

**MARINA CIRCULAR NO. 13**  
**Series of 2009**

**TO : ALL DOMESTIC SHIOWNERS/OPERATORS AND ALL CONCERNED**

**SUBJECT : ADDITIONAL PENALTY FOR PASSENGER-CARRYING SHIPS INVOLVED IN A MARITIME ACCIDENT/INCIDENT FOR THE CARRIAGE OF PASSENGERS IN EXCESS OF THE AUTHORIZED PASSENGER CAPACITY**

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Pursuant to Presidential Decree No. 474, Executive Order No. 125/125A, and Republic Act No. 9295 and its implementing Rules and Regulations (IRR), the following rules and regulations are hereby adopted.

**I. OBJECTIVES:**

1. To ensure safety of life at sea; and,
2. To promote responsible ship ownership.

**II. COVERAGE:**

All domestic shipowners/operators of passenger-carrying ships

**III. GENERAL PROVISION:**

Under no circumstances may a ship carrying more than or in excess of its authorized passenger capacity.

**IV. SPECIFIC PROVISIONS:**

The total number of passengers on board shall not exceed the total number of passengers allowed for each ship.

All passengers on board the ship shall be duly manifested as reflected in the Passenger Manifest.

Manifest or passenger list should be prepared and made available before the ship leaves port.

Children three (3) years and above shall be counted as adult passengers and shall be assigned seats.

Children below three (3) years old shall be carried by an adult at all times.

The provisions of this Circular shall be over and above the existing MARINA Circulars, rules and regulations on overloading, and other maritime safety-related issuances.

**V. PENALTY:**

Any domestic shipowner/operator found carrying passengers in excess of authorized capacity shall be subject to a penalty of one (1) year suspension of its Certificate of Public Convenience (CPC). Perpetual disqualification from operating ships shall be imposed for those found in violation of the Order of Suspension.

**VI. EFFECTIVITY:**

This Memorandum Circular shall take effect immediately after its publication once in a newspaper of general circulation.

Manila, Philippines, 26 May 2009.

**BY AUTHORITY OF THE BOARD:**

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

**SECRETARY'S CERTIFICATE**

This is to certify that Memorandum Circular No. 2009-13 has been approved by the MARINA BOARD pursuant to Board Resolution No. 23 dated 25 May 2009.

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