



Republic of the Philippines  
Department of Transportation and Communications  
MARITIME INDUSTRY AUTHORITY



**MEMORANDUM CIRCULAR NO. 2013-07**

**TO : ALL COMPANIES AND OWNERS/OPERATORS OF  
SUBMERSIBLE PASSENGER CRAFT IN THE DOMESTIC  
TRADE AND ALL CONCERNED**

**SUBJECT : RULES IN THE REGULATION OF SUBMERSIBLE  
PASSENGER CRAFT**

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In line with the national policy of pursuing a program of modernization of the existing domestic fleet and fostering a favorable climate for increased investments, more particularly in the leisure and tourism industry, and pursuant to the provisions of R.A 9295 and its Implementing Rules and Regulations, as amended, PD No. 474. Executive Order No. 125, as amended, the Philippine Merchant Marine Rules and Regulations (PMMRR) of 1997, as amended, and MARINA Circular No. 2013 – 02, the following guidelines are hereby adopted for the regulation of Submersible Passenger Craft.

**I OBJECTIVE**

This Circular serves to provide rules in the regulation of submersible passenger craft (SPCraft) catering primarily in the leisure and tourism industry within the purview of the mandate vested with the MARINA.

**II COVERAGE**

This Circular applies to all SPCraft in the domestic trade involved in the carriage of passengers, for leisure and tourism purposes.

**III DEFINITION OF TERMS**

For the purpose of this Circular the following definitions are adopted:

- 1 **Administration** is the Maritime Industry Authority (MARINA).
- 2 **Company** refers to the owner of the ship or any organization of person such as the manager, or the bareboat charterer, who has assumed 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 related to the safe operation of the SPCraft.
- 3 **IACS** is the International Association of Classification Societies.
- 4 **IMO** is the International Maritime Organization.
- 5 **Master** refers to a person appointed and duly qualified to command the submersible passenger craft (SPCraft).

- 6 ***Submersible Passenger Craft*** (SPCraft) is a passenger-carrying mobile vessel, which primarily operates underwater and relies on surface support, e.g a surface ship or shore-based facilities, for monitoring and for one or more of the following:
- .1 recharging of power supply;
  - .2 recharging high pressure air; and,
  - .3 recharging life-support.

The meaning of other terms/phrases used herein are as defined in the ANNEX to this Circular and other relevant MARINA Memorandum Circulars or as generally understood in maritime industry practice.

#### **IV GENERAL POLICY GUIDELINES**

- 1 The MARINA shall undertake to continuously develop the herein ANNEX and Appendices based on new developments and are authorized to amend the same in so far as the technical aspects of the operations are concerned.
- 2 Ships covered by this Circular shall be registered under the provisions of MARINA Memorandum Circular No. 2013 – 02 and its subsequent amendments prior to its operation.
- 3 Each SPCraft should be subject to the surveys specified in Section I/4 of the attached ANNEX to this Circular.
- 4 Each SPCraft should be issued certificates and documented as specified in the attached ANNEX and APPENDICES to this Circular.

Before each SPCraft are authorized to carry passengers for leisure, it should be issued a Submersible Passenger Craft Safety Certificate (SPCSC) and the SPCraft Pilot and Assistant Pilot should also be issued a Submersible Passenger Craft Certificate of Competence specified in the attached ANNEX and APPENDICES to this Circular, following the required survey of the craft. The Limiting Operational Conditions and the Limiting Environmental Conditions shall be specified, among other requirements. A Minimum Safe Manning Certificate shall also be issued under the provisions of MARINA Memorandum Circular No. 2012 – 06 and its subsequent amendments.

#### **V DESIGN AND CONSTRUCTION**

##### **1 GENERAL**

- .1 SPCraft should be designed, constructed and maintained in compliance with the requirements of MARINA and an IACS member Class Society.
- .2 SPCraft should be classed by an IACS member Class Society before operations for the carriage of passengers.
- .3 SPCraft should operate only in waters with a sea-bed depth not greater than the craft's rated depth.

- .4 The arrangement of occupied spaces should provide for easy evacuation.
- .5 Systems, such as penetrations, mechanical systems, electrical systems, life support, fire protection, navigation, surface and underwater communications, control and instrumentation should be designed, installed and tested in accordance with the requirements of MARINA and an IACS member Class Society.
- .6 Life-saving appliances shall be compliant with the Life Savings Appliance (LSA) Code, including its amendments, prescribed by IMO.

