



MARINA CIRCULAR NO. 2015 - 10

Series of 2015

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 THE DOMESTIC SHIPPING

Pursuant to Presidential Decree No. 474, Executive Order Nos. 125/125-A, RA 9295 and its Revised Implementing Rules and Regulations (R-IRR), Flag State Administration Advisory (FSAA) No. 23 dated 15 February 2002, and the International Safety Management (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 1974, as amended (SOLAS 1974), the following rules are hereby adopted.

I. OBJECTIVES

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

II. COVERAGE AND EXEMPTIONS

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 in bulk and timber stowed on deck;
2. Ships/vessels used solely in the carriage of gases in bulk; and
3. Motor boats of 3 GT and below

III. DEFINITIONS

1. **Administration** refers to the Maritime Industry Authority (MARINA);
2. **Cargo Securing Devices** refer 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 onboard, 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 or 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 overall 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. **Cargo Stowage and Securing Plan (CSSP)** refers to a cargo stowage and securing plan of cargoes on board motorboats or motor bancas with outrigger.
10. **Non-standardized Cargo** refers to cargo which requires individual stowage and securing arrangements.
11. **Standardized Cargo** refers to cargo for which the ship is provided with an approved securing system based upon cargo units of specific types;
12. **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;
13. **Ship or Vessel** may be used interchangeably and refers to any kind, class or type of craft or artificial contrivance capable of floating in water, designed to be used, or capable of being used, as a means of floating in water transport in the domestic trade for the carriage of passengers or cargo, or both, utilizing its own motive power or that of another.

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 condition 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 without outriggers and carrying cargo units shall prepare and submit a CSM suitable and appropriate to the characteristics of their motor boats and their intended/approved type of service.
4. Motorboat with outriggers shall prepare and submit a MARINA prescribed Cargo Stowage and Securing Plan (see Annex A) suitable and appropriate for non-standardized cargoes.
5. Ships/ motorboats covered by this Circular shall be equipped with the required cargo securing facilities/devices such as pad eyes, turnbuckles, web-lashing, Manila ropes, lashing wires, etc. that meet acceptable functional and strength criteria applicable to the ships/motorboats particulars and their cargo.

V. SPECIFIC PROVISIONS

1. All domestic ships/motor boats covered under this Circular shall have on board a Cargo Securing Manual/Cargo Securing and Stowage Plan (CSM/CSSP) as applicable, duly approved by the Administration.

The CSM/CSSP shall be a requirement for the issuance/extension/renewal of the ship's or the motorboat's Certificate of Public Convenience (CPC)/Provisional Authority (PA)/Special Permit (SP).

- 1.1 The approval and the annual endorsement of the CSM-Certificate of Compliance and the CSSP shall require the submission of the required training certificate in Cargo Handling (Function 2) or its equivalent for the Chief Mate/Boat Captain and those personnel involved in cargo securing and handling.

- 1.1.1 Graduates of BS Marine Transportation who have not served onboard as Designated Chief Mate, or its equivalent, for at least one (1) year within the last five (5) years from application for CSM shall be required to undergo training on Cargo Handling Training Certificate (Function 2), or its equivalent.

- 1.1.2 Retraining shall be required of a holder of Cargo Handling Training Certificate (Function 2), or its equivalent for Designated Chief Mate or its equivalent who has not served onboard for at least one (1) year within the last five (5) years from completion of training.
- 1.2 The Designated Chief Mate or his equivalent shall be required to undergo training on cargo handling. Certificate of training shall be one of the requirements for the renewal and endorsement of the CSM/CSSP.
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 and CSSP approved by the Administration.
3. The CSM and the CSSP shall be regularly updated to assist the ship's/motor boat's Master/Boat Captain and crew regarding the proper use of the equipment available to adequately stow and secure the ship's/motor boat's cargo.
4. Ships/motor boats which comply with all the provisions of the Code and this Circular shall be issued CSM/CSSP Compliance Certificates by the Administration.
5. CSM/CSSP 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 during the annual survey relative to issuance of ship safety certificates, 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 handling. Certificate of training shall be one of the requirements for the renewal and endorsement of the CSM/CSSP.
7. The Administration shall conduct the Modified Cargo Handling Training for crew of motor boats/motor banca required to have CSSP.
8. Ships/motor boats issued with CSSP shall not be allowed to load or stow commercial cargo units on deck.
9. Dangerous cargoes should be segregated on a designated place, properly ventilated and away from passenger. This should be indicated in the CSSP.

