

MARINA CIRCULAR NO. 05
Series of 2009

**TO : ALL SHIPPING COMPANIES / OWNERS/ OPERATORS /
CHARTERERS AND ALL OTHERS CONCERNED**

**SUBJECT : LEGALIZATION OF UNREGISTERED MOTOR-BANCAS
OPERATING IN THE PHILIPPINE WATERS**

Pursuant to the pertinent provisions of Presidential Decree (PD) No. 474, Executive Order (EO) No. 125, as amended, and Republic Act (RA) No. 9295.

I. OBJECTIVE:

This Memorandum Circular aims to ensure that all motor-bancas operating in Philippine waters are properly documented.

II. COVERAGE:

The provisions in this Memorandum Circular shall apply to all unregistered motor-bancas operating in Philippine waters regardless of size.

III. DEFINITIONS OF TERMS:

1. **Administration** - refers to the Maritime Industry Authority.
2. **Boat Builder** - refers to a person or entity duly licensed by the Administration to construct/build a motor-bancas.
3. **Builders Certificate** - refers to a certificate issued by the Boat Builder to the boat-owner/operator attesting the complete construction/building of motor-banca.
4. **Motor-Banca** - refers to a traditionally built watercraft, predominantly wooden-hulled and propelled mechanically with or without an outrigger.

IV. GENERAL PROVISION:

All motor-bancas regardless of their size and utilization shall be required to be registered under this Circular.

V. SPECIFIC GUIDELINES:

1. Existing motor-bancas shall comply with the following documentary requirements subject to evaluation and approval by this Authority;
2. Side view picture with the name of the motor-banca (size: 5"x7");

3. Affidavit of Ownership or Deed of Sale; (see Annex 1, as attached);
4. Affidavit of Admission; (see Annex 2, as attached);
5. Post Construction Plans or Sketch, as applicable; and,
6. Stencil of vessel's engine and information on the kind of transmission/propeller.
7. New building motor-bancas shall initially submit the required Construction Plans or Sketch, as applicable and acquire the necessary permit from this Authority prior to commencing the boat building.
8. The aforementioned provisions under this Section shall be complied with and subject to the motor-banca admeasurements/sea-trial testing by this Authority prior to registration.

VI. VALIDITY:

The Certificate of Philippine Registry of the motor-bancas shall have a maximum validity of five (5) years reckoned from the year of registration.

VII. PENALTIES AND SANCTIONS:

Any violations of or failure to comply with the provisions of this Circular shall be subject to the following fines and penalties exclusive of the appropriate filing fee:

1. P 250.00/gt starting from the effectivity of this Circular up to 30 June 2009; and
2. P 500.00/gt starting from 01 July 2009 to 31 December 2009.

VIII. TRANSITORY PROVISION:

All issued Certificate of Number (CN) shall be replaced with Certificate of Philippine Registry (CPR) by 30 June 2009 after payment of the corresponding fees under existing Circular and its subsequent amendments thereof.

IX. REPEALING CLAUSE:

Any MARINA Circulars/issuances or parts thereof which are inconsistent with this Circular are hereby repealed, modified or amended accordingly.

X. EFFECTIVITY:

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

Manila, Philippines.

BY AUTHORITY OF THE BOARD:

(Sgd.) MARIA ELENA H. BAUTISTA
Administrator

SECRETARY'S CERTIFICATE

This is to certify that MARINA Circular No. 2009-05 has been approved by the MARINA Board in its 192nd Regular Board Meeting held on March 23, 2009.

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