

MARINA CIRCULAR NO. 2009-25
Series of 2009

**TO : ALL COMPANIES OPERATING SHIPS IN DOMESTIC SHIPPING,
MANUFACTURERS AND SUPPLIERS OF LIFEJACKETS AND
LIFEBUOYS AND ALL CONCERNED**

**SUBJECT : RULES AND PROCEDURES ON THE APPROVAL OF
LIFEJACKETS AND LIFEBUOYS FOR SHIPS ENGAGED IN
DOMESTIC SHIPPING**

Pursuant to the pertinent provisions of the Revised Philippine Merchant Rules and Regulations (RPMRR), 1997, the International Convention on Safety of Life at Sea (SOLAS) 1974, as amended, Life-Saving Appliances (LSA) Code and MARINA Circulars implementing maritime safety and accreditation of maritime related services, the following rules on the verification, confirmation and approval of lifejackets and lifebuoys are hereby promulgated.

I. OBJECTIVES

1. To prescribe rules on the verification, confirmation and approval of lifejackets and lifebuoys required onboard ships in the domestic shipping; and
2. To ensure the quality, safety and reliability of lifejackets and lifebuoys on board ships in the domestic shipping to foster safety of life at sea.

II. COVERAGE

1. All manufacturers, suppliers, distributors, dealers, retailers and agents of lifejackets and lifebuoys intended to be used onboard ships in the domestic shipping; and
2. All companies operating ships in the domestic shipping.

III. DEFINITION OF TERMS

For the purpose of this Circular, the following terms shall mean as follows:

1. **Administration** – refers to the Maritime Industry Authority (MARINA).
2. **Agent** – refers to any individual or entity representing or acting in behalf of manufacturer, supplier, distributor, dealer or retailer of lifejackets and/or lifebuoys.
3. **Certificate of Confirmation** – refers to the document issued by the Administration upon verification that the LSA are of the approved type.

4. **Child** – refers to a person three (3) years old and above but below twelve years old.
5. **Company** – refers to the owner of the ship or organization or person such as manager or 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 such responsibilities imposed by this Circular.
6. **Dealer** – refers to an individual or entity engaged in buying lifejackets and/or lifebuoys from manufacturer/supplier/distributor for wholesale and/or retail reselling.
7. **Distributor** – refers to an individual or entity allowed by manufacturer of lifejackets and lifebuoys to offer and/or sell its products to their authorized dealers or retailers.
8. **Domestic shipping** – refers to the operation of Philippine-registered ships, either commercial or company/personal-use, in any part of the Philippine waters.
9. **Infant** – refers to a person below three (3) years old.
10. **Manufacturer** – refers to any individual or juridical entity which produces, assembles, and/or processes lifejackets and lifebuoys required for ships engaged in domestic shipping.
11. **MARINA Hologram** – refers to a sticker to be affixed / displayed on lifejackets and lifebuoys to signify the Administration's approval.
12. **Nighttime navigation** – refers to navigation of ship from sunset to sunrise.
13. **Retailer** – refers to any individual or entity that sells lifejackets and/or lifebuoys individually or in small quantity directly to the end-user/consumer/clientele.
14. **Ship** – refers to all craft or artificial contrivance capable of floating in water designed to be used or capable of being used as a means of water transportation utilizing its own motive power or that of others.
15. **Supplier** – refers to any individual or entity which supplies / distributes / markets lifejackets and lifebuoys on ships engaged in domestic shipping.

IV. GENERAL PROVISIONS

1. All manufacturers, suppliers, distributors, dealers, retailers and agents of lifejackets and lifebuoys covered by this Circular shall apply for accreditation with the Administration. Distributors, dealers, retailers and agents shall be considered as suppliers in accordance with MC 2006-001 and its subsequent amendments.
2. Only lifejackets and lifebuoys approved and certified by any of the following maritime administrations and classification societies, as initially listed hereunder, shall be deemed acceptable for use on board ships engaged in domestic shipping, after actual verification by the Administration and upon submission of Certificate of Type-Approval issued by flag administrations or Confirmation of Type Approval issued by classification societies and such other types of certification/document showing that such products have been approved and tested:
 - 2.1 United States Coast Guard (USCG);
 - 2.2 Australian Maritime Safety Administration (AMSA);
 - 2.3 Danish Maritime Safety Administration (DMSA);
 - 2.4 United Kingdom Maritime and Coastguard Agency (UK-MCA);
 - 2.5 Japan Government-Ministry of Land Infrastructure and Transport (JG-MLIT); and
 - 2.6 Any member of International Association of Classification Societies (IACS)
3. All companies operating ships in the domestic shipping shall ensure that lifejackets are conspicuously stored / stowed in the following areas:
 - 3.1 Below the seats and/or bunks of passengers; and
 - 3.2 Overhead compartments in case of motorized bancas.

