



## MARITIME INDUSTRY AUTHORITY

### MARINA CIRCULAR NO. 2011 - 03 Series of 2011

**TO :** ALL DOMESTIC SHIPPING COMPANIES/OPERATORS AND OTHER MARITIME ENTITIES CONCERNED

**SUBJECT :** REVISED RULES AND REGULATIONS TO IMPLEMENT THE CODE OF SAFE PRACTICE FOR CARGO STOWAGE AND SECURING IN DOMESTIC SHIPPING

Pursuant to Presidential Decree No. 474, Executive Order Nos. 125/125A as amended, RA 9295 and its Revised Implementing Rules and Regulations (R-IRR), and Flag State Administration Advisory (FSAA) No. 23 dated 15 February 2002, the ISM Code, the applicable provisions of the Code on Safe Practice for Cargo Stowage and Securing (CSS Code) under Chapters VI and VII of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, the following rules are hereby adopted.

#### I. OBJECTIVES

1. To foster the safe operation of Philippine-registered ships covered under this Circular;
2. To provide rules and regulations to implement the Code of Safe Practice for Cargo Stowage and Securing in the domestic trade; and,
3. To institutionalize the Cargo Securing Manual as part of the safety requirement for ships covered under this Circular.

#### II. COVERAGE

This Circular shall apply to all domestic ships/motor boats carrying cargo units except the following:

1. Ships/vessels used solely in the carriage of solid or liquid cargoes and timber stowed on deck;
2. Ships/vessels used solely in the carriage of gasses in bulk; and
3. Motor boats of 3 GT and below.

#### III. DEFINITIONS

For purposes of this Circular, the following terms are hereby defined:

1. **Administration** - refers to the Maritime Industry Authority (MARINA).
2. **Cargo Securing Devices** - refers to all fixed and portable devices used to secure and support cargo units.
3. **Cargo Securing Manual (CSM)** - refers to a cargo securing arrangement for the safe stowage and securing of cargoes on board, including packing or loading in road vehicle and freight container where applicable.

4. **Cargo Units** - refers to vehicles (road vehicles, roll trailers, etc.), railway wagons, containers, flats, pallets, portable tanks, intermediate bulk containers (IBC), packed units, unit loads, other cargo carrying units such as shipping cassettes, cargo entities such as steel coils and heavy cargo items such as locomotives and transformers; loading equipment or any part thereof, transported on the ship but which is not permanently fixed to the ship, is also considered as a cargo unit.
5. **Chief Officer** – refers to an officer next in rank to the Master and upon whom the command of a ship will fall in the event of the incapacity of the Master.
6. **Code** - refers to the Code of Safe Practice for Cargo Stowage and Securing provided under Chapters VI and VII of the Convention for the Safety of Life at Sea (SOLAS) 1974, as amended.
7. **Company** - refers to the owner of the ship or any organization of person such as the manager, or the bareboat charterer, who has assumed responsibility for operation of the ship from the ship owner and who on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed by the Code.
8. **CSM Compliance Certificate** - refers to a certificate issued by the Administration attesting that a particular ship after due review and evaluation by the Administration has been found to have fully complied with all the requirements of the Code and this Circular.
9. **Standardized Cargo** - refers to cargo for which the ship is provided with an approved securing system based upon cargo units of specific types.
10. **Semi-standardized Cargo** - refers to cargo for which the ship is provided with securing system capable of accommodating a limited variety of cargo units, such as vehicles, trailers, etc.
11. **Non-standardized Cargo** - refers to cargo which requires individual stowage and securing arrangements.

#### IV. GENERAL PROVISIONS:

1. Companies whose ships are 500 GT and above and carrying cargo units shall submit a Cargo Securing Manual (CSM) consistent with these rules and regulations, the Code, Trim and Stability Calculation of the ship to the Administration for approval.
2. Companies whose ships/boats are below 500 GT and carrying cargo units shall prepare and submit a CSM appropriate to the characteristics of their ship and its intended/ approved type of service, taking into consideration the ship's dimensions, hydrostatic properties, and the weather and sea conditions expected in the ship's approved trading area/s including the cargo composition, to the Administration for approval.
3. Companies and/or owners/operators of motor boats (with or without outrigger) and carrying cargo units shall prepare and submit a CSM

reasonable and appropriate to the characteristics of their ship/motor boats and their intended/approved type of service.

4. Ships/motor boats covered by this Circular shall be equipped with the required cargo securing facilities/devices that meet acceptable functional and strength criteria applicable to the ships/motor boats particulars and their cargo.
5. Companies/owners/operators shall ensure that officers and crew responsible in the stowage and securing of cargoes on board their ships are aware of their duties and responsibilities.
6. The Master/Boat Captain shall be responsible for the safe conduct of the voyage and the safety of the ship/motor boat, its crew and cargo, and the protection of the environment. The company shall likewise be responsible to extend the necessary support to the Master/Boat Captain in discharging this responsibility.

