



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION



MARITIME INDUSTRY AUTHORITY

Board Resolution No. 2018-09-01
Series of 2018

WHEREAS, during the 261st Regular Meeting of the MARINA Board of Directors on 20 September 2018 the Board acknowledges the necessity of providing separate rules and regulations that govern the operations of Philippine fishing vessels;

WHEREAS, by virtue of Section 2 of Presidential Decree No. 474, MARINA shall provide for the effective supervision, regulation and rationalization of the organizational management, ownership and operations of all water transport utilities, and other maritime enterprises;

WHEREAS, fishing vessels are often treated as merchant ships in terms of safety and audit standards, manning requirements as well as training of crew;

WHEREAS, as of December 2018 there are 17,687 fishing vessels registered in the Philippines with an average gross tonnage of 28.01 tons and an average age of 12.14;

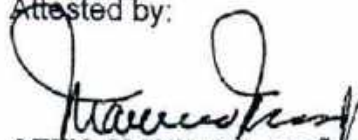
WHEREAS, the completion of the "Philippine Fishing Vessels Safety Rules and Regulations" (PFVSRR) is part of the 14-Point Agenda of the Administrator to address the various long-standing issues raised by various fishing associations;


WHEREAS, public consultations were conducted and concerns of fishing operators, associations and other stakeholders were addressed and their inputs incorporated in the proposed MARINA Circular;

WHEREFORE, the MARINA Board RESOLVES as it is hereby RESOLVED to approve the Proposed Marina Circular on the Philippine Fishing Vessels Safety Rules and Regulations" (PFVSRR), as it is hereby APPROVED."


APPROVED this 20th day of September 2018.

Attested by:


ATTY. MAXIMO I. BAÑARES, JR.
Acting Board Secretary



ASEC FERNANDO C. PEREZ
Chairperson
Assistant Secretary for Maritime
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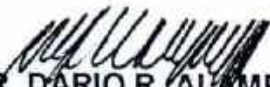
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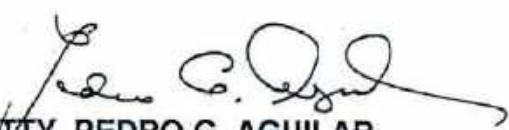

ATTY. ROWENA F. MUTIA
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PHILIPPINE FISHING VESSELS SAFETY RULES AND REGULATIONS

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Rule 1

General Provisions

Section 1. Title. These Rules and Regulations shall be known as the Philippine Fishing Vessels Rules and Regulations (PFVRR) of 2018.

Section 2. Objectives. These Rules and Regulations are geared towards ensuring that all fishing vessels of Philippine ownership and/or registry are so designed, constructed, maintained, operated and inspected in accordance with the standards necessary to enhance the safety of life and property at sea as well as the protection of the marine environment.

Section 3. Scope of Application. These Rules and Regulations shall apply to the following:

1. New fishing vessels, as defined hereunder to be registered in Philippine Registry, in which, by their size and type of operation, are covered by the provisions of these Rules and Regulations, shall comply with the latter in all respects. In the absence thereof of certain provisions, they shall comply with the provisions of relevant international maritime conventions in a suppletory character.
2. Existing fishing vessels, conforming to the Revised Philippine Merchant Marine Rules and Regulations, 1997 (R-PMMRR 1997), shall be given a period of one (1) years from the effectivity of this PFVRR 2018 within which to comply with the mandatory provisions herein set forth except for provisions that may require structural changes, whereby said fishing vessel will be given ten (10) years to comply. After the expiration of the aforementioned period, such non-conforming fishing vessels shall be acted upon subject to pertinent and applicable provisions of this Rules and Regulations.
3. The provisions of these Rules and Regulations shall not apply to fishing vessels of 3 GT and below.

Section 4. Definitions. For purpose of these Rules and Regulations and unless expressly provided otherwise:

1. **Accommodation Spaces** are those spaces used for public spaces: corridors, lavatories, cabins, and pantries containing no cooking appliances and similar spaces.
2. **Accredited Supplier/Service Entity** refers to a private individual or entity authorized by the Administration to engage in manufacturing, servicing and/or supplying vessel's appliances and equipment.
3. **Acquisition** refers to the importation, bareboat charter, local construction and permanent conversion of ship's trading status from overseas operation to domestic operations.
4. **Administration** means the Maritime Industry Authority (MARINA).
5. **Alteration/Modification** shall include, but not limited to, re-engining of propulsion machinery; jumboizing of ship's hull in terms of length, breadth and depth; construction of additional deck; transfer, movement or addition of

- superstructure; changes of subdivision(s) affecting watertight integrity and the original approved plans.
6. **Amidships** is in the vicinity of the middle portion of a fishing vessel as distinguished from her ends or midway between bow and stern.
 7. **Anniversary Date** means the day and month of each year, which corresponds to the date of expiry of the relevant certificate.
 8. **Approved** means approved by the Administration.
 9. **Auxiliary Means of Steering** means the equipment other than any part of the main steering gear necessary to steer the fishing vessel in the event of failure of the main steering gear but not including the tiller, quadrant or components serving the same purpose.
 10. **Auxiliary Small Boat (ASB)** is a boat less than three (3) gross tonnage locally known as "pakura" or "sirisan", made of wood, fiber glass, or any other material, with or without outrigger, propelled by a suitable engine and carried on board a handline fishing boat for use in handline fishing operations
 11. **Boat Captain (BC)** refers to a marine deck officer duly licensed by the Administration to command a ship below 100 GT.
 12. **Breadth (B)**, unless expressly provided, is the maximum breadth in meters of the fishing vessel measured amidships from the moulded line of the frame of the vessel with a metal shell to the outer surface of the hull in a vessel with a shell of any other material.
 13. **Bridge-to-Bridge Communications** means safety communications between fishing vessels at the position from which the vessels are normally navigated.
 14. **Bulkhead Deck** is the uppermost deck up to where the transverse watertight bulkheads are carried.
 15. **Cadet** refers to a student/learner at least 16 years old enrolled in a maritime course approved by the Commission on Higher Education (CHED) or by the Technical Education and Skills Development Authority (TESDA).
 16. **Certificate of Marine Profession (CMP)** refers to the document issued to passers of MAP, MIP, BC 1, BC 2 BC 3, MEM 1, MEM 2, MEM3 and all those seafarers whose licenses were issued under MC 170 and its subsequent amendments giving them authority to practice their profession.
 17. **COLREG** means the International Regulations for Preventing Collisions at Sea, 1972, as amended.
 18. **Company/Fishing Company** means the owner of the fishing vessel/organization/person such as manager or bareboat charterer, who has assumed the responsibilities for operation of the vessel from the vessel's owner and who, on assuming such responsibilities, has agreed to take over all the duties and responsibilities in the operation of the fishing vessel.
 19. **Construction** refers to a process of shipbuilding using modular/ block system, tradition method and other methods accepted for shipbuilding for new ships;
 20. **Construction Certificate** refers to the certificate issued by the Administration upon completion of the periodic survey and issuance of Builder's Certificate by the Shipyard/ Shipbuilder.

21. **Continuous Radio Watch** means that the watch concerned shall not be interrupted for any reason other than for brief intervals when the fishing vessel's receiving capability is impaired or blocked by its own communications or when the facilities are under periodical maintenance or checks.
22. **Control Stations** are those spaces where the fishing vessel's radio, main navigating equipment or emergency power source is located or where the fire recording or fire control equipment is centralized.
23. **Conversion** refers to a kind of work done on an existing ship resulting in its modification into something totally different from the original ship resulting to change in ship type and service (i.e., rig type).
24. **Deck Ratings (DR)** refers to a person on board fishing vessel other than the skipper or officer as listed in the minimum safe manning certificate given the task to assist the deck officers.
25. **Depth of Freeboard (D)** means:
1. The moulded depth amidships, plus the thickness of the freeboard deck stringer plate, where fitted, plus $T \times (L-S) \div L$ if the exposed freeboard deck is sheathed, where:
 - a. L is the length as defined;
 - b. T is the mean thickness of the exposed sheathing clear of deck openings; and
 - c. S is the total length of superstructures as defined.
 2. Fishing vessels having a rounded gunwale with a radius greater than four percent of the breadth (B) or having topsides of unusual form is the depth for freeboard of a vessel having a midship section with vertical topsides and with the same round of beam and area of topside section equal to that provided by the actual midship section.
26. **Digital Selective Calling (DSC)** is a technique, which uses digital codes and enables a radio station to establish contact with, and transfer information to, another station or group of stations.
27. **Domestic Ownership** means ownership vested in citizens of the Philippines, corporations or associations organized under the laws of the Philippines. At least sixty percent (60%) of the capital stock should be wholly owned by citizens of the Philippines.
28. **Electronic Copy of Fishing Vessel's Plans and Specifications** refers to the digital document file of the approved ship's plans and specification by the Administration in file format supported by any marine software, AutoCAD or Adobe Portable Document, clear and readable stored in CD or USB/ flash drives.
29. **Existing Fishing Vessel** means a fishing vessel that is not a new fishing vessel.
30. **Emergency Source of Electrical Power** is a source of electrical power, intended to supply the emergency switchboard in the event of failure of the main source of electrical power.

31. **Engine Officer (EO)** refers to a person duly licensed by the Administration to operate and maintain the engine of a fishing vessel.
32. **Engine Rating (ER)** refers to a person onboard fishing vessel other than the licensed engine officer as listed in the minimum safe manning certificate given the responsibility to assist the engine officers.
33. **Fish Carrier** refers to the Cargo vessel used to supply ice and other food provisions as well as collect/transport fish catch from fish catcher, which is also owned and operated by the same fishing company.
34. **Fish Catcher** refers to the fishing vessel engaged in the capture of fishery resources.
35. **Fishing Fleet** is an aggregate of commercial fishing vessels or group of fishing vessels engaged in a particular type of fishing method under one management, command and control. It consists of fish catchers with auxiliary skiff boats, fish carriers, sonar boats, light boats and supply boats.
36. **Fish Hold** refers to the storage space of the fishing vessel where the ice and the fish catch are kept.
37. **Fishing Vessel** means any boat or other watercraft equipped to be used for taking of fishery species or aiding or assisting one (1) or more vessels in the performance of any activity relating to fishing, including but not limited to, preservation, supply, storage, refrigeration or processing.
38. **Fishing Vessel Officers** refers to duly licensed deck and engine officers of a fishing vessel.
39. **Fishing Vessel Safety Certificate** is the certificate issued to fishing vessels engaged in domestic/international fishing operation after inspection and survey by the Administration and found to have complied with these Rules and Regulations.
40. **Fishers** are persons involved in the taking of fishery species from their wild state or habitat and working in a fishing vessel. Fishers – refer to the personnel onboard fishing vessels, participating in the preparation/ maintenance of fishing gears, equipment devices, and fish catching, loading and processing of catch. fisher means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers;
41. **Float-Free Launching** is the method of launching a survival craft whereby the craft is automatically released from a sinking fishing vessel and is ready for use.
42. **Freeboard Assigned** is the distance measured vertically downwards amidships from the upper edge of the deck line to the upper edge of the related load line.
43. **Freeboard Deck** means, normally, the uppermost complete deck exposed to weather and sea, which has permanent means of closing all openings in the weather part thereof and below, where all openings in the sides of the fishing vessel are fitted with permanent means of watertight closing. In a fishing vessel,

the discontinuous freeboard deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck are all taken as the freeboard deck. At the option of the owner and subject to the approval of the Administration, a lower deck may be designated as the freeboard deck provided it is a complete and permanent deck continuous in a fore and aft direction at least between the machinery space and peak bulkheads and continuous athwart ships. When this lower deck is stepped, the lowest line of the deck and the continuation of that line parallel to the upper part of the deck are taken as the freeboard deck. When a lower deck is designated as the freeboard deck, that part of the hull, which extends above the freeboard deck, is treated as a superstructure, based on the application of the condition of assignment and the calculation of freeboard. It is from this deck that the freeboard is calculated.

44. **Function** means a group of tasks, duties and responsibilities as specified in the STCW Code, necessary for fishing operation, safety of life at sea or protection of the marine environment.
45. **Gross Tonnage (GT)** means the measure of the overall size of a ship determined in accordance with the provisions of these Rules and Regulations.
46. **Handline Fishing Boat (HFB)** is a fishing boat with or without outrigger and with or without auxiliary small boats on board that exclusively utilizes the handline fishing method. Any reference to fishing boat in this Rules shall pertain to a Handline Fishing Boat.
47. **Hearing Officer/Body** refers to official(s)/body duly designated/constituted by the Administration to act as such in the conduct of maritime investigations and disciplinary proceedings.
48. **HFL-IRR** shall mean the Implementing Rules and Regulations of Republic Act No. 9379 otherwise as "The Handline Fishing Law".
49. **Inflatable Life Raft** is a life-saving appliance, which depends on non-rigid, gas-filled chambers for buoyancy and is normally kept deflated until ready for use.
50. **International Waters in Fishing** refers to all bodies of marine waters beyond the 200 nautical miles of the Philippine Exclusive Economic Zone (EEZ).
51. **Investigating Officer/Body** refers to the official(s)/body duly designated by the Administration to conduct maritime inquiry/investigation. Body refers to Chairman, Vice-Chairman and members, who may be drawn from the Registry as designated by the Administration.
52. **Launching Appliance or Arrangement** is a means of transferring a survival craft or rescue boat from its stowed position safely to the water.
53. **Length (L)**, measured in meter and is 96% of the total length on a waterline at 85% of the least moulded depth measure from the top of the keel, or the length from the fore-side of the stern to the axis of the rudder stock on that waterline, whichever is greater. In fishing vessels designed with a rake of keel, the waterline on which this is measured shall be parallel to the designated waterline.
54. **License** refers to the Identification (ID) Card issued to a person who is a holder of a Certificate of Marine Profession.

55. **Life-Saving Appliances and Equipment** refer to the appliances and equipment required of each type of vessel in these Regulations.
56. **Lightboat** is the fishing vessel that assists in a fishing operation by utilization of its lighting devices.
57. **Locating** means the finding of vessels, aircraft, units or persons in distress.
58. **Machinery Space** is the area extending from the moulded base line to the margin line and between the extreme main transverse watertight bulkheads, which bounds the spaces containing the main and auxiliary propulsion machinery, boilers serving the needs of propulsion, and all permanent bunker spaces.
59. **Machinery spaces of category A** are those spaces which contain internal combustion type machinery used either:
1. for main propulsion; or
 2. for other purposes where such machinery has in the aggregate a total power output of not less than 750 kW,
- or which contains any oil-fired boiler oil unit.
60. **Major Patron (MAP)** refers to a marine deck officer duly registered and certificated to act as Master of a vessel/ship of not more than 500 gross tonnage (GT) navigating in near-coastal and inter-island voyages.
61. **Main Source of Electrical Power** is a source intended to supply electrical power to the main switchboard for distribution to all services necessary for maintaining the fishing vessel in normal operational and habitable condition.
62. **Main Steering Gear** refers to the machinery, rudder actuators, steering gear power units, if any, and ancillary equipment and the means of applying torque to the rudder stock (e.g. tiller or quadrant) necessary for effecting movement of the rudder for the purpose of steering the fishing vessel under normal service conditions.
63. **Main Switchboard** is the switchboard which is directly supplied by the main source of electrical power and is intended to distribute electrical energy of the fishing vessel services.
64. **MARINA** refers to the Maritime Industry Authority.
65. **Marine Engine Mechanic (MEM)** refers to a person registered and certificated to operate and maintain the diesel engine/s of a boat/ship.
66. **Maritime Casualty or Accident** refers to any casualty or accident involving any vessel other than a naval ship, which occurs within the navigable waters of the Republic of the Philippines; or any casualty or accident involving any Philippine vessel other than a naval ship, which occurs outside of Philippine territorial waters. It includes any incident involving a vessel which results in damage to a vessel, its apparel, gear, and/or passengers and crews, and inter alia includes sinking, collision, stranding, grounding, heavy weather damage, and other damage that may affect and impair the seaworthiness of the vessel.
67. **Maritime Safety Information** means navigational and meteorological warnings, meteorological forecasts and other urgent safety-related messages broadcast to vessels.

