

MARINA CIRCULAR NO. 05
Series of 2007

**TO : ALL PHILIPPINE SHIP OWNERS / OPERATORS /
CHARTERERS / MANAGERS OF PHILIPPINE REGISTERED
SHIPS; ACCREDITED/RECOGNIZED ORGANIZATIONS; ALL
OTHERS CONCERNED**

**SUBJECT : RULES AND REGULATIONS ON STABILITY REQUIREMENT
FOR PHILIPPINE-REGISTERED DOMESTIC SHIPS**

Pursuant to the provisions of Presidential Decree No. 474, Executive Order No. 125/ 125-A, Republic Act No. 9295 and its Implementing Rules and Regulations, and Philippine Merchant Marine Rules and Regulations (PMMRR) '97, the following Rules and Regulations are hereby adopted and prescribed;

I. OBJECTIVES:

The purpose of this rules and regulations is to foster the safe operation of Philippine- registered ships covered, by requiring compliance with the herein prescribed stability requirement, standards and criteria, thereby minimizing the risk to such ships, their personnel on board and to the marine environment.

It also serves the purpose of supplementing the implementation of the Code on Intact Stability, and its amendments, to Philippine-registered ships.

II. COVERAGE:

This Circular shall apply to Philippine-registered ships operating in domestic trade, except those ships that rely on outriggers for their stability, and passenger ships carrying 12 passengers and below; Philippine-registered oceangoing ships are only covered under Sec. V.4. hereof.

III. GENERAL PROVISIONS:

1. The Code on Intact Stability and its amendments, as well as definition of the terms used therein, are hereby adopted as an integral part of this Circular.
2. Every Philippine-registered ship covered by this Circular shall undergo an inclining test and must have in possession on board a valid Certificate of

Stability issued by the MARINA for those engaged in domestic operations, or an Intact Stability Booklet issued by a MARINA- recognized organization for those engaged in international operations. Certificates of Stability issued by MARINA- accredited marine surveying entities prior to the effectivity of this Circular will continue to be valid, subject to the conditions of Sec.III.3 hereof.

3. All domestic passenger ships regardless of size, except those excluded from the coverage under Sec. II of this Circular, and other domestic ships 24 meters and above in length, shall be subjected to, and be in compliance with standards, requirements and criteria provided under the Code on Intact Stability as amended, in order to be issued the Certificate of Stability. The Certificates to be issued, or those previously issued, are subject to endorsement every five (5) years from the last inclining test conducted on the ship.
4. Domestic ships other than passenger ships below 24 meters, except those excluded in the coverage under Sec. II of this Circular, shall still be subjected to evaluation using the applicable provisions of the Code on Intact Stability as amended, with the results thereof to serve as basis whether to issue the Certificate of Stability without restrictions in area of operation, if in compliance with the Code's standards, requirements and criteria, or, issue a Certificate of Stability with restrictions in the area of operation, due to limitations in stability based on the Code's standards.
5. Domestic ships covered by this Circular shall be subjected to an inclining test to be conducted by a duly licensed Naval Architect and Marine Engineer (NAMARE) or other qualified/trained technical personnel from the MARINA, with the needed notification and preparations to be made by the company/shipyard Naval Architect. If the inclining test for domestic ships is to be conducted by a recognized organization or accredited marine surveying company, it shall be undertaken under the supervision of a MARINA NAMARE or other qualified/ trained technical personnel, pursuant to Chapter 7, Sec. 7.3.1 of the Code on Intact Stability, to ensure compliance with the Code, with the concerned organization/company assuming the responsibility to ensure strict observance of this requirement.

6. Domestic ships covered by this Circular found to be in compliance with the herein adopted/prescribed rules and regulations, based on the result of the inclining test, together with the supporting plans, calculations, etc. shall be issued the required Certificate of Stability by the MARINA, with effectivity reckoned from the date the test/survey was conducted. If the test, calculations and evaluation of a domestic ship is undertaken by an accredited/recognized organization, the results thereof shall be submitted to the MARINA for validation, approval and subsequent issuance by the MARINA of the required Certificate of Stability valid for five (5) years reckoned from the date the test/ survey was conducted.
7. Ships not covered by this Circular under Sec. II shall be issued by the MARINA an Exemption Certificate.
8. In the case of a ship already issued with a Certificate of Stability, where alterations are made affecting its light condition or the position of the center of gravity, or both, such ship shall be subjected to re-inclining test and its stability information amended.
9. The MARINA may allow the inclining test of a ship to be dispensed with, provided that reliable stability information for such ship can be obtained from a basic data available, or there are available reference to existing data for similar class of ships/sister ships and it is shown to the satisfaction of the Administration that reliable stability information for the exempted ship can be obtained from such basic data. In the case of ships especially designed for the carriage of liquids or ore in bulk, the required inclining test may be dispensed with by the MARINA when reference to existing data for similar ships clearly indicates that, due to the ship's proportions and arrangements, more than sufficient transverse metacentric height will be available in all probable loading conditions.
10. Intact Stability Booklets approved by the MARINA shall be supplied to the concerned ship to enable its Master to assess with ease and certainty the stability of the ship under various operating conditions, warning him of those operating conditions that could adversely affect either stability or the trim of the ship.