VI. RESPONSIBILITIES OF THE COMPANY AND MASTER

1. The Master/Boat Captain shall be primarily responsible for the strict compliance with this CSM/CSSP. The Master shall designate a Cargo Officer who shall be responsible for the implementation of the CSM on board. The company shall likewise be responsible to extend the necessary support to the Master/Boat Captain in discharging this responsibility.

2. 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.
3. 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. The designation of the cargo officer shall be indicated in the Manual.
4. Companies and Owners/Operators shall provide their ships personnel with adequate Personal Protective Equipment (PPE) such as Gloves, Helmet, SCABA, chemical suit, safety shoes, mask as applicable. For motor boats and small ships appropriate PPE shall be provided.

VII. CSM GUIDELINE PREPARATIONS

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 ship owner's cargo securing equipment design standards in place at the time of ship construction. When necessary, the ship 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-standardized 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 motorboat, preparation of CSM shall comply with the guidelines provided in this 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.
7. The preparation of CSSP shall be in accordance with the requirements prescribed by the Administration in Annex A of this Circular.

VIII. CSM/CSSP VALIDITY AND APPROVAL

Once approved, the CSM/CSSP 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/CSSP reflecting such changes/alterations shall 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 and Verification of CSM

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|----------------------------------|------------|
| • ships 5,000 GT and above | P 5,000.00 |
| • ships 250 GT to below 5,000 GT | P 3,000.00 |
| • ships 150 GT to below 250 GT | P 2,000.00 |
| • ships 50 GT to below 150 GT | P 1,500.00 |
| • ships 20 GT to below 50 GT | P 900.00 |
| • ships less than 20 GT | P 300.00 |

2. Re-issuance of CSM/CSSP Compliance Certificate P 300.00

3. Evaluation/Verification and Approval of CSSP P 300.00

X. SANCTIONS AND PENALTIES

1. Any violation of this Circular shall be subject to the following fines and penalties:

1.1 Ships 5,000GT and above

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|----------------|---|
| First Offense | One Hundred Thousand Pesos (P100,000.00) + compliance |
| Second Offense | Two Hundred Thousand Pesos (P200, 000.00) and 30 days suspension of ship operation and SIRB and QDC of the Master, as applicable. |

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|-------------------------------|--|
| Third and Subsequent Offenses | Five Hundred Thousand Pesos(P500,000.00)and cancellation of CPC and Master's SIRB and QDC, as applicable |
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1.2 Ships 250 GT to below 5,000 GT

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|-------------------------------|---|
| First Offense | Fifty Thousand Pesos (P50,000.00)+ compliance |
| 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 Offenses | One Hundred Fifty Thousand Pesos(P150,000.00) and cancellation of CPC and Master's SIRB and QDC, as applicable |

1.3 Ships 150 GT to below 250 GT

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| First Offense | Fifty Thousand Pesos (P50,000.00)+ compliance |
| 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 Offenses | One Hundred Fifty Thousand Pesos (P150,000.00) and cancellation of CPC and Master's SIRB and QDC, as applicable |

1.4 Ships 50 GT to below 150GT

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|-------------------------------|--|
| First Offense | Twenty-Five Thousand Pesos (P25,000.00) + compliance |
| 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 |

1.5 Ships/Motorboat 20 GT to below 50 GT

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|-------------------------------|---|
| First Offense | Twelve Thousand Five Hundred Pesos (P12,500.00)+ compliance |
| 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 |

1.6 Ships/Motorboats below 20 GT

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|-------------------------------|--|
| First Offense | Five Thousand Pesos (P5,000.00)+ compliance |
| 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 |

1.7 Ships/Motorboats without CSSP

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|-------------------------------|---|
| First Offense | Three Thousand Pesos (P3,000.00) + compliance |
| 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 CLAUSES

MARINA Circular No. 2011-03 series of 2011 and all other issuances which are inconsistent herewith are hereby repealed or modified 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

1. All ships covered under this Circular are required to comply with the Cargo Securing Manual (CSM) in accordance with the following schedule:
 - 1.1 Passenger ships – not later than June 30, 2016;
 - 1.2 Cargo ships – not later than September 30, 2016;
 - 1.3 Motor boats/motor banca – not later than December 31, 2016.
2. Companies with approved CSM Manual under MC 2011-03 shall secure a CSM Certificate of Compliance within three (3) months from the effectivity of this MC.

XIV. EFFECTIVITY

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

Manila, Philippines, 03 November 2015.