68. **MARPOL 73/78** means the International Convention for the Prevention of Pollution from Ships, 1973 and its Protocol of 1978, as amended.
69. **Maximum Ahead Service Speed** is the greatest speed which the fishing vessel is designed to maintain in service at sea at the deepest seagoing draught.
70. **Maximum Astern Speed** is the estimated speed that a fishing vessel can approximately attain at the designated maximum astern power and at deepest seagoing draught.
71. **Minimum Safe Manning** means the number of qualified, competent and certificated officers and ratings onboard fishing vessels who can safely operate her at all times.
72. **Minor Patron (MIP)** refers to a marine deck officer duly registered and certificated to act as Master of a vessel/ship of not more than 250 GT navigating within a specified body of water in near- coastal and inter-island voyages.
73. **Modification** refers to the process of replacing major propulsion machinery to include major auxiliaries; modifying the superstructure such as construction of additional deck above main deck; and other similar process.
74. **Moulded Depth** is:
1. The vertical distance measure from the top of the keel to the top of the freeboard deck beam at side. In wood and composite fishing vessel, the distance is measured from the lower edge of the keel rabbet. Where the form at the lower part of the midship section is of hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards and cuts the side of the keel.
 2. Fishing vessels having rounded gunwales shall be measured from the point of intersection of the moulded lines of the deck and side shell plating to the lines extending as though the gunwale were of angular design.
 3. Where the freeboard deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, it shall be measured using a line of reference extending from the lower part of the deck along a line parallel with the raised part.
75. **NAVTEX** is a system for the broadcast and automatic reception of maritime safety information such as but not limited to Navigation/Meteorological warnings, search and rescue information. Urgent Information by means of narrow Band Direct Printing Telegraphy.
76. **Net Tonnage** means the measure of the useful capacity of a ship determined in accordance with the provisions of this Rules and Regulations.
77. **New Fishing Vessel** is either:
1. A fishing vessel, the keel of which was laid down on or after these Rules and Regulations became effective.
 2. A fishing vessel changing to Philippine registry;
 3. An existing fishing vessel which undergoes major conversion as to:

- a. Substantially alter its dimensions or carrying capacity; or
 - b. In the opinion of the Administration, substantially to prolong its life; or
 - c. If it was a new fishing vessel, it would become subject to relevant provisions of these Rules and Regulations not applicable to it as an existing fishing vessel.
78. **Non-combustible material** is a material which neither burns nor gives off flammable vapors in sufficient quantity for self-ignition when heated to approximately 750°C. This will be determined to the satisfaction of the Administration by employing an established test procedure. Any other material is a combustible material.
79. **Non-convention sized vessels** are vessels not covered by the International Conventions.
80. **Oil Fuel Unit** is any equipment used for the preparation of oil fuel for delivery to an oil-fired boiler, or equipment used for the preparation for delivery of heated oil to an internal combustion engine, and includes any oil pressure pumps, filters and heaters dealing with oil at a pressure of more than 0.18 N/mm².
81. **Operational Level** means the responsibility associated with:
- 1. Serving as officer-in-charge of a navigational or engine watch; or as designated duty engine officer for periodically unmanned machinery spaces; or as radio operators onboard a fishing vessel; and
 - 2. Maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedure and under the direction of an individual serving in the management level for that area of responsibility.
82. **Organization** means the International Maritime Organization.
83. **Panel of Examiners (POE)** refers to a body created under this Rules and Regulations to be chaired by the MARINA Administrator whose members shall consist of a pool of qualified Marine Officers tasked to formulate test questions, check examination papers and supervise the conduct of Oral Examinations.
84. **Perpendiculars** means the forward and after perpendiculars taken at the forward and after ends of the length (L). The forward perpendicular shall coincide with foreside of the stem on the waterline on which the length is measured.
85. **Periodic Survey** refers to the complete examination of the hull structure, machinery, among others during the different stages of construction, conversion, alteration, modification or re-building of ship to ascertain that the ship is constructed, converted, altered or modified in accordance with the approved plans.
86. **Pool of Assessors** refers to MARINA qualified personnel, under the direct supervision of the Panel of Examiners, authorized by the MARINA Administrator to conduct the Oral Examinations.
87. **Port of Registry** means the port in the Philippines where the fishing vessel's record of registry is kept and maintained.

88. **Pre-evaluation** refers to the process of reviewing and assessing the ship's plans and specification including survey of ships prior to importation.
89. **Radio Officer (RO)** refers to holder of any appropriate Radio Operator's License/Certificate or SROP (Special RadioTelephone Operator's Permit) issued by appropriate Government Regulatory Agency as determined by existing Radio Regulation.
90. **Radio Regulations** means the Radio Regulations annexed to, or regarded as being annexed to, the most recent Local and International Telecommunication Convention, treaties and agreement, which is in force at any time.
91. **Radio Telephone Auto Alarm** means an approved automatic alarm receiving apparatus that responds to the radiotelephone alarm signal.
92. **Radiotelephone Station and Radiotelephone Installation** shall be considered as relating to the medium frequency (MF), High Frequency (HF), Very High Frequency (VHF) band, unless expressly provided otherwise.
93. **Rating** refers to crew other than officers.
94. **Re-building** refers to an existing ship subjected to changes specifically the replating of its hull/ superstructure and replacement of its main engine in order to substantially prolong its operating life to such an extent of at least 85% of its total hull has been replaced including its main engine;
95. **Recognized Standards** are the applicable international or national standards or those adopted by the recognized classification societies and accepted by the Administration.
96. **Rescue Boat** is a boat designed for rescue of persons in distress and to marshal survival craft.
97. **Retro-Reflective Material** is a material that reflects in the opposite direction any beam of light directed on it.
98. **Sailing Fishing Vessel** refers to a fishing vessel which has no mechanical means of propulsion. All propulsion power is being provided by sails.
99. **Seafarer** refers to ship officers and ratings manning ships, cadets, service providers, company representatives and fishing vessel personnel
100. **Seafarer's Identification and Record Book (SIRB)** – refers to a document issued by the MARINA to all Filipino seafarers as defined herein attesting the qualification of the holder and serves as identification and record of sea service of the holder.
101. **Seaworthy Fishing Vessel** means a fishing vessel which has complied with the requirements of these Rules and Regulations and certified by an attending authorized surveyor.
102. **Secretariat** refers to personnel of the Manpower Development Office (MDO) or the concerned MARINA Regional Office (MRO) tasked to perform the assigned duties in the conduct of examinations, issuance of Certificate of Marine Profession (CMP) and license to passers.
103. **Self-propelled Fishing Vessel** means a fishing vessel that has its own mechanical means of propulsion.

104. **Service Provider** refers to personnel onboard ships who provide services other than those that relate to navigation.
105. **Service Space** are those spaces used for galleys, pantries containing cooking appliances, lockers, mail and specie rooms, store-rooms, workshops other than those forming part of the machinery spaces, and similar spaces and trunks to such spaces.
106. **Ship Plans and Specifications** refers to plans showing the detailed drawings of each specific plan of the ship;
107. **Skipper** refers to the person/deck officer in command of a fishing vessel.
108. **Sonar Boat** is a fishing vessel, equipped with sonar apparatus, used for detecting and locating schools of fish.
109. **Special Personnel** are persons, regardless of age and gender, who are permitted to be on board in connection with a special purpose or work during a given period of time.
110. **Short International Voyage** refers to an international voyage, in which the course of the vessel is not more than 200 nautical miles from a port or place where the crew could be landed safely, and which does not exceed 600 nautical miles between the last port of call in the country where the voyage began and the final port of destination.
111. **Steel or Other Equivalent Material** Where the words "Steel or other equivalent material" occur, "equivalent material" means any non-combustible material which, by itself or due to insulation provided, has structural and integrity properties equivalent to steel at the end of the applicable exposure to the standard fire test (e.g. aluminum alloy with appropriate insulation).
112. **Supply Boat** – is a fishing vessel that supplies water and other needs of the fishing fleet.
113. **Superstructure** is a decked structure on the freeboard deck, extending from side to side of the fishing vessel or with the side plating not being inboard of the shell plating more than four percent of the breadth (B). A raised quarterdeck is regarded as a superstructure.
114. **Support Level** means the level of responsibility associated with performing assigned tasks, duties and responsibilities onboard fishing vessels under the direction of an individual serving in the operational or management level.
115. **Survival Craft** refers to a liferaft or any craft or floating device as allowed by the Administration provided as a means for a person/s to be in an afloat condition in the event of abandonment of the vessel.
116. **Testimonial License** refers to a document issued attesting to the competence of a seafarer to man a ship 15 GT and below based on experience.
117. **Thermal Protective Aid** is a bag or suit made of waterproof material with low thermal conductivity.
118. **Tonnage Breadth** is the horizontal breadth measured at the uppermost depth at midship and the measurement shall be taken to the inboard face of the frames. This shall apply only to the following ships:
 1. Enclosed deck with outriggers.

2. Open deck with outriggers.
 3. Open deck without outriggers.
119. **Tonnage Depth** is the dimension taken at the middle of the tonnage length from a point above the deck edge at side to the top of the floor frames or the inner bottom plating. This shall apply only to the following ships:
1. enclosed deck with outriggers.
 2. open deck with outriggers.
 3. open deck without outriggers.
120. **Tonnage Length** is the length measured on the underside of the tonnage deck, from a point where the line of the inside face of the frames meet on the centerline of the side at the stern to point where the same line would meet the centerline of the ship at the stern. This shall apply only to the following ships:
1. enclosed deck with outriggers.
 2. open deck with outriggers.
 3. open deck without outriggers.
121. **Vessel** is a general term for all craft or artificial contrivance capable of floating in water and designed to be used or capable of being used as a means of water transportation, utilizing its own motive power or that of others.
122. **Watertight** refers to the capability to prevent the passage of water through the structure from any direction under a head of water, for which the surrounding structure is designed.
123. **Wooden Fishing Vessel of Primitive Build** means a wooden vessel built traditionally and not primarily propelled by mechanical means.

Rule 2
Registration and Documentation of Fishing Vessels

Section 1. Coverage. This Rules shall apply to all types of fishing vessels (except fish carrier) of domestic ownership of more than 3 GT.

Section 2. Registration of Fishing Vessels.

1. National Character and Flag

- a. A Philippine-registered fishing vessel shall fly the national flag at all times.
 - b. The sovereignty of the Philippines shall extend to all Philippine-registered fishing vessels.
 - c. The Administration shall effectively exercise its jurisdiction and control in administrative, technical and social matters over fishing vessels flying Philippine flag.
 - d. Fishing vessels, which are not Philippine-registered shall not, for the purpose of making it appear to be a Philippine fishing vessel, fly the national colors, unless the assumption of Philippine nationality has been made for the purpose of escaping capture by the enemy or by a foreign vessel of war in the exercise of belligerent right (the burden of proof shall lie on the fishing vessel owner).
 - e. No owner or skipper of a Philippine-registered fishing vessel shall knowingly do anything to be done, or carry or permit to be carried any papers or documents with intent to conceal the true nationality of the fishing vessel from any person entitled by any law to inquire into the same or with intent to assume a foreign character for the fishing vessel with intent to deceive any person so entitled as aforesaid.
 - f. A Philippine-registered fishing vessel may not change its flag during fishing or while in port of call, except in the case of a real transfer of ownership or change of registry. It may only change its flag after permission to do so has been granted by the Administration.
2. It shall be the duty of the owner or agent of every fishing vessel required to be registered to immediately file an application with the Administration.

Section 3. Certificate of Philippine Registry.

1. Fishing vessels used in Philippine waters, not being a transient of foreign registry, shall be registered with the Administration. Fishing vessels owned by Philippine nationals to be used in international waters shall likewise be registered with the Administration.
2. Pursuant to the preceding paragraph, the Administration shall grant a Certificate of Philippine Registry (CPR) as evidence of registration, provided such fishing vessels, which are not entered in the Philippine register of Fishing Vessels, shall be required to secure a Fishing Vessel Identity Certificate (Certificate of Number).

3. The registration of fishing vessels for fishing operation shall be in effect at the original homeport or at the nearest office of the Administration. This original homeport shall be referred to as the Port of Registry.

1. **Documentation of Fishing Vessel**

i. **Acquisition of Fishing Vessel**

- a. Letter of Application for Authority to import/purchase;
- b. Request for the Issuance of Provisional Certificate of Philippine Registry (PCPR)
 1. Fishing vessels acquired abroad shall, before being brought to the Philippines, secure a Provisional Certificate of Philippine Registry. Application for provisional registration shall be filed with the Administration, duly supported with the following documents for MARINA approval of the fishing vessel subject for acquisition through importation;
 2. Letter of Intent including request for endorsement to the Department of Foreign Affairs (DFA) for issuance of Provisional Certificate of Philippine Registry (PCPR);
 3. Memorandum of Agreement duly signed with names of signatories printed;
 4. Duly notarized Resolution of the company's Board of Directors, certified by the Board Secretary authorizing the filing of the application and designating the officials/authorized representatives to represent the applicant-company.
- c. Latest Certificate of Good Standing/Company Seal or Business Registration showing the current list of directors/officers of the registered owner;
- d. Duly notarized authenticated Power of Attorney or Board Resolution authorizing the signatory to the Memorandum of Agreement to act as such in behalf of the registered owner;
- e. Valid Certificate of Fishing Vessel Registry;
- f. General Arrangement Plan of the fishing vessel;
- g. Clearance from the Department of Agriculture/Bureau of Fisheries and Aquatic Resources;
- h. Latest Survey Report.

ii. **Acquisition thru Local Sale**

- a. Letter of Application;
- b. Deed of Sale;
- c. Original Certificate of Registry;
- d. Original Certificate of Ownership;
- e. Clearance from MARINA's Central Office Legal Service or Regional Office indicating that the registered owner/ship have no

pending case/unsettled penalties and the vessel is free from liens and encumbrances.

iii. **Acquisition thru Local Construction**

- a. Letter of Application;
- b. Notarized Memorandum of Agreement between the fishing vessel builder and the owner;
- c. General Arrangement Plan;
- d. Itemized costing of bill of materials;
- e. Filing fee.

iv. **Acquisition thru Bareboat Charter/Lease-Purchase/Lease Irrevocable Purchase**

- a. Letter of Application;
- b. Lease-Purchase/Lease-Irrevocable Purchase Agreement/Bareboat Charter Contract; In case of Taiwanese registered vessels, the Agreement/Contract should be noted and verified by Manila Economic and Cultural Office (MECO) and duly notarized by a Notary Public in Taiwan;
- c. Duly notarized Resolution of the company's Board of Directors, certified by the Board;
- d. Latest Certificate of Good Standing / Company Seal or Business Registration of the vessel's registered owners showing its current list of Directors/Officers;
- e. Power of Attorney or Board Resolution authorizing the signatory to the Lease-Purchase / Lease-Irrevocable Purchase Agreement / Bareboat Charter Contract to act as such in behalf of the registered owner;
- f. Certificate of Vessel's Original Registry / Nationality.

In case of Taiwanese registered vessels, the Agreement/ Contract should be noted and verified by Manila Economic and Cultural Office (MECO) and duly notarized by a Notary Public in Taiwan.

v. **General Arrangement Plan of the Vessel**

- a. Class Certificate or equivalent certificate in case of newly built fishing vessel (if applicable);
- b. Latest and Valid Survey Report (not applicable to newly built);
- c. Consent to the bareboat charter registration in the Philippines by the state of former registry;
- d. Builder's Certificate/Fishing vessel building Contract (for newly built);
- e. Provisional Certificate of Philippine Registry (PCPR).

Section 4. Certificate of Ownership. Upon permanent registration of a fishing vessel, a Certificate of Ownership (CO) shall be issued by the Administration

Section 5. Change of Ownership.

1. Whenever a change occurs in the ownership vessel of a Philippine-registered fishing vessel, the new owner shall present to the Administration at the port of registry an authenticated or notarized bill of sale or any other documents indicating the transfer of ownership of a fishing vessel heretofore documented in the Philippines. This shall be done within 15 days after execution/transfer of the sale.
2. The Administration in the new homeport shall require clearance from the immediate past homeport of the fishing vessel. A copy of the Certificate of Ownership (CO) issued by the registrar in a homeport shall be provided the registrar at the port of registry.
3. If the new owner is a Philippine national, a Certificate of Ownership (CO) shall be issued to such owner by the Registrar in the new homeport if there be a corresponding Change of Homeport, copy furnished the Port of Registry. A new Certificate of Philippine Registry (CPR) shall be issued to the new owner by the port of registry and the new trading certificates shall be issued by the new homeport.
4. If the new owner is a foreign national, the previous owner shall, within 15 days after the execution/transfer of the bill of sale, secure a Certificate of Deletion (CD) from the Administration at the port of registry.

Section 6. Homeport

1. **Homeport.** A fishing vessel shall be homeported in her port of call or her area of operation nearest to where the company's principal office is located.
2. **Change of Homeport.** A homeport may be changed in any of the following instances:
 - a. Change in ports of call or area of operation of the fishing vessel; or
 - b. Change of owner who is domiciled in another place.

Section 7. Assignment of Name

1. **Assignment of Name.**
 - a. An owner of a fishing vessel applying for registration shall file an application on the prescribed form in triplicate and apply for an original assignment of a proposed name of a fishing vessel for approval.
 - b. No license or registration documents shall be issued without complying with the aforementioned requirements. The Administration shall not approve an assignment of any name for a fishing vessel, where it appears the same name has already been assigned and borne by another vessel of more than 3 GT and of the same class and rig. Approval of applications for assignment of name of fishing vessels of 3 GT and below shall be done by a regional office.
2. **Change of Name**
 - a. When an owner of a fishing vessel documented in the Philippines desires to change the name of his fishing vessel, he shall file an application with the Administration /homeport at whose office the registration or license of the fishing vessel was issued.

- b. In every case where a change of name of a fishing vessel is approved, a Certificate of Change of Name shall be issued copy furnished the port of registry if the homeport be not the same as the port of registry. A new Certificate of Philippine Registry/Certificate of Ownership (CPR/CO) may be issued upon the request of the owner, reflecting the new name.

Section 8. Official Number and Marking of Fishing Vessel.

1. Every fishing vessel documented in the Philippines shall be assigned an official number by the Administration.
2. The official number assigned to a fishing vessel shall be carved or otherwise permanently marked in the main beam. The name and official number shall appear on all fishing vessel documents.
3. The official number shall be marked at least 76.20 mm in height. When the main beam is of wood, the figures shall be carved or borne thereon in figures not less than 9.53 mm nor more than 12.70 mm in depth, and 12.70 mm in width. If the main beam is of iron or other metal, the official number shall be counter-punched thereon in figures not less than 3.18 mm in depth and by 12.70 mm in width.
4. For open-deck fishing vessels, the assigned official number shall not be less than 25.4 mm in height and not less than 6.35 mm in width and shall be placed at the most accessible frame forward of the engine.
5. The name of the fishing vessel shall be painted on each side of the bow and the homeport to be painted at the fishing vessel's stem.

Section 9. Register of Fishing Vessels.

1. The Administration shall maintain a registry of fishing vessels to be known as "**Register of Philippine Fishing Vessels**", which shall be kept open to free inspection by the public during regular office hours.
2. The Register of Philippine fishing vessels shall contain the following particulars in such form and detail as the Administration may prescribe:
 - a. Name of fishing vessel;
 - b. Former name and registry (if applicable);
 - c. Type of fishing vessel;
 - d. Radio Station Call sign;
 - e. Official number;
 - f. Hull material;
 - g. Principal dimensions;
 - h. Tonnages (Gross/Net/Deadweight);
 - i. Classification society (if classed);
 - j. Horsepower (KW);
 - k. Main engine;
 - l. Auxiliary engines (if any) ;
 - m. Year built;

- n. Builders/Place built;
 - o. Name, nationality and business address/residence of owner/operator;
 - p. Homeport;
 - q. Date of issuance of Certificate of Philippine Registry (CPR); and,
 - r. Any material change of condition in respect to any of the preceding items including records of encumbrances.
3. Errors made in recording documents shall be rectified in the following manner:
- a. Slight errors not affecting the substance of the document, such as misspelled words, shall be corrected by the registrar or the responsible officer by writing the correction above the errors and by affixing his initials beside the correct entry or notation;
 - b. Any mistake, which might affect the meaning of the document, may be corrected upon petition or upon notice filed by the concerned party. The correction shall be made by rewriting the entire line or lines right below where the error occurred. Said correction, together with a statement of the circumstances, shall be signed by the officer-in-charge of the record;
 - c. Errors made in copying shall not be erased. Instead, all required changes shall be made as described above.