## **VI PASSENGER SUBMERSIBLE CRAFT OPERATION**

### **1 GENERAL**

- .1 The Company shall have procedures to address issues dealing with system design and operation, the qualification of personnel, the management of passengers and contingency planning for dealing with emergencies.
- .2 The Company is also required to prepare procedures relating to personnel selection, training program and licensing.
- .3 The Company is required to comply with the requirements of MARINA Circular No. 143, and its subsequent amendments.

### **2 CHAIN OF COMMAND**

A documented chain of command shall also be available on board.

### **3 OPERATION PREPARATION AND PLANNING**

- .1 An operating manual, describing normal and emergency operational procedures, should be prepared and be available on board and to others as deemed necessary.
- .2 A written emergency response plan for each operating SPCraft should be prepared and be available on board and to others as deemed necessary.
- .3 Emergency drills should be performed on a regular basis. These drills should clearly demonstrate the effectiveness of the procedures.
- .4 A maintenance manual containing procedures for periodic inspections and preventative maintenance techniques should be readily available for inspection. The manual, together with operational and maintenance records should be readily available at the operation site.
- .5 Procedures for normal and emergency operations and essential drawings should be carried on board the unit.
- .6 The above requirements shall form part of the Company's Safety Management System (SMS).

.7 The above manuals and drawing shall be submitted to the MARINA for approval.

#### **4 SUBMERSIBLE PASSENGER CRAFT PILOT**

The Pilot and Assistant Pilot should be certificated for the SPCraft he is to operate. The certificate should be obtained by successful completion of a training course, completion of a given number of dives while at the controls of the SPCraft and passing of a test.

#### **5 TRAINING**

The Company is responsible for ensuring that personnel (including the Pilot, crew and maintenance staff) are at all times adequately trained to suit the particular type of craft. Likewise, the Company shall secure the approval of the Administration on the training program developed by the Craft Manufacturer.

#### **6 CERTIFICATE OF COMPETENCE**

The minimum license of a SPCraft Pilot and Assistant Pilot shall be pursuant to the requirements under MARINA Circular No. 2012 – 04 and its subsequent amendments. Each SPCraft Pilot and Assistant Pilot should be trained in accordance with the approved training program developed by the Craft Manufacturer and as determined by the Company, in all aspects necessary to safely operate the SPCraft under normal and emergency situations. After having passed all the requirements of the Company, each SPCraft Pilot and Assistant Pilot should be recommended for the issuance, by the Administration, of a Certificate of Competence.

#### **7 REPORTING**

Reportorial requirements of the Company shall be in accordance with the ANNEX to this Circular.

### **VII ISSUANCE OF CERTIFICATE OF PUBLIC CONVENIENCE (CPC)**

Ships covered by this Circular shall be required to secure Certificate of Public Convenience pursuant to the provisions of Republic Act No. 9295 and its Implementing Rules and Regulations and its subsequent amendments thereto, prior to their operation.

### **VIII SCHEDULE OF FEES AND CHARGES**

For purposes of this Circular, the following schedule of fees and charges as specified by MARINA Memorandum Circular No. 2005 – 001, or its subsequent amendments, shall apply.

### **IX PENALTIES AND SANCTIONS**

Ship operators/owners who shall violate or fail to comply with policies/guidelines herein set forth shall be subject to the following administrative fines, and/or penalties provided under the Public Service Act, as amended, and other relevant rules and regulations of the MARINA.

	Operator/Owner	Seafarer
First Infraction	P25,000/vessel	P5,000
Second Infraction	P50,000/vessel and / or suspension of CPC/PA/SP and / or Safety Certificate	P10,000 and/or suspension of SIRB
Third Infraction	P100,000/vessel and / or cancellation of CPC/ PA/SP and / or Safety Certificate	P25,000 and / or cancellation of SIRB

**X REPEALING CLAUSE**

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

**XI SEPARABILITY CLAUSE**

Should any provision or part of this Circular be declared by the competent authority 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.

**XII EFFECTIVITY**

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

Manila, Philippines, 12 July 2013.

By The Authority of the MARINA Board:

(Signed)MAXIMO Q MEJIA JR, PhD  
Administrator

**Secretary's Certificate**

This is to certify that the foregoing Memorandum Circular No. 2013-07 was approved by the MARINA Board in its 225<sup>th</sup> Regular Meeting on 09 July 2013.

ATTY. VIRGILIO B. CALAG  
Corporate Board Secretary

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