

**MEMORANDUM CIRCULAR NO.178
SERIES OF 2002**

**TO : ALL SHIPYARD OWNERS / OPERATORS AND ALL
OTHERS CONCERNED**

**SUBJECT : AMMENDMENTS TO MEMORANDUM CIRCULAR NO.
152 ON THE MANDATORY DRYDOCKING OF SHIPS**

Pursuant to Presidential Decree No. 474 and Executive Order No. 125, as amended, and to effectively monitor the drydocking of all Philippine-registered domestic ships, Memorandum Circular No. 152 is hereby amended, as follows:

II. COVERAGE:

The domestic provisions in this Circular shall apply to all Philippine-registered domestic ships except motorized bancas with outriggers.

III. DEFINITION OF TERMS:

The following terms are added to Section III of Memorandum Circular No.152

“ADMINISTRATION” refers to the Maritime Industry Authority(MARINA).

“CERTIFICATE OF DRYDOCKING” refers to a Certificate issued by a MARINA-licensed shipyard to ships engaged in the domestic trade after satisfactory compliance with the mandatory drydocking requirement under MC 152 and this Circular.

IV. GENERAL POLICY GUIDELINES:

The following provisions are added to Section IV of Memorandum Circular No.152:

1. Only shipyards licensed by the Administration shall be authorized to undertake or carry out drydocking activities.

2. The Administration shall adopt systems and procedures that will be implemented in the drydocking activities undertaken by shipyards.

IV-A. RESPONSIBILITIES of the SHIPYARD

This is a new provision covering shipyards:

1. A **Certificate of Drydocking** shall be issued by the shipyard only after the conduct of the required drydocking and compliance with safety regulations.
2. The shipyard shall submit to the MARINA Central Office or the Maritime Regional Office where the shipyard is licensed, a Drydocking Report for every ship that was drydocked using the MARINA prescribed form attached as Annex A, within five (5) working days after undocking. In addition, the shipyard shall be required to submit the following documents prior to the issuance of Certificate of Inspection:
 - (a) Photographs of the ship being drydocked / repaired in various angles with the corresponding date when it was taken, to be reflected in the photo. The size of the photographs should be 5" x 7" showing the following angles before and after drydocking / repair.
 1. Bottom, side and bilge plating;
 2. Propeller and Rudder;
 3. Bow
 4. Stern and
 5. Close-up photo of the portion of the ship's hull, which was repaired / replated;
 - (b) Shell Expansion Plan of the ship that has been repaired with markings (except for wooden-hulled ships);
 - (c) Copies of the jod orders; and
 - (d) Certificate of Drydocking.

VI. Penalties/ Sanctions

1. Non-submission/ late-submission of the requirements under this Circular:

Category	1 st Violation	2 nd Violation	3 rd Violation
(a) Large Shipyard (facility with capacity of at least 7,500 DWT as per MC 95)	Php1,500/ document	Php3,000/ document	Php6,000/ document and cancellation/ revocation of License for the operation of the shipyard
(b) Medium Shipyard (facility with capacity of at least 7,499 DWT but not below 1,500 DWT as per MC 95)	Php1,000/ document	Php2,000/ document	Php4,000/ document and cancellation/ revocation of License for the operation of the shipyard
(c) Small Shipyard (facility with capacity of below 1,500 DWT as per MC 95)	Php500/ document	Php1,000/ document	Php2,000/ document and cancellation/ revocation of License for the operation of the shipyard

2. Submission of False/ fraudulent reports/ documents – The Administrative fine in the amount of Php25,000.00 and withdrawal of License/ Certificates necessary for the operation of the ship and non – renewal of license for the operation of the shipyard. All other provisions of MARINA Memorandum Circular No. 152, insofar as they are not inconsistent with this Circular, shall remain in full force and effect.

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

Manila, Philippines 07 October 2002.

BY AUTHORITY OF MARINA BOARD:

Atty. OSCAR M. SEVILLA
ADMINISTRATOR

Secretary's Certificate

This is to certify that Memorandum Circular No. 178 has been approved by the MARINA Board during its regular meeting held on 07 October 2002.

Atty. GLORIA J. VICTORIA – BANAS
Acting Corporate Board Secretary

Date of Publication: 23 October 2002 (Today's Newspaper)

Date of Submission to the U.P. Law Center: 05 November 2002