Section 10. Registration of Alterations and Registration Anew.

- 1. When a registered fishing vessel is so altered as not to correspond with the particulars relating to her tonnage or registered dimensions contained in the register book, the Administration at the port of registry shall, on application being made to them, stating the particulars of the alteration, either cause the alteration to be registered or direct the fishing vessel be registered anew.
- 2. For the purpose of registering an alteration in a fishing vessel, the Certificate of Philippine Registry (CPR) shall be presented to the Administration at the port of registry and the Administration shall grant a new Certificate of Philippine Registry/Certificate of Ownership (CPR/CO) containing a description of the fishing vessel as altered.
- 3. The particulars of the alteration so made, and the fact of the new certificate having been granted, shall be entered by the Administration in the register book at the fishing vessel's port of registry.

Section 11. Deletion of Fishing Vessel from Philippine Registry

- 1. General Provisions
 - a. Fishing vessels of domestic ownership shall be deleted or de-registered from the Philippine registry in any of the following cases
 - i. When the fishing vessel is sold or transferred to a foreign national;
 - ii. When the fishing vessel suffers actual or constructive total loss;
 - iii. When the fishing vessel is broken up or altered;
 - iv. When the Administration, after due process, orders the deletion from the Philippine registry of any fishing vessel found to have violated the government's rules and regulations.

- b. Fishing vessel chartered or leased from a foreign national, who was granted temporary registration in the Philippines for the duration of the charter contract, shall be deleted from the Philippine registry in any of the following cases:
 - i. When the charter or the lease of the fishing vessel expires or is terminated upon mutual agreement by the contracting parties;
 - ii. When the Administration revokes approval of the charter/lease contract for cause and after due process;
 - iii. When the Certificate of Philippine Registry (CPR) expires and not renewed; or,
 - iv. When the fishing vessel suffers actual or constructive total loss.

Section 12. Procedural and Documentary Requirements in the Deletion of Fishing Vessel from Philippine Registry

- 1. The registered owner of a fishing vessel or his authorized agent shall file an application to delete at the port of registry, supported by the following documents:
 - a. In case of sale of a fishing vessel or the transfer of title to a foreign national:
 - i. Memorandum of Agreement;
 - ii. Proof of payment of taxes due the government; and,
 - iii. Consent/release of all holders of mortgages, which have been duly registered with the Administration, if any.
 - b. In case of actual or constructive total loss:
 - i. Marine protest or report of the incident or loss of the fishing vessel duly notarized and authenticated; or,
 - ii. Official report from the Administration or the maritime authorities of other countries; or iii. Declaration by a competent accredited surveyor as to the fact of the loss.
 - c. In the case of shipbreaking:
 - i. Certificate of shipbreaker;
 - ii. All the trading certificates; and,
 - iii. Consent/release of all holders of mortgages, which have been duly registered with the Administration, if any.
 - d. In the case of a fishing vessel under temporary registry:
 - i. A favorable endorsement from the Administration;
 - ii. Clearance from the telecommunications authorities or the duly designated accounting authority for radio maritime accounts;
 - iii. Proof of payment of all moneys due to the fishers of the fishing vessel at least until the month immediately prior to the filing of the application;
 - iv. Consent from the fishing vessel's registered owners;
 - v. Proof of payment of taxes due the government.

2. If the application for deletion is filed by the agent of the registered owner, it must be accompanied by a written authorization duly signed by the owner empowering his agent to file the application and secure the deletion from the Administration at the port of registry.

Section 13. Issuance of Deletion Certificate. Upon submission and presentation by the applicant of the documents enumerated in the preceding Regulation, the Administration, at the port of registry, shall issue a Certificate of Deletion (CD) effective on the date indicated in the certificate. The date and time of the issuance of Certificate of Deletion shall be recorded by the registrar in the Register of Philippine Fishing Vessel.

Section 14. Perfection of Deletion of Fishing Vessels from Philippine Registry. Deletion of a fishing vessel from Philippine registry is deemed perfected:

1. Upon receipt of protocol of re-delivery and acceptance within 60 days for a bareboat chartered fishing vessel. Responsibilities of the charterer shall extend up to the time the fishing vessel have been re-delivered to the registered owners as stated in the protocol; or
2. After 60 days, should no protocol of re-delivery and acceptance be submitted; or,
3. If deletion is issued due to the termination of the bareboat charter party, no extension of deletion period should be granted unless the corresponding bareboat charter hire is duly paid.

Section 15. Change of Date of Deletion of Fishing Vessels from Philippine Registry.

1. If for any valid reason such as the delayed delivery of the fishing vessel to the foreign buyer, or if the registered owner wishes to change the date of deletion indicated in the Certificate of Deletion (CD), the Administration at the Port of Registry may issue an amended Certificate of Deletion indicating the new date. In no case, however, shall the date of deletion be earlier than the date of issuance of the Certificate of Deletion.
2. Upon issuance of an amended Certificate of Deletion, the registered owner shall surrender the old Certificate of Deletion to the registrar who will cancel the latter document.

Section 16. Restrictions on the Re-Registration of Shipwrecked or Abandoned Fishing Vessels. Where a fishing vessel has ceased to be registered by reason of having been wrecked or abandoned, or for any reason other than by capture of the enemy, said vessel shall not be re-registered until it has, at the expense of the applicant, been surveyed thoroughly by an accredited surveyor and certified to be seaworthy.

Section 17. Registration of Mortgages

1. Every mortgage of fishing vessel which is registered in the Philippines shall be registered in the Record of Transfer and Encumbrances of Fishing Vessels.
2. **Documentary Requirements.** The following documentary requirements must be submitted when applying for the annotation/cancellation of mortgages and transfer of rights and other encumbrances of fishing vessel:

- a. Letter of Intent;
 - b. Duly accomplished application form;
 - c. Duly notarized mortgage contract;
 - d. Proof of payment of documentary stamp tax; and,
 - e. Original Certificate of Ownership (CO), Certificate of Philippine Registry (CPR), or Certificate of Number (CN), if applicable.
3. **Annotation of Mortgages and Transfer of Rights and Other Encumbrances of Fishing Vessels.** The Administration shall record all mortgages, transfer of rights and other encumbrances duly delivered to it in the order of their reception in the book/s to be kept for that purpose. The records shall also be indexed to show:
- a. The name of the fishing vessel;
 - b. The name and postal address of the parties to the mortgage;
 - c. The time and date of reception of instrument;
 - d. The interest of mortgage in the fishing vessel in mortgaged;
 - e. The date of the mortgage contract;
 - f. The amount and date of maturity of the mortgage;
 - g. Name, nationality and residence of the owner of the fishing vessel; and,
 - h. Any material change of condition in respect to any of the preceding items. Annotation of the mortgage shall likewise be reflected at the back of the Certificate of Ownership (CO), Certificate of Philippine Registry (CPR), or Certificate of Number (CN), whenever applicable.
4. **Cancellation of Mortgages.** Annotation of mortgages, transfer of rights and other encumbrances shall be canceled from the book under the following circumstances:
- a. Proof of full payment of the mortgage debt;
 - b. Total loss or constructive total loss of the mortgaged fishing vessel;
 - c. Foreclosure Order;
 - d. Court Order to delete all registered mortgages;

Rule 3

Surveys and Certificates

Section 1. General Aspects of Inspections, Surveys and Markings.

1. The inspection and survey of ships, so far as regards the enforcement of the provisions of these rules and regulations and the granting of exemptions therefrom, shall be carried out by the Administration. The Administration may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it. (Suggestion)
2. The Administration, in authorizing surveyors or organizations as set forth in the preceding paragraph shall, as a minimum, empower them to:
 - a. Carryout inspections and surveys if requested by the appropriate authorities of a port State; and
 - b. Require repairs on a fishing vessel.
3. When an authorized surveyor or organization determines that the condition of the fishing vessel or its equipment does not correspond substantially with the particulars of the Fishing Vessel Safety Certificate, or is such that the vessel is not fit to proceed to sea without danger to the fishing vessel or persons on board, such authorized surveyor or organization shall immediately ensure that corrective action is taken and should, in due course, notify the Administration. If such corrective action is not taken, the relevant certificate shall be withdrawn immediately; and if the fishing vessel is in the port of another party, the appropriate authorities of the port State shall also be notified immediately.
4. In any case, the Administration shall fully guarantee the completeness and efficiency of the inspections and surveys and shall undertake to ensure that necessary arrangements to satisfy this obligation are established.

Section 2. Surveys.

1. Fishing vessels to which these Rules and Regulations apply shall be subject to surveys. The general nature and the frequency of such surveys shall be as specified below:
 - a. An initial survey, including an inspection of the outside of the fishing vessel's bottom, before the vessel is put in service;
 - b. A renewal survey at intervals specified by the Administration but not exceeding five years, except where Section 6 (Duration and Validity of Certificates) item 2 is applicable;
 - c. A periodical/intermediate survey within three months before or after the second anniversary date or within three months of the third anniversary of the Certificate, which shall take the place of one of the annual surveys specified in the next paragraph;
 - d. Two (2) inspections of the fishing vessel's hull, including an inspection of the outside of the fishing vessel's bottom, within a five-year period;
2. The surveys referred to in Section 2, item 1 shall be carried out as follows:

- a. The initial survey before the fishing vessel is put into service shall be such as to ensure arrangements, equipment and systems specified below comply fully with the requirements of these Rules and Regulations and the workmanship of all such parts and equipment is in all respects satisfactory:
 - i. The arrangements, materials and scantlings of the structure;
 - ii. Boilers and other pressure vessel;
 - iii. Main and auxiliary machinery systems and appliances;
 - iv. Fire safety and life-saving arrangements and appliances, navigational equipment, nautical publications and means of embarkation for pilots;
 - v. Radio installations including those used in life-saving appliances;
 - vi. Arrangements for the control of discharge of oil and for the retention of oil onboard; vii. Provision of the lights, shapes, means of making sound signals and distress signals as required by the provisions of COLREG;
- b. The renewal survey shall include an inspection of the equipment referred to in item 2.a to ensure it complies with the relevant requirements of these Rules and Regulations and COLREG;
- c. The periodical survey shall include an inspection with tests, when necessary, of the equipment to ensure the requirements relating to the life-saving appliances, fire appliances and the light and sound signals are complied with, are in satisfactory condition and are fit for the service for which the fishing vessel is intended. All certificates, record books, operating manuals and other instructions and documents specified shall be checked for their adequacy;
- d. The intermediate survey shall include an inspection of items relating to Rule 2 (Registration, Documentation, and Licensing of Fishing Vessels), Rule 4 (Construction) Rule 8 (Electrical Installation), Rule 12 (Life Saving Appliances) and Rule 13 (Fire Protection, Fire Extinction, and Fire Safety Measures) of these Rules and Regulations to ensure they are in satisfactory condition and fit for the service for which the fishing vessel is intended. When inspecting items of hull and machinery for detailed examination, due account shall be taken of any continuous survey schemes adopted;
- e. An additional survey, either general or partial and according to the circumstances, shall be made after a repair resulting from an accident involving the fishing vessel or a defect is discovered, either of which affects the safety of the vessel or whenever any important repair or renewals are effectively made;
- f. A minimum of two (2) inspections of the outside of the fishing vessel's bottom during any five-year period except when so authorized by the Administration. The interval between any two such inspections shall not exceed 36 months. The inspection of the outside of the fishing vessel's bottom and the survey of related items inspected at the same time shall be such as to ensure they remain satisfactory for the service for which the fishing vessel is intended. Preferably the inspection shall coincide with the renewal survey.

3. Where a fishing vessel complies with this Regulation partially and complies with the relevant provisions specified in Section 3 of Rule 1 (General Provisions – Scope of Application), the Administration shall ensure that prior to issue of any certificate under this Regulation, compliance with such provisions of the other Conventions is assured.

Section 3. Maintenance of Condition after Survey

1. The condition of the fishing vessel and its equipment shall be maintained by the skipper and company to conform with the provisions of these Rules and Regulations to ensure the fishing vessel, in all respect, will remain fit to proceed to sea without danger to the vessel, persons on board or the environment.
2. After any survey of the fishing vessel under this Rules is completed, no change shall be made in the structural arrangements, machinery, equipment and other items covered by the survey without the sanction of the Administration.
3. Whenever an accident occurs to the fishing vessel or a defect is discovered, either of which affects the safety of the vessel or the efficiency or completeness of its life-saving appliances or other equipment, a request shall be made immediately to the Administration responsible for issuing the relevant certificate for a survey, as may be required by Section 2(Surveys), to be carried out as soon as practicable.

Section 4. Issuance of Certificates

1. Subject to the provisions of Section 2 (Surveys) item d, a Fishing Vessel Safety Certificate, hereinafter called the Certificate, shall be issued after an initial or renewal survey specified in Section 2, item b to a fishing vessel, which complies with relevant requirements of these Rules and Regulations. In any case, the Administration shall ensure the completeness of the inspections prior to the issuance of any certificates.
2. When an exemption is granted by the Administration to a fishing vessel, under and in accordance with the provisions of these Rules and Regulations, an Exemption Certificate shall be issued in addition to the Certificate prescribed in this Regulation. The Exemption Certificate shall be attached to the certificate to which it refers.
3. The Certificate referred to in this Regulation shall be issued by the Administration or by its authorized person or organization. In any case, the Administration shall assume full responsibility for the said Certificate.

Section 5. Issuance or Endorsement of Certificates by another Government. The Administration may, at the request of another government, order a fishing vessel to be surveyed and if satisfied that requirements of these Rules and Regulations are complied with, shall issue or authorize the issuance of the certificates to the fishing vessel and, where appropriate, endorse or authorize the endorsement of the certificate in accordance with the requirements of these Rules and Regulations. Any certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the flag State.

Section 6. Duration and Validity of Certificates

1. A Fishing Vessel Safety Certificate (FVSC) shall be issued for a period of not more than five (5) years and to be endorsed annually.

2. Notwithstanding the requirements of the preceding paragraph, when the renewal survey is completed within three (3) months before the expiry date of the existing certificate, the new FVSC shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing certificate.
3. When the renewal survey is completed after the expiry date of the existing certificate, the new FVSC shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing certificate.
4. When the renewal survey is completed more than three (3) months before the expiry date of the existing FVSC, the new certificate shall be valid from the date of completion of the renewal survey.
5. If the certificate is issued for a period of less than five (5) years, the Administration may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph 1, provided that the applicable surveys referred to in Section 2 (Surveys) for the issue of the certificate for five (5) years are carried out.
6. If a renewal survey has been completed and the new certificate cannot be issued or placed on board the fishing vessel before the expiry date of the existing certificate, the person or the organization authorized by the Administration may endorse the existing certificate and such certificate shall be accepted as valid for further period which shall not exceed thirty (30) days from the expiry date.
7. If a fishing vessel, at the time when the certificate expires, is not in the port in where it is to be surveyed, the Administration may extend the period of validity of the certificate for the purpose of allowing the vessel to complete its voyage to the port where it is to be surveyed, and only in cases when it appears proper and reasonable to do so. No certificate shall be extended for a period longer than one month. The fishing vessel to which such an extension is granted shall not, on its arrival in the port where it is to be surveyed, be entitled by virtue of such extension to leave that port without a new certificate. Where the renewal survey is completed, the new certificate shall be valid to a date not exceeding five years from the date of expiry of the existing certificate before the extension was granted.
8. In special circumstances, as determined by the Administration, the new certificate need not be dated from the date of expiry of the existing certificate as required by items 2, 5 and 7 hereof. In these special circumstances, the new certificate shall be valid to a date not exceeding five (5) years from the date of the completion of the renewal survey.
9. If an annual or periodical/intermediate survey is completed before the period specified in the relevant regulations then:
 - a. The anniversary date shown on the relevant certificate shall be amended by endorsement to a date which shall not be more than three months later than the date when the survey was completed;

- b. The subsequent annual or periodical survey required by the relevant regulations shall be completed at the intervals prescribed by these Rules and Regulations using the new anniversary date;
 - c. The expiry date may remain unchanged provided one or more annual or periodical surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by the relevant regulations are not exceeded.
- 10. A certificate issued under this Rules shall cease to be valid in any of the following cases:
 - a. If the relevant surveys and inspection are not completed within the periods specified in this Rules;
 - b. If the certificate is not endorsed in accordance with this Rules; or,
 - c. Upon transfer of the fishing vessel to the flag of another State.
- 11. Upon transfer of a fishing vessel to Philippine flag, a new certificate shall be issued by the Administration, if and only if, it complied with the requirements set by these Rules and Regulations.

Section 7. Form of Certificates. All certificates shall be drawn up in a form corresponding to these Rules and Regulations.

Section 8. Availability of Certificates. The certificates issued under this Rules shall be readily available on board for examination at all times.

