

MEMORANDUM CIRCULAR NO. 114

**TO : ALL SHIPOWNERS/OPERATORS OF PASSENGER LINER
VESSELS AND OTHERS
CONCERNED**

**SUBJECT : PREVENTIVE SAFETY MEASURES AND OTHER
CONCERNS**

In line with declared national policy to enhance the safety and quality of shipping services in the interisland trade , and consistent with the mandate to provide for the effective supervision, regulation and rationalization of the organizational management, ownership and operation of all water transport utilities, as set forth under P.D. 474 and enunciated further in E.O 125/125-A and E.O 185, Philippine-registered vessels duly documented to carry passengers in the domestic trade are hereby directed to observe strictly the following:

I. AREAS OF CONCERN

1. MEANS OF ESCAPE/EMERGENCY EXITS:

- a. Two means of escape/emergency exits, accessible to the passengers, must be provided in all general areas. Pre-designated crew member(s) must be assigned purposely to ensure unobstructed passage to the escape/exits, in case of emergency.
- b. No locking doors giving access to the two identified means of escape under (1) above shall be employed, except crash doors or locking devices capable of being easily forced open in an emergency, and a permanent/conspicuous notice to this effect shall be posted at both sides of the door(s) exits.
- c. Locking of alley/door ways during ticket inspection/passenger counting is absolutely prohibited. Passageways must, at all times, be cleared of any obstruction of loose cargoes, handcarried luggage or furniture.
- d. Segregation, through permanent closure of access door(s) between different types of accommodation, i.e, first, second and third classes, shall likewise be prohibited.

2. HANDLING/STORAGE OF HANDCARRIED LUGGAGE:

- a. Safe and convenient storage for passengers' handcarried luggage must be provided.

- b. The luggage must not, at all times, be permitted to block the stairways, means of escape /exits, passageways and lifesaving and firefighting equipment.
- c. At least one (1) crew member shall be assigned/stationed, during passenger embarkation and disembarkation, to caution / handle/supervise the storage/retrieval of handcarried luggage.

3. STORAGE OF LIFEVESTS/LIFEJACKETS

All lifevests /lifejackets, imprinted with the vessel's name, must be conspicuously stored in a locker capable of being forced open, and must be readily accessible for use, in case of emergency.

4. CLOSURE OF WATERTIGHT DOORS, PORTHOLES, RAMPS AND MANHOLES

The master shall ensure that all watertight doors, portholes, ramps and manholes shall be securely fastened/locked/checked prior to leaving port and during the voyage.

5. WEARING OF THE PROPER PRESCRIBED UNIFORM BY THE SHIP'S OFFICERS AND CREW.

For the purpose of easy identification and ready access by passengers needing information/assistance, the wearing of proper prescribed uniform and IDs by the ship's officers and crew, including security personnel, while they are on duty, is strictly enjoined.

6. OTHER SAFETY MEASURES:

- a. Shipping companies are directed to institutionalize a crew and passenger safety awareness program. For this purpose, all shipping companies/ship owners/operators are hereby required to submit to MARINA, within 90 days from effectivity of this Circular, their vessel emergency safety plan.
- b. Vessel sketches showing the location of the liferafts/boats and lifejackets/lifevests should be displayed in conspicuous places in the passenger lounge(for third class accommodation) and inside the cabin/suites(in the case of first and second class accommodations).

The liferafts/boats, imprinted with the vessel's name, must be properly secured and readily accessible for use, in case of emergency

- c. The prescribed location of firefighting equipment like the fire hose, fire ax and fire extinguisher shall not be obstructed.
- d. Luminous stickers indicating direction to the different exits, which are visible in all passenger areas, shall be provided.
- e. Emergency lights in all passengers accommodations, passageways, alleyways, and stairways, which should automatically switch on in case of power/generator failure, must be installed.
- f. Emergency exits must be provided with the independent red blinking lights to guide/assist the passengers on their way out, in case of emergency.

II. RESPONSIBILITY OF THE MASTER

It shall be the duty and responsibility of the Master of the vessel to ensure strict adherence to the directives of this Circular, at all times and under penalty, as herein prescribed.

III. SANCTIONS/PENALTIES

Violations of any of the provisions(s) of this Circular shall be subject to the following fines and penalties, after due notice and hearing consistent with the provisions of Memorandum Circular 74-A, series of 1995:

1. The Master shall be liable, as follows:
 - First Infraction - Five Thousand(P5,000.00) pesos
 - Second Infraction - Ten Thousand(P10,000.00)pesos
 - Third Infraction - Twenty-five Thousand(P25,000.00) Pesos and/or suspension/revocation of his Seafarer's Identification And Record Book(SIRB) and/or STCW Endorsement Certificate
2. The shipowner/operator/agent shall likewise be liable, as follows:
 - First Infraction - Ten Thousand(P10,000.00) Pesos/vessel
 - Second Infraction - Twenty Thousand(P20,000.00) Pesos/vessel

Third Infraction - Twenty-five Thousand(P25,000.00) Pesos/vessel and/or cancellation of the Provisional Authority (PA) or Certificate of Public Convenience (CPC) to operate the vessel

IV. ENFORCEMENT

The Enforcement Office(EO) and the Maritime Regional Offices(MROs) are directed to strictly monitor compliance with this Circular. Any findings of non-compliance shall be reported within 48 hours to the Franchising Office/MROs, for appropriate action.

It is hereby enjoined that the enforcers shall not be obstructed or hindered from lawfully boarding vessels and inspecting the same, purposely to determine compliance or non-compliance with this Circular.

V. REPEALING CLAUSE

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

VI. 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, 19 December 1995.

BY AUTHORITY OF THE BOARD:

PACIENCIO M. BALBON, JR.
Administrator

SECRETARY'S CERTIFICATE

This is to certify this Memorandum Circular has been approved in the 129th meeting of the Maritime Industry Board held on 23 November 1995.

EMERSON M. LORENZO
Deputy Corporate Board Secretary

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