

**MARINA CIRCULAR NO. 11**  
**Series of 2009**

**TO : ALL SHIPPING COMPANIES, SHIOWNERS/OPERATORS,  
SHIPBUILDING/SHIPREPAIR/BOATBUILDING OPERATORS,  
SEAFARERS AND OTHER MARITIME ENTITIES**

**SUBJECT : REVISED SCHEDULE OF ADMINISTRATIVE FINES AND  
PENALTIES FOR MARITIME VIOLATIONS/OFFENSES**

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Pursuant to the provisions of Presidential Decree No. 474, PD 666, PD 760 as amended, RA 7471 as amended, Executive Order Nos. 125/125A, Philippine Merchant Marine Rules and Regulations of 1997, Republic Act. No. 9295 and its Implementing Rules and Regulations and other pertinent laws, decrees, rules and regulations, and based on the following considerations the herein administrative fines and penalties are prescribed:

- a) Minimum /lowest penalty is higher than the cost of compliance with the rules and regulations;
- b) Higher penalties for violations related to maritime safety and marine environment protection;
- c) Provision of different penalties considering the type of entity, or size of ships and extent/scope of ship officers or seafarers responsibilities; and
- d) Imposition of penalties of suspension/cancellation/revocation of MARINA issued certificates/ license.

**I. OBJECTIVES:**

- 1. To promote maritime safety, security and protection of the marine environment through compliance with the existing laws, rules and regulations;
- 2. To provide a rationalized schedule of administrative fines and penalties for maritime violations/offenses; and
- 3. To further ensure compliance by domestic shipping companies, shipowners, ship operators, shipbuilders/ shiprepairers, seafarers, and other maritime entities

## II. COVERAGE:

This Circular shall apply to all shipping companies, shipowners/operators, shipbuilding/shiprepair/boatbuilding operators, seafarers and other maritime entities.

## III. SCHEDULE OF FINES AND PENALTIES:

<b>VIOLATIONS</b>	<b>FINES AND PENALTIES</b>
<b>A. DOMESTIC SHIPPING SECTOR</b>	
1. Rules on the Accreditation of Shipping Companies under MARINA MC No. 2006-03 and MC 186 and subsequent amendments	
1.1. Operating shipping company or maritime enterprise p without entity's accreditation	
a) Corporation	P30,000.00 with Cease and Desist Order until compliance
b) Partnership	P20,000.00 with Cease and Desist Order until compliance
c) Cooperative	P 15,000.00 with Cease and Desist Order until compliance
d) Single Proprietorship	P5,000.00 with Cease and Desist Order until compliance
1.2. Operating commercial Philippine-flag ship and Maritime entities with expired entity's accreditation	
a) Corporation	P 20,000.00 with Cease and Desist Order until compliance
b) Partnership	P 15,000.00 with Cease and Desist Order until compliance
c) Cooperative	P 10,000.00 with Cease and Desist Order until compliance
d) Single Proprietorship	P3,000.00 with Cease and Desist Order until compliance
1.3. For failure to maintain the qualification requirements for accreditation of domestic shipping enterprises/entities;	

a) Corporation	P10,000.00 with Cease and Desist Order until compliance
b) Partnership	P5,150.00 with Cease and Desist Order until compliance
c) Cooperative	P4,300.00 with Cease and Desist Order until compliance
d) Single Proprietorship	P780.00 with Cease and Desist Order until compliance
1.4. Non-compliance with reportorial requirements under MC 2006-003 & MC 186	
a) Corporation / Partnership / Cooperative	P15,000.00/10,000.00 / 7,500.00
b) Single Proprietorship	P5,000.00
2. Omnibus Guidelines for the Acquisition of ships for Domestic Operations and Fishing Ships / Boats under MC 104 and its subsequent amendments	
2.1. Non-submission of documents required as post-approval conditions on importation, local construction, lease-purchase, option to purchase within the prescribed period; to import ship engine and spare parts under Rule III, Sec. 1 of RA 9295	P2,000.00 /document /day + compliance
2.2. Late submission of proof of payment of 4.5% withholding tax on gross charter hire	P3,000.00/ ship
2.3. Acquisition through importation/bareboat charter of ship without prior MARINA approval	1 % of the ship acquisition cost/total charter hire
2.4. Any change modification / amendment on the bareboat charter party without MARINA approval	P50,000 /ship
2.5. Pre-termination of bareboat charter party(ies) within one (1) year from date of delivery of ship	Amount equivalent to six (6) months withholding tax or the balance of the withholding taxes due for the whole year, whichever is higher

3. Guidelines on the Temporary Utilization of Foreign-owned/registered ships and Philippine-registered overseas ships in the domestic trade under MC 105 and Rule V of the IRR of RA 9295 and their subsequent amendments	
3.1. Operation of Philippine-registered overseas ship and foreign owned/registered ship in the domestic trade without Special Permit/Exemption Permit	
a) 1st violation	P25,000.00 with Cease and Desist Order until compliance
b) 2nd violation	P50,000.00 with Cease and Desist Order until compliance
c) 3rd and succeeding violations	P75,000.00 with Cease and Desist Order until compliance
3.2. Operation of Philippine-registered overseas ship and foreign owned/registered ship in the domestic trade with expired Special Permit/Exemption Permit	
a) 1 <sup>st</sup> violation	P25,000.00 with Cease and Desist Order until compliance
b) 2 <sup>nd</sup> violation	P30,000.00 with Cease and Desist Order until compliance
c) 3 <sup>rd</sup> and succeeding violations	P50,000.00 with Cease and Desist Order until compliance
3.3. Non-compliance with post-approval conditions/documents stated in the Special Permit/Exemption Permit	P5,000/condition
3.4. For operating without /expired CPC	
a) Steel/ Aluminum/Fiber glass – hulled ships	P20.00 / GT or a minimum of P50,000 non-operation of the entity's ship/s until issuance of CPC/PA
b) Wooden hulled	P10.00 / GT or a minimum of P10,000.00 non-operation of

	the entity's ship/s until issuance of CPC/PA
3.5. For operating without SP pursuant to MC 2006-006 (applicable only to ships previously issued with CPC)	
a) Steel/ Aluminum/Fiber glass – hulled ships	P10,000/ship
b) Wooden hulled	
35 GT and above	P7,500 /ship
Below 35 GT	P2,500/ship
3.6. For operating with expired SP pursuant to MC 2006-006 (applicable only to ships previously issued with CPC)	
a) Steel/ Aluminum/Fiber glass – hulled ships	P7,500/ship
b) Wooden hulled	
35 GT and above	P5,000/ship
Below 35 GT	P1,500/ship
3.7. Failure to submit the required amendments and proofs of renewal of Documents/ Certificates / Compliance / Passenger and Cargo Insurance / Pollution or Third Party Liability Cover / Class Requirement.	
a) Steel/ Aluminum/Fiber glass – hulled ships	P200/day of delayed submission per document but not to exceed P 50,000
b) Wooden hulled	
35 GT and above	P100/day of delayed submission per document but not to exceed P 20,000
Below 35 GT	P50/day of delayed submission per document but not to exceed P10,000
3.8. Operating without Passenger and Insurance pursuant to the requirement of RA 9295	P300,000.00

Operating with expired Passenger and Insurance pursuant to the requirement of RA 9295	P200,000.00
3.9. Failure to secure and possess valid Ship Station License	P50,000/ship
3.10. Failure to maintain ship's class	P 100,000.00/ship
3.11. Operating with expired CLC Certificate or Cover Against Civil Liability for Oil Pollution Damage Carrying Persistent-oil from duly licensed insurance company by the Insurance Commission & International Protection & Indemnity Club/Association under MC 184 and subsequent amendments	
a) ships carrying above 2,000 tons of persistent oil in bulk as cargo	
i. 1 <sup>st</sup> violation	P75,000 + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P150,000 + suspension of the operation of the ship until compliance
iii. 3 <sup>rd</sup> violation	P300,000 + suspension of CPC
b) ships carrying 2,000 tons and below of persistent oil in bulk as cargo	
i. 1 <sup>st</sup> violation	P30,000 + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P75,000 + suspension of the operation of the ship until compliance
iii. 3 <sup>rd</sup> violation	P150,000 + suspension of CPC