#### **V. SPECIFIC PROVISIONS:**

1. All domestic ships/motor boats covered under this Circular shall have on board a Cargo Securing Manual (CSM) duly approved by the Administration.
2. Cargo, cargo units and cargo transport units, shall be loaded, stowed and secured prior to ship's departure and throughout the voyage in accordance with the CSM approved by the Administration.
3. The CSM shall be regularly updated to assist the ship's/ motor boats, Master/Boat Captain and crew regarding the proper use of the equipment available to adequately stow and secure the ship's/motor boats cargo.
4. Ships/motor boats which comply with all the provisions of the Code and this Circular shall be issued CSM Compliance Certificates by the Administration.
5. CSM Compliance Certificate shall be valid for a period not exceeding five (5) years from the date of issue. It shall be endorsed annually by the Administration, and ceases to be valid if no endorsement has been made.
6. The Designated Chief Mate or his equivalent shall be required to undergo training on cargo securing and IMDG and shall be required to submit his certificate of training upon renewal of Domestic Certificate of Competency (D-COC).

#### **VI. RESPONSIBILITIES OF ADMINISTRATION, COMPANY AND MASTER**

1. The Administration will monitor the CSM compliance as part of the routine SSIS inspections and the required International Safety Management (ISM)/ National Safety Management (NSM) Code audits aboard (conventional) ships covered by this Circular.
2. Personnel commissioned in the planning and supervising of cargo stowage and securing should be properly qualified and experienced with a sound practical knowledge of the application and content of the

CSM which is primarily the task of the Chief Officer/Boat Captain of the ship/motor boats.

3. Owners/Operators of motor boats shall secure a Special Permit for loading flammable, pesticide and toxicated cargoes. Loading of such cargoes is prohibited in cargo-passenger designed motor boats.
4. The Master/Boat Captain shall be responsible for the familiarization of the crew and other persons employed for the securing of cargoes in the correct application and use of cargo securing devices on board the ship.
5. Companies and Owners/Operators shall provide their ships personnel with adequate Personal Protective Equipment (PPE).
6. The Master shall ensure that proper precautions are observed, when entering enclosed spaces where the atmosphere may be oxygen-depleted, toxic or flammable in accordance with Resolution A.864(20) which is hereby incorporated in this Circular by reference.
7. The Master and crew should regularly inspect the cargo spaces to ensure that the cargo, cargo units and vehicles remain safely secured throughout the voyage.

## **VII. CSM PREPARATION GUIDELINES**

1. CSMs for conventional ships shall comply with the provisions of Maritime Safety Committee/Circular 745, "Guidelines for the Preparation of the Cargo Securing Manual" which is hereby incorporated in this Circular by reference.
2. In addition, the CSM shall be specific for a single ship/ motor boat or for sister-ships/boats with identical cargo stowage arrangements, and shall describe the types of cargo for which the manual is applicable using the general cargo categories of standardized, semi-standardized, and non-standardized as defined in this Circular.
3. Specifically, identify applicable securing standards to which the ships/motor boats were designed:
  - 3.1 The CSM for new construction ship shall comply with:
    - 3.1.1 Applicable classification society standards.
    - 3.1.2 A level of safety equivalent to applicable classification society standards as formally approved by the ship's classification society after careful review of securing system particulars.
  - 3.2 The CSM for existing ships shall comply with applicable international or shipowner's cargo securing equipment design standards in place at the time of ship construction. When necessary, the ship's owner shall provide complete copies of these applicable standards to the Administration in order to facilitate the review of the CSM.
4. CSM for non-standard cargo shall comply with the provisions of the guidelines for the preparation of cargo Securing Manual (CSM).

5. With respect to CSM for new construction motor boat, preparation of CSM shall comply with the guidelines provided in this Memorandum Circular.
6. The CSM shall take into consideration the Guidelines on the Safe Stowage and Securing of cargo Units and Other Entities in Ships other than Cellular Container Ships, Res. A.489(XII). Guidelines for Securing Arrangements for the Transport of Road Vehicles on RO-RO Ships, Res. A.581(14); Elements to be Taken Into Account When Considering the Safe Stowage and Securing of Cargo Units and Vehicles in Ships, Res.533(13) all of which are incorporated in this Circular by reference.

**VIII. CSM VALIDITY AND APPROVAL**

Once approved, the CSM for a particular ship/motor boat shall remain valid unless there are major changes and alterations that have been made on the general structure and intended use of the ship. In this case, an amended CSM reflecting such changes/alterations shall have to be submitted for review, evaluation and approval of the Administration.

