

MEMORANDUM CIRCULAR NO. 152

Series of 1999

**TO : ALL SHIPOWNERS, OPERATORS,
BAREBOAT CHARTERERS AND ALL
CONCERNED**

**SUBJECT : AMENDMENTS TO CHAPTER I,
REGULATIONS I/6 OF THE PHILIPPINE
MERCHANT MARINE RULES AND
REGULATIONS (PMMRR) 1997 ON
INSPECTION, DRYDOCKING AND
STATUTORY CERTIFICATES.**

Pursuant to the provisions of Presidential Decree No. 474 and Executive Order No. 125-A, and in order to provide specific regulations in the implementation of the Philippine Merchant Marine Rules and Regulations, 1997, Chapter I, Regulation I/6 thereof on Inspection, Drydocking and Certificates Required is hereby amended.

I. OBJECTIVES:

1. To ensure maritime safety;
2. To strengthen the implementation of the PMMRR 1997 in respect to inspection and drydocking of ships by providing supplementary regulations relative to inspection and drydocking; and
3. To provide regulations that shall govern the conduct of underwater inspection of ships.

II. COVERAGE

This Circular shall apply to all Philippine-registered ships operating except those specified under Chapter I, Regulation I/3, Section 6 of the PMMRR 1997.

III. DEFINITION OF TERMS

AFLOAT INSPECTION (AI) - a survey conducted on a ship while afloat.

ANNIVERSARY DATE - means the day and month of each year, which corresponds to the date of expiry of the relevant certificate.

CERTIFICATE OF INSPECTION - refers to a certificate issued, after inspection and survey, by the Administration to ships engaged in voyages in Philippine waters and found to comply with the provisions of the PMMRR 1997.

CLASSED SHIPS - ships of commerce which are assigned the character by a classification society, depending on the design of the ship, the quality of materials employed, the scantling of the various structural members, and the outfit and equipment, all of which should be up to the standard specified by the society's rules.

DRYDOCKING - is a condition in which a ship is taken out of water for cleaning and repair of her hull and its parts such as rudder, propeller, sea valves and sea chests, among others.

EMERGENCY DRYDOCKING - a condition in which a ship is taken out of water at any time to undertake repairs of the affected part(s) of the hull and or its integral parts; the emergency drydocking is one which is over and above that which has been scheduled.

NON-CLASSED SHIPS - ships other than those defined as classed ships.

UNDERWATER INSPECTION - an inspection/survey of ship's hull and its integral parts which are below waterline conducted while the ship is afloat.

UNDERWATER ULTRASONIC THICKNESS GAUGING (UUTG) - an underwater activity used in determining the thickness of steel plates and other metals of the ship such as aluminum and other non-ferrous materials.

SURVEY – Survey shall include a complete inspection of the ship's structure, machinery and equipment, including the outside of the ship's bottom and the inside and outside of the boilers to ensure that the arrangements, material and scantling of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in life-saving appliances, fire protection, fire safety systems and appliances, life saving appliances, and arrangements, shipborne navigational equipment, nautical publications, means of embarkation for pilots and other equipment fully comply with the requirements of present regulations, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration for ships and the service for which they are intended. The survey is such as to ensure that the workmanship of all parts of the ship and its equipment is in all respects satisfactory, and that the ship is provided with the lights, shapes, means of making sound signals and distress signals as required

by existing regulations and the International Regulations for Preventing Collisions at sea in force.

IV. GENERAL POLICY GUIDELINES:

1. The Administration shall require all ships registered in the Philippines, except those mentioned in Chapter I Regulation I/3 of the PMMRR 1997 to secure prior to operations as applicable the pertinent certificates as herein in this circular:
 - a. Certificate of Inspection;
 - b. Passenger Ship Safety Certificate (PSSC);
 - c. Cargo Ship Safety Equipment Certificate (CSSEC);
 - d. Cargo Ship Construction Certificate (CSCC);
 - e. Cargo Ship safety Radiotelegraphy Certificate (CSSRC);
 - f. Cargo Ship Safety Radiophony Certificate (CSSRC);
 - g. Exemption Certificate (EC);
 - h. Manning Certificate (MC);
 - i. International Tonnage Certificate (ITC);
 - j. Loadline Certificate (LC); and
 - k. Such other certificates which may be required pursuant to the provisions of national laws, rules and regulations and international maritime conventions and resolutions.
2. The issuance of the foregoing certificates shall be preceded by the conduct of the necessary inspection/survey.
3. Survey and inspection of ships shall be carried out by the Administration or its duly authorized inspectors.
4. The Administration shall formulate the necessary guidelines for qualifying inspectors and the systems and procedures by which ship safety inspections shall be undertaken.
5. Unless otherwise stipulated in this circular, underwater inspection (UWI) shall be required before any extension of drydocking schedule may be granted provided that the UWI shall be conducted only by a MARINA accredited underwater surveying company/entity that is required to adopt MARINA issued guidelines.