Rule 4 Construction

Section 1. General Provisions

1. All existing fishing vessels shall, as a rule, comply with the requirements existing prior to coming into force of these Rules and Regulations. Where no such requirements are applicable, fishing vessels shall comply with these Rules and Regulations to the extent the Administration considers to be reasonable or practicable. Existing fishing vessels which undergo replacement of equipment or outfitting related thereto shall comply with the requirements specified in this Rule as far as it is considered reasonable and practicable by the Administration.
2. All machinery and electrical installations, mechanical and electrical equipment and appliances, boilers and other pressure vessels, associated piping systems, fittings and electrical cables and wiring shall be of a design and construction adequate for the service for which they are intended and shall be so installed and protected as to reduce to a minimum any danger to persons on board, due regard being paid to moving parts, hot surfaces and other hazards. The design shall have regard to materials used in construction, and to purposes for which the equipment is intended, the working conditions and the environmental conditions to which it will be subjected.
3. The strength and construction of hull, superstructures, deckhouses, machinery casings, companion ways and any other structure and equipment shall be sufficient to withstand all foreseeable conditions of the intended service. A fishing vessel built and maintained in conformity with the applicable rules of a recognized organization by the Administration may be considered as adequate in this respect.
4. Fishing vessels propelled by mechanical means shall be fitted with a collision bulkhead in accordance with Rule 4, Section 1 and with watertight bulkheads bounding the machinery spaces. Such bulkheads shall be extended up to the freeboard deck. In fishing vessels constructed of wood such bulkheads shall be watertight as far as practicable.
5. Propeller shafts and shafts logs or stern tubes shall not be situated in any space other than machinery spaces containing main propulsion machinery unless they are enclosed in watertight spaces or enclosures inside such spaces acceptable to the Administration. The Administration may exempt, from the requirements of this paragraph, fishing vessels having constraint of space or engaged on sheltered voyages, provided it is demonstrated that any progressive flooding of such space can be easily controlled and that the safety of the fishing vessel is not impaired.
6. Stern glands shall be located in spaces which are easily accessible at all times for inspection and maintenance to the satisfaction of the Administration.
7. Fishing vessel plans involving wooden hull fishing vessels to be constructed, and subsequent repairs thereon, shall comply with the rules and standard design in accordance with Rules for Construction of Wooden Hull Fishing vessels (Annex I) or Rules for the Construction of Wooden Hull Boats with

Outrigger (Annex II) before approval is given, and authority to construct is issued, by the MARINA.

Section 2. Collision Bulkhead

1. For the purpose of this Regulation freeboard deck, lengths of fishing vessel and perpendiculars (forward and aft) have the meanings as defined in Rule 1.
2. A collision bulkhead shall be fitted which shall be watertight up to the freeboard deck. This bulkhead shall, as far as practicable, be located at a distance from the forward perpendicular of not less than five percent (5%) and not more than eight percent (8%) of the length of the fishing vessel. Where it can be shown to the satisfaction of the Administration that it is impractical for the collision bulkhead to be located at distance from the forward perpendicular of not more than eight percent (8%) of the length of the fishing vessel, the Administration may allow relaxation therefrom, subject to the condition that, should the space forward of the bulkhead be flooded, the fishing vessel at full load condition will not be submerged to a line drawn at least 76 mm below the upper surface of the bulkhead deck at side.
3. The collision bulkhead may have steps or recesses in it provided that they are within the limits prescribed in Section 2.2. Pipes piercing the collision bulkhead shall be kept to the minimum. Such pipes shall be fitted with suitable valves operable from above the freeboard deck and the valves chest shall be secured at the collision bulkhead inside the forepeak. The Administration may permit the location of such valves on the after side of the collision bulkhead, provided that they are readily accessible under all service conditions and the space in which they are located is not a cargo space. All such valves shall be of a material acceptable to the Administration.
4. Where a long forward superstructure is fitted, the collision bulkhead shall be extended watertight to the deck immediately above the freeboard deck. The extension shall subject to the requirements of Section 3.3, be located within the limits prescribed in Section 3.2 of the same Rule and Section. The part of the deck, if any, between the collision bulkhead and its extension shall be watertight.
5. Where a bow door and a sloping loading ramp that forms part of the extension of the collision bulkhead above the freeboard deck is fitted, the part of the extension, which is more than 2.3 m, or as specified by the Administration, above the freeboard deck may extend no more than 1 m forward of the forward limits specified in Section 2.2. The ramp shall be watertight over its complete length.
6. The number of openings in the extension of the collision bulkhead above the freeboard deck shall be reduced to the minimum compatible with the design and normal operation of the fishing vessel. All such openings shall be capable of being closed watertight.
7. No doors, manholes, ventilation ducts or access openings are permitted in the collision bulkhead below the freeboard deck.
8. Where a chain locker is located abaft the collision bulkhead or extends into the forepeak tank, it shall be watertight and provided with efficient means of drainage.

9. A chain locker shall not be used for any purpose other than stowage of anchor chain cables.

Section 3. Watertight Bulkheads, Decks, Doors, Trunks, etc.

1. These Rules and Regulations shall apply to new fishing vessels propelled by mechanical means. These Rules and Regulations shall not apply to fishing vessels the hull of which is constructed of wood.
2. Each watertight subdivision bulkhead whether transverse or longitudinal shall be constructed in such a manner that it shall be capable of supporting with a proper margin of resistance, the pressure due to the maximum head of water which it might have to sustain in the event of damage to the fishing vessel but at least the pressure due to a head of water up to the margin line. The construction of these bulkheads shall be to the satisfaction of the Administration.
3. Steps and recesses in bulkheads shall be watertight and of the same strength as the bulkhead at the place where each occurs.
4. Where frames or beams pass through a watertight deck or bulkhead, such deck or bulkhead shall be made structurally watertight to the satisfaction of the Administration.
5. The number of openings in watertight bulkheads shall be reduced to the minimum compatible with the general arrangements and operational needs of the fishing vessel. Openings shall be fitted with watertight closing appliances to the satisfaction of the Administration. Watertight doors shall be of equivalent strength to the adjacent unpierced structure.
6. Watertight decks, trunks, tunnels, duct keels and ventilators shall be of the same strength as watertight bulkheads at corresponding levels. The means used for making them watertight, and the arrangements adopted for closing openings in them, shall be to the satisfaction of the Administration. Watertight ventilators and trunks shall be carried at least up to the freeboard deck.
7. Testing main compartments by filling them with water is no compulsory. When testing by filling with water is not carried out, a hose test shall be carried out in the most advanced stage of the fitting out of the fishing vessel. In any case, a thorough inspection of watertight bulkheads shall be carried out.
8. The forepeak, afterpeak, double bottom tanks (including duct keels), and inner skins shall be tested with water to a head corresponding to the requirements of paragraph b of Rule 2, Section 3.
9. Tanks which are designed to hold liquids, and which form part of the subdivision of the fishing vessel, shall be tested for tightness with water to a head corresponding to two-third of the depth from the top of keel to the margin line in way of the tanks; provided that in no case shall the test head be less than 0.9 m above the top of the tank.
10. The tests referred to in paragraphs 8 and 9 of Rule 2 Section 3 are for the purpose of ensuring that the subdivision structural arrangements are watertight and are not to be regarded as a test of the fitness of any compartment for the storage of oil fuel or for other special purposes for which a test of a superior

character may be required depending on the height to which the liquid has access in the tank or its connections.

Section 4. Means for Sounding

1. Means for sounding to the satisfaction of the Administration, shall be provided for:
 - a. the bilges of those compartments which are not readily accessible at all times during the voyage; and
 - b. all tanks and cofferdams.
2. Where sounding pipes are fitted, their upper ends shall be extended to a readily accessible position and, where practicable, above the freeboard deck. The openings shall be provided with permanently attached means of closing. Sounding pipes which are not extended above the freeboard deck shall be fitted with automatic self-closing devices.

Section 5. Anchoring and Mooring Equipment

1. At least two anchors of sufficient weight shall be provided. One of these shall be provided with a chain cable or wire rope of adequate strength and size and windlass, capstan or winch of suitable size for the cable and other anchor handling equipment and arrangements shall be to the satisfaction of the Administration. The Administration may permit carriage of only one anchor with adequate chain or wire and other arrangements taking into account the size of the fishing vessel and its area of operation.
2. Windlass, capstan, winches, fairleads, bollards, mooring bits and other anchoring mooring, towing and hauling equipment shall be:
 - a. properly designed to meet all foreseeable operational loads and conditions;
 - b. correctly seated; and
 - c. effectively secured by stoppers to a part of the fishing vessel's structure which is strengthened suitably.

Section 6. General Protection Measures Against Accidents

1. Hinged covers of hatchways, manholes and other similar opening shall be protected against accidental closing. In particular, heavy covers on escape hatches shall be equipped with counter weights. Escape doors and covers of escape and access of hatches shall be so constructed as to be capable of being opened from either side of the door or cover.
2. The dimensions of access hatches shall be such that it will allow a person to have a quick and easy escape to a safe place in the event of an emergency. Where practicable, the dimensions of access hatches of cargo, machinery and accommodations spaces shall be such that they will facilitate expeditious rescue operation.
3. Handrails, grab rails and handholds of sufficient size and strength shall be provided to the satisfaction of the Administration as support for persons when the fishing vessel is severely rolling or pitching.

4. Skylights of machinery spaces or other similar openings which are normally kept open at sea shall be provided with adequately spaced protective bars or other arrangements to the satisfaction of the Administration to prevent a person from falling into the space accidentally. Where the size of such an opening is small, the Administration may waive this requirement if satisfied that due to the small size of the opening no protective arrangement is necessary.

Section 7. Plans and Drawings Requirements

1. A Sketch Plan is required to be submitted for Fishing Vessels with tonnage of less than 5 GT.
2. For ships 5 GT to 15 GT
 - a. General Arrangement Plan
 - b. Construction Plan
 - c. Midship Plan and BHD Plan Details
3. The following documents are required to be submitted for fishing vessels above 15 GT to 50 GT:
 - a. General Arrangement Plan;
 - b. Construction Plan
 - c. Midship Plan and BHD Plan Details
 - d. Lines Plan and Table of Offset
 - e. Hydrostatic Curves or Hydrostatic Table
 - f. Shell Expansion Plan
 - g. Scantling Calculation with Longitudinal Hull Girder Strength Calculation
 - h. Capacity Plan;
 - i. Welding Schedule and Specifications;
 - j. Shafting and Propeller Arrangement & Specifications; and
 - k. Specification & Arrangement of Main Propulsion & Auxiliary Machineries
4. The following documents are required to be submitted for fishing vessels above 50 GT
 - a. General Arrangement Plan;
 - b. Construction Plan;
 - c. Midship Plan and BHD Plan Details;
 - d. Lines Plan and Table of Offsets;
 - e. Hydrostatic Curves or Hydrostatic "Table";
 - f. Scantling Calculation with Longitudinal Hull Girder Strength Calculation;
 - g. Capacity Plan;
 - h. Welding Schedule and Specifications;
 - i. Shafting and Propeller Arrangement & Specifications;

- j. Specifications & Arrangement of Main Propulsion & Auxiliary Machineries;
- k. Cross Curves of Stability; and
- l. Life Saving and Fire Fighting Plan.

Rule 5
Repairs, Conversions and Re-Building

Section 1. General Provisions

1. Repairs, alterations or modifications of major character and outfitting related thereto shall meet the requirements prescribed for a new fishing vessel as long as the Administration deems them reasonable and practicable. The owner shall inform the Administration of the proposed repairs, alterations or modifications before they are carried out.
2. For the purposes of these Rules and Regulations, repairs, alterations or modifications shall be recognized as "major character" if it falls within the context of major conversion as defined. An existing fishing vessel which undergoes major conversion as to:
 - a. substantially alter the dimensions or carrying capacity of the fishing vessel;
 - b. change the type of the fishing vessel;
 - c. which in the opinion of the Administration is substantially to prolong its life; or
 - d. otherwise so alters the fishing vessel that, if it were a new fishing vessel, it would become subject to relevant provisions of these Rules and Regulations not applicable to it as an existing fishing vessel.

Section 2. Specific Provisions

1. The fishing vessel owner/operator or the fishing vessel builder shall submit to the Administration a complete set of required fishing vessel plans and specifications for approval prior to conversion, alteration, modification or rebuilding.
2. The fishing vessel plan and/or proposed conversion, alteration, modification or rebuilding plans of all fishing vessel intended to be acquired for importation shall be subjected to pre-evaluation by the Administration prior to the issuance of the Authority to Import. Pre-evaluation shall be governed by a checklist to be formulated by Administration.
3. Fishing vessel Plans shall be signed and sealed by Philippine Registered Naval Architect (RENA) and Professional Electrical Engineer (PEE) for electrical plans.
4. Any modification/ alteration to the design of the approved plans shall require approval from the Administration prior to the implementation of such modification/ alteration.
5. Any modification or alteration work by the fishing vessel builder shall not commence until that part of the fishing vessel affected by such modification or alteration has been reviewed and approved by the Administration.
6. As-built Plans shall be submitted to the Administration after completion of conversion, alteration or modification of fishing vessel for approval.
7. All fishing vessel shall retain a copy of the Administration-approved "as-built" plans on board, at all times.

8. Any conversion, alteration, modification or re-building of fishing vessel shall be subjected to re-admeasurement, re-inclining Experiment Test, re-calculation of freeboard and other re-issuances as required by the Administration.
9. The Administration shall witness the sea trial of the fishing vessel after construction, conversion, alteration, modification or re-building that will be supervised and certified by the shipyard.

Section 3. Plans and Drawings Requirements. The Administration shall approve plans affecting the conversion, alteration, modification and re-building.

Section 4. Periodic Survey during Conversion, Alteration, Modification or Re-Building and Issuance of Certificate.

1. The Administration surveyor performs the surveys at specific stages throughout all phases conversion, alteration, modification, or re-building following the Administration Checklist. During the survey the surveyor checks the compliance of the works with the approved plans, adequate quality of materials and workmanship. Survey of fishing vessel's work depends on the Administration-approved plans.
2. The fishing vessel works shall be to the satisfaction of the Administration surveyor.
3. Throughout all the stages of the fishing vessel's work, the Administration surveyor submits report on each survey made prior to issuance of Construction Certificate to assure compliance based on approved plans.
4. Periodic Surveys shall be conducted based on the construction stages whether modular assembly or the traditional method of fishing vessel construction.

Rule 6 Stability

Section 1. Intact Stability, Subdivision and Stability Requirements for Fishing Vessels

1. This shall apply to fishing vessels propelled by mechanical means.
2. This shall apply to Philippine-registered fishing vessel operating in domestic trade, except those fishing vessels that rely on outriggers for their stability; Philippine-registered oceangoing fishing vessels are only covered under Section 4 hereof.
3. Fishing vessels of twenty-four (24) meters and above in length, shall comply with the applicable intact stability requirements for fishing vessels specified in the Stability Code or comply with the equivalent stability standards adopted by the Administration.
4. Fishing vessels of 24 meters and above in length whose characteristics, in the opinion of the Administration, render compliance with paragraph 2 impracticable shall comply with the stability criteria recommended in paragraph 2.5.2 of Resolution A.469 (XII) Guidelines for the Design and Construction of Offshore Supply Fishing vessels.
5. In addition to complying with the applicable requirements of this Regulation, the Administration may require, having regard to the nature of intended services, application of weather criteria specified in paragraph 3.2 of the Stability Code.

Section 2. General Provisions

1. The Code on Intact Stability and its amendments, as well as definition of the terms used therein, are hereby adopted as an integral part of this Rules and Regulations.
2. Every Philippine-registered fishing vessel covered by this Rules and Regulation shall undergo an inclining test and must have in possession on board a valid Certificate of Stability issued by the Administration for those engaged in domestic fishing, or an Intact Stability Booklet issued by an Administration recognized organization for those engaged in international fishing. Certificates of Stability issued by MARINA- accredited marine surveying entities prior to the effectivity of this Rules and Regulations will continue to be valid, subject to the conditions of Section 1, item 3 hereof.
3. All fishing vessels 24 meters and above in length, shall be subjected to, and be in compliance with standards, requirements and criteria provided under the Code on Intact Stability as amended, in order to be issued the Certificate of Stability. The Certificates to be issued, or those previously issued, are subject to endorsement every five (5) years from the last inclining test conducted on the ship.
4. Domestic fishing vessels below 24 meters, except those excluded in the coverage of this Rules, shall still be subjected to evaluation using the applicable provisions of the Code on Intact Stability as amended, with the results thereof to serve as basis whether to issue the Certificate of Stability without restrictions in area of operation, if in compliance with the Code's standards, requirements

and criteria, or, issue a Certificate of Stability with restrictions in the area of operation, due to limitations in stability based on the Code's standards.

5. Domestic fishing vessels covered by this Rules shall be subjected to an inclining test to be conducted by a duly licensed Naval Architect or other qualified/trained technical personnel from the MARINA, with the needed notification and preparations to be made by the company/shipyard Naval Architect. If the inclining test for domestic fishing vessel is to be conducted by a recognized organization or accredited marine surveying company, it shall be undertaken under the supervision of an Administration licensed Naval Architect or other qualified/ trained technical personnel, pursuant to Rules 7, Sec. 7.3.1 of the Code on Intact Stability, to ensure compliance with the Code, with the concerned organization/company assuming the responsibility to ensure strict observance of this requirement.
6. Domestic fishing vessels covered by this Rules found to be in compliance with the herein adopted/prescribed rules and regulations, based on the result of the inclining test, together with the supporting plans, calculations, etc. shall be issued the required Certificate of Stability by the Administration, with effectivity reckoned from the date the test/survey was conducted. If the test, calculations and evaluation of a domestic fishing vessel is undertaken by an accredited/ recognized organization, the results thereof shall be submitted to the Administration for validation, approval and subsequent issuance by the Administration of the required Certificate of Stability valid for five (5) years reckoned from the date the test/ survey was conducted.
7. Fishing vessels not covered by this Rules and Regulations shall be issued by the MARINA an Exemption Certificate.
8. In the case of a fishing vessel already issued with a Certificate of Stability, where alterations are made affecting its light condition or the position of the center of gravity, or both, such ship shall be subjected to re-inclining test and its stability information amended.
9. The Administration may allow the inclining test of a fishing vessel to be dispensed with, provided that reliable stability information for such ship can be obtained from a basic data available, or there are available references to existing data for similar class of ships/sister ships and it is shown to the satisfaction of the Administration that reliable stability information for the exempted ship can be obtained from such basic data. In the case of fishing vessel especially designed for the carriage of liquids or ore in bulk, the required inclining test may be dispensed with by the MARINA when reference to existing data for similar ships clearly indicates that, due to the ship's proportions and arrangements, more than sufficient transverse metacentric height will be available in all probable loading conditions.
10. Intact Stability Booklets approved by the Administration shall be supplied to the concerned fishing vessel to enable its Master to assess with ease and certainty the stability of the fishing vessel under various operating conditions, warning him of those operating conditions that could adversely affect either stability or the trim of the fishing vessel.

