

MEMEORANDUM CIRCULAR NO. 108

TO : ALL MARITIME SURVEYING COMPANIES/ENTITIES CONCERNED

SUBJECT : GUIDELINES FOR THE ACCREDITATION OF MARINE SURVEYING COMPANIES AND ENTITIES

Pursuant to the pertinent provisions of PD 474 and EO 125, as amended, the following guidelines shall govern the accreditation of marine surveying companies and entities.

I. SCOPE OF COVERAGE

This Circular shall apply to all companies/entities duly organized and authorized under the existing Philippine laws to engage in marine surveying.

Internationally recognized classification societies shall not be required accreditation under this Circular and the certificates issued by them shall be valid for all purposes including vessel registration. Accreditation of local classification societies shall be governed by a separate circular.

II. GENERAL PROVISIONS

1. Marine surveying companies/entities already accredited under MARINA MC 9 or PCG Circulars are hereby required to be accredited under this Circular within a period of one (1) year from its effectivity. Failure to do so shall mean automatic cancellation of the company's current accreditation/license but shall not, however, preclude the company from applying anew which shall only be after settlement of obligations/liabilities for its operation without valid accreditation/license during the period the accreditation/license is deemed to be without force and effect.
2. Accreditation hereunder shall serve as a prerequisite to the grant of permits, licenses, authorities, and incentives appertaining to marine surveying which are presently administered, or to be administered, by MARINA.
3. Marine surveying companies/entities shall be required to secure certificate of authority to conduct loadline assignment/certificate of appointment as loadline assignor, for the appropriate certificates issued by them to be considered valid for purposes of vessel registration.

4. Companies/entities engaged in the construction of vessels, shipowners/operators and owner/operators of drydocking facilities are not qualified for accreditation under this Circular.

III. DEFINITION OF TERMS

1. Marine Surveying – shall refer to all types of maritime surveys, inspections, technical researches and publication services for purposes of admeasurement, SOLAS, classification, loadline assignment, marine insurances, maritime liens, certification, estimates, cost evaluation and other related services.
2. Loadline Assignment – shall refer to the calculation of loadline (freeboard) drafts and actual positioning of loadline markings on vessels, in accordance with the pertinent provisions of the PMMRR and relevant international conventions.
3. Certificate of Authority to Conduct Loadline Assignment/Certificate of Appointment as Loadline Assignor – shall refer to the document issued by MARINA to qualified marine surveying companies/entities authorizing the latter to conduct loadline assignment and to issue loadline certificates.

IV. QUALIFICATION REQUIREMENTS

The marine surveying company/entity must have at least one licensed naval architect and marine engineer (RENAMARE). Its approving officer must equally to be a RENAMARE.

To qualify as loadline assignor referred to and above item II, the following are to be complied with:

1. Loadline surveyors must possess at least one of the licenses as naval architect and marine engineer, mechanical engineer, maritime safety engineer, chief marine engineer, master mariner, with at least one (1) year experience in loadline survey work and knowledgeable on international and national regulations pertaining to loadline; and
2. At least two (2) loadline surveyors (one of whom must be a RENAMARE) of the applicant-company must have passed the qualifying examination and interview to be given annually by MARINA. Those already appointed by the PCG as Loadline Assignor are exempted from such examination requirement.

V. DOCUMENTARY REQUIREMENTS

1. SEC Registration Certificate, if corporation or partnership
2. DTI Registration Certificate, if single proprietorship
3. Articles of Incorporation/Partnership and By-laws
4. List of all marine surveyors and their bio-data
5. Name(s) of the approving officer
6. Copies of the surveyors' professional licenses/certificates

For the issuance of certificate of authority to conduct loadline assignment/certificate of appointment as loadline assignor, the following additional documents must be submitted:

7. Copies of applicant's appointment by any classification society, marine survey association or the like as their agents commissioned to do loadline survey work
8. Proof that two (2) of company's loadline surveyors had passed the qualifying examination conducted by MARINA

VI. PROCEDURE FOR ACCREDITATION/APPOINTMENT AS LOADLINE ASSIGNOR

1. The applicant shall file with MARINA an application in writing duly supported by the abovementioned documentary requirements.
2. Incomplete documentary requirements shall not be accepted. Mailed application with lacking requirements shall be immediately returned to applicant.
3. The certificate of accreditation shall be issued upon fulfillment of the qualification and documentary requirements. The appointment as loadline assignor may simultaneously or separately be issued therewith, as the case may be, but the former is a pre-requisite for the latter.

