



MARINA CIRCULAR NO. 2015-06

Series of 2015

**TO: ALL PHILIPPINE BOAT OWNERS/ OPERATORS/ MANAGERS OF
PHILIPPINE REGISTERED MOTOR BOATS AND ALL OTHERS
CONCERNED**

**SUBJECT: REVISED RULES AND REGULATIONS ON SURVEY, ASSIGNMENT OF
MAXIMUM LOAD LINE MARKING AND CERTIFICATION OF PHILIPPINE
REGISTERED MOTOR BOAT WITH OR WITHOUT OUTRIGGERS
CARRYING PASSENGERS.**

Pursuant to Section 2 of Presidential Decree No. 474, Executive Order No.125/125-A, Philippine Merchant Marine Rules and Regulations (PMMRR) 1997, as amended and Republic Act No. 9295, the following rules and regulations are hereby prescribed.

I. OBJECTIVE

To foster safety of Philippine-registered motor boats with or without outriggers carrying passengers by providing rules and regulations for the implementation, administration and enforcement on their survey, assignment of maximum load Line marking and certification.

II. COVERAGE

These rules and regulations shall apply to all passenger motor boats with outrigger, as well as passenger motor boats without outrigger below 15 m and all other motor boats carrying passengers not covered under MARINA Circular No. 2007-03.

III. DEFINITION OF TERMS

1. **"Administration"** refers to the Maritime Industry Authority (MARINA).
2. **"Freeboard"** refers to the distance measured vertically, downwards amidships from the upper edge of the deck line to the upper edge of the assigned maximum load marking.
3. **"Maximum Load Line Marking Certificate"** refers to the certificate issued by the Administration pursuant to these rules and regulations, reflecting attendant measurements upon assignment of a maximum load marking on a boat covered by this Circular.
4. **"Motor Boat"** refers to watercraft with size up to 30 meters in length, propelled by mechanical means with or without outriggers.

5. **"Length (L)"** refers to the length taken as 96% of the total length on a waterline at 85% of the least moulded depth measured from the baseline, or as the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater.

IV. GENERAL PROVISION

All motor boat owners/operators must, at all times and under any conditions, maintain clear and visible load line markings on their boats operating under this Circular.

This Circular supplements MARINA Circular No. 2011-01 on the rules for the construction of wooden-hulled ships and for wooden-hulled boats with outriggers.

V. SPECIFIC PROVISIONS

1. Passenger Ship Safety Certificate shall only be issued/ renewed to a motor boat that holds a valid Maximum Load Line Marking Certificate.
2. Authority to operate in the form of either, Certificate of Public Convenience (CPC)/ Special Permit (SP)/ Provisional Authority (PA) shall only be granted to motor boat that has been actually surveyed, marked, and issued a valid Certificate by the Administration in accordance with this Circular.
3. Load line marking of a motor boat shall be visible at all times.
4. A new Certificate shall be issued if there are changes in the boat's name, distinctive numbers or letters and homeport.
5. Motor boat that underwent alteration, modification which affects the size shall be subjected to a new survey, assignment of load line marking and issuance of a new certificate. The old certificate ceases to be valid.
6. A Maximum Load Line Marking Certificate shall be valid for a period of not exceeding five (5) years from the date of initial/ renewal survey subject to annual survey and endorsement of the Certificate. For existing motor boats, the Certificate shall be co-terminus with the vessel's valid Certificate of Philippine Registry (CPR). The annual survey shall be conducted within one (1) month before or after the anniversary date of the Certificate.
7. A new Maximum Load Marking Certificate shall be issued if there are changes in the boat's name, distinctive numbers or letters and homeport.
8. Ship Safety Certificate(s) shall not be issued/ renewed if the ship has no valid Maximum Load Marking Certificate.
9. If the Maximum Load Marking Certificate ceases to be valid, or cancelled as officially ordered by the Administration, the other Safety Certificate(s) issued to

the ship is/are deemed automatically suspended and the ship is under a "no sail condition".