Section 3. Specific Provisions and Guidance for Stability Determination

1. Prior to the conduct of inclining test, the concerned company/shipyard Naval Architect shall submit the relevant ship plans, stability drawings and calculations for approval by the Administration. If the inclining test is to be performed by a recognized organization/accredited marine surveying entity, an outline of the inclining test procedure shall be submitted in addition to the foregoing requirements.
2. Written notification of the inclining test shall be submitted to the Administration, including the following information;
 - a. Name of ship; Owner/Operator; Address; Contact Number(s).
 - b. Date, time and location of the inclining test.
 - c. Type of Inclining Test
 - i. Using pendulum or tube (to indicate the length, quantity and location);
 - ii. Using Computer-aided Software (i.e., stability master).
 - d. Inclining weight Data
 - i. Type of weight;
 - ii. Amount and certification of weight (number of units, weight of each unit)
 - iii. Method of handling the weight (i.e., sliding, using crane or forklift)
 - e. Approximate draft and trim.
 - f. Conditions of tanks.
3. Newly constructed ships covered by this Rule shall be inclined upon its completion to determine the elements of its stability.
4. In order to insure that the result of the stability test to be conducted is dependable, all tanks on the ship to be tested shall be completely empty and dry, with the free surface moment for slack tanks computed as prescribed in the code.
5. The ship should be almost completely equipped as far as practicable when the inclining test is conducted. If additional materials or equipment is to be installed after the test, a complete and itemized list shall be prepared which shall be considered in the stability calculation to be made.
 - a. All dunnage, tools and other extraneous items on the fishing vessel to be tested shall be removed before the test.
 - b. Fishing vessel to be subjected to inclining test shall be moored in a location protected/with minimum interference from broadside wind, waves and tide, with the mooring lines slack during the test. The depth of water shall be sufficient to provide ample clearance under the vessel against grounding. The test should be conducted as much as possible during fine weather and during high tide.
 - c. Other specific procedures, guidelines, criteria and standards for the conduct of inclining test and stability calculation/determination shall be based from applicable provisions of the Code on Intact Stability.

- d. Other Safety Certificates shall be issued to a fishing vessel which has no Certificate of Stability, or if such Certificate ceases to be valid.
- e. If the Certificate of Stability/Intact Stability Booklet is invalidated by the Administration or its recognized organization after due process, the other Safety Certificate(s) issued to such ship shall automatically be suspended, and the fishing vessel shall be under "no sail condition".
- f. The Master of a ship under no sail condition shall be under obligation to warrant that such fishing vessel shall not proceed to sea and undertake a voyage.
- g. Non-possession onboard of the required Certificate of Stability (or Exemption Certificate) shall be considered as major deficiency/major non-conformity warranting immediate suspension/cancellation/non-issuance of other ship safety certificates and authority to operate.
- h. All fishing vessel covered by this Rules and Regulation shall be subjected to lightweight survey after five (5) years from the date of the fishing vessel's latest inclining test to verify any changes in the lightship displacement and longitudinal center of gravity, as a prerequisite to the endorsement of the Certificate of Stability. It is however, incumbent on the Administration to evaluate the annual inspection and drydocking reports of the concerned fishing vessel, and where there is no evidence from such reports of changes, alterations or deterioration from the fishing vessel to affect its stability, the Certificate of Stability shall be indorsed without the fishing vessel being subjected to lightweight survey. In instances where a lightweight survey is deemed necessary to be undertaken, subject to formal notice to the concerned fishing vessel owner/operator/manager stating the basis for such, such survey shall be scheduled by the Administration in conjunction with the scheduled drydocking of the fishing vessel, as far as practicable. Following such, the Administration shall endorse the Certificate of Stability or Intact Stability Booklet issued if no significant deviation is noted after the survey.
- i. The Administration may adopt or approve other inclining test procedure for fishing vessel below 24 meters in length, provided special precautions are taken to ensure the accuracy of the test procedure.

Section 4. Implementation

- 1. Duly accredited marine surveying companies authorized to conduct stability determination in behalf of the Administration for Philippine registered domestic fishing vessel shall continue to perform such function, subject to the conditions in Section 2, item 5 if so contracted by an affected fishing vessel owner/charterer/manager, except that the issuance of the Certificate of Stability shall solely be performed by the MARINA.
- 2. Upon completion of the needed surveys, tests, calculations, etc., whether undertaken by the MARINA or its accredited entities, and submission of all requirements, the Full Term Certificate of Stability shall be issued by the Administration within five (5) working days therefrom.
- 3. In the case of Philippine-registered fishing vessels engaged in international operations, Recognized Organizations shall continue to perform the conduct of

stability determination and issuance of Intact Stability Booklet for such fishing vessel in behalf of the Administration, pursuant to the Code on Intact Stability, as amended. The Intact Stability Booklet to be issued to such fishing vessel however, inclusive of the resulting test and calculations, shall be submitted to the Administration by the concerned Recognized Organizations, pursuant to the requirement provided under Rules 2, Sec. 2.1.2 of the Code on Intact Stability. For purposes of uniformity and to facilitate review and approval, the Intact Stability Booklet to be submitted to the Administration should adhere to the format prescribed hereunder:

- a. Table of Contents.
 - b. General description of the ship.
 - c. General Arrangement Plan and Capacity Plan.
 - d. Inclining Test Report.
 - e. Stability Calculation on every loading condition and their corresponding statistical curve of stability.
 - f. Index of each loading condition.
 - g. Hydrostatic curves or tables and cross curves of stability.
 - h. Tank sounding tables showing capacities, center of gravity and free surface data for each tank.
4. For domestic fishing vessel homeported in the regions, the fishing vessel owner/operator/ manager shall apply and have their fishing vessel undergo an inclining test and subsequent issuance of Certificate of Stability at the concerned MARINA Regional Office. In cases where there is no licensed Naval Architect or other qualified/trained technical personnel in the concerned MRO, they may apply at the next nearest MRO where there is such qualified personnel available.

Section 5. Inclining Tests and Stability Information

1. Every fishing vessel shall undergo an inclining test upon its completion and the actual displacement and position of the center of gravity shall be determined for the light fishing vessel condition.
2. Where alterations are made to a fishing vessel affecting its light condition and the position of the center of gravity, the fishing vessel shall, if the Administration considers this necessary, be re-inclined and the stability information amended.
3. The Administration may allow the inclining test of an individual fishing vessel to be dispensed with, provided reliable stability information for the exempted fishing vessel can be obtained from basic data available.
4. The Stability Booklet/Report approved by the Administration shall be supplied to fishing vessel propelled by mechanical means to enable the skipper to assess with ease and certainty the stability of the fishing vessel under various operating conditions. Such information shall include specific instructions to the skipper warning him of those operating conditions, which could adversely affect either stability or the trim of the fishing vessel.

5. In particular, the information recommended in the Stability Code shall be included as appropriate. A copy of the stability booklet/report shall be submitted to the Administration.
6. The approved stability booklet/report shall be kept on board, readily accessible at all times and inspected at the periodical surveys of the fishing vessel to ensure it has been approved and the condition of the fishing vessel since its approval has not changed.
7. Where alterations are made to a fishing vessel affecting its stability, revised stability calculations shall be prepared and submitted to the Administration for approval. Such revised information shall be supplied to the skipper and the superseded information removed from the fishing vessel.

Section 6. Bilge Pumping Arrangements

1. An efficient bilge pumping arrangement shall be provided which under all practical conditions shall be capable of pumping from and draining any watertight compartment other than a space permanently appropriated for the carriage of fresh water, water ballast, oil fuel or liquid cargoes for which other efficient means for pumping are provided. Where the Administration is satisfied that the safety of the fishing vessel is not impaired, the bilge pumping arrangements may be dispensed with in any particular compartment.
2. The arrangement of the bilge and ballast pumping system shall be such as to prevent possibility of water passing from the sea and from water ballast spaces into the fish hold and machinery spaces, or from one compartment to another.
3. All distribution boxes and manually operated valves in connection with bilge pumping arrangements shall be in positions, which are accessible under ordinary circumstances.
4. At least two bilge pumps connected to the main bilge system shall be provided, one of which may be driven by the propulsion machinery. The total capacity of the required bilge pumps shall not be less than 125 percent of the total capacity of the required main fire pump referred to in Rule 13 (Fire Mains, Water Service Pipes and Fire Hydrants) of these Rules and Regulations.
5. Sanitary, ballast and general services pumps provided with suitable connections for bilge suction may be accepted as independent power bilge pumps.
6. A bilge ejector in combination with an independently driven high pressure seawater pump may be installed, provided this arrangement is to the satisfaction of the Administration.
7. Bilge pipes shall not be led through fuel oil, ballast or double bottom tanks, unless pipes are of heavy gauge steel construction.

Rule 7

Machinery Installation

Section 1. General Requirements.

1. All boilers and other pressure vessels, all parts of machinery, all steam, hydraulic, pneumatic and other systems and their associated fittings, which are under internal pressure, shall be subjected to appropriate tests including a pressure test before being put into service. Corresponding certification society or other recognized body has to be provided to the Administration.
2. Means shall be provided to ensure the machinery can be brought into operation from the dead vessel condition without external aid.
3. Adequate provisions shall be made to facilitate cleaning, inspection and maintenance of machinery installations including boilers and other pressure vessels.
4. Where risk from over speeding of machinery exists, means shall be provided to ensure the safe speed is not exceeded.
5. Where main or auxiliary machinery including pressure vessels or any parts of such machinery are subjected to internal pressure and may be subject to dangerous overpressure, means shall be provided practicable to protect against such excessive pressure.
6. All gearing and every shaft and coupling used for transmission of power to machinery essential for the propulsion and safety of the fishing vessel or for the safety of persons on board shall be so designed and constructed that they withstand the maximum working stresses, which may be subjected in all service conditions, and due consideration shall be given to the type of engines by which they are driven of which they form apart.
7. Main turbine propulsions machinery and, where applicable, main internal combustion propulsion machinery and auxiliary machinery shall be provided with automatic shut-off arrangements in the case of failures such as lubricating oil supply failure, which could lead rapidly to complete breakdown, serious damage or explosion. The Administration may permit provisions for overriding automatic shutoff devices.
8. Internal combustion engines of a cylinder diameter of 200 mm or crankcase volume of 0.6m³ and above shall be provided with crankcase explosion relief valves of a suitable type with sufficient area. The relief valves shall be arranged or provided with means to ensure discharge from them is so directed as to minimize the possibility of injury to personnel.

Section 2. Machinery Controls

1. Main and auxiliary machinery essential for the propulsion and safety of the fishing vessel shall be provided with effective means for its operation and control.
2. Means shall be provided whereby normal operations of propulsion machinery can be sustained or restored even though one of the essential auxiliaries

becomes inoperative. Special consideration shall be given to the malfunctioning of:

- a. An electrical power generator, which serves as a main source of electrical power;
 - b. The sources of lubricating systems oil pressure;
 - c. The fuel oil supply systems for engines;
 - d. The sources of water pressure;
 - e. An air compressor and receiver for starting or for control purposes;
 - f. The hydraulic, pneumatic or electrical means for control in main propulsion machinery including controllable pitch propellers; and,
 - g. Steam boilers and boiler feed systems, if provided. However, the Administration, having regard to overall safety considerations, may accept a partial reduction in propulsion capability from normal operation.
3. Special consideration shall be given to the design, construction and installation of propulsion machinery system so that any mode of their vibrations shall not cause undue stresses on the machinery in its normal operating ranges.

Section 3. Remote Control of Propulsion Machinery

1. Where remote control propulsion machinery from the navigating bridge is provided and the machinery spaces are intended to be manned, the following shall apply:
 - a. The speed, direction of thrust and, if applicable, the pitch of the propeller shall be fully controllable from the navigating bridge under all sailing conditions, including maneuvering;
 - b. The remote control shall be performed, for each independent propeller, by a control device so designed and constructed that its operation does not require particular attention to the operational details of the machinery. Where multiple propellers are designed to operate simultaneously, they may be controlled by one control device;
 - c. The main propulsion machinery shall be provided with an emergency stopping device located on the navigating bridge, which shall be independent of the navigating bridge control system;
 - d. Propulsion machinery orders from the navigating bridge shall be indicated in the main machinery control room or at the maneuvering platform as appropriate;
 - e. Remote control of the propulsion machinery shall be possible only from one location at a time; at such locations interconnected control positions are permitted. At each location, there shall be an indicator showing which location is in control of the propulsion machinery. The transfer of control between the navigating bridge and machinery spaces shall be possible only in the main machinery space or the main machinery control room. This system shall include means to prevent the propelling thrust from altering significantly when transferring control from one location to another;

- f. It shall be possible to control the propulsion machinery locally, even in the case of failure in any part of the remote control system;
 - g. The design of the remote control system shall be such that, in case of its failure an alarm will be given. Unless the Administration considers it impracticable the preset speed and direction of thrust of the propellers shall be maintained until local control is in operation;
 - h. Indicators shall be fitted on the navigating bridge for:
 - i. Propeller speed and direction of rotation, in the case of fixed pitch propellers; and
 - ii. Propeller speed and pitch position, in the case of controllable pitch propellers. An alarm shall be provided on the navigating bridge and in the machinery space to indicate low starting air pressure or low electrical power, which shall be set at a level to permit further main engine starting operation. If the remote control systems of the propulsion machinery are designed for automatic starting, the number of consecutive attempts that fail to produce a start shall be limited in order to safeguard sufficient starting air pressure or adequate electrical power for starting locally. In this context, the recommendations or instructions of the manufacturers for remote controlled starting have to be observed. In case these are not available, an organization, recognized by the Administration, has to conduct tests and shall issue a certification stipulating the capacity (number of starts) of the available air pressure or electrical supply.
2. Fishing vessels where the main propulsion and associated machinery, including main electrical supply, are provided with various degrees of automatic or remote control and are under continuous manual supervision from a control room, the arrangements and controls shall be so designed, equipped and installed that the machinery operation will be as safe and effective as if it were under direct supervision. Particular consideration shall be given to protect such spaces against fire and flooding. An alarm system shall be provided on the navigating bridge and in the machinery space to indicate low starting pressure or low electrical power, which shall be set at a level to permit further main engine starting operation. If the remote control system of the propulsion machinery is designed for automatic starting, the number of consecutive attempts, that fail to produce a start, limited in order to safeguard sufficient starting air pressure or adequate electrical power.

Section 4. Periodically Unattended Machinery Spaces

- 1. Fishing vessels having periodically unattended machinery spaces shall, as far as practicable and reasonable in the opinion of the Administration, comply with the applicable requirements of the Administration for such machinery spaces.
- 2. Where alternative arrangements are provided the Administration shall ensure that:
 - a. The safety of the fishing vessel sailing in all conditions, including maneuvering, is equivalent to that of a vessel having manned machinery spaces; and
 - b. Documentary evidence indicating such arrangements are satisfactorily provided.

Section 5. Steam Boilers and Boiler Feed System

1. Every steam boiler and every unfired steam generator shall be provided with not less than two safety valves of adequate capacity. However, having regard to the output or any other features of any boiler or unfired steam generator, the Administration may permit only one safety valve to be fitted if it is satisfied adequate protection against overpressure is thereby provided.
2. Each oil-fired boiler that is intended to operate without manual supervision shall have safety arrangements, which shut off the fuel supply and give an alarm in the case of low water level, air supply failure or flame failure.
3. Every steam generating system, which provides services essential for the safety of the fishing vessel or which could be rendered dangerous by the failure of its feed-water supply, shall be provided with not less than two separate feed-water systems from and including the feed pumps, noting that a single penetration of the steam drum is acceptable. Unless overpressure is prevented by the pump characteristics, means shall be provided that will prevent overpressure in any part of the systems.
4. Boilers shall be provided with means to supervise and control the quality of the feed-water. Suitable arrangements shall be provided to preclude, as far as practicable, the entry of oil or other that may adversely affect the boiler.
5. Every boiler essential for the safety of the fishing vessel and designed to contain water at a specified level shall be provided with at least two means for indicating its water level; at least one of which shall be a direct reading gauge glass.
6. Water tube boilers serving turbine machinery shall be fitted with a high-water-level alarm.

Section 6. Steam Pipe Systems

1. Every steam pipe and every fittings connected thereto through which steam may pass shall be so designed, constructed and installed as to withstand the maximum working stresses to which it may be subjected.
2. Means shall be provided for draining every steam pipe in which dangerous water hammer action might otherwise occur.
3. If a steam pipe or fitting may receive steam from any source at a higher pressure than that for which it is designed, a suitable pressure-reducing valve or pressure gauge shall be fitted.

Section 7. Air Pressure Systems

1. Means shall be provided to prevent overpressure in any part of compressed air systems and wherever water jackets or casings of air compressors and coolers might be subjected to dangerous overpressure due to leakage into them from air pressure parts of the fishing vessel. Suitable pressure relief arrangements shall be provided for all systems.
2. The main starting air arrangements for main propulsion internal combustion engines shall be adequately protected against the effects of backfiring and internal explosion in the starting pipes.

3. All discharge pipes from starting air compressors shall lead directly to the starting air receivers and all starting pipes from the air receivers to main or auxiliary engines shall be entirely separate from the compressor discharge pipe system.
4. Provision shall be made to reduce to a minimum the entry of oil into the air pressure systems and to drain these systems.

Section 8. Ventilation Systems in Machinery Spaces

1. Machinery spaces of Category A shall be adequately ventilated so as to ensure when machinery or boilers therein are operating at full power in all weather conditions including heavy weather. An adequate supply of air is maintained in the spaces for the safety and comfort of personnel and the operation of the machinery. Any other machinery space shall be adequately ventilated appropriate for the purpose of that machinery space.
2. In addition to complying with the requirements of the preceding item the ventilation of machinery spaces shall also be sufficient under all normal conditions to prevent accumulation of oil vapor.