<p>3.12. Operating with expired Third Party Liability Cover Liquefied Petroleum Gas (LPG) / Liquefied Nitrogen Gas (LNG) or Appropriate Oil Pollution Cover from duly licensed Insurance Company by the Insurance Commission &amp; International Protection &amp; Indemnity Club / Association under MC 128 and its amendments</p>	
<p>a) ships carrying capacity of less than 700,000 liters</p>	
<p>i. 1<sup>st</sup> violation</p>	<p>P25,000/ship + suspension of operation of the ship until compliance</p>
<p>ii. 2<sup>nd</sup> violation</p>	<p>P50,000/ship + cancellation of entity CPC</p>
<p>b) ships carrying capacity of 700,000 liters or more</p>	
<p>i. 1<sup>st</sup> violation</p>	<p>P50,000/ship + suspension of operation of the ship until compliance</p>
<p>ii. 2<sup>nd</sup> violation</p>	<p>P100,000/ship + cancellation of entity CPC</p>
<p>3.13. Failure to give discount for Senior Citizens pursuant to RA 9257, without prejudice to any criminal case that maybe filed</p> <p>First Violation 2nd Violation 3rd Violation</p>	<p>P10,000.00 P20,000.00 P30,000.00</p>
<p>3.14. Failure to give discount for students, allowable free baggage pursuant to Rule and Regulations of MARINA, and for disabled pursuant to R.A. 7432/9457, and</p>	

R.A. 9442, respectively, other relevant Rules and Regulations	
a) 100GT & below	
i. 1 <sup>st</sup> violation	P1,000/report
ii. 2 <sup>nd</sup> violation	P1,500/report
iii. 3 <sup>rd</sup> violation	P2,000/report
b) above 100 to 450 GT	
i. 1 <sup>st</sup> violation	P2,000/report
ii. 2 <sup>nd</sup> violation	P3,000/report
iii. 3 <sup>rd</sup> violation	P4,000/report
c) above 450	
i. 1 <sup>st</sup> violation	P5,000/report
ii. 2 <sup>nd</sup> violation	P10,000/report
iii. 3 <sup>rd</sup> violation	P15,000/report
3.15. Failure to carry on board its ship the Certified True Copy of its valid CPC/ Decision/ Rider	
a) 100GT & below	
i. 1 <sup>st</sup> violation	P1,500/ship
ii. 2 <sup>nd</sup> violation	P2,500/ship
iii. 3 <sup>rd</sup> violation	P5,000/ship
b) Above 100-450 GT	
i. 1 <sup>st</sup> violation	P 5,000/ship
ii. 2 <sup>nd</sup> violation	P 7,500/ship
iii. 3 <sup>rd</sup> violation	P 10,000/ship
c) Above 450 GT	
i. 1 <sup>st</sup> violation	P15,000/ship
ii. 2 <sup>nd</sup> violation	P30,000/ship
iii. 3 <sup>rd</sup> violation	P40,000/ship
3.16. Failure to provide MARINA immediate/effective Notice of all any accident/incident directly arising from or connected with the	



maintenance operation of the ship	
a) Master	
i. 1 <sup>st</sup> violation	P10,000 + suspension of SIRB and/or QDC until compliance
ii. 2 <sup>nd</sup> violation	P20,000 + revocation of his SIRB and/or QDC
b) Shipowner/ Operator	
1. Single Proprietorship	
i. 1 <sup>st</sup> violation	P10,000/ ship + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P20,000/ ship + 30 day suspension of the operation of the ship
iii. 3 <sup>rd</sup> and succeeding violations	P30,000/ ship + 60-day suspension of the operation of the ship
2. Partnership/Cooperative/ Association/Corporation	
i. 1 <sup>st</sup> violation	P25,000/ ship + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P50,000/ ship + 30 day suspension of the operation of the ship until compliance
iii. 3 <sup>rd</sup> and succeeding violations	P75,000/ ship + 60 day suspension of the operation of the for ship
3.17. Non-submission of Annual Report of Operations and Finances every June 30 of each year and Quarterly Financial Report and Proof of Tax Payments to the BIR and Quarterly Reports on Actual Rates Charged (60 days after each quarter)	

a) Companies / operators with total tonnage 50 GT and below	
i. 1 <sup>st</sup> violation	P 250 / month or fraction thereof
ii. 2 <sup>nd</sup> violation	P 500 / month or fraction thereof
iii. 3 <sup>rd</sup> violation	P750 / month or fraction thereof
b) Companies / operators with total tonnage above 50 GT – 100 GT	
i. 1 <sup>st</sup> violation	P 2,500 / month or fraction thereof
ii. 2 <sup>nd</sup> violation	P 5,000 / month or fraction thereof
iii. 3 <sup>rd</sup> violation	P 7,500 / month or fraction thereof
c) Companies / operators with total tonnage above 100 GT – 500 GT	
i. 1 <sup>st</sup> violation	P 7,500 / month or fraction thereof
ii. 2 <sup>nd</sup> violation	P 10,000 / month or fraction thereof
iii. 3 <sup>rd</sup> violation	P 12,500 / month or fraction thereof
d) Companies / operators with total tonnage above 500 GT	
i. 1 <sup>st</sup> violation	P 15,000 / month or fraction thereof
ii. 2 <sup>nd</sup> violation	P 20,000 / month or fraction thereof
iii. 3 <sup>rd</sup> violation	P 25,000 / month or fraction thereof
3.18. Submission of Incomplete Annual	

Report	
a) Companies/Operators with total tonnage 50GT and below	
i. 1 <sup>st</sup> violation	P100/document/month of delay or fraction thereof
ii. 2 <sup>nd</sup> violation	P150/document/month of delay or fraction thereof
iii. 3 <sup>rd</sup> violation	P200/document/month of delay or fraction thereof
b) Companies/Operators with total tonnage above 50 GT – 100 GT	
i. 1 <sup>st</sup> violation	P1000/document/month of delay or fraction thereof
ii. 2 <sup>nd</sup> violation	P1,500/document/month of delay or fraction thereof
iii. 3 <sup>rd</sup> violation	P2,000/document/month of delay or fraction thereof
c) Companies/Operators with total tonnage above 100 GT – 500 GT	
i. 1 <sup>st</sup> violation	P3,000/document/month of delay or fraction thereof
ii. 2 <sup>nd</sup> violation	P4500/document/month of delay or fraction thereof
iii. 3 <sup>rd</sup> violation	P6,000/document/month of delay or fraction thereof
d) Companies/Operators with total tonnage above 500GT	
i. 1 <sup>st</sup> violation	P5,000/document/month of delay or fraction thereof
ii. 2 <sup>nd</sup> violation	P7,500/document/month of delay or fraction thereof
iii. 3 <sup>rd</sup> violation	P10,000/document/month of delay or fraction thereof

3.19. Other Violations of the terms and conditions of the CPC	
<ul style="list-style-type: none"> <li>Using the ship directly or indirectly, for any purpose other than that for which the CPC is granted</li> </ul>	
<ul style="list-style-type: none"> <li>Engaging in prejudicial, discriminatory or disadvantageous acts towards any passenger or per</li> </ul>	
<ul style="list-style-type: none"> <li>Refusal to accept/or carry/withholding of service to any passenger or cargo without just cause (except for tramp operators)</li> </ul>	
<ul style="list-style-type: none"> <li>Refusal to carry mails on government cargoes mutually agreed terms and conditions</li> </ul>	
<ul style="list-style-type: none"> <li>Refusal to carry shutout cargoes without just and reasonable cause</li> </ul>	
<ul style="list-style-type: none"> <li>Failure to observe its schedule of trips/ sailing frequencies/rates</li> </ul>	
<ul style="list-style-type: none"> <li>Implementing changes in the schedule of trips/sailing frequencies, authorized rates without filing a Notice of Adjustment</li> </ul>	
<ul style="list-style-type: none"> <li>Failure to implement the publication and/or posting of Notice of Adjustment of schedule of trips and on authorized rates in a newspaper, designated areas, respectively</li> </ul>	
<ul style="list-style-type: none"> <li>Failure to post the schedule of trips and authorized rates posted in a conspicuous place in the and/or where the makes its landing and departure</li> </ul>	
<ul style="list-style-type: none"> <li>Practices related to rates which constitute combination in restraint of trade as result in lack of effective competition in a route/link</li> </ul>	

