

MARINA CIRCULAR NO. 03
Series of 2007

TO : ALL PHILIPPINE SHIP OWNERS / OPERATORS / CHARTERERS / MANAGERS OF PHILIPPINE REGISTERED SMALL SHIPS; ALL MARINE SURVEYING COMPANIES/ RECOGNIZED ORGANIZATION/MARITIME ENTITIES.

SUBJECT : RULES AND REGULATIONS ON LOAD LINE SURVEY, ASSIGNMENT, MARKING AND CERTIFICATION FOR PHILIPPINE REGISTERED DOMESTIC SHIPS

Pursuant to Section 2 of Presidential Decree No.474, Executive Order No.125/125-A, Philippine Merchant Marine Rules and Regulations 1997 and R.A. No. 9295, the following rules and regulations are hereby prescribed.

I. OBJECTIVES:

To provide rules and regulations for the implementation, administration and enforcement of load line survey, assignment, marking and certification of Philippine-registered ships engaged in domestic trade.

It also serves the purpose of supplementing the implementation of the International Convention on Load Lines, as amended, to Philippine-registered oceangoing ships.

II. COVERAGE:

These rules and regulations shall apply to all Philippine-registered ships engaged in domestic trade, except for the following:

- ships less than 15 meters in length;
- ships of war;
- Pleasure yacht, regardless of length, not engaged in trade;
- fishing vessels;
- Government ships (not engaged in commercial operation); and
- motor bancas with outrigger regardless of length.

III. DEFINITION OF TERMS:

Unless otherwise defined herein, the terms used and defined in ICLL shall apply.

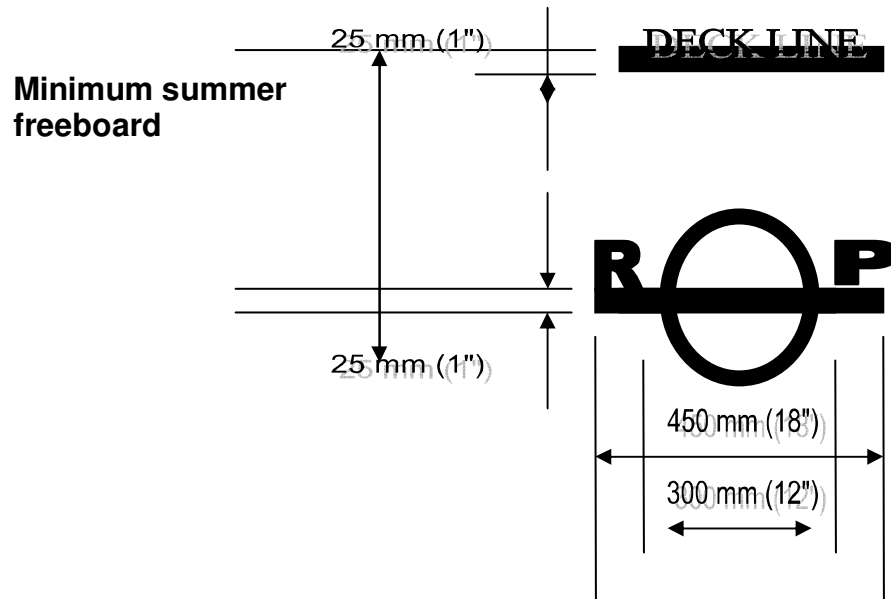
1. **Assigning Authority** – refers to the Maritime Industry Authority (MARINA) as the Administration.
2. **Load Line Assignor** - refers to the Administration or its Recognized Organization to assign freeboard.
3. **Load Line Certificate** - refers to the Certificate issued by the Administration pursuant to these rules and regulations which indicate the assigned freeboards and load line marks.
4. **Domestic Trade** – shall mean any operation of a ship within Philippine waters.
5. **International Trade** - shall mean any operation of a ship outside Philippine waters.
6. **Convention** – means International Convention on Load Lines (ICLL) 1966 as amended.
7. **Tampering or Alteration of Load Line Marks** – means no deck line, line indicating a load line, load line mark or the identifying letter marked on a ship has been concealed, defaced/obliterated, altered or removed.