VII. QUALIFYING EXAMINATION

Qualifying examinations on loadline assignment shall annually be conducted by MARINA through a "Screening Committee" composed of the Director of Shipping Registration and Licensing Office, as Chairman, Directors of Shipyard Regulations Office and Enforcement Office and one (1) MARINA

licensed naval architect/marine engineer who has technical expertise in loadline survey work.

The Chairman shall schedule the date, time and place of examination by publication of due notice in a newspaper of general circulation.

The Chairman shall cause the preparation and supervise the conduct of examination in accordance with the internal guidelines to be formulated by the Committee and approved by the Management.

The names of the successful examinees shall be published in a newspaper of general circulation and posted in conspicuous places in MARINA.

VIII. VALIDITY OF CERTIFICATE

The certificate of accreditation shall be valid for a period of three (3) years; whereas, the appointment as loadline assignor is good for one (1) year, and both are renewable on or before their expiry date. These certificate and appointment cannot be transferred or alienated in whatever manner and its use by another shall not be allowed.

IX. FEES AND CHARGES

The fees and charges shall be as follows:

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| 1. | Certificate of Accreditation | - | P800.00 |
| 2. | Appointment as Loadline Assignor | - | P400.00 (over and above the accreditation fee) |

The above fees shall be exclusive of the documentary stamps required by law to be affixed on certificates/licenses.

X. SUBMISSION OF REPORTS AND OTHER DOCUMENTS

The MARINA-accredited surveying company/entity under this Circular shall submit the following reports and/or documents as indicated below:

1. Updated listings of marine surveyors (if any) – within 15 days from occurrence
2. Replacement of approving officer (if any) - within 15 days from replacement date

3. Annual Accomplishment Report - within the first quarter of the following year

The foregoing reports/documents shall be either the original or true copies of the original duly attested by an authorized representative of the company/entity.

XI. WITHDRAWAL/SUSPENSION OF OPERATION

Whenever the company/entity decides to withdraw or suspend its operation, prior written notice thereof must be sent to the MARINA. Such withdrawal/suspension shall mean the automatic cancellation of the accreditation certificate which must be turned over to the MARINA. A new accreditation has to be secured from the MARINA by a previously withdrawn company/entity prior to the resumption of its operation.

XII. SANCTIONS AND PENALTIES

Any marine surveying company/entity covered by this Circular shall be subject to the following administrative sanctions/penalties:

1. For operating with expired accreditation and/or appointment as loadline assignor shall be fined as follows:

First Violation: P100/day of operation but not exceeding P10,000 + warning

Second Violation: P300/day of operation but not exceeding P15,000 + non-renewal of license for six (6) months

Third Violation: P25,000 + non-renewal of license

2. For operating without any valid accreditation and/or appointment as loadline assignor:

First Violation: P200/day of operation but not exceeding P15,000

Second Violation: P400/day of operation but not exceeding P20,000

Third Violation: P25,000

3. For the following violations namely:
 - a. Failure to maintain the qualifications for accreditation as required by MARINA;
 - b. Violation/non-compliance with the Revised Philippine Merchant Marine Rules and Regulations (RPMRR); or
 - c. Violation of laws and MARINA rules and regulations, including the provisions of this Circular.

First Violation: P10,000 + warning

Second Violation: P15,000 + suspension of six (6) months

Third Violation: P25,000 + cancellation of license

XIII. REPEALING CLAUSE

MARINA MC No. 94 and other issuances or parts thereof which are inconsistent with this Circular are hereby repealed, modified or amended accordingly.

XIV. PUBLICATION AND EFFECTIVITY

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

BY AUTHORITY OF THE BOARD:

PACIENCIO M. BALBON, JR.
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 108 has been approved in the meeting of the Maritime Industry Board held on 13 July 1995.

PURITA C. CENTENO
Corporate Board Secretary

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