<ul style="list-style-type: none"> <li>• Giving directly or indirectly discounts or rebates on authorized rates</li> </ul>	
<ul style="list-style-type: none"> <li>• Failure to file a notice of suspension of service / abandonment or failure to call on its authorized route/link/port without MARINA approval</li> <li>• Any other condition of the CPC not specified herein</li> </ul>	
a) Ships 3 GT and below	
i. 1 <sup>st</sup> violation	P1,000/ship /condition
ii. 2 <sup>nd</sup> violation	P2,000/ship /condition + non-operation of the ship for one month
iii. 3 <sup>rd</sup> violation	P3,000/ship /condition + cancellation of the ship from entity's CPC
b) ships above 3GT and below 35GT	
i. 1 <sup>st</sup> violation	P5,000/ship /condition
ii. 2 <sup>nd</sup> violation	P10,000/ship /condition + non-operation of ship in the unauthorized route/link/port for one month
iii. 3 <sup>rd</sup> violation	P15,000/ship/condition + cancellation of entity CPC
c) ships 35GT to 100GT	
i. 1 <sup>st</sup> violation	P10,000/ship /condition
ii. 2 <sup>nd</sup> violation	P15,000/ship + non-operation of ship in the unauthorized route/link/port for one month
iii. 3 <sup>rd</sup> violation	P20,000/ship/condition + cancellation of entity CPC
d) ships 101GT to 250GT	
i. 1 <sup>st</sup> violation	P15,000/ship /condition
ii. 2 <sup>nd</sup> violation	P20,000/ship /condition +

	non-operation of ship in the unauthorized route/link/port for one month
iii. 3 <sup>rd</sup> violation	P25,000/ship/condition + cancellation of entity CPC
e) Ships 251GT to 500GT	
i. 1 <sup>st</sup> violation	P20,000/ship /condition
ii. 2 <sup>nd</sup> violation	P25,000/ship/condition + non-operation of ship in the unauthorized route/link/port for one month
iii. 3 <sup>rd</sup> violation	P30,000/ship/condition+ cancellation of entity CPC
f) ships above 500GT	
i. 1 <sup>st</sup> violation	P25,000/ship /condition
ii. 2 <sup>nd</sup> violation	P30,000/ship/condition + non-operation of ship in the unauthorized route/link/port for one month
iii. 3 <sup>rd</sup> violation	P35,000 /ship /condition+ cancellation of entity CPC
3.20. Failure to apply for the required amendment of CPC for any of the following amendment/changes:	
• Permanent addition/deletion of route/port/link	
• Permanent addition/ reduction /replacement of ship/fleet	
• Change in ship's name/name of entity	
• Nature a type of service/type of cargo to be carried	
• Change in sailing frequency / schedule of trips	
• Any other amendment of CPC	
a) ships 50GT and below	P10,000 + non-operation of subject ship until compliance

b) ships 51-100 GT	P25,000 + non-operation of subject ship until compliance
c) ships 101-450 GT	P50,000 + non-operation of subject ship until compliance
d) ships above 450 GT	P75,000 + non-operation of subject ship until compliance
3.21. Minimum Service Standard's	
<ul style="list-style-type: none"> <li>Non-compliance with the provisions of the Minimum Service Standards for Philippine Registered Inter-Island Passenger Ships as provided under MC 65/65A, and its subsequent amendments</li> </ul>	
i. 1 <sup>st</sup> violation	P15,000 + warning
ii. 2 <sup>nd</sup> violation	P30,000 + suspension of entity CPC until compliance
iii. 3 <sup>rd</sup> and succeeding violations	P50,000 & cancellation of entity CPC
3.22. Non-compliance with the requirements in presenting a ten (10) minute film on safety on board passenger/passenger cargo ships 150 GT and above and all High Speed Craft under MC 136 and its subsequent amendments	
a) Master	
i. 1 <sup>st</sup> violation	P10,000 + suspension of SIRB and/or QDC until compliance
ii. 2 <sup>nd</sup> violation	P20,000 + revocation of his SIRB and/or QDC
b) Shipowner/Operator	
1. Single Proprietorship	
i. 1 <sup>st</sup> violation	P10,000
ii. 2 <sup>nd</sup> violation	P20,000
iii. 3 <sup>rd</sup> and succeeding	P25,000

violations	
2. Partnership / Cooperative/ Association/ Corporation	
i. 1 <sup>st</sup> violation	P25,000
ii. 2 <sup>nd</sup> violation	P50,000
iii. 3 <sup>rd</sup> and succeeding violations	P75,000
3.23. Failure to implement the Rules on Reclining Seat pursuant to MC 196	
a) Operation without /expired COC for Reclining Seat Accommodation	
i. 1 <sup>st</sup> violation	P5,000 + warning
ii. 2 <sup>nd</sup> violation	P10,000 + suspension of CPC
iii. 3 <sup>rd</sup> violation	P15,000 + cancellation/ revocation of CPC
b) Non-compliance with any of the provisions of MC 196	
i. 1 <sup>st</sup> violation	P25,000 + warning
ii. 2 <sup>nd</sup> violation	P50,000 + suspension of CPC
iii. 3 <sup>rd</sup> violation	P75,000 + cancellation of entity CPC
3.24. Failure to comply with the Minimum Service Standards for motor bancas carrying passengers below 20GT	
i. 1 <sup>st</sup> violation	P1,000
ii. 2 <sup>nd</sup> violation	P2,000
iii. 3 <sup>rd</sup> violation	P6,000
3.25. Failure to implement the playing of voice tape on the safety features of passenger carrying-ships 20GT to less than 150 GT	



a) Master /Ship's captain	
i. 1 <sup>st</sup> violation	P2,500 + suspension of SIRB until compliance
ii. 2 <sup>nd</sup> violation	P5,000 + suspension of SIRB
iii. 3 <sup>rd</sup> violation	P7,500 + cancellation of SIRB
b) Shipowner/operator	
i. 1 <sup>st</sup> violation	P10,000/ ship
ii. 2 <sup>nd</sup> violation	P15,000/ship
iii. 3 <sup>rd</sup> violation	P20,000/ship
3.26. Failure to display the maximum authorized passenger carrying-capacity of motor bancas with open deck accommodation and similar watercrafts	
a) Owner / Operator (Single Proprietorship)	
i. 1 <sup>st</sup> violation	P5,000
ii. 2 <sup>nd</sup> violation	P10,000
b) Owner/Operator (Partnership/ Corporation)	
i. 1 <sup>st</sup> violation	P10,000
ii. 2 <sup>nd</sup> violation	P20,000
c) Master	
i. 1 <sup>st</sup> violation	P2,500+ suspension of SIRB and/or QDC until compliance
ii. 2 <sup>nd</sup> violation	P5,000 suspension of SIRB and/or QDC for a period of 1 month
3.27. Failure to wear lifejackets prior to boarding and/or departure by all passenger ships with open deck accommodation under MC 123 and	

its subsequent amendments	
a) Shipowner/Operator	
i. 1 <sup>st</sup> violation	P10,000
ii. 2 <sup>nd</sup> violation	P15,000 and 30-day suspension of entity CPC
iii. 3 <sup>rd</sup> violation	P20,000 and 60-day suspension of entity CPC
b) Master/Crew	
i. 1 <sup>st</sup> violation	P2,000 and warning
ii. 2 <sup>nd</sup> violation	P5,000 and 30-day Suspension of SIRB
iii. 3 <sup>rd</sup> violation	P10,000 and 60-day Suspension of SIRB
3.28. Failure to file a formal application with MARINA on sale, alienation, mortgage, encumber or lease the ship's, merging, consolidation of property, franchise, privileges or right as any part of the CPC with those of any other public service.	P25,000.00/entity + cancellation of Authority and other Certificates issued by MARINA
Failure to seek MARINA approval on selling, alienating or in any other manner transfer share of the CPC grantees capital stock to any alien if the result of which or in connection with previous sale shall vest the transfer of more than forty (40) percent of the subscribed capital of the CPC grantee.	
Selling, alienating or in any other manner transfer share of CPC grantee's capital stock if the result or in connection with another previous sale shall be the reduction to less than sixty (60)	