IV. SPECIFIC PROVISIONS:

1. The International Convention on Load Lines (ICLL) 1966, as amended, is hereby adopted to apply to Philippine-registered international or domestic ships 15 meters and above in length. The value of 200 mm in the Convention's tabular freeboard for 24 meters in length shall also be adopted down to 15 meters in length.
2. No domestic ship covered by this Circular shall proceed to sea on domestic or international trading unless it has been surveyed and marked, and issued a Load Line Certificate by the MARINA in accordance with these rules and regulations. Load Line Certificates issued by MARINA- accredited marine surveying entities prior to the effectivity of this Circular will continue to be valid for five (5) years from their issuance, or until their expiry date if provided, subject to renewal/indorsement upon satisfactory compliance with the required renewal survey.
3. DETAILS OF LOADLINE MARKINGS
 - 3.1. Deck Line – it is a horizontal line 300 mm (12 inches) in length and 25mm (1 inch) in breadth. It shall be marked amidship on

each side of the ship, and each upper edge shall normally pass through the point where the continuation outward of the upper surface of the shell.

- 3.2. Load Line Mark – The load line mark shall consist of a ring 300mm (12 inches) in outside diameter and 25mm (1 inch) wide which is intersected by a horizontal line 450mm (18 inches) in length and 25mm (1 inch) in breadth, the upper edge of which passes through the center of the ring. The center of ring shall be placed amidships and at a distance equal to the assigned summer freeboard measured vertically below the upper edge of the deck line.
- 3.3. The Ring – The ring, lines and letters shall be painted in white and yellow on a dark background or in black on a light background. They shall also be permanently marked on the sides of the ships to the satisfaction of the Administration. The marks shall be plainly visible and, if necessary, special arrangements shall be made for this purpose.
- 3.4. Load Line Mark Illustration:



4. In cases where a MARINA- authorized Load Line Assignor or Recognized Organization undertake the survey, assignment and marking of load line, it shall guarantee the completeness and efficiency of the survey, inspection and marking, subject to the verification and approval by the Administration. A MARINA Surveyor shall be present during the conduct of the survey by the authorized load line assignor/recognized organization to ensure compliance with the ILCC and this Circular, with the concerned load line assignor/recognized organization assuming the responsibility to ensure strict observance of this requirement.
5. A new Load Line Certificate shall be issued if there are changes in the ship's name, distinctive numbers or letters and homeport.
6. A Load Line Certificate shall be valid for a period not exceeding five (5) years from the date of issue. It shall be endorsed annually by the MARINA, and ceases to be valid if no endorsement has been made. A Load Line Certificate issued upon recommendation of a recognized organization shall likewise be endorsed by the Administration.
7. A Certificate not endorsed after three (3) months of its anniversary date of issuance shall cease to be valid, in which case, a new Certificate will need to be issued upon application and completion of an afloat survey, and the new Certificate to be issued shall have the same expiry as the previous Certificate.
8. Other Safety Certificate(s) shall not be issued/renewed if the ship has no Load Line Certificate or if the Load Line Certificate ceases to be valid.
9. If the Load Line Certificate ceases to be valid or cancelled either by virtue of Article 19, Sec. 3 of the ILLC, as officially ordered by the Administration, the other Safety Certificate(s) issued to the ship is/are deemed automatically suspended and the ship is under a "no sail condition". The cessation of validity of the Load Line Certificate and suspension of other Safety Certificate(s) is effected by the issuance of an Order by the MARINA, based on the report and recommendation of the Shipyard Regulation Office/Maritime Regional Offices or the Enforcement Office, as indorsed by the former.
10. The Master of the ship under a "no sail condition" is under obligation to warrant that ship shall not proceed to voyage.