Section 9. Protection against Noise. Measures shall be taken to reduce machinery noise in machinery spaces to acceptable levels as determined by the Administration. If this noise cannot be sufficiently reduced, the source of excessive noise shall be suitably insulated or isolated or a refuge from noise shall be provided, if the space is required to be manned. Ear protectors shall be provided for personnel required to enter such spaces, if necessary. In case of ear protectors being applied, it must be made sure by appropriate optical means that an alarm will be attended to by the person in charge.

Section 10. Means of Going Astern

1. Sufficient means of going astern shall be provided to secure proper control of the fishing vessel in all normal circumstances.
2. The ability of the machinery to reverse the direction of thrust of the propeller in sufficient time and so to bring the fishing vessel to rest within a reasonable distance from maximum ahead service speed shall be demonstrated and recorded.
3. The stopping times, fishing vessel headings and distances recorded on trials, together with the results of trial to determine the ability of fishing vessels having multiple propellers to navigate and maneuver with one or more propellers inoperative shall be available on board for the use of the master or designated personnel.
4. Where fishing vessel is provided with supplementary means for maneuvering or stopping, the effectiveness of such means shall be demonstrated and recorded in items 3 and 4 of Section 10 herein.

Section 11. Steering Gear

1. Unless expressly provided otherwise, every fishing vessel shall be provided with a main steering gear and subject to the provisions of item 4 of herein section with an auxiliary means of steering the vessel in the event of failure of the steering gear.

2. The main steering gear shall be of adequate strength and capable of steering the fishing vessel at maximum ahead service speed. The main steering gear and rudder stock shall be so designed that they will not be damaged at maximum astern speed.
3. The auxiliary means steering shall be of adequate strength and capable of steering the fishing vessel at navigable speed and of being brought speedily into action in an emergency.
4. Where the power-operated main and auxiliary steering gear units are provided:
 - a. The main steering gear shall be capable of putting the rudder over from 35° on one side to 35° on the other side, with the ship at its deepest seagoing draught and running ahead at maximum ahead service speed and, under the same conditions, from 35° on either side to 30° on the other side is not more than 28 seconds;
 - b. The auxiliary steering gear shall be capable of putting the rudder over from 15° on one side to 15° on the other side in not more than 60 seconds, with the fishing vessel at its deepest seagoing draught and running ahead at one half of the maximum ahead service speed or 7 knots, whichever is greater;
 - c. Where the power-operated main steering gear units and the connections are fitted in duplicate and each unit complies with the provisions of paragraph 3, no auxiliary steering unit need be required.
5. The main steering power failure unit shall be arranged to restart either by manual or automatic means when power is restored after a power failure.
6. In the event of a power failure in any one of the steering gear power units, an audible and a visual alarm shall be given on the navigating bridge.
7. The angular position of the rudder, if the main steering gear is power-operated, shall be indicated on the navigating bridge. The rudder angle indication shall be independent of the steering gear control system.
8. Where a non-conventional rudder is installed, the Administration shall give special consideration to the steering system, so as to ensure that an acceptable degree of reliability and effectiveness that is based on the provisions of these Rules and Regulations is provided.
9. A means of communication shall be provided, where necessary, between the navigating bridge and the steering gear compartment.

Section 12. Communication between Navigating Bridge and Machinery Spaces

1. Fishing vessel shall be provided with at least two (2) independent means for communicating orders between navigating bridge and the machinery space or control room from which the main propulsion engines are normally controlled. One of the means shall be an engine-room telegraph. The arrangement of these means shall be to the satisfaction of the Administration.
2. The engine room telegraph referred to the preceding item may be dispensed with if the main propulsion engine is directly controlled from the navigating bridge under normal operating conditions.
3. In lieu of meeting the requirements of item no. 1 of herein Section, fishing vessel of less than 24 meters in length may be provided with only one means of

communications referred to in item no. 1 of herein Section, if the Administration is satisfied that, due to close proximity of the navigating bridge and the position of local control of the main propulsion machinery, two (2) means of communication are not necessary.

4. Appropriate means of communication shall be provided to any position (other than navigating bridge) from which the engines may be controlled.

Section 13. Engine Room Alarm System. An engine room alarm system shall be provided to be operated from the engine control room or at the maneuvering platform as appropriate and shall be clearly audible in the engineer's accommodation. The Administration may dispense with this requirement if satisfied that, due to particular manning patterns adopted in the engine room or close proximity of the engine control room or the maneuvering platform and the engine officer's accommodation, no engine room alarm system is necessary.

Rule 8

Electrical Installations

Section 1. General Electrical Requirements

1. Electrical installations on fishing vessels shall comply with the requirements of this Rule except as provided otherwise in Section 5 (Special Considerations).
2. Electrical installations shall be such that:
 - a. All electrical auxiliary services necessary for maintaining the fishing vessel in normal operational and habitable conditions will be ensured without recourse to the emergency source of electrical power;
 - b. Electrical services essential for safety will be ensured under various emergency conditions; and,
 - c. The safety of fishers and fishing vessel from electrical hazards will be ensured.

Section 2. Safety Precautions

1. Exposed metal parts of electrical machines or equipment, which are not intended to be live but which are liable under fault conditions to become live, shall be earthed unless the machines or equipment are:
 - a. Supplied at a voltage not exceeding 55 V direct current or 55 V root mean square between conductors. Auto-transformers shall not be used for the purpose of achieving this voltage;
 - b. Supplied at a voltage not exceeding 250 V by safely isolating transformers supplying only one consuming device; or
 - c. Constructed in accordance with the principle of double insulation.
2. The Administration may require additional precautions for portable electrical equipment for use in confined or exceptionally damp spaces, where particular risks due to conductivity may exist.
3. All electrical apparatus shall be constructed and so installed as not to cause injury when handled or touched in the normal manner.
4. Main and emergency switchboards shall be so arranged as to give easy access to apparatus and equipment, without danger to personnel. The sides and the rear and, where necessary, the front of switchboards shall be suitably guarded. Exposed live parts, having voltages to earth exceeding a voltage to be specified by the Administration, shall not be installed on the front of such switchboards. Whenever necessary, non-conducting mats or gratings shall be provided at the front and rear of the switchboard.
5. The requirements of a hull return system of distribution shall be under the conditions approved by the Administration specifically in the use of:
 - a. Impressed current cathodic protective systems;
 - b. Limited and locally earthed systems (e.g. engine starting system);

- c. Limited and locally earthed welding systems, where the Administration is satisfied that the equipotential of the structure is assured in a satisfactory manner or welding with hull return may be installed without restriction; and,
 - d. Insulation level monitoring devices provided the circulation current does not exceed 30 meters under the most unfavorable conditions.
6. Where the hull return system is used, all final sub-circuits, i.e. all circuits fitted after the last protective device, shall be two-wire and special precautions shall be taken to the satisfaction of the Administration.
 7. When a distribution system, whether primary or secondary, for power, heating or lighting with no connection to earth is used, a device capable of continuously monitoring the insulation level to earth and of giving an audible or visual indication of abnormally low insulation values shall be provided.
 8. Except as permitted by the Administration in exceptional circumstances, all metal sheaths and armor of cables shall be electrically continuous and shall be earthed.
 9. All electric cables and wiring external to equipment shall be at least of a flame-retardant type and shall be so installed as not to impair their original flame-retarding properties. Where necessary and for particular applications, the Administrations may permit the use of special types of cables such as radio frequency cables, which do not comply with the foregoing.
 10. Cables and wiring serving essential or emergency power, lighting, internal communications or signals shall, so far as practicable, be routed clear of galleys, laundries, machinery spaces of category A and their casings and other high fire risk areas. Cables connecting fire pumps to the emergency switchboard shall be of a fire-resistant type where they pass through high fire risk areas. Where practicable, all such cables shall be run in such a manner as to preclude their being rendered unserviceable by heating of the bulkheads, which may be caused by a fire in an adjacent space.
 11. Where cables that are installed in hazardous areas introduce the risk of fire or explosion in the event of an electrical fault in such areas, special precautions against such risk shall be taken to the satisfaction of the Administration.
 12. Cables and wiring shall be installed and supported in such a manner as to avoid chafing or other damage.
 13. Terminations and joints in all conductors shall be so made as to retain the original electrical, mechanical, flame-retarding and, where necessary, fire-resisting properties of the cables.
 14. Each separate circuit shall be protected against short circuit and against overload, except the circuit for the steering gear and where the Administration may exceptionally otherwise permit. The rating or appropriate setting of the overload protective device for each circuit shall be permanently indicated at the location of the protective device.
 15. Lighting fittings shall be so arranged as to prevent temperatures rises which could damage the cables and wiring, and to prevent surrounding material from becoming excessively hot.

16. All lighting and power circuits terminating in a bunker or fish hold space shall be provided with a multiple-pole switch outside the space for disconnecting such circuits.
17. Accumulator batteries shall be suitably housed, and compartments used primarily for their accommodation shall be properly constructed and efficiently ventilated.
18. Electrical or other equipment, which may constitute a source of ignition of flammable vapors, shall not be permitted in those compartments except as permitted in 20 hereof.
19. Accumulator batteries, except for batteries used in self-contained battery operated lights, shall not be located in sleeping quarters except where hermetically sealed to the satisfaction of the Administration.
20. No electrical equipment shall be installed in any space where flammable mixtures are liable to collect including those onboard fishing vessels in compartments assigned principally to accumulator batteries, in paint lockers, acetylene stores or similar spaces unless the Administration is satisfied that such equipment is:
 - a. Essential for operational purposes;
 - b. Of a type which will not ignite the mixture concerned;
 - c. Appropriate to the space concerned; and,
 - d. Appropriately certified for safe usage in the dusts, vapors or gases likely to be encountered.
21. Lighting conductors shall be fitted to all masts or topmasts constructed of non-conducting materials. Fishing vessels constructed of non-conductive materials, the lightning conductors shall be connected by suitable conductors to copper plates fixed to the vessel's hull well below the waterline.

Section 3. Main Source of Electrical Power

1. A main source of electrical power of sufficient capacity to supply those services mentioned in **Section 1 hereof (General Electrical Requirements) paragraph 2. a** shall be provided. This main source of electrical power shall consist of at least two (2) generating sets (one could be accepted if driven by the main propulsion engine) and shall comply with the following:
 - a. The capacity of these generating sets shall be such that in the event of any one generating set being stopped, it will be possible to supply those services necessary to provide normal operational conditions of propulsion and safety;
 - b. The arrangements of the fishing vessel's main source of electrical power shall be such that the services referred to in **Section 1 paragraph 2. a (General Electrical Requirements)** can be maintained regardless of the speed and direction of rotation of the propulsion machinery or shafting;
 - c. In addition, the generating sets shall be such as to ensure that with any one generator or its primary source of power out of operation, the remaining generating sets shall be capable of providing the electrical services necessary to start the main propulsion plant from a dead ship condition. The

emergency source of electrical power may be used for such electrical service if its capability is sufficient to provide at the same time those services required to be supplied by **Section 4 (Emergency Source of Electrical Power) paragraph 5.**

2. A main electrical lighting system, which shall provide illumination throughout those parts of the fishing vessel normally accessible to and used by the fishers, shall be supplied from the main source of electrical power.
3. The arrangement of the main electric lighting system shall be such that a fire or other casualty in spaces containing the main source of electrical power, associated transforming equipment, if any, and the main switchboard will not render the emergency electric lighting system required by **Section 4 (Emergency Source of Electrical Power) paragraph 5 inoperative.**
4. The arrangements of the emergency electrical lighting system shall be such that a fire or other casualty in spaces containing the emergency source of electrical power, associated transforming equipment, if any, and the emergency switchboard will not render the main electric lighting system required by this Regulation inoperative.

Section 4. Emergency Source of Electrical Power

1. A self-contained emergency source of electrical power shall be provided.
2. The emergency source of electrical power, associated transforming equipment, if any, and the emergency switchboard shall be located above the uppermost continuous deck and shall be readily accessible from the open deck. They shall not be located forward of the collision bulkhead, except where permitted by the Administration in exceptional circumstances.
3. The location of the emergency source of electrical power, associated transforming equipment, if any, the emergency switchboard in relation to the main source of electrical power, associated transforming equipment, if any, and the main switchboard shall be such as to ensure, to the satisfaction of the Administration, that a fire or other casualty in the space containing the main source of equipment, if any, and the main switchboard, or in any machinery space category A will not interfere with the supply, control and distribution of emergency electrical power.
4. Provided suitable measures are taken for safeguarding independent emergency operation under all circumstances, the emergency generator may be used, exceptionally and for short periods, to supply non-emergency circuits.
5. The electrical power available shall be sufficient to supply all those services essential for safety in an emergency, due regard being paid to such services as may have to be operated simultaneously. The emergency source of electrical power shall be capable, having regard to starting currents and the transitory nature of certain loads, of supplying simultaneously at least the following services for the periods specified hereinafter, if they depend upon an electrical source for their operation:
6. For a period of three (3) hours, emergency lighting at every muster and embarkation station and over the sides in the way of such stations.
7. For a period of 12 hours, emergency lighting:

- a. In all service and accommodation alleys, stairways and exits;
- b. In spaces containing machinery propulsion used for navigation, if any, and main source of electrical power and their control positions;
- c. In all control stations, machinery control rooms and at each main and emergency switchboard;
- d. At all stowage positions for firemen's outfits;
- e. At the steering gear, if any; and
- f. At the emergency fire pump and its control position.
- g. For a period of 12 hours, the navigation lights and other lights required by COLREG;
- h. For a period of twelve (12) hours:
 - i. All communication equipment required for transmission of distress and safety messages, including fishing vessel's whistle and all internal communication equipment as required in an emergency;
 - ii. The fire detection and fire alarm systems; and,
 - iii. Operation of emergency fire pumps, if electrically operated.
- 8. Fishing vessels regularly engaged in voyages of short duration, the Administration, if satisfied that an adequate standard of safety would be attained, may accept a lesser period than the 12-hour period specified in Section 4 paragraph 5 a to d of herein Rule but not less than three (3) hours.
- 9. The emergency source of electrical power may be either:
 - a. An accumulator battery capable of carrying the emergency electrical load without recharging or excessive voltage drop; or,
 - b. A generator driven by a suitable prime mover with an independent fuel supply and starting to the satisfaction of the Administration.
- 10. Where the emergency source of electrical power is an accumulator battery, it shall be capable of automatically connecting to the emergency switchboard in the event of failure of the main source of electrical power. Where an automatic connection to the emergency switchboard is not practical, manual connection may be acceptable to the satisfaction of the Administration.
- 11. Where the emergency source of power is a generator, it shall be automatically started and connected to the emergency switchboard within 45 seconds of the loss of the main source of electrical power. It shall be driven by a prime mover with an independent fuel supply having a flash point of not less than 43°C. Automatic starting of the emergency generator will not be required where a transitional source of power to the satisfaction of the Administration is provided.

Section 4. Special Considerations

The Administration may waive any of the requirements specified in this Rules taking into account the requirements of electrical power for operating the propulsion machinery and the size of the fishing vessel.

Rule 9

Safe Manning

Rule 9 sets forth the safe manning requirements of Philippine-registered fishing vessels and defines the duties and responsibilities of officers and ratings.

Section 1. General Provisions

1. A Philippine-registered fishing vessel shall be completely manned by Filipino Skippers, Officers and Ratings except as authorized by the Administration.
2. The Skipper, Officers and Ratings onboard Philippine-registered fishing vessels shall be duly qualified, competent, certificated and medically fit in accordance with these Rules and Regulations.
3. A Philippine-registered fishing vessel shall have onboard an approved safe manning document indicating therein the safe manning complement and their corresponding licenses and qualification requirements.
4. The Skipper, Officers and Ratings in international fishing operation performing watchkeeping shall meet the certification requirements of the Administration.
5. The highest officer on deck shall be higher in rank than the highest officer in the engine department, except in cases where the required engine power (KW) is much greater and not in proportion to gross tonnage (GT)
6. An Engine Output Rating shall be measured in KW instead of BHP (1KW = 1.341HP/1HP = 0.746KW).
7. Special manning applies to fishing vessel engaged in fishing operation in domestic and international waters. Manning for engine officers and engine ratings shall be based on the one single highest KW-rated engine on board.

Section 2. Safe Manning

1. In adopting the Table of Safe Manning herein prescribed, the Administration took cognizance of the Principles of Safe Manning under the concept of Safe Manning. Further, the typical fishing fleet operations in the Philippines is also considered. These Rules shall, therefore, mean that the fishers shall include sufficient officers and ratings with appropriate skills and experience to ensure that the following principles can be complied with:
 - a. The capability to maintain a safe bridge watch at sea;
 - b. The capability to moor and unmoor a vessel effectively;
 - c. The capability to operate and maintain effectively all the watertight closing arrangements including ability to mount an effective damage control;
 - d. The capability to operate and when practicable, maintain efficient, all fire equipment and life saving appliances provided including the ability to muster and disembark fishers and non-essential personnel;
 - e. The capability to manage the safety functions of the fishing vessel when employed in a stationary or near-stationary mode at sea;

- f. The capability to maintain a safe engineering watch at sea and also to maintain general surveillance of spaces containing main propulsion and auxiliary machinery;
 - g. The capability to operate the main propulsion and auxiliary machinery and maintain it in a safe condition to enable the fishing vessel to overcome the foreseeable perils of the voyage; and,
 - h. The capability to maintain the safety arrangements and the cleanliness of machinery spaces to minimize the risk of fire.
2. In the application of the basic principles of safe manning and to ensure the safe fishing operations of fishing vessels, the following guidelines are hereby adopted:
- a. There should be sufficient numbers of qualified personnel to meet the peak workload situations and conditions with due regard to the number of hours, fishing vessel board duties and rest periods that may be assigned to a fisher.
 - b. The bridge watch shall consist of at least one officer and one deck rating qualified to take navigational watch, provided that they comply with the requirements of this Regulation.
 - c. For fishing vessels of limited size, a three-watch system shall be adopted.
 - d. At each end of the fishing vessel, there should be sufficient persons to enable them to accept and effectively secure a tug and to send away tension and secure lines and backsprings. Any necessary operation should be capable at bow and stern simultaneously.
 - e. The engine watch should consist of not less than one duly qualified engine officer and may include appropriate engine-room ratings provided that they comply with the requirements of this Regulation.
 - f. In designating the number of personnel assigned to engineering watches, account shall be taken of the following:
 - i. The number, power (KW) and type of the main propulsion and auxiliary units over which surveillance is to be maintained and the number of machinery spaces containing these units; and,
 - ii. Adequacy of internal communication.
3. The Administration shall issue a safe manning certificate indicating the numbers and grades of the personnel required to be on board, together with any special conditions or other remarks.