percent of the capital stock belonging to Filipino citizens	
3.29. Failure to implement compliance with Republic Act No. 7277/9442 and Batas Pambansa Bilang 344 on the onboard accessibility water front accessibility and assistance to disabled persons	
a) Shipowner /Operator/Agent	
i. 1 <sup>st</sup> violation	P10,000 + Cease and Desist Order until compliance
ii. 2 <sup>nd</sup> violation	P25,000 + Cease and Desist Order until compliance
iii. 3 <sup>rd</sup> violation	P50,000 + Cease and Desist Order until compliance
b) Master	
i. 1 <sup>st</sup> violation	P2,500
ii. 2 <sup>nd</sup> violation	P5,000
iii. 3 <sup>rd</sup> violation	P7,500
3.30. Failure to grant refund/revalidation of passenger tickets, failure to observe the Decorum of the Carrier and its employees and rules on Delayed and Unfinished voyage pursuant to MC 112	
i. 1 <sup>st</sup> violation	P5,000 + warning
ii. 2 <sup>nd</sup> violation	P10,000 + 30-day suspension of entity CPC for a period of not exceeding 30 days
iii. 3 <sup>rd</sup> violation	P25,000 + 60-day suspension of entity CPC
3.31. Failure to issue Tickets / Bill of Lading	

i. 1 <sup>st</sup> violation	P10,000 + warning
ii. 2 <sup>nd</sup> violation	P25,000 + 30-day suspension of entity CPC until compliance
iii. 3 <sup>rd</sup> violation	P50,000 + 60-day suspension of entity CPC
3.32. Carriage of passengers and/or persons exceeding the authorized total number of passenger or persons (Overloading) Absence of passenger manifest for a particular voyage of a ship	
Failure to reflect all passengers in the Passenger Manifest for a particular voyage	
Deviation in passenger manifesting onboard on the guidelines pursuant to MC180	
<b>Master / Boat Captain</b>	
a) Ships 35 GT and Below	
i. 1 <sup>st</sup> violation	P10,000 / violation + 15 day suspension of Master's license issued by MARINA
ii. 2 <sup>nd</sup> violation	P 15,000/ violation+ 30 days Suspension of Master's license issued by MARINA
iii. 3 <sup>rd</sup> violation	P20,000 per violation + Revocation of Master's license issued by MARINA
b) Ships above 35GT	
i. 1 <sup>st</sup> violation	P25,000 /violation +15 day suspension of SIRB
ii. 2 <sup>nd</sup> violation	P35,000 /violation+ Suspension of SIRB
iii. 3 <sup>rd</sup> violation	P50,000/violation +

	Revocation of SIRB
<b>Shipowner / Operator</b>	
i. 1 <sup>st</sup> violation	P50,000 + 30-day suspension of entity CPC
ii. 2 <sup>nd</sup> violation	P100,000 + 60-day suspension of entity CPC
iii. 3 <sup>rd</sup> violation	P150,000 + cancellation of entity CPC
3.33. Failure to secure SP prior to its operation under warranted circumstances or for its temporary operation from liner to tramp or vice-versa or change in kind of cargo to be carried	
i. 1 <sup>st</sup> violation	P25,000/ship
ii. 2 <sup>nd</sup> violation	P50,000 + 30-day suspension of operation of ship for 30 days
iii. 3 <sup>rd</sup> violation	P75,000 + 60 days suspension of entity CPC
3.34. Failure to secure Exemption Permit for ships not required to secure CPC  Using the ship exempted from securing CPC in the Commercial Operation	
i. ships 50GT and below	P10,000
ii. ships 51-100 GT	P25,000
iii. ships 101-450 GT	P50,000
iv. ships above 450 GT	P100,000
3.35. Submission of fraudulent document / Information or willfully or gross negligence, conceals or	Administrative fine of not more than P100,000/transaction without

falsify a material fact, in any investigation, inquiry, summary proceeds, hearing or application	prejudice to, being referred to the concerned Offices of the Prosecuting Service of the Government if the case involves violations of the Revised Penal Code
3.36. For ships without / expired documentation (with regard to ship registration & licensing) which refers to any of the following:	P250/GT / certificate
a) Certificate of Ownership	
b) Certificate of Philippine Registry	
c) Certificate of Number	
d) Permit to Operate	
e) Motorboat Operator's License	
f) Bay and River License	
g) Coastwise License	
h) Pleasure Yacht License	
i) Logbook/ Charts	
<b>VIOLATIONS</b>	<b>FINES AND PENALTIES</b>
<b>B. MARITIME SAFETY SECTOR</b>	
3.37. For ships without / with expired safety certificates which refer to any of the following:	
• Passenger Ship Safety Certificate	
• Cargo Ship Safety Certificate	
• Cargo Ship Safety Equipment Certificate	
• Cargo Ship Safety Construction Certificate	
• Fishing Vessel Safety Certificate	
• Safe Manning Certificate	

• Certificate of Fitness	
• Safety Management Certificate	
• Exemption Certificate	
• Class Certificate	
• Special Permit to Navigate	
a) Master	
i. 1 <sup>st</sup> violation	P10,000 + suspension of SIRB and/or QDC until compliance
ii. 2 <sup>nd</sup> violation	P20,000 + revocation of his SIRB and/or QDC
b) Shipowner/ Operator	
1. Single Proprietorship	
i. 1 <sup>st</sup> violation	P10,000/ ship + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P20,000/ ship + 30 day suspension of the operation of the ship
iii. 3 <sup>rd</sup> and succeeding violations	P30,000/ ship + 60-day suspension of the operation of the ship
2. Partnership / Cooperative / Association / Corporation	
i. 1 <sup>st</sup> violation	P25,000/ ship + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P50,000/ ship + 30 day suspension of the operation of the ship until compliance
iii. 3 <sup>rd</sup> and succeeding violations	P75,000/ ship + 60 day suspension of the operation of the for ship
3.38. Non-compliance of the conditions	Shipowner/      Master

set in the Special Permit to Navigate (SPN) for conduction, drydocking and sea trial purposes.	operator P 1.500/GT	P 300/GT
3.39. Insufficient/ Defective or failure to maintain on board the SOLAS Equipment in serviceable and good working condition as prescribed in the Safety Certificates		
Life-saving appliances, firefighting / fire detection and alarm system, fire extinguisher and fire buckets (MC 197 and its subsequent amendments)		
Carrying Lifesaving Appliance without proper marking/name of ship/homeport		
a) Master		
i. 1 <sup>st</sup> violation	P10,000 + suspension of SIRB and/or QDC until compliance	
ii. 2 <sup>nd</sup> violation	P20,000 + revocation of his SIRB and/or QDC	
b) Shipowner/ Operator		
1. Single Proprietorship		
i. 1 <sup>st</sup> violation	P10,000/ ship + suspension of the operation of the ship until compliance	
ii. 2 <sup>nd</sup> violation	P20,000/ ship + 30 day suspension of the operation of the ship	
iii. 3 <sup>rd</sup> and succeeding violations	P30,000/ ship + 60-day suspension of the operation	



	of the ship
2. Partnership / Cooperative / Association / Corporation	
i. 1 <sup>st</sup> violation	P25,000/ ship + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P50,000/ ship + 30 day suspension of the operation of the ship until compliance
iii. 3 <sup>rd</sup> and succeeding violations	P75,000/ ship + 60 day suspension of the operation of the for ship
<p>3.40. Towage by a ship not constructed for towing in violation of the provision of the PMMRR'97, and its subsequent amendments</p> <p>Carrying passengers while towing in violation of the provision of the PMMRR'97, and its subsequent amendments</p> <p>Proceeding to sea without taking the appropriate corrective action as deemed necessary by an authorized surveyor/inspector in violation of the provisions of the PMMRR 1997, and its subsequent amendments</p> <p>Carrying oil, fuel, lubrication oil and other liquid substances flammable or harmful to the marine environment in forepeak tanks in violation of the provisions of the 1997 PMMRR and its subsequent amendments</p>	