V. IMPLEMENTATION:

1. The MARINA as Maritime Administration shall henceforth principally undertake the conduct of survey/inspection, assignment and marking of load lines and issuance of Load Line Certificates, through its duly licensed NAMARE.
2. Load Line Assignors authorized by the MARINA to conduct surveys and assignment and markings of load lines shall continue to perform such function, subject to the conditions in Sec IV.4 of this Circular, if so contacted by an affected shipowner/charterer/manager. The results of the survey and calculations for assigned and marked load line shall be submitted to the MARINA by the concerned accredited/appointed entity/recognized organization for validation/approval and issuance of the Load Line Certificate.
3. In case of Philippine-registered ships engaged in international operations, Recognized Organizations by the MARINA shall continue to perform the attendant activities/functions related to Load Line survey, marking, assignment, and issuance of Load Line Certificates and their annual endorsement, in behalf of the Administration.
4. The MARINA and its duly- authorized entities shall ensure that ships holding a valid Load Line Certificate is not loaded beyond the limit allowed in the Certificate, and the position of the Load Line of the ship also corresponds with the specification in the Certificate.
5. For domestic ships homeported in the regions, the shipowner/operator/ manager shall apply and have their ships undergo a load line survey, assignment and marking, and subsequent issuance of Load Line Certificate at the concerned Maritime Regional Office (MRO). In cases where there is no licensed NAMARE or other qualified/trained technical personnel in the concerned MRO, they may apply at the next nearest MRO where there is such qualified personnel available.

VI. DOCUMENTARY REQUIREMENTS:

A. For New issuance

1. Letter of application;
2. Load Line Calculation, freeboard mark and plan location of Load line mark;
3. Approved copy of General Arrangement Plan, Lines Drawing, Midship section, longitudinal hull girder strength calculation and Hydrostatic Curves;
4. Survey report; and

5. Copy of CO and CVR.

B. Endorsement

1. Letter of application;
2. Survey report with recommendation;
3. Original load line certificate.

C. For Renewal

1. Letter of application;
2. Load Line Survey Report;
3. Dry-docking Certificate; and
4. Original Load Line Certificate with complete annual endorsement.

VII. LOAD LINE SURVEYS:

After receipt of application and the documents required, the MARINA or Load Line Assignor shall survey the ship to ascertain the following:

1. Whether the ship complies with the requirements as applicable to the ship, as well as such other data as may be necessary for assignment of freeboard to the ship in accordance with freeboard requirement per International Convention on Load Line, 1966 as modified by the Protocol of 1988.
2. In the course of the survey to be carried out, the ship and any of its fittings or equipment shall be subjected to such tests if necessary in the opinion of the MARINA NAMARE or Load Line Assignor.
3. Test carried out as to stability shall be subject to the requirements of Regulation 10 of ICLL 1966 as modified by the Protocol of 1988.
4. A ship covered by this Circular shall be subjected to survey/inspection as specified below;
 - 4.1. A survey before the ship is put to service to ensure that the arrangements, materials and scantlings fully comply with the requirements of the ICLL 1966 as amended;
 - 4.2. A periodical inspection within three (3) months before and after the annual anniversary date of the Load Line Certificate to verify marking and ensure that alterations have not been made to the hull or superstructure of the ship which would effect the calculations determining the position of the Load Line marking.

4.3. Survey also includes the effective maintenance conditions of fittings and appliance for;

- protection of openings
- freeing ports
- other openings
- guard rails
- means of access going to deck below main deck.

5. Upon completion of the needed surveys, calculations, assignments, marking, etc., whether undertaken by the MARINA or its accredited entities, and submission of all requirements, the Full Term Load Line Certificate shall be issued by the MARINA within five (5) working days therefrom.

6. The MARINA shall adopt a harmonized scheduling in the conduct of the required surveys/inspections in Sec. 4.2 and 4.3 vis-à-vis the annual or drydock inspection of a ship, which the concerned shipowner/operator/manager can invoke as a prerogative.

VIII. CANCELLATIONS:

The Administration may cancel a load line certificate if any of the circumstances cited under the Convention exist including the tampering of load line marks.

IX. VERIFICATIONS OF MARKS:

The Load Line Certificate shall not be issued to the ship until the MARINA Surveyor has certified that the marks are correctly and permanently indicated on the ship's sides.