IV. SPECIFIC PROVISIONS AND GUIDANCE FOR STABILITY DETERMINATION:

1. Prior to the conduct of inclining test, the concerned company/shipyard Naval Architect shall submit the relevant ship plans, stability drawings and calculations for approval by the MARINA. If the inclining test is to be performed by a recognized organization/accredited marine surveying entity, an outline of the inclining test procedure shall be submitted in addition to the foregoing requirements.
2. Written notification of the inclining test shall be submitted to the MARINA, including the following information;
 - a. Name of ship; Owner/Operator; Address; Contact Number(s).
 - b. Date, time and location of the inclining test.
 - c. Type of Inclining Test
 - Using pendulum or tube (to indicate the length, quantity and location);
 - Using Computer-aided Software (i.e, stability master).
 - d. Inclining weight Data
 - Type of weight;
 - Amount and certification of weight (number of units, weight of each unit)
 - Method of handling the weight (i,e., sliding, using crane or forklift)
 - e. Approximate draft and trim
 - f. Conditions of tanks.
3. Newly constructed ships covered by this Circular shall be inclined upon its completion to determine the elements of its stability.
4. In order to insure that the result of the stability test to be conducted is dependable, all tanks on the ship to be tested shall be completely empty and dry, with the free surface moment for slack tanks computed as prescribed in the code.
5. The ship should be almost completely equipped as far as practicable when the inclining test is conducted. If additional materials or equipment is to be installed after the test, a complete and itemized list shall be

prepared which shall be considered in the stability calculation to be made.

6. All dunnage, tools and other extraneous items on the ship to be tested shall be removed before the test.
7. Ships to be subjected to inclining test shall be moored in a location protected/with minimum interference from broadside wind, waves and tide, with the mooring lines slack during the test. The depth of water shall be sufficient to provide ample clearance under the vessel against grounding. The test should be conducted as much as possible during fine weather and during high tide.
8. Other specific procedures, guidelines, criteria and standards for the conduct of inclining test and stability calculation/determination shall be based from applicable provisions of the Code on Intact Stability, as amended and Chapter IV, Reg. IV/6 of the PMMRR '97.
9. Other Safety Certificates shall be issued to a ship which has no Certificate of Stability, or if such Certificate ceases to be valid.
10. If the Certificate of Stability/Intact Stability Booklet is invalidated by the MARINA or its recognized organization after due process, the other Safety Certificate(s) issued to such ship shall automatically be suspended, and the ship shall be under "no sail condition".
11. The Master of a ship under no sail condition shall be under obligation to warrant that such ship shall not proceed to sea and undertake a voyage.
12. Non-possession onboard of the required Certificate of Stability (or Exemption Certificate) shall be considered as major deficiency/major non-conformity warranting immediate suspension/cancellation/non-issuance of other ship safety certificates and authority to operate.
13. All ships covered by this Circular shall be subjected to lightweight survey after five (5) years from the date of the ship's latest inclining test to verify any changes in the lightship displacement and longitudinal center of gravity, as a prerequisite to the indorsement of the Certificate of Stability. It is however, incumbent on the MARINA to evaluate the annual inspection and drydocking reports of the concerned ship, and

where there is no evidence from such reports of changes, alterations or deterioration from the ship to affect its stability, the Certificate of Stability shall be indorsed without the ship being subjected to lightweight survey. In instances where a lightweight survey is deemed necessary to be undertaken, subject to formal notice to the concerned shipowner/operator/manager stating the basis for such, such survey shall be scheduled by the MARINA in conjunction with the scheduled drydocking of the ship, as far as practicable. Following such, the MARINA shall endorse the Certificate of Stability or Intact Stability Booklet issued if no significant deviation is noted after the survey.

14. The MARINA may adopt or approve other inclining test procedure for ships below 24 meters in length, provided special precautions are taken to ensure the accuracy of the test procedure.