<p>Failure to maintain /comply with the Navigational and Communications requirements/conditions as provided in PMMRR 1997 and its amendments</p> <p>Failure to comply with the minimum safe/special manning requirements under PMMRR and its subsequent amendments</p>	
a) Master	
i. 1 <sup>st</sup> violation	P10,000 + suspension of SIRB and/or QDC until compliance
ii. 2 <sup>nd</sup> violation	P20,000 + revocation of his SIRB and/or QDC
b) Shipowner/ Operator	
1. Single Proprietorship	
i. 1 <sup>st</sup> violation	P10,000/ ship + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P20,000/ ship + 30 day suspension of the operation of the ship
iii. 3 <sup>rd</sup> and succeeding violations	P30,000/ ship + 60-day suspension of the operation of the ship
2. Partnership / Cooperative / Association / Corporation	
i. 1 <sup>st</sup> violation	P25,000/ ship + suspension of the operation of the ship until compliance
ii. 2 <sup>nd</sup> violation	P50,000/ ship + 30 day suspension of the operation of the ship until compliance

iii. 3 <sup>rd</sup> and succeeding violations	P75,000/ ship + 60 day suspension of the operation of the for ship	
3. Failure to employ medical personnel in accordance with existing rules ad regulations		
i. 1 <sup>st</sup> violation	P 15,000/ship	
ii. 2 <sup>nd</sup> violation	P 20,000/ship	
iii. 3 <sup>rd</sup> & succeeding violations	P 25,000/ship	
3.41. Failure to provide preventive safety measures as defined under MC 114 and its amendments (excluding ship below 35 GT)	Shipowner/ Operator	Master
a) Closure of Watertight Doors, Portholes, Ramps and Manholes		
b) Means of Escape / Emergency Exits		
c) Storage of Lifevests / Lifejackets		
d) Handling / Storage of Handcarried Luggage		
e) Other safety measures		
i. 1 <sup>st</sup> violation	P10,000 / incident	P10,000 / incident
ii. 2 <sup>nd</sup> & succeeding violations	P20,000 / incident	P20,000 / incident
f) Wearing of the proper prescribed Uniform by the Ship's Officers and Crew		
1. Master		
1. 1 <sup>st</sup> violation	P1,000 / incident	P1,000 / incident
2. 2 <sup>nd</sup> violation	P2,000 / incident	P2,000 / incident
3.42. Failure to comply with the		

<p>guidelines on the Regulation of High Speed Craft under PMMRR Chapter XVII and MC 121 and their subsequent amendments</p>	
<p>a) Operating without Night Vision Equipment (NVE) in the operation of the HSC during nighttime</p>	
<p>b) Failure to inform MARINA in writing, within 24 hours, in case of substitution by another HSC in an authorized area of operation</p>	
<p>c) Failure to observe maximum or berth impact speed thereby causing nuisance in harbors / confined areas and/or damage to the port and other ships</p>	
<p>d) Failure to practice caution and discipline in operating the HSC by racing with other HSC in any event, time or place</p>	
<p>e) Loading passengers in excess on the number of permanent seats on board</p>	
<p>f) Failure to carry on-board the required Manuals, including details of their contents (Section V, Item 3.4 of MC 121)(Craft Operating Manual. Route Operational Manual and Maintenance and Service Manual, in accordance with the IMO International Code of Safety for High Speed Craft as incorporated in SOLAS Chapter X)</p>	
<p>g) Failure to meet the minimum service standards (Section VI of MC 121)</p>	

h) Failure to meet safe manning requirements and qualification of crew (Section VII of MC 121)	
i) Operating outside the limited allowable area of operation / voyage such as coastwise voyage, partly protected waters and short sea waters	
j) All violations other than the above falling under the coverage of MC 121 and its subsequent amendments	
1. Master / Seafarer	
i. 1 <sup>st</sup> violation	P 10,000 + suspension of SIRB until compliance
ii. 2 <sup>nd</sup> violation	P 20,000 + suspension of SIRB until compliance
iii. 3 <sup>rd</sup> violation	P 30,000 + cancellation / revocation of SIRB
2. Shipowner / Operator	
i. 1 <sup>st</sup> violation	P25,000 / ship +non-operation of ship / until compliance
ii. 2 <sup>nd</sup> violation	P50,000 / ship +non-operation of ship / until compliance
iii. 3 <sup>rd</sup> violation	P100,000 + revocation / cancellation of CPC
3.43. Operation without proper Accreditation / Recognition from the MARINA (Recognized Organizations acting on behalf of the Administration in the Implementation of the ISM Code, Classification Societies, Entities involved in the Manufacturing/Servicing/Supply of	

Life-Saving Appliances, etc.)					
i. 1 <sup>st</sup> violation		P15,000 + non-operation until compliance.			
ii. 2 <sup>nd</sup> violation		P25,000 + non-operation until compliance.			
iii. 3 <sup>rd</sup> and succeeding violations		P50,000 + non-operation until compliance.			
3.44. Violations on the Terms given to Recognized Organizations, Accredited Classifications Societies, Manufacturing, Servicing and Supply of Life Savings Appliances and Underwater surveying Companies					
i. 1 <sup>st</sup> violation		P15,000 / condition + suspension /withdrawal of recognition / accreditation			
ii. 2 <sup>nd</sup> violation		P 25,000 / condition + suspension /withdrawal of recognition / accreditation			
iii. 3 <sup>rd</sup> violation		P 50,000 / condition + suspension /withdrawal of recognition / accreditation			
<b>VIOLATIONS</b>		<b>FINES AND PENALTIES</b>			
<b>C. SHIPBUILDING AND SHIPREPAIR SECTOR</b>					
3.45. Violations under MARINA Circular No. 2007-02 and its subsequent amendments		Category	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	
1. For engaging in shipbuilding, ship repair, afloat ship repair, boatbuilding and or ship breaking operating without a MARINA-license, non-		SBSR –L	100,000.00	150,000.00	P 100,000.00
		SBSR –M	75,000.00	110,000.00	75,000.00
		SBSR –S	50,000.00	75,000.00	50,000.00
		ASR/SC	25,000.00	35,000.00	25,000.00
		BB/R – A	50,000.00	75,000.00	50,000.00
		BB/R – B			

endorsement, or expired MARINA-license, a person or enterprise shall be imposed the following administrative fines:	10,000.00	15,000.00
	For 3 <sup>rd</sup> and succeeding violations, the business establishment shall be subject to closure after due process.  Period for non-endorsement should be specified on the registration certificate/license	

2. Non submission of required reports

Category	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation
SBSR –L	P 3,000 / document	P 4,000 / document	P 8,000 / document and cancellation of License to Operate
SBSR –M	P1,500 / document	P 3,000 / document	P 6,000 / document and cancellation of License to Operate
SBSR –S	P 1,000 / document	P 3,000 / document	P 4,000 / document and cancellation of License to Operate
ASR/SC	P 1,000 / document	P 2,000 / document	P 4,000 / document and cancellation of License to Operate
BB/R – A	P 1,000 / document	P 2,000 / document	P 4,000 / document and cancellation of License to Operate
BB/R – B	P 500 / document	P 1,000 / document	P 2,000 / document and cancellation of License to Operate

3. Violations of conditions and obligations attached to the License		
a) Conditions 6,7 & 8 of Section 8 of MC 2007-02		
<b>Category</b>	<b>1st Violation</b>	<b>2<sup>nd</sup> Violation (suspension of the License and payment of the ff: penalties)</b>
SBSR –L	P 25,000.00	50,000.00
SBSR –M	15,000.00	30,000.00
SBSR –S	10,000.00	20,000.00
BB/R – A	5,000.00	10,000.00
BB/R – B	1,000.00	2,000.00

For 3<sup>rd</sup> and succeeding violations, the business establishment shall be subject to closure after due process.

b) Other Conditions of Section 8 of MC 2007-02		
<b>Category</b>	<b>1st Violation</b>	<b>2<sup>nd</sup> Violation</b>
SBSR –L	P 12,500.00	25,000.00
SBSR –M	7,500.00	15,000.00
SBSR –S	5,000.00	10,000.00
ASR/SC	2,500.00	5,000.00
BB/R – A	2,500.00	5,000.00
BB/R – B	500.00	1,000.00

For 3<sup>rd</sup> and succeeding violations, the business establishment shall be subject to closure after due process.