10. The Boat Captain of the boat under a "no sail condition" is under obligation to warrant that such ship shall not proceed to voyage.

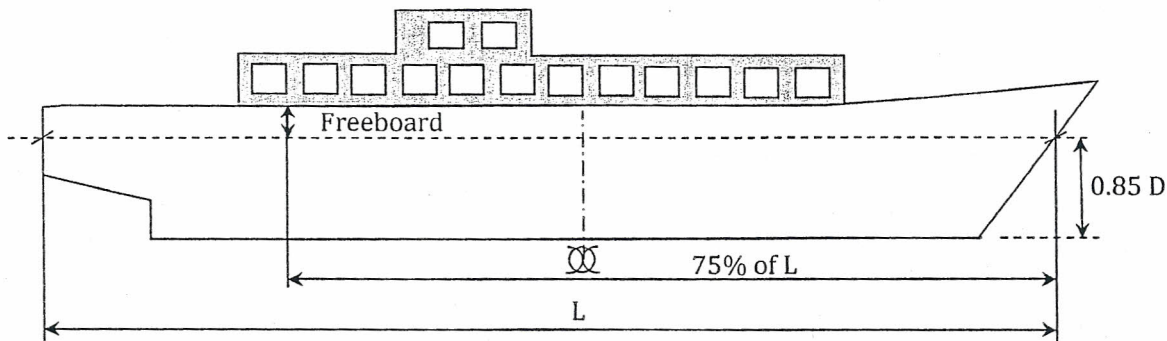
VI. MINIMUM FREEBOARD

1. The minimum freeboard shall be that freeboard at which boats in their maximum condition of loading meet the requirements of construction under Philippine Merchant Marine Rules and Regulations and other requirements that the Administration considers appropriate in relation to the type of boat, its service and area of its operation. The minimum freeboard shall be the greater of:

1.1 250 mm; and

1.2 $300 + 44 \times (L - 4.5)$ mm
where L = the length of the vessel in M

2. Where the minimum freeboard of a loaded boat occurs at the aft to a point 75% of the length of the boat from the foreside of the foremost part of the boat, excluding guardrails, the minimum freeboard shall be taken to be the freeboard measured at the 75% of the length point. (see Figure 1)



(Figure 1)

The Administration may accept a lesser value of freeboard where the construction or the type of vessel makes it impracticable to achieve the freeboard value as calculated above, provided that,

- 2.1 the minimum freeboard as assigned shall take into consideration that the floaters of the motor boat with outriggers are not in a submerged position; and,
- 2.2 the safety of the motor boat and the passengers are not compromised.
3. The freeboard shall be taken as the vertical distance between the waterline at which the ship is floating with maximum load on board and shall be measured as follows:

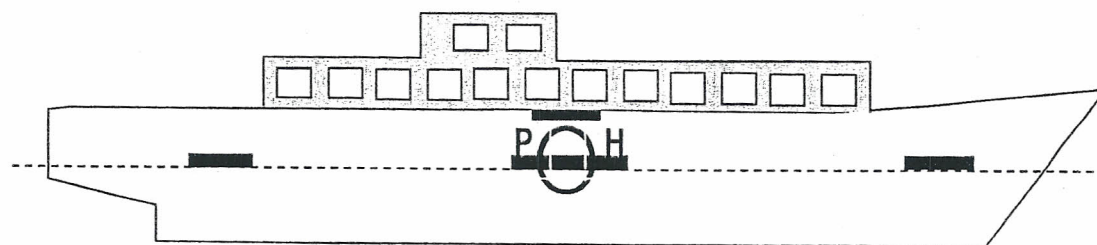
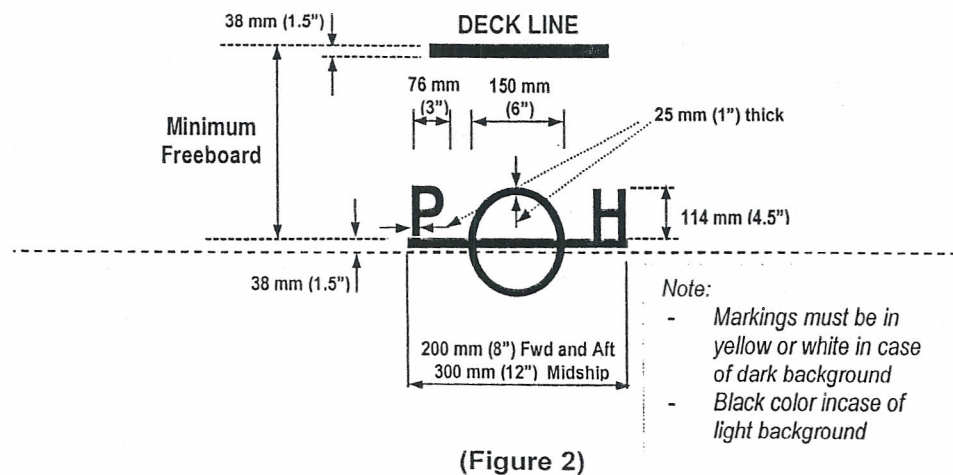
- 3.1 for a flush deck or well decked boat, from the waterline to the top of the weather deck at the side of the boat;
- 3.2 for a partially-decked boat, from the waterline to the top of the deck or to the top of the gunwale, whichever is less; or
- 3.3 for an open vessel, from the waterline to the top of the gunwale.

4. Details of Maximum Load Line Markings

- 4.1 Boats shall have permanent load line markings placed on each side forward, amidships and aft to indicate the maximum freeboard as determined in accordance with section VI.1. Such a load line mark shall be a horizontal line of at least 200 mm in Length forward and aft, 300 mm amidships with markings as illustrated in item 4.2, this section. The load line mark should be 38 mm in height, with its upper edge passing through the point of maximum draft. The maximum load mark shall be painted using high grade marine paint in a contrasting color with that of the side shell paint. (Figure 3)

The letters P and H which indicate the Authority by whom the load lines are assigned shall be indicated alongside the load line ring. The ring shall be 25 mm thick with a diameter of 150 mm while the letter marks shall each measure at approximately 114 mm in height, 76 mm in width and thickness of 25 mm.

4.2 Illustration of Maximum Load Marking:



Profile (Figure 3)

VII. IMPLEMENTATION

1. The Administration shall henceforth principally undertake the conduct of actual survey, assignment of maximum load line marking and issuance of the Certificate, through its duly authorized registered Naval Architect.
2. The Boat Captain has the primary responsibility to ensure that a boat is not loaded beyond the limit allowed in the Certificate, and the position of the load line markings corresponds with the specifications thereof.
3. Applications for the assignment / survey of load line marking shall be filed at the concerned Administration Office where the motor boat is home ported.

VIII. DOCUMENTARY REQUIREMENTS

1. For New Issuance
 - 1.2 Letter of application;
 - 1.3 Approved copy of General Arrangement Plan or Skeleton Plan;
 - 1.4 Copy of CO and CVR.
2. For Renewal
 - 2.1 Letter of application;
 - 2.2 Original Certificate.
3. Annual Endorsement
 - 3.1 Letter of application;
 - 3.2 Original Certificate.

IX. MAXIMUM LOAD LINE MARKING SURVEYS AND VERIFICATIONS

Motor boat covered by this Circular shall apply for survey with the Administration. Upon receipt of application for survey and submission of the required documents, the Administration shall survey the boat to ascertain the following:

1. Whether the motor boat complies with the requirements of this Circular.
2. Upon completion of the survey, calculations, assignment, marking, etc., the Certificate shall be issued by the Administration.
3. The Administration shall endeavor to do a harmonized scheduling in the conduct of the required surveys vis-à-vis the annual or dry-dock survey of a motor boat.