BY AUTHORITY OF THE BOARD

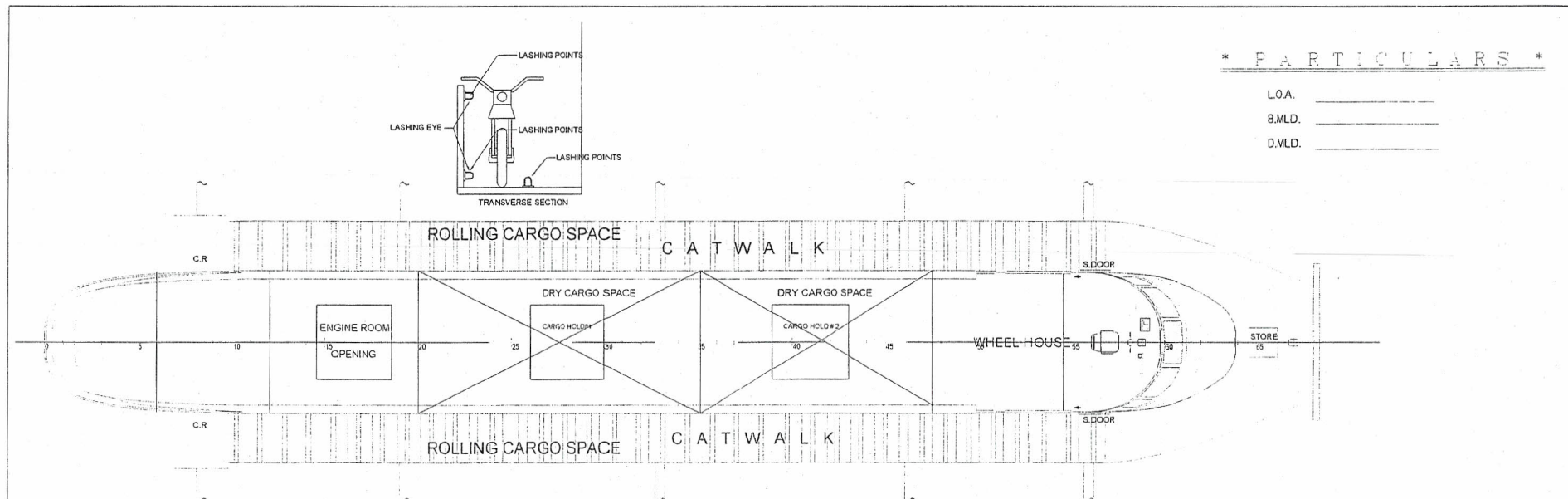

MAXIMO Q. MEJIA JR., PhD

Administrator

SECRETARY'S CERTIFICATE

This is to certify that MARINA Circular No **2015-10** has been approved by the MARINA Board in its 237th Regular Meeting held on November 03, 2015.


ATTY. VIRGILIO B. CALAG
Acting Corporate Board Secretary



* PARTICULARS *

L.O.A. _____
B.M.L.D. _____
D.M.L.D. _____

MAINDECK / PASSENGER ACCOMMODATION PLAN

METHODS OF SECURING CARGO

- 1) SHORING - BARS, STRUTS AND SPARS LOCATED IN THE CARGO VOIDS TO KEEP THE CARGO PRESSED AGAINST THE WALLS OR OTHER CARGO
- 2) LASHING - ROPES, WIRE, CHAINS, STRAPPING OR NETTING SECURED TO PROPER ANCHORING POINTS AND TENSION AGAINST THE CARGO
- 3) WEDGING - WOODEN DISTANCE PIECES, PADS OF SYNTHETIC MATERIAL, INFLATABLE DUNNAGE TO FILL VOIDS IN THE CARGO AND KEEP IT IMMOBILE AGAINST THE CONTAINER WALLS
- 4) LOCKING - CARGO BUILT UP TO GIVE A THREE DIMENTIONAL BRICK WALL EFFECT.

PORTABLE SECURING DEVICES CHECKLIST

- 1) WIRE / NYLON ROPE
DIA. ☐ LENGHT ☐ QTY ☐
- 2) LASHING BELT
SIZE ☐ LENGHT ☐ QTY ☐
- 3) WOOD TIMBERS
SIZE ☐ LENGHT ☐ QTY ☐

ALLOWABLE ROLLING CARGO

- 1) MOTORCYCLE
QTY. ☐
- 2) BICYCLE
QTY. ☐

| | | |
|--|-----------------|-------------|
| NAME OF VESSEL | | |
| CONTENT: CARGO SECURING ARRANGEMENT PLAN | | |
| CAD BY | SCALE 1:50 | APPROVED BY |
| DATE | SHT. No. 1 of 1 | |
| CHECKED BY | DATE | |
| DRAWN BY | | |