4. Failure to maintain qualification requirements for registration pursuant to MARINA Circular No. 2007-02	Suspension of accreditation certificate, without prejudice to restoration of registration upon verification of compliance with qualification requirements
3.46. Construction, conversion, alteration and other related activities of ships without approved plans and/or authority to construct from MARINA	



Shipowner/Operator/Manager	
1. 3.00 GT and below	P 5,000.00
2. 3.01 GT – 14.99 GT	P 10,000.00
3. 15.00 GT – 34.99 GT	P 15,000.00
4. 35 GT – 99.99 GT	P 20,000.00
5. 100 GT – 249.99 GT	P 30,000.00
6. 250 GT – 499.99 GT	P 50,000.00
7. 500 GT and above	P 50,000.00 plus P20.00/GT in excess of 500 GT
3.47. Misrepresentations attendant to Drydocking Certificate, Builders Certificate, and other Certificates by MARINA-registered SBSR entities	P 100,000 + suspension of registration certificates for 6 months
Submission of spurious and tampered Certificate/Document	
i. 1 <sup>st</sup> violation	P150,000 per document
ii. 2 <sup>nd</sup> violation	cancellation of registration certificate
3.48. Violations on Accreditation of Marine Surveying Company (MC 108)	
a) Operating without / with expired accreditation and/or appointment as loadline assignor	
i. 1 <sup>st</sup> violation	P 20,000
ii. 2 <sup>nd</sup> violation	P40,000
iii. 3 <sup>rd</sup> and succeeding violations	P80,000 + suspension of operation for a period of six months
b) Failure to maintain qualification requirements for accreditation as marine surveying entity and load line assignor	
i. 1 <sup>st</sup> violation	P 40,000 + warning
ii. 2 <sup>nd</sup> violation	P 80,000 + suspension of accreditation for 6 months
iii. 3 <sup>rd</sup> and succeeding violations	P 100,000 + cancellation of accreditation
	<ul style="list-style-type: none"> <li>• Suspension of accreditation after due process, without</li> </ul>

prejudice to restoration of accreditation upon verification of compliance with qualification requirements	
c) Tampering or falsification of documents attendant to authorized functions under MARINA MC No. 108 accreditation or its amendments.	
i. 1 <sup>st</sup> violation	P 200,000 / certificate
ii. 2 <sup>nd</sup> violation	cancellation of accreditation
d) Late submission of the required reports and other documents within the prescribed period	
i. 1 <sup>st</sup> violation	P200.00/document/day but not to exceed P4,000.00
ii. 2 <sup>nd</sup> violation	P400.00/document/day but not to exceed P6,000.00
iii. 3 <sup>rd</sup> and succeeding violations	P600.00/document/day but not to exceed P10,000.00
e) Non-submission of the required reports and other documents within the prescribed period	
i. 1 <sup>st</sup> violation	P400.00/document/day but not to exceed P10,000.00
ii. 2 <sup>nd</sup> violation	P600.00/document/day but not to exceed P15,000.00
iii. 3 <sup>rd</sup> and succeeding violations	P800.00/document/day but not to exceed P20,000.00
3.49. Violations under MARINA Circular No. 2007-03 and its subsequent amendments	
a) Operation / navigation of a vessel without or with invalid Load Line Certificate	
i. For ship 50 GT and below	P 10,000
ii. For ship above 50 GT – 100 GT	30,000
iii. For ship above 100 GT – 500 GT	50,000
iv. For ship above 500 GT	100,000
b) Tampering or Alteration of Loadline Marks	

i. For ship 50 GT and below	P50,000
ii. For ship above 50 GT – 100 GT	100,000
iii. For ship above 100 GT – 500 GT	200,000
iv. For ship above 500 GT	500,000
c) Late renewal of Load Line Certificate	
i. For ship 50 GT and below	P 1,000/month or a fraction thereof
ii. For ship above 50 GT – 100 GT	P 2,000/month or a fraction thereof
iii. For ship above 100 GT – 500 GT	P 5,000/month or a fraction thereof
iv. For ship above 500 GT	P 10,000/month or a fraction thereof
d) Failure to comply with the required annual Load Line endorsement	
i. For ship 50 GT and below	P 5,000
ii. For ship above 50 GT – 100 GT	10,000
iii. For ship above 100 GT – 500 GT	20,000
iv. For ship above 500 GT	50,000
3.50. Violations under MARINA Circular No. 2007-04 and its subsequent amendments	
a) Spurious and tampered Tonnage Measurement Certificate	
i. 3.00 GT and below	P 5,000.00
ii. 3.01 GT – 14.99 GT	10,000.00
iii. 15.00 GT – 34.99 GT	15,000.00
iv. 35 GT – 99.99 GT	20,000.00
v. 100 GT and above	50,000.00
b) Non-possession of a valid Tonnage Measurement Certificate / International Tonnage Certificate (ITC)	
i. Domestic Ships	P 50,000.00
ii. International ships	100,000.00

3.51. Violations under MARINA Circular No. 2007-05 and its subsequent amendments		
i. Operating without a Certificate of Stability / Intact Stability Booklet / Exemption Certificate, or with unendorsed / cancelled Certificate of Stability		P 100,000.00
ii. Conduct of Inclining Test without MARINA supervision		P 10,000.00
3.52. Any other violation / non-compliance with the provision / requirement of existing rules and regulations on loadline, stability and admeasurement		
i. 1 <sup>st</sup> violation		P 100,000.00
ii. 2 <sup>nd</sup> violation		200,000.00
iii. 3 <sup>rd</sup> and succeeding violations		300,000.00
3.53. Violations of the provisions of PD 1221 - Failure to submit survey report for drydocking within the prescribed period		
		P 10,000.00
Failure to submit quarterly reports on the utilization of availment of incentives for the importation of equipment , machinery and/or spare parts		P 10,000.00
<b>VIOLATIONS</b>		<b>FINES AND PENALTIES</b>
<b>D. OVERSEAS SHIPPING SECTOR</b>		
3.54. Non-compliance of the provisions of Chapter XVIII of the PMMRR 1997 on Minimum Safe Manning for Seagoing ships in International Trade/IMO Resolution A. 890 (21), MC 137 and its subsequent amendments		
	<b>Company</b>	<b>Master</b>
i. 1 <sup>st</sup> violation	P 50,000.00	P 25,000.00
ii. 2 <sup>nd</sup> violation	100,000.00	50,000.00
iii. 3 <sup>rd</sup> violation	150,000.00	75,000.00

