



MARITIME INDUSTRY AUTHORITY

PANGASIWAAN NG KALAKALANG PANDAGAT
<http://www.marina.gov.ph>

MARINA CIRCULAR NO. 2017-03

Series of 2017

TO : ALL DOMESTIC SHIPPING COMPANIES/ OPERATORS AND OTHER CONCERNED

SUBJECT : OMNIBUS RULES AND REGULATIONS ON THE GRANT OF PRIVILEGES FOR STUDENTS, PERSONS WITH DISABILITY (PWDs) AND SENIOR CITIZENS ON BOARD DOMESTIC PASSENGER SHIPS

Pursuant to Article XIV Sections 1 and 2 (3) of the 1987 Philippine Constitution; Republic Act Nos. 7432/9257/9994; Republic Act Nos. 7277/9442/10754; Presidential Decree No. 474; Section 14 (h) of Executive Order Nos. 125/125-A as amended; and Chapter III, Section 10.12 of RA 9295, as amended; the following are hereby adopted:

Section 1. Objective - This Circular aims to provide the rules and regulations on the grant of privileges to students, persons with disability (PWDs) and senior citizens on board domestic passenger ships.

Section 2. Coverage - This Circular shall cover all domestic shipping companies/owners/operators of passenger-carrying ships with Filipino students, PWDs and senior citizens onboard as defined herein.

Section 3. Definitions - For purposes of this Circular, the following terms are hereby defined:

1. **Administration** refers to the Maritime Industry Authority (MARINA).
2. **Domestic Passenger Ship** refers to any ship authorized by the Administration to carry passengers from one place to another engaged in domestic operations.
3. **Double Discount** refers to availment of both the reduced passenger fare and other privilege/s such as promo fares, discounts in commemoration with Philippine government celebrations, promotion of products/services, etc. provided herein to students, PWDs and senior citizens including any combination thereof.
4. **Courtesy/Civility** refers to preferential assistance given to PWDs and senior citizens during embarkation and disembarkation as well as the use of other facilities on board domestic passenger ships.

5. **Passenger** refers to every person other than:

- 5.1. the master/officers and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship
- 5.2. a person on board and carried either because of the obligation laid upon the master to carry shipwrecked, distressed or other person by reason of force majeure.

It shall refer to persons embarking on, onboard, or disembarking from a ship engaged in domestic shipping to include the following such as, but not limited to, those who are paying, non-paying, minor, infant, holding discounted or complimentary tickets and/or accommodated passengers, including those passengers who are accompanying cargoes, vehicles or animals.

6. **Person with Disability (PWD)** refers to Filipino citizens who are suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being (RA 7277/9442/10754).
7. **Privilege** refers to the benefit or advantage granted to students, PWDs and senior citizens through discounts, preferential assistance, and/or purchases on board domestic passenger ships.

However, facilities relating to the ship's structural onboard accessibility (e.g. the provision of designated seats, passageways, and places on board) for PWDs and senior citizens are set forth in the prescribed Minimum Service Standards for Philippine Registered Inter-Island Passenger Vessels of MARINA Memorandum Circular 65/65-A and its amendments.

8. **Senior Citizen** refers to any resident citizen of the Philippines at least sixty (60) years old (RA 7432/9257/9994).
9. **Student** refers to all Filipino citizens academically enrolled in pre-school, elementary, secondary, and collegiate institutions of learning be it academic, technical, or vocational, which are recognized/supervised by the Department of Education (DepEd), the Commission on Higher Education (CHED) and Technical Education Skills and Development Authority (TESDA).

Section 4. General Provisions - For the purpose of this Circular, the words and phrases used herein shall, unless the context indicates otherwise, mean or be understood as follows:

1. Domestic shipping companies/owners/operators of passenger-carrying ships shall provide discounts to students, PWDs, and senior citizens on fare, amenities and other services related thereto, as may be applicable.

2. Students, PWDs, and senior citizens shall be required to present proof of identity as provided under Section 5. B. hereof in order to avail themselves of discounts, unless his/her physical disability is evident.
3. Students, PWDs, and senior citizens shall not be allowed to avail of double or any combination of discounts in passenger fare and purchase of goods on promotion. This prohibition shall be observed on a per purchase basis.
4. In cases where a senior citizen or a student is also a PWD, he/she may only avail of either discount or privilege, whichever is higher or more favorable.
5. All complaints for refusal or discrimination by shipping companies/owners/operators to grant the privileges provided in this Circular shall be reported to the Administration through its Enforcement Service (hotline 09989588464) and/or its nearest Regional Office having jurisdiction of the area of violation.

Section 5. Specific Provisions

A. Discounts and Privileges

1. The students, PWDs, and senior citizens are entitled to the following privileges:

Privileges		Students	PWDs	Senior Citizens
Discount/Purchases				
a. Fare		20%	At least 20%+ 12% VAT Exemption	At least 20% + 12% VAT Exemption
b. Foods and Drinks		Not Applicable	At least 20%+ 12% VAT Exemption (if applicable)	At least 20% + 12% VAT Exemption, (if applicable)
c. Medicines Onboard		Not Applicable	At least 20%+ 12% VAT Exemption	At least 20% + 12% VAT Exemption
d. Services/Recreation		Not Applicable	At least 20%+ 12% VAT Exemption (if applicable)	At least 20% + 12% VAT Exemption, (if applicable)
e. Others		Not Applicable	Courtesy/Civility in the Embarkation/ Disembarkation	Courtesy/Civility in the Embarkation/ Disembarkation

2. Fare discount to students, PWDs and senior citizens applies to all types of passenger accommodation.

3. Senior Citizens, PWDs and students may avail of either at least 20% discount in the preceding provision or promotional rate for the same amenities/facilities, whichever is higher.
4. The grant of student fare discount can be availed of on Saturdays and Sundays, school breaks, and legal/ special holidays.
5. Domestic shipping companies/owners/operators of passenger-carrying ships are required to prominently display notices that will generate public awareness on the grant of passenger fare discount and privileges contemplated herein and provide courtesy lane for PWDs and senior citizens in the purchase of tickets.