X. FEES AND CHARGES:

1. Fees to be charged by the MARINA for the assignment of load line, related survey and issuance of Load Line Certificate shall be the following:

<u>Ship's Tonnage</u>	<u>Non-Propelled</u>	<u>Self-propelled</u>
1.1 Under 200 GT	P4,000.00	P5,000.00
1.2 200 and under 400 GT	5,000.00	6,000.00
1.3 400 and under 700 GT	6,000.00	7,000.00
1.4 700 and under 1000 GT	6,500.00	8,500.00
1.5 1000 and under 1500 GT	7,500.00	10,000.00
1.6 1500 and under 2500 GT	9,000.00	11,000.00
1.7 2500 and under 3500 GT	10,000.00	12,000.00

1.8	3500 and under 5000 GT	10,500.00	13,000.00
1.9	5000 and under 6500 GT	12,000.00	14,000.00
1.10	6500 and under 8000 GT	13,000.00	14,800.00
1.11	8000 and under 10000 GT	14,000.00	15,600.00
1.12	10000 and under 12000 GT	15,000.00	18,000.00
1.13	12000 and under 15000 GT	18,000.00	23,000.00
1.14	15000 GT and over	20,000.00	25,000.00

2. Fees to be charged by the MARINA for the annual endorsement of Load Line Certificate shall be P3,000.00 for non-propelled and P4,000.00 for self-propelled regardless of tonnage.
3. Fees to be charged by the MARINA on issuance of International Load Line Certificate shall be 30% more of the above rates. Issuance of Extension and Provisional Load Line Certificate for a period, which shall not exceed five (5) months is 50% of current basic fee, or a minimum fee of P4,000.00. All expenses incurred in connection with survey/s will be charged against the shipowner/operator or the requesting party.

XI. FINES AND PENALTIES:

1. Operation/navigation of a vessel without or with invalid Load Line Certificate

1.1	For ship 50 GT and below	P 1,000.00
1.2	For ship above 50 GT- 100 GT	3,000.00
1.3	For ship above 100 GT-500 GT	5,000.00
1.4	For ship above 500 GT and above	10,000.00

2. Tampering or Alteration of Load Line Marks

2.1	For ship 50 GT and below	P 5,000.00
2.2	For ship above 50 GT-100 GT	10,000.00
2.3	For ship above 100 GT-500 GT	20,000.00
2.4	For ship above 500 GT and above	50,000.00

3. Late Renewal of Load Line Certificate

3.1	For ship 50 GT and below	P 1,000.00/mo. or a fraction thereof
3.2	For ship above 50 GT-100 GT	P 2,000.00/mo. or a fraction thereof
3.3	For ship above 100 GT-500 GT	P 5,000.00/mo. or a fraction thereof

3.4	For ship above 500 GT and above	P 10,000.00/mo. or a fraction thereof
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4. Failure to comply for annual Load Line endorsement

4.1	For ship 50 GT and below	P 5,000.00
4.2	For ship above 50 GT-100 GT	10,000.00
4.3	For ship above 100 GT-500 GT	20,000.00
4.4	For ship above 500 GT and above	50,000.00

XII. REPEALING CLAUSE:

Any provisions of existing MARINA Circulars, rules and regulations, Orders or Decisions which are inconsistent with this Circular are hereby repealed or modified accordingly.

XIII. SEPARABILITY CLAUSE

Should any provision or part of this Circular be declared by competent authorities to be invalid or unconstitutional, the remaining provisions or parts thereof shall remain in full force and effect and shall continue to be valid and effective.

XIV. EFFECTIVITY

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

Manila, Philippines, 30 August 2007.

BY THE AUTHORITY OF THE BOARD:

(Sgd.) VICENTE T. SUAZO, JR.
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 2007-03 was approved by the MARINA Board of Directors during its 177th Regular Meeting on 29 August 2007

(Sgd.) ATTY. JABETH SENA JEPATH A. DACANAY
Acting Corporate Board Secretary

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