

MARINA CIRCULAR NO. 197
Series of 2004

**TO : ALL DOMESTIC SHIPPING COMPANIES/OPERATORS/
CHARTERERS, MASTERS AND ALL OTHERS**

**SUBJECT : REVISED RULES TO RATIONALIZE LIFE SAVING
APPLIANCES REQUIREMENTS UNDER CHAPTER IX OF
THE PMMRR 1997**

Pursuant to the provisions of Presidential Decree No. 474 and Executive Orders No. 125, as amended, and in order to foster a rationalized implementation of Chapter IX of the Philippine Merchant Marine Rules and Regulations (PMMRR) 1997, as amended, the following are hereby prescribed:

I. OBJECTIVE:

To rationalize certain appliances and equipment required of ships operating in the domestic trade pursuant to the regulations under Chapter IX of the 1997 PMMRR.

II. COVERAGE:

All Philippine-registered ships regardless of hull construction operating in the Philippine waters, including fishing vessels temporarily operating in international waters.

III. DEFINITION:

For purposes of this Circular, the following definitions shall apply:

1. **Administration** – refers to the Maritime Industry Authority.
2. **Accredited Supplier/Service Entity** – refers to a private individual or entity authorized by the Administration to engage in manufacturing, servicing and supplying ship's appliances and equipment.
3. **Buoyant Apparatus** – refers to a liferaft, or any craft or floating device, as allowed by the Administration, provided for as a means for a person/s to be in an afloat condition in the event of abandonment of the ship.
4. **Certificate Of Inspection (C.I.)** – refers to a certificate issued, after inspection and survey by the Administration or its deputized agent, to ships operating in Philippine waters upon compliance with the provisions of the PMMRR 1997, as amended.

5. **Coastwise Voyage** - a coastwise voyage limited to greater coastal waters subject to the jurisdiction of the Philippines.
6. **Company** – refers to the Owner of the ship or any other organization or person such as the Manager, or the Bareboat Charterer, who has assumed the responsibility for operation of the ship from the Shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities in the operation of the ship.
7. **Deputized Agent** – refers to a government agency or other entities which the Administration has authorized to act on its behalf in implementing the provisions of the PMMRR 1997, as amended, as well as the national and international safety rules, regulations and Codes, as applicable.
8. **Life-Saving Appliances And Equipment** – refers to the appliances and equipment required of each type of ship in Chapters IX of the PMMRR 1997, as amended, and other relevant provisions of national and international safety rules and regulations and codes.
9. **Partly Protected Coastwise Voyage** – a coastwise voyage limited to coastal waters in which a ship is not at any time more than 100 miles by sea from the point of departure and not more than 15 miles from land at any point.
10. **Protected Voyage** – a voyage limited to bays, harbors, rivers, lakes or similar areas and waters in which a ship is not more than three (3) nautical miles from land.
11. **Safety Rules And Regulations** – refers to provisions of the PMMRR 1997, as amended, and other relevant national and international safety rules, regulations and Codes.
12. **Survival Craft** – refers to a craft provided for accommodating persons on board a ship in the event of abandonment of the ship and includes lifeboats, liferaft (inflatable or rigid) and any other craft as approved by the Administration, suitable for the protection and preservation of persons in such circumstances.

Other terms used in this Circular and its Annex shall be as defined in international conventions/codes and/or other issuances of this Authority.

IV. GENERAL POLICY GUIDELINES:

1. Life-saving appliances and equipment for each type, class and category as listed in Section V of this Circular shall serve as equivalents to those prescribed in PMMRR 1997, as amended.
2. Life-saving appliances and equipment shall be of the approved type and shall be acquired from an accredited manufacturer/supplier or serviced by an accredited servicing entity.
3. The basis for the approval of the design and manufacture of equivalent ship appliances and equipment shall be based on the result of actual testing.
 - 3.1. In areas where the approval of the Administration is impracticable, a surveyor from the Administration or the deputized agency shall conduct actual testing of the rigid liferaft, buoyant apparatus and life jacket. The surveyor shall provide a description of the appliances and equipment and the testing made indicating therein the observations and findings resulting from the testing conducted.
 - 3.2. The company shall provide a logbook for purposes of recording actual testing conducted. The Master and the attending Administration surveyor shall affix therein their signatures in the logbook after the sampling test are made. In cases where the deputized agency undertakes the testing, the surveyor shall provide its serial number and detachment/station/district affiliation.
 - 3.3. No further sampling test shall be made during inspection in connection with the issuance of a C.I., if there are no deviations from the description of the appliances and equipment that was previously tested and recorded in logbook.
 - 3.4. The company shall present the aforementioned logbook every time a survey for issuance of a C.I. is made.
4. The Administration shall formulate the necessary guidelines for qualifying and accrediting manufacturer, supplier or servicing entity.

V. RATIONALIZED SAFETY REQUIREMENTS:

1. Lifeboats, liferafts, lifefloats, buoyant apparatus and life preservers shall be readily available in case of emergency and shall be kept in good working order and ready for immediate use at all times when the ship is being navigated, or in so far as reasonable and practicable when the ship is not being navigated.

2. The decks on which lifeboats, liferafts, lifefloats, buoyant apparatus and life preservers are carried shall be kept clear of cargo or any other obstructions which would interfere with the immediate launching of the life-saving appliances.
3. Sufficient ladders shall be provided to facilitate embarkation into the lifeboats and liferafts when waterborne.
4. Lifeboats, liferafts, lifefloats buoyant apparatus, life preservers and lifebuoys shall be clearly marked with the name of the ship and port of registry, as well as the approved maximum number of persons for each applicable life-saving appliances.
5. Lifeboats, liferafts, lifefloats, buoyant apparatus and preservers shall be stored in such a manner that:
 - 5.1. they are capable of being launched in the shortest possible time;
 - 5.2. they shall not impede the launching or handling of other life saving appliances;
 - 5.3. they shall not impede the marshalling of persons at the embarkation stations or their embarkation; and
 - 5.4. they shall be capable of being put in the water safely and rapidly even under unfavorable condition of list and trim.
6. The amended provisions of Chapter IX of the PMMRR 1997, on Life-Saving Appliances are specifically provided in "Annex A" which shall form as an integral part of this Circular.

VI. PENAL PROVISION:

Any violation/non-compliance with the rationalized requirements prescribed in this Circular shall be imposed fines and penalties under MARINA M.C. No. 120, or its amendments, issued by the Administration.

VII. TRANSITORY PROVISIONS:

1. A company shall be allowed until 01 July 2004 to secure on board their ship/s the approved type-equivalent life saving appliances and equipment.
2. Life jackets secured from supplier/s previously accredited by the deputized agency shall continue to be allowed until the issuance by the Administration of regulations on accrediting such entity/ies.

VIII. EFFECTIVITY:

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

Manila, Philippines 23 February 2004.

BY AUTHORITY OF THE BOARD:

(SGD.) ATTY. OSCAR M. SEVILLA
Administrator

SECRETARY'S CERTIFICATE

This is to certify that the above-mentioned Memorandum Circular No. 197 has been approved during the _____ Regular Meeting of the Maritime Industry Board of Directors held on 23 February 2004.

(SGD.) ATTY. GLORIA J. VICTORIA-BAÑAS
Director II/CESO V
Corporate Board Secretary

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