B. Proof of Identification

1. The students, PWDs, and senior citizens must present **any** of the following documents to avail of the discounts and privileges provided in this Circular:

Students	PWDs	Senior Citizens
1. Duly issued school identification card (ID)	1. Identification card issued by the city or municipal mayor or the barangay captain of the place where the PWD resides	1. Identification card issued by the Office of the Senior Citizen Affairs (OSCA) of the place where the senior citizen resides
2. Currently validated enrollment forms supported by other document/s (e.g. a certification by the registrar/ principal of the school or university)	2. Transportation discount fare identification (ID) card issued by the National Council on Disability Affairs (NCDA) or the authorized office of Local Government Units (LGUs) where the PWD resides pursuant to NCDA's rules and regulations	2. Philippine passport of the elderly person or senior citizen concerned 3. Other documents that establish that the senior citizen is a citizen of the Republic and is at least sixty (60) years of age which shall include but not be limited to the following government-issued identification documents indicating

		an elderly's birthdate or age: driver's license, voters ID, SSS/GSIS ID, PRC card, Postal ID
--	--	--

2. Any officer of the ship may require the presentation of the above-mentioned proofs of identification whenever necessary.

Section 6. Penalties – For violations or refusal to grant discounts/privileges to and/or refusal to convey/accommodate students, PWDs and senior citizens, the following penalties shall be imposed after due notice and hearing:

A. Ships 50 GT and below

Type of Violation	Student	PWD	Senior Citizens
First Violation	P10,000 + warning	P20,000	P20,000
Second Violation	P 20,000 + suspension of operation of ship for a period not exceeding 30 days	P25,000 + suspension of operation of ship for a period not exceeding 30 days	P25,000 + suspension of operation of ship for a period not exceeding 30 days
Succeeding Violations	P 30,000 + suspension of operation of ship	P25,000 + suspension of operation of ship	P25,000 + suspension of operation of ship

B. Ships over 50 GT to 100 GT

Type of Violation	Student	PWD	Senior Citizens
First Violation	P20,000 + warning	P40,000	P40,000

Second Violation	P 30,000 + suspension of operation of ship for a period not exceeding 30 days	P50,000 + suspension of operation of ship for a period not exceeding 30 days	P50,000 + suspension of operation of ship for a period not exceeding 30 days
Succeeding Violations	P 40,000 + suspension of operation of ship	P50,000 + suspension of operation of ship	P50,000 + suspension of operation of ship

C. Ships over 100 GT to 250 GT

Type of Violation	Student	PWD	Senior Citizens
First Violation	P30,000 + warning	P60,000	P60,000
Second Violation	P 40,000 + suspension of operation of ship for a period not exceeding 30 days	P100,000 + suspension of operation of ship for a period not exceeding 30 days	P100,000 + suspension of operation of ship for a period not exceeding 30 days
Succeeding Violations	P 50,000 + suspension of operation of ship	P100,000 + suspension of operation of ship	P100,000 + suspension of operation of ship

D. Ships over 250 GT to 500 GT

Type of Violation	Student	PWD	Senior Citizens
First Violation	P40,000 + warning	P80,000	P80,000

Second Violation	P 50,000 + suspension of operation of ship for a period not exceeding 30 days	P150,000 + suspension of operation of ship for a period not exceeding 30 days	P150,000 + suspension of operation of ship for a period not exceeding 30 days
Succeeding Violations	P 60,000 + suspension of operation of ship	P150,000 + suspension of operation of ship	P150,000 + suspension of operation of ship

E. Ships over 500 GT

Type of Violation	Student	PWD	Senior Citizens
First Violation	P50,000 + warning	P100,000	P100,000
Second Violation	P 60,000 + suspension of operation of ship for a period not exceeding 30 days	P200,000 + suspension of operation of ship for a period not exceeding 30 days	P200,000 + suspension of operation of ship for a period not exceeding 30 days
Succeeding Violations	P 70,000 + suspension of operation of ship	P200,000 + suspension of operation of ship	P200,000 + suspension of operation of ship

Any person who abuses the privileges granted herein shall be liable to other applicable penalties/sanctions imposed by RA 7277/9442/10070 (PWDs), RA 7432/9257/9994/9257 (Senior Citizens) and their Implementing Rules and Regulations.

Section 7. Repealing Clause – MARINA Memorandum Circular Nos. 37 & 76 and any other provision of other MARINA circulars, rules and regulations inconsistent herewith are hereby repealed accordingly.

Section 8. Separability Clause – Should any provision of this Circular be declared by competent authority to be invalid or unconstitutional, the remaining provisions or parts hereof shall remain valid and effective.

Section 9. Effectivity – This MARINA Circular shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Manila, Philippines, 20 APRIL 2017.

BY AUTHORITY OF THE BOARD:


MARCIAL Q.C. AMARO III, PHD
Administrator

SECRETARY'S CERTIFICATE

This is to certify that the MARINA Circular No. 2017-03 has been approved by the MARINA Board during its 246th Regular Board Meeting held on 20 April 2017.


ATTY. EUSEBIA A. CADLUM-BOCO
Corporate Board Secretary

Date of Publication: 23 MAY 2017
Business Mirror

Date of Submission to ONAR: _____