Philippine Coast Guard shall be organized into operational units or subordinate commands for the effective exercise of the functions and duties vested upon it under this Decree and shall modify or revise such

organization to suit the requirements of its functions.

The Marine Safety Division, including the Naval Architecture and Engineering Section, the Maritime Safety Inspection Section, the Registration and Licensing Section, and the functions of the Hulls and Boilers Division, the Board of Marine Inquiry as then existing in the Bureau of Customs, and all other agencies or instrumentalities of the Government, and pertaining any of the functions provided for in subparagraphs (c) to (n), inclusive, of Section 3 of RA 5173, which were transferred to the Philippine Coast Guard, together with their personnel, records, files, supplies, equipment, furniture, funds and other properties, pursuant to the said Act, shall remain so transferred, including the Lighthouse Service of the Philippine Navy; Provided, That the Commandant of the Philippine Coast Guard shall have the power to reorganize these divisions and sections to be responsive to the needs of the Philippine Coast Guard.

SEC. 7. Composition of the Board, of Marine Inquiry. — The Board of Marine inquiry shall be composed of five (5) members to be appointed by the Secretary of National Defense upon the recommendation of the Commandant, Philippine Coast Guard. Unless otherwise directed by the Secretary of National Defense, the Board of Marine Inquiry shall be constituted as follows: One Coast Guard line of officer of Captain's rank as Chairman, two Master Mariners, and one Chief Engineer of the Philippine merchant marine, and one other who shall be a member of the Philippine Bar. The Commandant, Philippine Coast Guard shall prescribe the rules and procedure for proceedings before the Board of Marine Inquiry. The members of the Board shall receive a per diem of forty pesos for each day of not less than seven hours of service rendered in connection with marine investigations.

SEC. 8. Administration of the Philippine Merchant Marine Academy. — The Philippine Merchant Academy created pursuant to RA 3680, to include its personnel, funds, records, equipment and other assets, is hereby placed under the administrative and operational control of the Philippine Coast Guard. The Academy shall be headed by a Superintendent who shall be appointed by the Secretary of National Defense upon the recommendation of the Commandant, Philippine Coast Guard.

SEC. 9. Unauthorized Aids to Maritime Navigation. — No person, association or corporation shall establish, erect or maintain any aid to maritime navigation without first obtaining authorization from the Philippine Coast Guard in accordance with applicable regulations.

SEC. 10. Interference with Aids to Navigation. — It shall be unlawful for any person, association, or corporation, to remove, change the location of, obstruct, wilfully damage, make fast to, or interfere with any aid to maritime navigation.

SEC. 11. Penal Provision. — Any person, association, or corporation that violates any provision of this Decree, or the rules and regulations promulgated thereunder, shall, upon conviction, be punished with a fine of not less than two hundred pesos nor more than one thousand pesos or by imprisonment of not less than thirty days nor more than six months, or both; Provided, That, in case the violation is committed by an association or corporation, the penalty herein prescribed shall be imposed on the responsible officers or directors thereof; Provided, finally, That nothing in this Decree shall prevent the Philippine Coast Guard from providing administrative penalties for violation of any regulation that it promulgates.

SEC. 12. Appropriations. — Such sums as may be needed to carry out the provisions of this Decree which are now appropriated for the Philippine Coast Guard shall continue to be carried in the annual General Appropriations Decree and increase corresponding until the Coast Guard shall have attained fully its growth and shall be authorized a separate Project under Program II of the Program and Budget System of the Armed Forces of the Philippines to be denominated Coast Guard Operations, with the Commandant, Philippine Coast Guard as the Project Coordinator/Administrator. Notwithstanding the amount specifically provided in the appropriations for the

Philippine Coast Guard, any revenue collected and/or donations received by it shall be automatically appropriated for the Philippine Coast Guard.

SEC. 13. All laws, decrees, orders, instructions, rules and regulations and parts thereof inconsistent with this Decree are hereby repealed and/or modified accordingly.

SEC. 14. This Decree shall take effect immediately.

Done in the City of Manila, this 9th day of December, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.)

FERDINAND E. MARCOS

President of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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