

ADDITIONAL PENALTY FOR PASSENGER-CARRYING SHIPS INVOLVED IN A MARITIME ACCIDENT/INCIDENT FOR THE CARRIAGE OF PASSENGERS IN EXCESS OF THE AUTHORIZED PASSENGER CAPACITY

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Pursuant to Presidential Decree No. 474, Executive Order No. 125/125A, and Republic Act No. 9295 and its implementing Rules and Regulations (IRR), the following rules and regulations are hereby adopted.

I. OBJECTIVES

1. To ensure safety of life at sea; and,
2. To promote responsible ship ownership.

II. COVERAGE

All domestic shipowners/operators of passenger-carrying ships.

III. GENERAL PROVISION

Under no circumstances may a ship carrying more than or in excess of its authorized passenger capacity.

IV. SPECIFIC PROVISIONS

1. The total number of passengers on board shall not exceed the total number of passengers allowed for each ship.
2. All passengers on board the ship shall be duly manifested as reflected in the Passenger Manifest.
3. Manifest or passenger list should be prepared and made available before the ship leaves port.
4. Children three (3) years and above shall be counted as adult passengers and shall be assigned seats.
5. Children below three (3) years old shall be carried by an adult at all times.
6. The provisions of this Circular shall be over and above the existing MARINA Circulars, rules and regulations on overloading, and other maritime safety-related issuances.

V. PENALTY

Any domestic shipowner/operator of passenger-carrying ship/s involved in a maritime accident/incident for the carriage of passengers in excess of the authorized passenger capacity shall be subject to the additional penalty of one (1) year suspension of its Certificate of Public Convenience (CPC) over and above those prescribed under MARINA Circulars. Perpetual disqualification from operating ships shall be imposed for those found in violation of the Order of Suspension.

VI. EFFECTIVITY

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

Adopted: 26 May 2009

By Authority of the Board:

(SGD.) MARIA ELENA H. BAUTISTA
Administrator

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