6. The conduct of UWI shall be performed on waters that offer good visibility of at least one (1) meter from the hull and with currents of no more than one and a half (1 ½) knots.
7. The Administration or its duly authorized agent/representative shall exercise extra caution in the conduct of survey/inspection of ship in a manner that would not disrupt unreasonably the ship's operation.

V. SPECIFIC PROVISIONS

A. Drydocking

1. Classed Ships

- .1 Passenger/Passenger-cargo ships shall be drydocked twice within a period of five (5) years.
- .2 The next scheduled drydocking of a ship shall be undertaken on the 24th month after the last drydocking.
- .3 For Passenger/Passengers-cargo ships, the scheduled drydocking period (24th month) may be extended to a period not exceeding six (6) months (30th month) provided that the result of the UWI justifies such extension.
- .4 For cargo and other ships, the scheduled drydocking period (24th month) may be extended twice but not to exceed six (6) months per extension, provided that afloat inspection shall be conducted prior to any such extension.
- .5 No extension of the drydocking schedule for passenger/passenger cargo ships and cargo, and other ships beyond the 5 year drydocking cycle reckoned from the Class Survey Status Report shall be permitted.

2. Non-classed Ships

- .1 Passenger/Passenger-cargo ship shall be drydocked annually;
- .2 The scheduled drydocking may be extended on a monthly basis but not to exceed 3 months, provided that afloat inspection shall be conducted prior to any such extension; provided, further that UWI shall be undertaken prior to the grant of the first extension.
- .3 For cargo and other ships, the next scheduled drydocking.

.4 The scheduled drydocking for cargo and other ships, may be extended twice but not to exceed three (3) months per extension provided that afloat inspection shall be conducted prior to any such extension.

3. Wooden-hulled Ships

.1 Passenger/passenger-cargo wooden hulled ships shall be drydocked annually;

.2 The drydocking schedule for passenger/passenger-cargo wooden hulled ship shall in no case be extended;

.3 For cargo and other wooden hulled ships, the next scheduled drydocking shall be undertaken on the 24th month after the last drydocking.

.4 The scheduled drydocking for cargo and other wooden-hulled ships, may be extended twice but not to exceed three (3) months per extension provided that afloat inspection shall be conducted prior to any such extension.

4. Emergency drydocking of a ship shall be required if the result of the UWI warrants drydocking in the following cases:

- .1 grounding
- .2 collision
- .3 hitting hard objects.

B. Inspection

1. All ships covered by this Circular shall undergo annual inspection (afloat) in order to verify that:

.1 All equipment are operational and in satisfactory condition for the service for which the ship is intended.

.2 No alteration have been made to the ship's hull or superstructures which could affect the calculations determining the markings of the loadlines;

.3 Fitting and appliances for the protection of opening, guard rails, freeing ports and means of access to crew's quarters are safely and properly maintained; and

2. The annual inspection (afloat) shall likewise ascertain that hull, machinery, accommodation, life saving appliances, fire fighting arrangement, fire extinguishing appliances and equipment,

navigational aids, provisions against pollution from ships comply with the regulations currently in force.

3. In addition to the annual (afloat) inspection, UWI shall be required in any of the following cases:
 - .1 Extension of the scheduled drydocking of classed and non-classed passenger/passenger-cargo ships is requested.
 - .2 Evaluation of the ship's shell expansion plan relative to the thickness of the plates obtained during the last dry-docking shows some plates with thickness reading to be 75% of the approved design thickness;
 - .3 The attending ship inspector has sufficient ground to believe that the integrity of the hull below water line has been affected due to accident such as, but not limited to, grounding, hitting hard objects, fire below deck, and other related accident/s.
 - .4 The conduct of UWI is specified in the Class Survey Status Report.
4. The conduct of inspection shall follow the guidelines and procedures as provided under the Vessel Safety Inspection System (VSIS).
5. The Administration shall require inspection other than the annual inspection when the ship has been involved in maritime accidents and/or where reasonable grounds exist to conclude that the ship is unseaworthy.