3.55. Failure to secure dispensation permit in behalf of their seafarers onboard Philippine-registered seagoing ships	
i. 1 <sup>st</sup> violation	P25,000.00
ii. 2 <sup>nd</sup> violation	50,000.00
iii. 3 <sup>rd</sup> and succeeding violation	100,00.00
3.56. Operation/navigation of a Philippine-registered overseas ship with expired SOLAS, Manning Certificate and other Statutory Certificates	
i. 1 <sup>st</sup> violation	P5,000.00/day/certificate
ii. 2 <sup>nd</sup> violation	P7,500.00 /day/certificate
iii. 3 <sup>rd</sup> and succeeding violation	P10,000.00/day/certificate
3.57. Philippine shipping companies with Philippine-registered seagoing ships of 300 gross tons and above and all masters in command of Philippines-flagged ships which fails to comply with the provisions of mandatory ship reporting system as adopted by the International Maritime Organization	
i. 1 <sup>st</sup> Violation	P100,00.00
ii. 2 <sup>nd</sup> Violation	200,00.00
iii. 3 <sup>rd</sup> Violation	300,000.00 plus suspension of the Seafarer's Identification Record Book for a period of three (3) months
3.58. Late submission of proof of 4.5% withholding tax within the prescribed period for bareboat chartered ships	
i. 1 <sup>st</sup> violation	P 5,000.00/ship
ii. 2 <sup>nd</sup> violation	7,500.00/ship
iii. 3 <sup>rd</sup> and succeeding violation	10,000.00/ship
3.59. Late submission of other post-approval documents relative to ship acquisition within the period prescribed	
i. 1 <sup>st</sup> violation	P5,000.00/document/month
ii. 2 <sup>nd</sup> violation	7,500.00/document/month

iii. 3 <sup>rd</sup> and succeeding violations	P10,000.00/document/month
3.60. For failure to secure/maintain a valid Document of Compliance (DOC)	
i. 1 <sup>st</sup> violation	P100,000.00
ii. 2 <sup>nd</sup> violation	200,000.00
iii. 3 <sup>rd</sup> and succeeding violation	300,000.00
3.61. For failure to secure/maintain a valid SMC for Philippine-registered ships	
i. 1 <sup>st</sup> violation	P100,000.00/ship
ii. 2 <sup>nd</sup> violation	200,000.00/ship
iii. 3 <sup>rd</sup> and succeeding violation	300,000.00/ship
3.62. For failure to communicate to the Administration the name and details of the entity who have assumed responsibility of complying with the ISM Code	
i. 1 <sup>st</sup> violation	P25,000.00
ii. 2 <sup>nd</sup> violation	50,000.00
iii. 3 <sup>rd</sup> and succeeding violation	100,000.00
3.63. 1. For operating ships without Continuous Synopsis Record (CSR) 2. For failure to report any change in the CSR 3. For unauthorized change of entries in any CSR document	
	Shipping Company / Master
i. 1 <sup>st</sup> violation	P 10,000.00
ii. 2 <sup>nd</sup> violation	15,000.00
iii. 3 <sup>rd</sup> and succeeding violations	25,000.00
3.64. Any violation/contravention on any of the provisions on	

accreditation of overseas shipping companies pursuant to MC 181 and its subsequent amendments		
i. 1 <sup>st</sup> violation		P 15,000.00
ii. 2 <sup>nd</sup> violation		20,000.00
iii. 3 <sup>rd</sup> and succeeding violations		25,000.00
3.65. Late submission of audited financial statements for all Philippine overseas shipping enterprises		
i. 1 <sup>st</sup> violation		P5,000.00/month
ii. 2 <sup>nd</sup> violation		7,500.00/month
iii. 3 <sup>rd</sup> and succeeding violations		10,000.00/month
3.66. Late submission of audited financial statement for maritime enterprises		
i. 1 <sup>st</sup> violation		P2,500.00/month
ii. 2 <sup>nd</sup> violation		5,000.00/month
iii. 3 <sup>rd</sup> and succeeding violations		7,500.00/month
3.67. Failure of any maritime enterprise to renew its accreditation on time pursuant to MC 186 and its subsequent amendments	Single proprietorship	Partnership/ Corporation
i. 1 <sup>st</sup> violation	P 2,500.00	P10,000.00
ii. 2 <sup>nd</sup> violation	5,000.00	15,000.00
iii. 3 <sup>rd</sup> and succeeding violations	7,500.00	20,000.00
3.68. Non- compliance with reportorial requirements under MC 186:		
Single proprietorship		P5,000.00 / document
Partnership/ Corporation		10,000.00 / document
3.69. Non-compliance for the required registration of		P5,000.00/logbook

engine & deck logbook/roll book and other books	
3.70. Violation of any of the requirements/conditions specified in the Special Permit or any provision thereof for domestic ships engaged in international voyages	
a) Operating without a Special Permit	
i. 1 <sup>st</sup> violation	P50,000.00
ii. 2 <sup>nd</sup> violation	P75,000 + non-issuance of Special Permit for six (6) months
iii. 3 <sup>rd</sup> and succeeding violations	P100,000.00 + non-issuance of Special Permit for one (1) year
b) Violation of any of the conditions specified in the Special Permit	
i. 1 <sup>st</sup> violation	P5,000/condition
ii. 2 <sup>nd</sup> violation	P7,500/condition + non-issuance for of SP for six (6) months
iii. 3 <sup>rd</sup> and succeeding violations	P10,000 + non-issuance of SP for one (1) year
3.71. Pre-termination of bareboat charter party within one (1) year from date of delivery of the ship (A ship which has continuously been registered for more than one (1) year under the Philippine-flag under the same group of companies shall be deemed to have complied with the one (1) year requirement.)	Amount equivalent to six (6) months withholding tax or the balance of the withholding taxes due for the whole year, whichever is higher
3.72. Violation of the provisions of RA 7471 and its subsequent amendments, or the rules and regulations promulgated to implement the same	Fine of not more than One Hundred Thousand Pesos (P100,000.00) or imprisonment for not more than five (5) years, or both at the discretion of the court



3.73. Any violation / non-compliance with the provision/requirement of existing international conventions, codes, standards on safety, security and protection of the marine environment		
	Company	Master
i. 1 <sup>st</sup> violation	P 100,000.00	P 25,000.00
ii. 2 <sup>nd</sup> violation	200,000.00	P 50,000.00
iii. 3 <sup>rd</sup> and succeeding violations	300,000.00	P75,000.00+ suspension of SIRB for a period of six (6) months
3.74. Any other violation/contravention of any provisions of the rules and regulations relative to the acquisition, registration, documentation and licensing of ships engaged in international voyages		
i. 1 <sup>st</sup> violation		P25,000.00
ii. 2 <sup>nd</sup> violation		50,000.00
iii. 3 <sup>rd</sup> and succeeding violations		100,000.00
<b>VIOLATIONS</b>	<b>FINES AND PENALTIES</b>	
<b>E. MARITIME MANPOWER SECTOR</b>		
3.75. Submission of any false statement in the application, fraudulent or tampered certificates or documents including holders of fake/tampered SIRBs, without prejudice to the filing of criminal case under the Revised Penal Code		
a) Major Patron		
i. 1 <sup>st</sup> violation	P 5,000.00 + warning	
ii. 2 <sup>nd</sup> violation	10,000.00 +30 day- suspension	
iii. 3 <sup>rd</sup> and succeeding violations	15,000.00 + Disqualification for issuance of license for a period of one(1) year	
b) Minor Patron		
i. 1 <sup>st</sup> violation	P 2,500.00+ warning	

ii. 2 <sup>nd</sup> violation	7,500.00 + 30 days suspension
iii. 3 <sup>rd</sup> and succeeding violations	10,000.00 and Disqualification for issuance of license for a period of one(1) year
c) Boat Captain	
i. 1 <sup>st</sup> violation	P5,000.00 + warning
ii. 2 <sup>nd</sup> violation	10,000.00 30 days suspension
iii. 3 <sup>rd</sup> and succeeding violations	15,000.00 and Disqualification for issuance of license for a period of one(1) year
d) Marine Diesel Mechanic	
i. 1 <sup>st</sup> violation	P 2,500.00+ warning
ii. 2 <sup>nd</sup> violation	P 7,500.00 + 30 days suspension
iii. 3 <sup>rd</sup> and succeeding violations	P10,000.00 + Disqualification for issuance of license for a period of one (1) year
e) Harbor Pilots	
P25,000.00 and Disqualification for issuance of license for a period of one (1) year	
3.76. A shipping company /manning agency shall be liable for the following acts	
a) For deploying a seafarer onboard ship without SIRB or with expired SIRB	
i. 1 <sup>st</sup> violation	P10,000.00
ii. 2 <sup>nd</sup> violation	15,000.00
iii. 3 <sup>rd</sup> violation	20,000.00
b) For requesting or recommending issuance of SIRB for and/or in behalf of a seafarer whose documents have been tampered by the shipping company/manning agency or any of their employees or liaison officers/messengers or where said company/agency/employee or liaison officer has participated in	