Arrangement shall be made to ensure that child or infant lifejackets are provided in cabins or bunks or seats where children or infants are berthed.
4. All companies operating ships in the domestic shipping shall post notices in conspicuous place inside the passenger area indicating that the unauthorized taking of lifejackets outside the ship shall be punishable by law.
5. Manufacturers, suppliers, distributors, dealers, retailers and agents shall provide the ship owners copies of video demonstrations to be played on board and/or illustrated directions or instructions for donning of lifejackets for adults, children and infants. The donning instruction shall be in English or Filipino language, and the local dialects, depending on the area of operations, and shall be displayed conspicuously in both passenger and crew accommodation areas in all ships.
6. Three (3) months after the effectivity of this Circular, all passenger ships shall provide additional infant lifejackets of at least 5% of the authorized number of passenger capacity. Persons travelling with infants should be

made aware of the provision of infants' lifejackets when boarding the vessel. They may bring their own infant lifejacket, provided such are type approved and bears the MARINA hologram.

7. All passenger ships shall provide additional child lifejackets of at least 10% of the authorized number of passenger capacity.
8. Ships with nighttime navigation shall be required to carry lighted lifejackets that complies with the LSA Code requirements.
9. All existing lifejackets and lifebuoys shall be accepted provided that they be type approved by the entities authorized under this Circular.

V. SPECIFIC PROVISIONS

1. All entities covered by this Circular shall apply for approval and certification of their lifejackets and/or lifebuoys from the Administration.
2. Upon filing of application, all entities covered by this Circular submit three (3) samples for lifejackets, two (2) samples for lifebuoys and other types of similar life-saving appliance of each batch/lot and all its appropriate certifications showing that such products have been approved by any of the maritime administrations or classification societies referred to in section IV.2 of this Circular.
3. Upon actual verification of the type approval and certification of the submitted lifejackets and lifebuoys, the Administration shall issue Certificate of Confirmation and individually distinct MARINA hologram. The tamper proof and water resistant MARINA hologram with security feature shall bear the MARINA logo and distinct serial number as shown in *Annex-1*.
4. Subject to the preceding paragraph, the MARINA hologram shall be affixed on each lifejacket and lifebuoy, as shown in *Annex-2*.
5. The following information shall be indicated in the Certificate of Confirmation issued by the Administration:
 - 5.1 Name of manufacturer/supplier;
 - 5.2 Address of manufacturer/supplier;
 - 5.3 Product type;
 - 5.4 Number of pieces per product in the batch/lot
 - 5.5 Model number/letter or serial number; and
 - 5.6 Name of approving/certifying Maritime Administration/IACS member.
6. The Certificate of Confirmation from the Administration shall be issued per type of life-saving appliance.

7. Companies shall ensure that all lifejackets and lifebuoys on board their ships indicate the name of the ship and marked with “ADULT”, “CHILD”, or “INFANT”, as appropriate.
8. The sample lifejackets and lifebuoys submitted shall be the property of the Administration and shall serve as evidence of approval.

VI. SCHEDULE OF FEES AND CHARGES

1. The following fees and charges shall be paid for the following:
 - 1.1 Verification fee - P 3,000.00
 - 1.2 Issuance of Certificate of Confirmation - P 2,000.00
2. MARINA hologram - P 10.00/piece

VII. SANCTIONS AND PENALTIES

1. Companies/owners/operators of ships engaged in the domestic shipping found to be using lifejacket/s and lifebuoy/s onboard their ship/s which is/are not approved as required under this Circular shall be subject to the following fines and penalties:

First violation	P750.00 per life ring/lifejacket P1,500.00 per lifebuoy
Second violation	P1,500.00 per lifejacket P3,000.00 per life ring/lifebuoy And sixty (60) day suspension
Third violation	P5,000.00 per lifejacket P7,500.00 per life ring/lifebuoy And one hundred eighty (180) day suspension

2. Manufacturers/suppliers/distributors/dealers/retailers/agents/companies found violating any of the provisions of this Circular shall be charge with the following fines and penalties:

First violation	P 150,000.00
Second violation	P 175,000.00 + suspension of accreditation for 6 months
Third violation	P 200,000.00 + cancellation of accreditation

3. Submission of false/fraudulent/spurious certification/documentation in an application for issuance of Certificate of Confirmation – P50,000.00 per document or certificate.

VIII. REPEALING CLAUSE

Any provision(s) of MARINA Circular No. 2006-001 and other MARINA Circulars inconsistent herewith is/are hereby modified / amended / repealed accordingly.

IX. SEPARABILITY CLAUSE

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

X. EFFECTIVITY CLAUSE

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

BY THE AUTHORITY OF THE BOARD:

MARIA ELENA H. BAUTISTA
Administrator

SECRETARY'S CERTIFICATE

This is to certify that MARINA Circular No. 2009-25 has been approved by the MARINA Board of Directors on 29 December 2009.

ATTY. VIRGILIO B. CALAG
Acting Corporate Board Secretary

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- ACTUAL SIZE -

FOR LIFEJACKET



FOR LIFE BUOY



-COLOR-

-SIZE-

Height: 2.75 inches
Width: 2.5 inches

Text and MARINA Logo : Royal Blue
Background : Hologram (Silver)



INFANT LIFEJACKET



CHILD LIFEJACKET



ADULT LIFEJACKET



LIFEBUOY