C. Certificate of Inspection

1. A Certificate of inspection (CI) shall be issued after every inspection.
2. The CI shall be valid for one (1) year except in the following instances:
 - .1 When inspection is undertaken as a result of extension of the drydocking period with the CI validity per extension not to go beyond:
 - a. For classed passenger/passenger-cargo ships – six (6) months (only one extension);
 - b. For classed cargo and other ships six (6) months, (maximum of two extensions);

- c. For non-classed passenger/passenger cargo ships – one (1) month, maximum of three extensions at one month per extension); and
 - d. For non-classed cargo and other ships – three (3) months (maximum of two extensions)
- 3. If the result of the UWI undertaken pursuant to V.B.3 of this Circular justifies the issuance of a CI, the validity of the new CI shall correspond to the unexpired period of the previous CI.
- 4. The CI shall be suspended under the following circumstances:
 - .1 Integrity of the hull may have been compromised due to an accident;
 - .2 Alterations have been made in the structural arrangements machinery, equipment and other items covered by the previous inspection without the approval of the Administration;
 - .3 Non-compliance with rules and regulations pertaining to safety and pollution prevention;
 - .4 When the ship has been involved in any of the following incidents:
 - 1. grounding;
 - 2. collision;
 - 3. hitting hard objects.
- 5. The CI shall adopt the form as prescribed by the Administration.

D. Special Permit to Navigate:

Special Permit to Navigate (SPN) shall be issued under any of the following circumstances:

- .1 Sea trial purposes for ships or after drydocking if sea trial is required;
- .2 Conduction of ships(s) for purposes of drydocking when the CI has expired or about to expire while underway.

E. Issuance of other Certificates:

Issuance of all other certificates under IV-I of this circular shall comply with the requirements of relevant international conventions and national rules and regulations.

VI. PENALTIES/SANCTIONS:

Violation of any of the provisions of this Circular shall be subject to fines and penalties as herein provided for operating without any of the Certificates if so applicable, as mentioned in Item IV.1:

5 GT and below	-	P	500.00
over 5 GT – 10 GT	-		1,000.00
over 10 GT - 15 GT	-		1,500.00
over 15 GT – 35 GT	-		3,000.00
over 35 GT – 50 GT	-		5,000.00
over 50 GT – 100 GT	-		7,500.00
over 100 GT – 250 GT	-		10,000.00
over 250 GT – 500 GT	-		15,000.00
over 500 GT – 750 GT	-		25,000.00
over 750 GT – 1000 GT	-		50,000.00
over 1000 GT – 1600 GT	-		100,000.00
over 1600 GT	-		200,000.00

In addition to the foregoing penalty, the ship shall not be allowed to operate until the condition(s) imposed relative to drydocking has been fully complied with.

VII. REPEALING CLAUSE:

Chapter 1, Regulation 1/6 of the Philippine Merchant Marine Rules and regulations, 1997, Memorandum Circular No, 145, administrative Order No. 05-97 and all other MARINA issuances, rules and regulations which are inconsistent with this Circular are hereby repealed or modified accordingly.

VIII. EFFECTIVITY

This Memorandum Circular shall take effect upon publication once in a newspaper of general circulation.

Manila, Philippines 17 December 1999.

AGUSTIN R. BENGZON
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 152 has been approved by the MARINA Board of Directors during its 151st Regular Board Meeting held on 16 December 1999.