Section 3. Table of Safe Manning for Fishing Vessels

- 1. This table of safe manning, subject to the provisions of Section 1 (General Provisions), Section 5 (Additional Manning) and Section 6 (Reduction of Manning) and within the context of Section 2 (Safe Manning) hereof.
- 2. Safe Manning is assessed on a case-by-case basis upon request of the company and subject to the approval of the Administration.
- 3. This Rule shall apply to Philippine-registered fishing vessels engaged in domestic and international waters.
- 4. Table of Safe Manning for Fishing Vessels

a. Deck Department

GROSS TONNAGE	NUMBER	POSITION	LICENSE
50 GT and below	- 1 -	Skipper	Boat Captain 1
above 50GT – 150	- 1 -	Skipper	Boat Captain 2
	- 1 -	Rating	
Above 150 – 350	- 1 -	Skipper	Boat Captain 3
	- 1 -	Rating	
Above 350 – 750	- 1 -	Skipper	Minor Patron
	- 1 -	Deck Officer	Boat Captain 3
	- 2 -	Rating	
Above 750 – 1000	- 1 -	Skipper	Major Patron
	- 1 -	Deck Officer	Minor Patron
	- 2 -	Rating	
Above 1000 – 2000	- 1 -	Skipper	OICNW/MAP
	- 1 -	Deck Officer	Major Patron
	- 1 -	Skipper	OICNW/MAP
Above 2000	- 1 -	Chief Officer	Major Patron
	- 1 -	Chief Officer	Major Patron
	- 3 -	Rating	

b. Engine Department

KILOWATT	NUMBER	POSITION	LICENSE
Below 750 kw	- 1 -	Chief Engine Officer	Marine Engine Mechanic 1
	- 1 -	Engine Rating	
750 to below 1500 kw	- 1 -	Chief Engine Officer	Marine Engine Mechanic 2
	- 1 -	Engine Officer	Marine Engine Mechanic 1
	- 2 -	Engine Rating	
1500 to below 3000 kw	- 1 -	Chief Engine Officer	Marine Engine Mechanic 3
	- 1 -	Engine Officer	Marine Engine Mechanic 2
	- 3 -	Engine Rating	

3000 kw and above	- 1 -	Chief Engine Officer	OICEW/ Marine Engine Mechanic 3
	- 1 -	2nd Engine Officer	Marine Engine Mechanic 2
	- 1 -	Engine Officer	Marine Engine Mechanic 1
	-3-	Engine Rating	

Section 4. Special Manning

1. In case of emergency in foreign ports where one of the qualified officers cannot be onboard because of illness, incapacity, disappearance, death or other unforeseen circumstances and where replacement is not immediately available, a fishing vessel may be allowed, subject to the approval of Administration, to proceed to the next port of call where replacement shall be made upon arrival thereto, and the skipper shall make an entry in the fishing vessel's logbook indicating the circumstances of the special manning.
2. In the case of engine department, such fishing vessel mentioned in paragraph 1, Section 4, Rule 9 may only return to sea on such voyage, if at the time, it shall have at least one qualified engine officer required by this Rules.
3. In the case of ratings, similar arrangements shall apply provided that a full complement of certificated officers is onboard and that the manning of watches is not adversely affected as determined by the Administration.
4. No special manning shall be allowed for more than thirty days reckoned from the time the fishing vessel sails with officer/rating less than what is required by this Rules except in cases to be determined by the Administration.

Section 5. Additional Manning

Additional manning may be allowed and for which a new manning certificate shall be issued. However, special attention shall be given to the extent to which the fishers are intended for other tasks.

Section 6. Reduction of Manning. Fishing vessels may be allowed to reduce their manning complement subject to the provisions of Section 2 (Safe Manning) of herein Rules.

Section 7. Dispensation/Upgrading of Officers

1. A Dispensation Permit shall be granted to an officer to occupy the next higher rank in a particular fishing vessel.
2. A Dispensation Permit shall not be granted to a Skipper or Engine Officer.

Section 8. Watchkeeping

1. **Fitness for Duty:** The Administration, for the purpose of preventing fatigue shall:
 - a. Establish and enforce rest periods for watchkeeping personnel; and,
 - b. Require watch systems are so engaged that the efficiency of all watchkeeping personnel is not impaired by fatigue and are so organized

that the first watch at the commencement of a voyage and subsequently relieving watches are sufficiently rested and otherwise fit for duty.

2. Watchkeeping arrangements and principles to be observed:
 - a. Fishing Companies, Skippers, Engine Officers, Officers and all watchkeeping personnel are required to observe the principles and guidelines set out by the Administration, to ensure that a safe continuous watch appropriate to the prevailing circumstances and condition are maintained in all sea going fishing vessels at all times;
 - b. Deck officers on watch are responsible for navigating the fishing vessel safely during their periods of duty where they shall be physically present in the navigational bridge or in associated location such as the chartroom or bridge control room at all times;
 - c. Engine officers on watch, under the direction of the Engine Officer-1, shall be immediately available and on call to attend the machinery spaces and when required, shall be physically present in the machinery spaces during their period of responsibility;
 - d. An appropriate and effective watch or watches are maintained for the purpose of safety at all times, while the fishing vessel is not on anchor or moored and if the vessel is carrying hazardous materials. The organization of such watch or watches takes full account of the nature, quantity, packing and storage of the hazardous material and any special conditions prevailing onboard, afloat or ashore; and
 - e. Holders of SROP or any appropriate Radio Operators License/Certificate are responsible for maintaining the fishing vessel's continuous communications/ radio watch on appropriate frequency during their periods of duty.

Section 9. Duties of Fishing Vessel Officers

The duties and responsibilities of officers in the management and operational levels pursuant to these Regulations and other relevant issuances by the Administration are deemed function and obligation of fishing vessels officers.

Rule 10
Training, Certification and Watchkeeping for Fishing Vessel

Section 1. Standard Objectives.

1. To provide the revised rules in the application, conduct of examination, issuance of Certificate of Marine Profession and license to seafarers onboard domestic fishing vessels of below 500 GT or with engine propulsion power of below 750 kW;
2. To ensure that only qualified and licensed seafarers shall man domestic fishing vessels of below 500 GT or with engine propulsion power of below 750 kW for safe navigation and operation; and,
3. To maintain a registry of licensed seafarers.

Section 2. Coverage

1. All seafarers holding MARINA issued licenses to act as Major Patron (MAP), Minor Patron (MIP), Boat Captain (BC), and Marine Engine Mechanic (MEM); and,
2. All seafarers to be employed as officers onboard fishing vessels of below 500 GT or with engine propulsion power of below 750 kW.

Section 3. Applicability

For purposes of this Regulation, the following licenses applies in accordance with their corresponding limitations:

Deck Department	
License	GT
Major Patron (MAP)	750 to 1000 GT
Minor Patron (MIP)	350 to below 750 GT
Boat Captain 3 (BC 3)	150 to below 350 GT
Boat Captain 2 (BC 2)	50 to below 150 GT
Boat Captain 1 (BC 1)	below 50 GT
Engine Department	
License	kW
Marine Engine Mechanic 3 (MEM 3)	1500 to 3000 kW
Marine Engine Mechanic 2 (MEM 2)	750 to below 1500 kW
Marine Engine Mechanic 1 (MEM1)	below 750 kW

Section 4. General Provisions

1. All seafarers who intend to man fishing vessels below 500 GT or engine propulsion power of below 750 kW shall take the appropriate licensure examinations under this Rule.

2. All officers who shall command fishing vessels of specified tonnages and those who operate or maintain the fishing vessels of specified propulsion power shall be subject to the required licenses for every responsibility onboard domestic fishing vessels.
3. Fishing vessel owners or operators shall ensure that their fishing vessels are manned only by duly licensed officers.
4. All holders of MAP, MIP, BC and MEM Licenses shall be issued a CMP and ID upon expiration of their licenses. Those issued with BC and MEM shall be categorized based on their sea going service as required in Section 5 (**Qualification and Documentary Requirements of Examinees**).
5. All applicants for the issuance of new licenses, with the exception of those who intend to command fishing vessels of 50 GT and below, shall pass the written and oral examinations required under this Rules and Regulations.
6. The duly constituted Panel of Examiners (POE) shall formulate examination questions and check answer sheets in the conduct of examinations. Likewise, they are tasked to supervise the Pool of Assessors during the Oral Examination.
7. The Pool of Assessor/s shall administer the oral examination.
8. All examination passers shall be issued a Certificate of Marine Profession (CMP). An equivalent license in the form of an identification (ID) card valid for three (3) years shall be issued upon submission/presentation of the Certificate of Marine Profession (CMP) and payment of the corresponding license fee.
9. A testimonial license shall be issued to seafarers in command of fishing vessels 15 GT and below subject to interview to be conducted by the Administration.
10. The Administration shall maintain a system for the random selection of test questions from the databank every time an examination is conducted.
11. A Registry of Licenses shall be established and maintained at the MARINA Central Database.

Section 5. Qualification and Documentary Requirements of Examinees

1. Applicants for Licensure Examination under this Rule shall meet the following qualifications:
 - a. Must be a Filipino Citizen;
 - b. At least 18 years of age;
 - c. Of good moral character;
 - d. Physically & mentally fit; for MAP/MIP/BC3/BC2 with adequate Ishihara vision.
2. In addition, applicants shall meet the applicable sea service and training requirements depending on their educational attainment:

a. Major Patron (MAP)

	Educational Attainment	Sea Service (any Type of Fishing vessel)	TRAINING
.1	BSMT Graduate	1 year Sea Service as part of Curriculum	Ship board Training as part of Curriculum
.2	AMT or completed BSMT academic requirements	2 years on board fishing vessels of at least 250 GT AB/QM/Bosun; OR 3 years on board fishing vessels of at least 250 GT as OS-deck;	Sea Service Experience
.3	Basic Seaman's Course or SRC-Deck graduate (Seafaring Rating Course (SRC Deck) graduate); OR Graduate of Fisher's Course offered by BFAR	4 years on board fishing vessels of at least 250 GT as deck rating	Deck Watchkeeping Course
.4	High School Graduate	5 years on board fishing vessels of at least 250 GT as deck rating	Deck Watchkeeping Course
.5	At least High School Level	8 years on board fishing vessels of at least 250 GT as deck rating	Deck Watchkeeping Course
.6	At least Elementary level	10 years on board fishing vessels of at least 250 GT as deck rating	Deck Watchkeeping Course

b. Minor Patron (MIP)

	Educational Attainment	Sea Service (any Type of Ship)	Training
.1	AMT or completed BSMT academic requirements	1 year onboard any type of ship of at least 100 GT as AB/QM/Bosun; OR 2 years onboard fishing vessels of at	Sea service experience

		least 100 GT as OS-deck	
.2	Basic Seaman's Course or SRC-Deck graduate; OR Graduate of Fisher's Course offered by BFAR	2 years onboard ship of at least 100 GT as deck rating	Deck Watchkeeping Course
.3	High School Graduate	3 years onboard any type of ship of at least 100 GT as deck rating	Deck Watchkeeping Course
.4	At least High School Level	5 years onboard any type of ship of at least 100 GT as deck rating	Deck Watchkeeping Course
.5	At least Elementary level	8 years onboard any type of ship of at least 100 GT as deck rating	Deck Watchkeeping Course

c. Boat Captain 3 (BC3)

	Educational Attainment	Sea Service (any Type of Ship)	Training
.1	Basic Seaman's Course or SRC-Deck graduate	1 year on-board any type of ship of at least 35 GT as OS-deck	Deck Watchkeeping Course
.2	Must have completed four (4) full semesters in college	2 years on-board any type of ship of at least 35 GT as Deck Rating	Deck Watchkeeping Course
.3	High School Graduate	3 years on-board any type of ship of at least 35 GT as deck rating	Deck Watchkeeping Course
.4	At least High School Level	4 years on board fishing vessels of at least 35 GT as deck rating	Deck Watchkeeping Course
.5	At least Elementary Level	5 years on any type of ship of at least 35 GT as deck rating	Deck Watchkeeping Course

d. Boat Captain 2 (BC2)

	Educational Attainment	Sea Service (any Type of Ship)	Training
.1	High School Graduate	1 years onboard any type of ship of at least 15 GT	Deck Watchkeeping Course

.2	At least High School level	2 years onboard any type of ship of at least 15 GT	Deck Watchkeeping Course
.3	At least elementary school level	3 years onboard any type of ship of at least 15 GT	Deck Watchkeeping Course

e. Boat Captain 1 (BC1)

	Educational Attainment	Sea Service (any Type of Fishing vessel)	Training
.1	Must be able to read and write	1 year onboard any type of ship of any size	Modified Basic Safety Training with Typhoon Awareness and Preparedness - (MBST)

f. Marine Engine Mechanic 3 (MEM3)

	Educational Attainment	Sea Service (any Type of fishing vessel)	Training
.1	BSMarE graduate	Shipboard Training as part of the curriculum	
.2	BS Mechanical Engineering /Naval Architecture	1 year onboard any type of ship with engine propulsion power of at least 500 kw, in any capacity in the engine department	Engine Watchkeeping Course
.3	AME or completed BSMarEacademic requirements	1 year onboard any type of ship with engine propulsion power of at least 500 kw, in any capacity in the engine department	Sea Service Experience
.4	Must have completed four(4) full semesters in college	3 years onboard any type of ship with engine propulsion power of at least 500 kw, in any capacity in the engine department	Engine Watchkeeping Course
.5	SRC-Engine graduate	2 years onboard any type of ship with engine propulsion power of at least 500	Engine Watchkeeping Course

		kw, in any capacity in the engine department	
.6	High School Graduate	4 years onboard any type of ship with engine propulsion power of at least 500 kw, in any capacity in the engine department	Engine Watchkeeping Course
.7	At least High School level	8 years onboard any type of ship with engine propulsion power of at least 500 kw, in any capacity in the engine department	Engine Watchkeeping Course
.8	At least elementary school level	10 years onboard any type of ship with engine propulsion power of at least 500 kw, in any capacity in the engine department	Engine Watchkeeping Course

g. Marine Engine Mechanic 2 (MEM2)

	Educational Attainment	Sea Service (any Type of fishing vessel)	Training
.1	AME or completed BSMarE academic requirements	1 year onboard fishing vessels with engine propulsion power of at least 250 kw, in any capacity in the engine department	Sea Service Experience
.2	Must have completed four(4) full semesters in college	3 years onboard fishing vessels with engine propulsion power of at least 250 kw, in any capacity in the engine department	Engine Watchkeeping Course
.3	SRC-Engine graduate;	2 years onboard fishing vessels with engine propulsion power of at least 250 kw, in any capacity in the engine department	Engine Watchkeeping Course
.4	High School Graduate	4 years onboard fishing vessels with engine propulsion	Engine Watchkeeping Course

		power of at least 250 kw, in any capacity in the engine department	
.5	At least High School level	5 years onboard fishing vessels with engine propulsion power of at least 250 kW in any capacity in the engine department	Engine Watchkeeping Course
.6	At least elementary school level	8 years onboard fishing vessels with engine propulsion power of at least 250 kW in any capacity in the engine department	Engine Watchkeeping Course

h. Marine Engine Mechanic 1 (MEM1)

	Educational Attainment	Sea Service (any Type of fishing vessel)	Training
.1	Must be able to read and write	1 year onboard fishing vessels of any engine	Modified Basic Safety Training with Typhoon Awareness and Preparedness (MBST)

Section 6. Schedule, Coverage/Scope, Mechanics and Result of Written and Oral Examination

1. Schedule of Examination

a. Central Office

- i. Examinations shall be conducted at the MARINA Central Office every last Wednesday of the month.
- ii. A Notice of Examination shall be posted in the MARINA Central Office and published in MARINA Website.
- iii. Examinations may be conducted outside of the MARINA Central Office upon the request of fishing vessel companies/associations provided that there are at least twenty (20) applicants/ examinees involved.

b. Regional Office

- i. The MRO Director/OIC may, as necessity requires, conduct examinations in his area of jurisdiction.
- ii. The schedule of examination shall be posted in the MARINA Regional Office, MARINA Website and circulated in the fishing vessel companies and associations.

- iii. Examinations may be conducted outside of the MARINA Regional Office upon the request of fishing vessel companies/associations provided that there are at least twenty-five (25) applicants/ examinees involved.

2. Filing of Application for the Examination

- a. The applicant shall secure the Application Form from the-MARINA Central Office or any of the MARINA Regional Offices and pay the corresponding fee;
- b. The examination permit shall be issued to the applicant upon submission of the duly accomplished Application Form, including the required supporting documents, and the receipt of payment of examination fee.