**IX. SCHEDULE OF FEES AND CHARGES**

For the purpose of implementing this Circular, the following schedule of fees shall apply:

1. Review and Evaluation of CSM
  - ships 250 GT and above P 3,000.00
  - ships 150 GT to below 250 GT 2,250.00
  - ships 50 GT to below 150 GT 1,500.00
  - ships 15 GT to below 50 GT 900.00
  - ships less than 15 GT 300.00
2. Issuance of CSM Compliance Certificate 310.00
3. Annual endorsement of CSM Compliance Certificate 250.00

**X. SANCTION AND PENALTIES**

1. Non-possession of the required CSM after the effectivity of this Circular should provide the basis for the suspension and withdrawal of Ship Safety Certificate(s).
2. In addition to the foregoing sanction, the following fines shall be imposed after due notice and hearing:
  - a) Operation/Navigation without Administration approved CSM:

**Ships 150 GT and above**

First Offense	Fifty Thousand Pesos (P50,000.00) and warning
Second Offense	One Hundred Thousand Pesos (P100,000.00) and 30 days suspension of ship operation and SIRB and QDC of the Master, as applicable.
Third and Subsequent	One Hundred Fifty Thousand Pesos (P150,000.00) and cancellation of CPC and Master's SIRB and

Offenses	QDC, as applicable
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**Ships 50 GT to below 150 GT**

First Offense	Twenty-Five Thousand Pesos (P25,000.00) and warning
Second Offense	Fifty Thousand Pesos (P50,000.00) and 30 days suspension of ship operation and SIRB and QDC of the Master, as applicable
Third and Subsequent Offenses	One Hundred Thousand Pesos (P100,000.00) and cancellation of CPC and Master's SIRB and QDC, as applicable

**Ships/Motor boat 35 GT to below 50 GT**

First Offense	Twelve Thousand Five Hundred Pesos (P12,500.00) and warning
Second Offense	Twenty Five Thousand Pesos (P25,000.00) and 30 days suspension of ship operation and SIRB and QDC of the Master, as applicable
Third and Subsequent Offenses	Fifty Thousand Pesos (P50,000.00) and cancellation of CPC and Master's SIRB and QDC, as applicable

**Ships/Motor boats below 35 GT**

First Offense	Five Thousand Pesos (P5,000.00) and warning
Second Offense	Ten Thousand Pesos (P10,000.00) and 30 days suspension of ship operation and SIRB and Major Patron/ Boat Captain of the Master, as applicable
Third and Subsequent Offenses	Fifteen Thousand Pesos (P15,000.00) and cancellation of CPC and Master's Major Patron/Boat Captain License, as applicable

b) Non-compliance with the approved CSM and Operation/navigation with expired CSM Compliance Certificate:

**Ships 150 GT and above**

First Offense	Twenty-Five Thousand Pesos (P25,000.00) and warning
Second Offense	Fifty Thousand Pesos (P50,000.00) and 30 days suspension of ship operation and SIRB and QDC of the Master, as applicable
Third and Subsequent Offenses	Seventy Five Thousand Pesos (P75,000.00) and cancellation of CPC and Master's SIRB and QDC, as applicable

**Ships 50 GT to below 150 GT**

First Offense	Twelve Thousand Five Hundred Pesos (P12,500.00) and warning
Second	Twenty Five Thousand Pesos (P25,000.00) and 30

Offense	days suspension of ship operation and SIRB and QDC of the Master, as applicable
Third and Subsequent Offenses	Fifty Thousand Pesos (P50,000.00) and cancellation of CPC and Master's SIRB and QDC, as applicable

**Ships/Motor boat 35 GT below 50 GT**

First Offense	Six Thousand Pesos (P6,000.00) and warning
Second Offense	Twelve Thousand Pesos (P12,000.00) and 30 days suspension of ship operation and SIRB and QDC of the Master, as applicable
Third and Subsequent Offenses	Twenty Five Thousand Pesos (P25,000.00) and cancellation of CPC and Master's SIRB and QDC, as applicable

**Ships/Motor boat below 35 GT**

First Offense	Three Thousand Pesos (P3,000.00) and warning
Second Offense	Six Thousand Pesos (P6,000.00) and 30 days suspension of ship operation and SIRB and Major Patron/Boat Captain of the Master, as applicable
Third and Subsequent Offenses	Twelve Thousand Five Hundred Pesos (P12,500.00) and cancellation of CPC and Master's Major Patron/Boat Captain License, as applicable

**XI. REPEALING CLAUSE**

MARINA Circular No. 2008-03, series of 2008 and all other issuances/provisions of other issuances that are inconsistent herewith are hereby amended or repealed accordingly.

**XII. 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 in full force and effect and shall continue to be valid and effective.