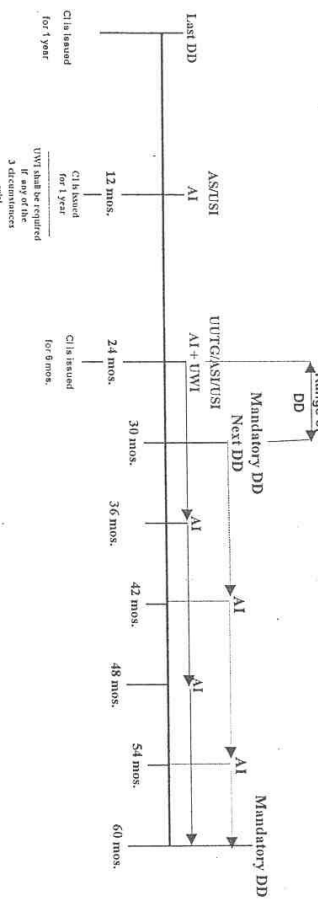
ATTY. HIYASMIN HIMBING-DELOS SANTOS
Acting Deputy Corporate Board Secretary

Date of Publication 18 December 1999

Date of Submission to the UP Law Center December 22, 1999

UNDERWATER INSPECTION (UWI)

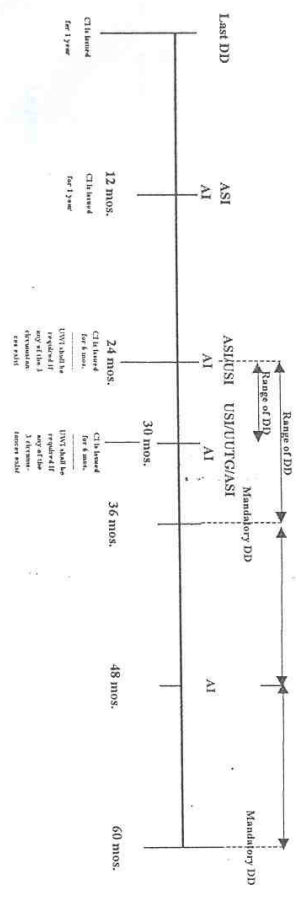
I. CLASSED SHIPS:
A. Passenger/Cargo - Passenger Ships



Note:

> Schedule between 24 mos. & 30 mos. Relative to issuance of CI validity.
> If and when any of the 3 circumstances exist within the validity of CI, UWI shall be required.

B. Cargo & Other Ships

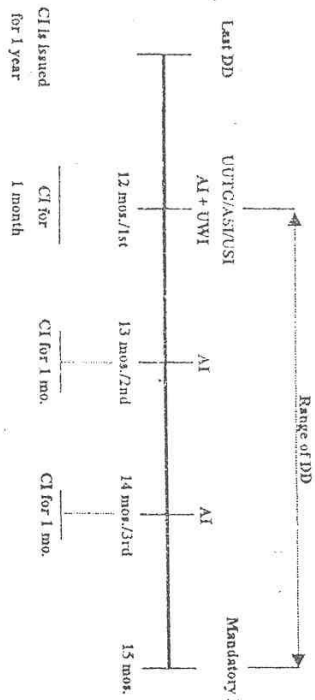


Legend:

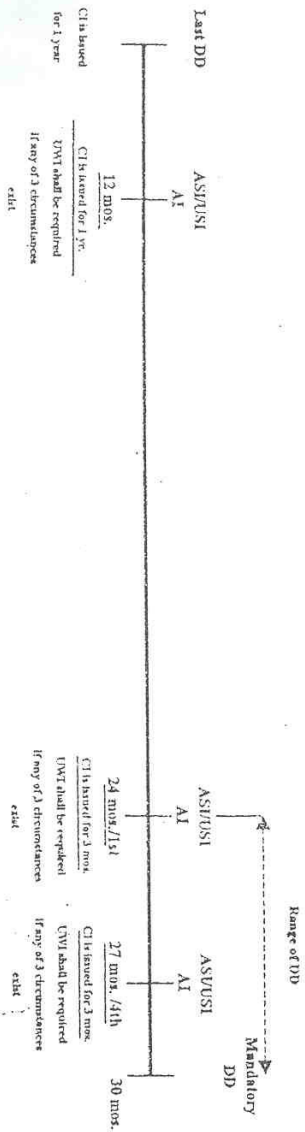
- Proposed Amendment
- Per MC 145
- ASI Afloat Survey Inspection
- USI Underwater Survey Inspection
- DD Dry-docking
- UUTG Underwater Ultrasonic Thickness Gauging
- AI Afloat Inspection
- UWI Underwater Inspection

II. NON-CLASSED SHIPS:

A. Passenger Ships



B. Cargo & Other Ships



Legend: Proposed Amendment Per MC 145

- ASI Afloat Survey Inspection
- USI Underwater Survey Inspection
- DD Dry-docking
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