

## **MEMORANDUM CIRCULAR NO.22**

**TO : ALL SHIPPING COMPANIES, OTHER MARITIME ENTITIES AND ALL CONCERNED**

**SUBJECT : GUIDELINES ON THE CHARTERING OF VESSEL UNDER PD 760/866 BEYOND THE AGE LIMITS SPECIFIED IN MEMORANDUM CIRCULAR NOS. 17, 20 AND 21 AND 21-A**

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In the interest of the national economy , Memorandum Circular No. 17 dated 20 September 1978, No. 20 dated 4 September 1979, no 21 as amended by No. 21 –A dated 12 September 1979 and 27 June 1980 , respectively , are hereby amended so as to allow the chartering of vessel under PD 760/866 beyond age limits specified under said Memorandum Circulars provided:

1. All others requirements under Memorandum Circular Nos. 17, 20 , 21 and 21-A shall have been complied with;
2. The charter party shall be for a period of not more than two years , subject to renewal to accordance with item 3 below;
3. No same vessel shall be chartered for a total of more than four (4) years in the case of cargo and/or passenger vessels, or five (5) years in the case if fishing vessels irrespective of whether or not;
  - (a) the character is the same company, or
  - (b) the character period is continuous.
4. The relevant character party shall not contain an option on the part of the character to purchase the overage vessel, unless the said vessel is sold for scrapping purposes. Actual scrapping shall be done within a reasonable period after the sale;
5. The character owns at least twice the gross tonnage and number of vessel/s proposed for charter ; and
6. The charter party shall contain provision that the government has the right to pre terminate the charter party on two months advance notice on the ground that the vessel is deemed unseaworthy by the Philippine Coast Guard or the accredited classification society.

Violations of the terms and conditions stipulated in the approval of a charter party and the guidelines prescribe herein, will warrant the revocation of the authority to

charter by the MARINA and the consequent pre termination of the charter party.

Unless otherwise inconsistent with this Circular , Memorandum Circulars, Nos.17, 20, 21, and 21-A shall remain in full force and effect.

This circular shall take effect immediately.

Manila, Philippines, August 25, 1980

GENEROSO F. TANSECO  
Administrator