V. IMPLEMENTATION:

1. The MARINA as the Maritime Administration, shall henceforth principally undertake the conduct of a ship's stability determination, inclining test and attendant evaluations / calculations / activities / issuances, through its duly licensed NAMARE or other qualified / trained technical personnel.
2. Duly accredited marine surveying companies authorized to conduct stability determination in behalf of the MARINA for Philippine-registered domestic ships shall continue to perform such function, subject to the conditions in Sec. III.5 of this Circular, if so contracted by an affected shipowner/ charterer/manager, except that the issuance of the Certificate of Stability shall solely be performed by the MARINA.
3. Upon completion of the needed surveys, tests, calculations, etc., whether undertaken by the MARINA or its accredited entities, and submission of all requirements, the Full Term Certificate of Stability shall be issued by the MARINA within five (5) working days therefrom.
4. In the case of Philippine-registered ships engaged in international operations, Recognized Organizations shall continue to perform the conduct of stability determination and issuance of Intact Stability Booklet for such ships in behalf of the Administration, pursuant to the

Code on Intact Stability, as amended. The Intact Stability Booklet to be issued to such ships however, inclusive of the resulting test and calculations, shall be submitted to the MARINA by the concerned Recognized Organizations, pursuant to the requirement provided under Chapter 2, Sec. 2.1.2 of the Code on Intact Stability. For purposes of uniformity and to facilitate review and approval, the Intact Stability Booklet to be submitted to the MARINA should adhere to the format prescribed hereunder;

- Table of Contents
- General description of the ship
- General Arrangement Plan and Capacity Plan
- Inclining Test Report
- Stability Calculation on every loading condition and their corresponding statistical curve of stability
- Index of each loading condition
- Hydrostatic curves or tables and cross curves of stability
- Tank sounding tables showing capacities, center of gravity and free surface data for each tank.

5. For domestic ships homeported in the regions, the shipowner/operator/ manager shall apply and have their ships undergo an inclining test and subsequent issuance of Certificate of Stability 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. FEES AND CHARGES:

The following fees and charges shall be imposed for purposes of implementing the herein rules and regulations.

1. Conduct of Inclining Test/ Lightweight Survey by the MARINA
(Inclusive of related evaluations and calculations)

	Ship's Tonnage	Non-propelled	Self-propelled
1.1	Under 35 GT	P3,500	P4,200
1.2	35 and under 200 GT	10,000	15,000
1.3	200 and under 400 GT	15,000	20,000
1.4	400 and under 700 GT	20,000	25,000
1.5	700 and under 1000 GT	25,000	30,000

1.6	1000 and under 1500 GT	30,000	40,000
1.7	1500 and under 2500 GT	40,000	50,000
1.8	2500 and under 3500 GT	45,000	60,000
1.9	3500 and under 5000 GT	50,000	70,000
1.10	5000 and under 6500 GT	55,000	80,000
1.11	6500 and under 8000 GT	60,000	90,000
1.12	8000 and under 10000 GT	65,000	100,000
1.13	10000 and under 12000 G	70,000	110,000
1.14	12000 and under 15000 G	75,000	120,000
1.15	15000 GT and over	80,000	125,000

2. Approval of Intact Stability Booklet

Particulars

2.1	50 GT or less	P470.00
2.2	Over 50 GT- 500 GT	P 470.00+ P 1.60/GT in excess of 50 GT
2.2	Above 500 GT- 1,500 GT	P1,250.00+ P 1.60/GT in excess of 500 GT
2.4	Above 1,500 GT	P 4,370.00+ P 1.50/GT in excess of 1,500 GT

3. Certificate of Stability/Indorsement without Lightweight Survey P350.00

4. Exemption Certificate P350.00

VII. FINES AND PENALTIES:

• Operating without a Certificate of Stability/Intact Stability Booklet/ Exemption Certificate, or with unendorsed/cancelled Certificate of Stability	-	P10,000.00
• Conduct of Inclining Test without MARINA supervision		P 5,000.00

VIII. AMENDATORY / REPEALING CLAUSE:

The herein rules and regulations accordingly amends Chapter IV of the Philippine Merchant Marine Rules and Regulations of 1997. Any provisions of the PMMRR 1997 and other existing MARINA Circulars which are inconsistent herewith are hereby repealed or modified accordingly.

IX. EFFECTIVITY:

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

BY AUTHORITY OF THE MARINA BOARD:

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

SECRETARY'S CERTIFICATE

This is to certify that MARINA Circular No. 2007-05 has been approved by the MARINA Board in its 177th Regular Board Meeting held on 29 August 2007.

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

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