securing the tampered documents from any source	
i. 1 <sup>st</sup> violation	P25,000
ii. 2 <sup>nd</sup> violation	P50,000 and recommendation to the POEA or proper government agency for suspension of company's license for one (1) month
iii. 3 <sup>rd</sup> violation	P100,000 and recommendation to the POEA or proper government agency for the cancellation and/or revocation of company's license
In addition, responsible officials/employees of the company /agency and employee/liaison officer/messenger shall be subject to criminal prosecution under the Revised Penal Code	
c) Seafarer who are onboard or joined a ship without SIRB or with expired SIRB	
i. 1 <sup>st</sup> violation	P2,500.00
ii. 2 <sup>nd</sup> violation	5,000.00
iii. 3 <sup>rd</sup> violation	7,500.00
d) For submitting any false statement or misrepresentation in the application, fraudulent or tampered certificates or documents	
1. Master Mariner or Chief Engineer	
i. 1 <sup>st</sup> violation	P10,000.00
ii. 2 <sup>nd</sup> violation	15,000.00
iii. 3 <sup>rd</sup> violation	20,000.00
2. Chief Mate/2nd Engineer	
i. 1 <sup>st</sup> violation	P7,500.00
ii. 2 <sup>nd</sup> violation	10,000.00
iii. 3 <sup>rd</sup> violation	15,000.00
3. All other Officers	

i. 1 <sup>st</sup> violation	P7,500.00
ii. 2 <sup>nd</sup> violation	10,000.00
iii. 3 <sup>rd</sup> violation	15,000.00
4. Ratings/Others	
i. 1 <sup>st</sup> violation	P2,500.00
ii. 2 <sup>nd</sup> violation	5,000.00
iii. 3 <sup>rd</sup> violation	7,500.00
5. For holding fake/tampered /forged SIRB:	
a) Master Mariner/Chief Engineer	
i. 1 <sup>st</sup> violation	P25,000.00 + Confiscation and cancellation + disqualification from issuance of SIRB for 6 months
ii. 2 <sup>nd</sup> violation	P50,000.00 + Confiscation and cancellation + disqualification from issuance of SIRB for 1 year
iii. 3 <sup>rd</sup> and succeeding violations	P 75,000 +Permanent disqualification from issuance of SIRB
b) Chief Mate/2nd Engineer	
i. 1 <sup>st</sup> violation	P25,000.00 + Confiscation and cancellation + disqualification from issuance of SIRB for 6 months
ii. 2 <sup>nd</sup> violation	P50,000.00 + Confiscation and cancellation + disqualification from issuance of SIRB for 1 year
iii. 3 <sup>rd</sup> and succeeding violations	P 75,000 +Permanent disqualification from issuance of SIRB
c) All other Officers	

i. 1 <sup>st</sup> violation	P10,000.00 + Confiscation and cancellation + disqualification from issuance of SIRB for 6 months
ii. 2 <sup>nd</sup> violation	P15,000.00 + Confiscation and cancellation + disqualification from issuance of SIRB for 1 year
iii. 3 <sup>rd</sup> and succeeding violations	P 25,000 +Permanent disqualification from issuance of SIRB
d) Ratings/Others	
i. 1 <sup>st</sup> violation	P5,000.00 + confiscation and cancellation + disqualification from issuance of SIRB for (6) months
ii. 2 <sup>nd</sup> violation	P10,000.00 + Confiscation and cancellation + disqualification from issuance of SIRB for 1 year
iii. 3 <sup>rd</sup> and succeeding violations	P20,000 +Permanent disqualification from issuance of SIRB
3.77. A seafarer who shall go on board ships and/or a shipping company/operator which shall allow a seafarer to go onboard/join a ship w/o first securing a QDC	
a) Seafarer	
i. 1 <sup>st</sup> violation	P1,000.00
ii. 2 <sup>nd</sup> violation	2,500.00
iii. 3 <sup>rd</sup> violation	5,000.00
b) Shipping Company / Manning / Shipping Agency	
i. 1 <sup>st</sup> violation	P5,000.00
ii. 2 <sup>nd</sup> violation	10,000.00
iii. 3 <sup>rd</sup> violation	15,000.00

3.78. For going onboard with expired QDC or of late renewals	Half of the aforecited penalties shall be imposed
3.79. A seafarer who shall submit any false statement or misrepresentation or fraudulent or tampered or irregularly issued QDC, licenses or documents for authentication or in the issuance of QDC	
a) Seafarer	
i. 1 <sup>st</sup> violation	P5,000.00
ii. 2 <sup>nd</sup> violation	7,500.00
iii. 3 <sup>rd</sup> violation	10,000.00
b) Shipping Company / Manning / Shipping Agency	
i. 1 <sup>st</sup> violation	P10,000.00
ii. 2 <sup>nd</sup> violation	15,000.00
iii. 3 <sup>rd</sup> violation	20,000.00
3.80. Shipping companies / operators shall be held responsible for spurious or tampered documents submitted by any seafarer which were secured or tampered by the shipping company/operators/liaison or employee or where said company/employee/liaison officer has tampered or participated in securing the questioned documents	P 25,000.00
3.81. Failure of accredited training centers to comply with the terms and conditions of its accreditation including reportorial requirements under MC 174 and its subsequent amendments	
i. 1 <sup>st</sup> violation	P20,000.00 + warning
ii. 2 <sup>nd</sup> violation	50,000.00 + 30 day suspension of accreditation
iii. 3 <sup>rd</sup> violation	100,000.00 + cancellation of

	accreditation
3.82. For operating a training center and offering course on maritime security without or with expired Accreditation Certificate from MARINA	
i. 1 <sup>st</sup> violation	P 50,000.00
ii. 2 <sup>nd</sup> violation	100,000.00
iii. 3 <sup>rd</sup> violation	200,000.00
3.83. For issuing Certificate of Completion by Maritime training centers to person who did not actually attend the training (non-appearance)	P 10,000.00 per certificate
3.84. Failure of accredited training centers to maintain the conditions of its accreditation under to MC 185 and its subsequent amendments	
i. 1 <sup>st</sup> violation	P 20,000.00
ii. 2 <sup>nd</sup> violation	50,000.00
iii. 3 <sup>rd</sup> violation	100,000.00

#### **IV. ISSUANCE OF MARITIME VIOLATION RECEIPT (MVR):**

A Maritime Violation Receipt (MVR) shall be issued by the MARINA enforcement officers / deputized agents for any maritime violation resulting from their verification/monitoring activities.

#### **V. ADDITIONAL SANCTIONS:**

The imposition of the abovementioned fines and penalties is without prejudice to the following:

1. Filing of criminal case/action for violations falling under the Revised Penal Code and other laws.
2. Recommendation to the appropriate government agencies for the suspension/cancellation/revocation of licenses/certificates, etc.

3. No application,/petition shall be processed or be given due course until payment of penalty has been settled with this Authority. Penalties include suspension of operation/voyage or detention of ship where deficiency poses danger to life and property at sea until deficiency is corrected.
4. Payment of claims and other liabilities/damages that may result from any maritime violations.

**VI. REPEALING CLAUSE:**

Any provision of existing MARINA Circulars and issuances which are inconsistent with this Circular are hereby repealed or modified accordingly.

**VII. 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.

**VIII. EFFECTIVITY**

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

Done in the City of Manila, Philippines this \_\_\_\_\_ day of February 2009.

**BY AUTHORITY OF THE BOARD:**

**(Sgd.) MARIA ELENA H. BAUTISTA**  
Administrator

**SECRETARY'S CERTIFICATE**

This is to certify that MARINA Circular No. 2009-06 has been approved by the MARINA Board in its 192nd Regular Board Meeting held on 23 March 2009.

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