**XIII. TRANSITORY PROVISION**

All ships covered under this Circular are required to comply with the Cargo Securing Manual (CSM) within one-hundred eighty (180) days reckoned from the date of its effectivity.

**XIV. EFFECTIVITY CLAUSE**

This MARINA Circular shall take effect thirty (30) days after its publication once in a newspaper of general circulation.

Manila, Philippines

**BY AUTHORITY OF THE BOARD:**

**EMERSON M. LORENZO**  
Administrator

## **SECRETARY'S CERTIFICATE**

This is to certify that the above-mentioned Memorandum Circular No. 2011 - 03 has been approved during the 203<sup>rd</sup> Regular Meeting of the Maritime Industry Board of Directors held on 25 January 2010.

**ATTY. VIRGILIO B. CALAG**

Corporate Board Secretary

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## ANNEX

### GUIDELINES FOR THE PREPARATION OF THE CARGO SECURING MANUAL (CSM) FOR MOTORIZED BOAT WITH OR WITHOUT OUTRIGGER

#### CONTENTS

#### CHAPTER I – GENERAL

- 1.1 Definition
- 1.2 General Information

#### CHAPTER II – SECURING DEVICES AND ARRANGEMENTS

- 2.1 Specification for cargo securing devices
- 2.2 Inspection and maintenance schemes

#### CHAPTER III – STOWAGE AND SECURING OF NON-STANDARDIZED AND SEMI-STANDARDIZED CARGO

- 3.1 Handling and safety instructions
- 3.2 Application of portable securing devices on various cargo units

## CHAPTER I

### *General*

#### 1.1 Definition

**Cargo-securing devices** are all fixed and portable devices to secure and support cargo units.

**Safe-working load** is the term used to secure cargo on a motorized boat.

**Non-standardized Cargo** means cargo which requires individual stowage and securing arrangements.

**Fast-moving cargo** means cargo which can be carried or hand carried by the passengers.

#### 1.2 General information

This chapter should contain the following statements:

1. "The guidance given herein should by no means rule out the principles of good Seamanship, neither can it replace experience in stowage and securing practice."
2. "The information and requirements set forth in this guideline is cognizant with the design and characteristics of the ship/motorized boats."
3. "This Cargo Securing Manual specifies arrangements and cargo-securing devices provided on board the ship/motorized boat for the correct application to and the securing of cargo units."
4. "It is imperative to the safety of the ship and the protection of the cargo and personnel that the securing of the cargo is carried out properly and that only appropriate securing points or fittings should be used for cargo securing"
5. "The cargo-securing devices mentioned in this manual should be applied so as to be suitable and adopted to the quantity, type of packaging, and physical properties of the cargo to be carried."
6. "There should be a sufficient quantity of reserve cargo-securing devices on board the ship/motorized boats."
7. "The cargo-securing device/s should be maintained in a satisfactory condition. Item worn or damaged to such an extent that their quality is impaired should be replaced."

## Chapter 2

### *Securing devices and arrangements*

#### 2.1 Securing devices and arrangements

This chapter should describe the number of the functional and design characteristics of the portable cargo-securing devices carried on board the ship/motorized boat, and should be supplemented by suitable drawing or sketches if deemed necessary. It should contain the following information as applicable.

1. A list of the portable securing devices, which should be supplemented with appropriate documentation for each type of device as far as practicable. The appropriate documentation should include information as applicable regarding:
  - Name of manufacturer
  - Type of designation of item with simple sketch for ease of identification

- Material(s), including minimum safe operational temperature
  - Identification marking
2. Tarpaulin/canvass chains, wire lashing, rods, etc., their use

## **2.2 Inspection and maintenance schemes**

This sub-chapter should describe inspection and maintenance should be carried out under the responsibility of the Master/Boat Captain. Cargo-securing device inspection as a minimum should include:

1. routine visual examinations of components being utilized; and
2. periodic examinations/retesting as required by the Administration. When required, the cargo-securing devices concern is subjected to inspections/verification by the Administration.
3. procedure for maintaining and repairing or rejecting cargo securing devices; and
4. record of inspection.

## **Chapter 3**

### *Stowage and securing of fast moving and non-standardized cargo*

#### **3.1 Handling and safety instructions**

1. Instruction on the proper handling of securing devices and
2. Safety instructions related to handling of securing devices and to securing and unsecuring of units by crew or shore personnel.

#### **3.2 Application of portable securing devices on various cargo units.**

- 3.2.1 This sub-chapter should draw the master's/boat captain's attention to the correct application of portable securing devices, taking into account the following factors;
  1. duration of the voyage
  2. sea condition which may be expected
  3. dimensions, design and characteristics of the ship/motorized boats
  4. type and packing of cargo units
  5. intended stowage pattern of the cargo units