X. CANCELLATIONS

1. The Administration may cancel a Certificate on any of the following grounds:

- 1.1 Tampering or alteration of maximum load markings;
 - 1.2 Operating/navigating without or with expired/invalid Certificate;
 - 1.3 Late renewal of Certificate;
 - 1.4 Failure to meet and maintain the quality of paint marking;
 - 1.5 Failure to comply for annual Load Marking endorsement.
2. If the Certificate ceases to be valid, or ordered cancelled by the Administration on these grounds, the Safety Certificate(s) and Authority to Operate (CPC/SP/PA) issued to the motor boat are deemed automatically suspended and the motor boat is under a "no sail condition".
 3. The Boat Captain of the boat under a "no sail condition" is under obligation to warrant that such ship shall not proceed to voyage.

XI. FEES AND CHARGES

1. Fees to be charged by the Administration for the assignment of maximum load line marking, related survey, issuance of Certificate, painting of markings shall be as follows:

Boat's Tonnage		Fees
1.1	Under 5 GT	P 300.00
1.2	5 and under 10 GT	500.00
1.3	10 and under 20 GT	750.00
1.4	20 and above	1,000.00

2. Annual Endorsement:

Boat's Tonnage		Fees
2.1	Under 5 GT	P 200.00
2.2	5 and under 10 GT	300.00
2.3	10 and under 20 GT	400.00
2.4	20 and above	500.00

XII. FINES AND PENALTIES

After due notice and hearing, the following penalties and sanctions will be imposed:

Violations	Fines and Penalties	
1. Operation/ navigation of a motor boat without or with expired/ invalid Certificate.	For 5 GT and below	₱ 10,000.00/ violation + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For above 5 GT and under 10 GT	₱ 15,000.00/ violation + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate

Violations	Fines and Penalties	
	For above 10 GT and under 20 GT	₱ 20,000.00/ violation + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For 20 GT and above	₱ 25,000.00/ violation + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
2. Tampering or Alteration of Maximum Load Marking	For 5 GT and below	₱ 20,000.00/ violation + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For above 5 GT and under 10 GT	₱ 25,000.00/ violation + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For above 10 GT and under 20 GT	₱ 30,000.00/ violation + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For 20 GT and above	₱ 35,000.00/ violation + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
3. Late Renewal of Maximum Load Marking Certificate	For 5 GT and below	₱ 500.00/month or a fraction thereof + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For above 5 GT and under 10 GT	₱ 1,500.00/month or a fraction thereof + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate

Violations	Fines and Penalties	
	For above 10 GT and under 20 GT	₱ 2,000.00/month or a fraction thereof + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For 20 GT and above	₱ 2,500.00/month or a fraction thereof + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
4. Failure to comply for annual Load Marking endorsement	For 5 GT and below	₱ 5,000.00 + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For above 5 GT and under 10 GT	₱ 7,500.00 + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For above 10 GT and under 20 GT	₱ 10,000.00 + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate
	For 20 GT and above	₱ 15,000.00 + non-operation of the entity's ship/s until issuance/ endorsement of Load Line Marking Certificate

In addition, suspension of the SID and QDC of Boat Captain after due process.

XIII. REPEALING CLAUSE

MARINA Circular 2009-20 is hereby repealed. Any provisions of the RPMRR 1997 and other existing MARINA Circulars which are inconsistent herewith are hereby repealed or modified accordingly.

XIV. SEPARABILITY CLAUSE

Should any provision or part of this Circular be declared by competent authorities 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.

XV. EFFECTIVITY

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

Manila, Philippines, 03 November 2015.

BY THE AUTHORITY OF THE BOARD:



MAXIMO Q MEJIA, JR PhD
Administrator

SECRETARY'S CERTIFICATE

This is to certify that MARINA Circular No. 2015- 06 has been approved by the MARINA Board in its 237th Regular Board Meeting held on 03 November 2015.



ATTY. VIRGILIO B. CALAG
Corporate Board Secretary