3. Coverage/Scope and Mechanics of the Examination

- a. The Examination shall cover the following areas/elements:

Major Patron	Minor Patron	Boat Captain 2 & 3
1. Practical Navigation	1. Practical Navigation	1. Practical Navigation
2. Seamanship	2. Seamanship	2. Seamanship
3. Weather and Marine Instruments	3. Meteorology	3. Meteorology
4. Rules of the Road	4. Rules of the Road	4. Rules of the Road
5. General Operators Course and Simulator Plotting	5. General Operators Course and Simulator Plotting	5. National Maritime Laws
6. National Maritime Laws	6. National Maritime Laws	

Marine Engine Mechanic 3	Marine Engine Mechanic 2	Marine Engine Mechanic 1
1. Engine Fundamental Principles	1. Internal Combustion: Diesel Engine Technology	1. Fundamentals of Mathematics
2. Operating Principles	2. Engine Performance, Trouble Shooting and Procedures	2. Electricity and Electrical Driven propulsion
3. Fuel Oil and Lubricating Oil	3. Engine Test and Applied Formula	3. Internal Combustion
4. Cooling System	4. Electrical Knowledge and Installation	4. Drawing/ cooling system
5. Engine Operations	5. National Maritime Laws	5. National Maritime Laws

6. Maintenance & Servicing Procedure		
7. Tools and Maintenance Equipment		
8. Safety Procedure		
9. National Maritime Laws		

- b. The oral examination to be administered by any of the assigned assessor/s from the Pool of Assessors shall be scheduled upon receipt of the results of the written examination.
- c. An examinee must obtain a rating of at least 70% in the Written Examination to qualify for the Oral Examination.
- d. The examinee must obtain at least 70% rating in the oral examination to qualify for the issuance of CMP and license.

4. Examination "Language"

The applicant will have option to take the required written/ oral examination in either English or applicable local dialect.

5. A Selection and Printing of Examination Questions

- a. The MARINA shall provide the Office responsible for systems and database with the list of the applicants and the request for examination questions and answer sheets, two (2) working days before the scheduled examination.
- b. The responsible Office shall secure approval from the MARINA Administrator to generate the questions selected randomly from the databank.
- c. Once approval from the MARINA Administrator has been secured, the designated Office shall print the questions and answer sheets which shall be assigned a control number generated by the system and recorded in the database corresponding to the examinee.
- d. The printed questionnaires together with the corresponding answer sheets shall be sealed in an envelope in the presence of the Administrator or his authorized representative, Director responsible for systems or his authorized representative and the Director for Manpower or his authorized representative, their signatures reflected on the sealed envelope.
- e. A designated staff from Manpower shall carry the sealed envelope containing the printed questionnaires and answer sheets to the requesting MRO on the day of the scheduled examination.

6. Conduct of the Examination

- a. The Secretariat assigned to assist in the conduct of the examination shall check whether the examinee is the same person as the one in the examination permit.
- b. The examinee shall sign in the space provided in the answer sheet.

7. Checking of the Answer Sheets

- a. The Director/OIC of the Office responsible for Manpower or the concerned MRO shall forward all answer sheets to the MARINA Administrator as POE Chairman, thru the staff of the Office responsible for Manpower (for examinations done at MROs), one (1) working day after the examination for subsequent endorsement to the Members of the POE.
- b. The Members of the POE, upon receipt of the answer sheets from the Administrator, shall check the answer sheets within three (3) working days and submit the same to the Administrator together with the results in triplicate copies.
- c. The examination result shall be translated into a Memorandum Matrix as shown below:

Memorandum			
For :			
From :			
Subject :			
Date of Exam :			
Name of Examinees	Control No.	Results of Written Examination	Recommendation (Passed or Failed)
_____ Signature Chairman of POE			
Date: _____ Approved/ Disapproved			
_____ MARINA Administrator			

- d. Upon receipt of the Memorandum Matrix, the MARINA Administrator take action on the recommendation of the POE Members.
- e. Upon the instruction of the MARINA Administrator, one (1) copy of the duly approved Written examination results shall be provided to the Office responsible for Systems and Database which shall input the results in the Central Database and post in the MARINA Website. The other two (2) copies shall be provided to the Office responsible for Manpower for posting in its Bulletin Board and to the concerned MRO.

8. Conduct of Oral Examination

- a. Upon receipt of the Memorandum Matrix approved by the Administrator, the Director/OIC, Office responsible for Manpower /MROs shall call a meeting of the pool of assessors for the schedule and assignment of oral examination;
- b. Assignment of assessors and schedule of oral examination shall be authorized by the Administrator/OIC thru issuance of a Special Order.
- c. The Office responsible for Manpower/MRO Director/OIC shall issue Notice of Oral Examination, within 5 days from the receipt of the approved Memorandum Matrix, to all examinees who passed the written examination;
- d. Oral examination shall be conducted by the Assessors using a pre-designed questions/test cases;
- e. The Assessors shall immediately submit the result of the oral examination, using a prescribed format, to the Secretariat;
- f. The Secretariat shall consolidate the results and prepare the Memorandum Matrix and forward the same together with all the answer sheets, to the MARINA Administrator as POE Chairman, one (1) working day after the examination.

9. Results of Oral Examination

- a. The examination result shall be translated into a Memorandum Matrix in triplicate copies, as shown below:

Memorandum			
For	:		
From	:		
Subject	:		
Date of Exam	:		
Name of Examinees	Control No.	Results of Oral Examination	Recommendation (Passed or Failed)

<div style="text-align: right;"> <hr/> Signature Chairman of POE </div>			
<div style="text-align: center;"> Date: <hr/> Approved/ Disapproved </div>			
<div style="text-align: center;"> <hr/> MARINA Administrator </div>			

- b. Upon receipt of the Memorandum Matrix, the MARINA Administrator takes action on the recommendation of the Pool of Assessors attested by POE Members.
- c. Upon the instruction of the MARINA Administrator, one (1) copy of the duly approved Oral examination results shall be provided to the Office responsible for Systems and Database which shall input the results in the Central Database. The other two (2) copies shall be provided to the Office responsible for Manpower for posting in its Bulletin Board and to the concerned MRO.
- d. The Office responsible for Systems and Database shall generate a Summary of the Final result, forward the same to the Administrator for his signature.
- e. Copies of the summary of Final result signed by the Administrator shall be provided to the Office responsible for Systems and Database for posting at the MARINA website, Office responsible for Manpower for posting in its Office and to the MRO, when applicable.

10. Publication of the Result of Examination

The Final results of the examinations shall be posted at the MARINA Website fifteen (15) days after the Oral examination.

Section 7. Issuance of Certificate of Marine Profession (CMP) and/or License/ID to New Passers

1. Central Office

- a. The applicant shall secure the Application Form from the MARINA Central Office or any of the MARINA Regional Offices and pay the corresponding fee;
- b. The Clerk shall print the CMP and/or License/ID upon submission of the duly-accomplished Application Form and supporting documents and the receipt of payment;
- c. The Division Chief shall check the correctness of the information in the CMP and/or license/ID and affix his initial if found to be in order;
- d. Signing of the CMP.
 - i. In the case of the MAP and MIP, the Director of the Office responsible for Manpower/OIC shall attest to the issuance of the CMP and shall endorse the same, together with the attached copy of the result of the examination, to the MARINA Administrator for signature.
 - ii. In the case of BC, MEM and Motorman, the Director/OIC of the Office responsible for Manpower shall sign the CMP.
 - iii. The assigned Clerk Office responsible for Manpower shall issue the signed CMP and/or License/ID to the applicant.

2. Regional Office

- a. The applicant shall secure the Application Form from the concerned MARINA Regional Office and pay the corresponding fee;
- b. The Clerk shall print the CMP and/or License/ID upon submission of the duly-accomplished Application Form and supporting documents and the receipt of payment.
- c. The MRO Supervisor shall check the correctness of the information in the CMP and/or license/ID and affix his initial if found to be in order.
- d. Signing of the CMP
 - i. In the case of MAP and MIP, the concerned MRO Director/OIC shall attest to the issuance of the CMP and shall endorse the same, together with the copy of the result of the examination, to the MARINA Administrator for signature.
 - ii. The duly signed MAP/MIP CMP shall be mailed by the Office of the MARINA Administrator to MROs thru the MARINA Records Section.
 - iii. In the case of BC, MEM and Motorman, the concerned MRO Director/OIC shall sign the CMP.
 - iv. The assigned MRO Clerk shall issue the signed CMP and/or License/ID to the applicant.

Section 8. Issuance of Testimonial CMP and License/ID to Boat Captain 1

1. Conduct of the Interview

- a. The applicant shall secure the Application Form from the MARINA Central Office or any of the MARINA Regional Offices and pay the corresponding fee.
- b. The assigned Clerk shall schedule the applicant for the conduct of the Interview upon submission of the duly accomplished Application Form and supporting documents and the receipt of payment.
- c. The interview shall be administered by the Director/OIC of the Office Responsible for Manpower or concerned MRO.
- d. The Director/OIC of the Office Responsible for Manpower or concerned MRO shall direct the Division Chief of Office Responsible for Manpower or the concerned MRO Supervisor for the issuance of CMP and License/ID once satisfied with the result of the interview.

2. Issuance of the Testimonial Certificate of Marine Profession (CMP) and/or License/ID.

The procedure in the issuance of Testimonial Certificate of Marine Profession (CMP) and/or License/ID shall be in accordance with Section 7 of herein Rule.

Section 10. Issuance of Enhanced Seafarer's Identification and Record Book (SIRB).

The relevant MARINA Circular shall govern the issuance of SIRB to qualified seafarers or fishers who will work on-board fishing vessels

Section 11. Maintenance of the Central Database of Registry of CMP/Licenses

1. The MROs shall provide the Office responsible for systems and database with the soft copy of the licenses issued within five (5) working days after the issuance of licenses.
2. The Office responsible for systems and database shall update the Central Database with the soft copy of the CPM/Licenses issued by the MROs.

Section 12. Maintenance of Databank of Examination Questions

1. The Members of POE shall, on a quarterly basis, submit to the MISO at least twenty (20) questions with corresponding answers for MAP/MIP/BC/MEM/Motorman.
2. The Office responsible for Systems and Database shall ensure that Databank of Examination Questions are updated.

Section 13. Filing of Records

1. Upon the issuance of the CMP and License/ID, the Office responsible for Manpower/MRO Secretariat shall forward the folder containing the file of the applicant to the Records Section for filing.
2. The Records Section, shall maintain a filing system for safekeeping and easy retrieval of records.

Section 14. Panel of Examiners

1. Constitution and Composition

- a. The Members of the Panel of Examiners shall be composed of qualified Marine Officers who meet the minimum qualification requirements set forth by the MARINA.
- b. There shall be separate Panels of Examiners for Deck and for Engine consisting of three (3) member each.
- c. The Administrator shall appoint a Chairman from among the members.

2. Term of Office

The Members of the POE shall have a term of three (3) years unless sooner replaced for a cause.

3. Qualifications of Panel of Examiners

a. Deck Department

- i. Filipino citizen
- ii. Physically and Mentally fit
- iii. Duly licensed Master Mariner/Chief Mate/Second Mate or Third Mate
- iv. Must have three (3) years experience as Master Mariner/Second Mate or Third Mate
- v. Of good moral character

b. Engine Department

- i. Filipino citizen
- ii. Physically and Mentally fit
- iii. Duly licensed Chief/Second/Third or Fourth Engineer
- iv. Must have three (3) years experience as Chief Engineer/Second/Third or Fourth Engineer
- v. Of good moral character

4. Selection of the Members of the Panel of Examiners

- a. The MARINA shall publish the notice of invitation for filling up the vacancy for membership in the Panel of Examiners in a newspaper of general circulation.
- b. The Office responsible for Manpower shall prepare the short list of applicants detailing the qualifications and shall submit it to the Selection Committee created by the MARINA Administrator for the purpose.
- c. The Selection Committee shall evaluate the qualification of the applicants and shall submit its recommendation to the MARINA Administrator for approval.
- d. The MARINA Administrator shall submit the list of selected applicants to the MARINA Board for confirmation.

5. Duties and Responsibilities of the Members of the Panel of Examiners.

The appointed Examiners shall:

- a. Formulate examination questions including the answers for submission to the MARINA through the MISO on a quarterly basis.
- b. Formulate the procedures in the conduct of written and oral examinations for applicants of Major Patron, Minor Patron, Boat Captain 3, 2 and Marine Engine Mechanic 2 and 1 and Motorman, as appropriate;
- c. Check the answer sheets of the examinees within three (3) working days after the examination and indicate there in the final ratings obtained by the examinee;
- d. Prepare a report of the completed results of the examination for submission to the MARINA Administrator;
- e. Supervise the Pool of Assessors in the conduct of Oral Examinations; and
- f. Attend meeting/s organized by the MARINA Administrator or Chairman of the Panels.

6. Remuneration

The Members of the Panel of Examiners shall receive remuneration as determined by the MARINA Administrator and approved by the MARINA Board.

Section 15. Pool of Assessors

1. The MARINA Administrator, shall officially designate qualified MARINA personnel to be a Member of Pool of Assessors, upon the recommendation of the Director of the Office responsible for Manpower/OIC.
2. **Assessors shall possess the following qualifications;**
 - a. Must have undertaken the IMO Model Course 3.12;
 - b. Must have Educational/Training backgrounds related to the subject to be assessed;
 - c. Must have at least one (1) year sea service;
 - d. Must be an organic personnel of the MARINA; and
 - e. Must be of good moral character
3. **Duties and Responsibilities:**
 - a. Conduct the Oral Examination;
 - b. Prepare the result of Oral Examination conducted;
 - c. Assist the Panel of Examiners in developing additional tools for the effective conduct of assessment.

Section 16. Oath Taking Ceremonies

Passers of MARINA Examinations shall take their oath as licensed officers before the MARINA Administrator for the Central Office or the Directors/OICs for the MARINA Regional Offices.

Rule 11

Tonnage Measurement

Section 1. Coverage

To provide rules, and regulations and guidelines in ascertaining the volumetric capacity of measurable spaces of Philippine-registered fishing vessels, specifically their Gross and Net Tonnages, this Rules shall cover all Philippine-registered fishing vessels, whether engaged in domestic or international operations, except existing fishing vessels already registered under the Philippine flag which have been issued Tonnage Measurement Certificate by the Administration or the Philippine Coast Guard,(PCG), or its Recognized Organizations (ROS) in the case of Philippine registered International fishing vessels, unless the owner/operator of such fishing vessels decide to have them re-admeasured under the herein. In cases however, where such existing fishing vessels are altered, converted and/or modified, they shall be admeasured/re-admeasured on the basis of this Rules and Regulations.

Section 2. General Provisions

1. All Philippine-registered fishing vessels shall be admeasured in accordance with the applicable provisions of the International Tonnage Convention (ITC) of 1969, as amended, as outlined in Section 3 .1 to .5 of this Rule, except fishing vessels with enclosed deck and with outriggers, open deck and with outriggers, and open deck without outriggers. For Philippine-registered international fishing vessels, they can be admeasured and certified by an Administration-Recognized Organization, but the International Tonnage Measurement Certificate shall adopt such calculations and be issued by the MARINA;
2. The ITC 1969, as amended, is hereby adopted as an integral part of this Rules and Regulation.
3. For fishing vessels with enclosed deck and with outriggers, open deck and with outriggers, and open deck and without outriggers, their admeasurement shall be based on a modified formula provided in Section 3.6 and 3.7 of this Rule.
4. Fishing vessels acquired from abroad through importation, lease or charter, whether second-hand or new building, which have already been admeasured in accordance with the ITC 1969, as amended, shall be re-issued a Tonnage Measurement Certificate by the Administration, subject to the submission of a duly-notarized affidavit from the applicant company/operator/ manager, that the fishing vessel was not altered/modified/converted since its previous admeasurement;
5. Locally constructed fishing vessels and those acquired from abroad not admeasured in accordance with the ITC 1969, as amended, shall be subjected to an admeasurement to be undertaken by a duly-licensed Naval Architect and Marine Engineer (RENAME), or other qualified/trained technical personnel, from the Administration in the case of domestic fishing vessels, and/or an Administration - Recognized Organizations (ROs) in the case of the international fishing vessels. The corresponding Tonnage Measurement Certificate shall be issued by the Administration;
6. In the case of fishing vessels already issued with a Tonnage Measurement Certificate, where alteration, modifications or conversion are made after the

effectivity of this Rules and Regulation affecting its internal volume, such fishing vessels shall be subjected to re-admeasurement by an Administration RENAME or other qualified/trained technical personnel for domestic fishing vessels, and/or Administration -Recognized Organizations (ROS) for international fishing vessels.

7. For domestic fishing vessels homeported in the regions, the fishing vessel owner/operator/ manager shall apply and have their fishing vessels undergo tonnage measurement and subsequent issuance of Tonnage Measurement Certificate at the concerned MARINA Regional Office (MRO). In cases where there is no licensed RENAME in the concerned MRO, they may apply at the next nearest MRO where there is such qualified personnel available.
8. The following plans shall be submitted to the Administration to be used in the computation/ calculation of tonnage measurement:
 - a. General Arrangement Plan
 - b. Construction Plan
 - c. Midship Plan
 - d. Lines Drawing
 - e. Capacity Plan
9. Fishing vessels covered in this Rules subjected to the herein adopted/prescribed rules and regulations on Admeasurement/Re-admeasurement, inclusive of the supporting plans, calculations, shall be issued the Tonnage Measurement Certificate/Tonnage Re-admeasurement Certificate by the Administration.
10. Upon completion of the needed survey/inspection, calculations, etc., and submission of all requirements, the Tonnage Measurement Certificate shall be issued by the Administration within five (5) working days therefrom.
11. No domestic fishing vessel shall be registered under the Philippine flag and issued safety and other related certificates until a Tonnage Measurement Certificate has been issued to it by the Administration.

Section 3. Determination of Gross and Net Tonnages of Fishing Vessels

1. **Measurement and Calculation**
 - a. All measurement used in the calculation of volume shall be taken to the nearest thousandth of a meter.
 - b. The volume shall be calculated by generally acceptable methods for the space concerned and with an accuracy acceptable to the Administration.
 - c. The calculation shall be sufficiently detailed to permit easy checking.
2. **Calculation of Volumes.**

All volumes included in the calculation of gross and net tonnages shall be measured, irrespective of the fitting of insulation or the like, to the inner side of the shell or structural boundary plating in fishing vessels constructed of metal, and to outer surfaces in fishing vessels constructed of any other material.
3. **Gross Tonnage.**

The Gross Tonnage (GT) of a fishing vessel shall be determined by the following formula:

$$GT = K_1 V$$

where:

V = Total volume of all enclosed spaces of the fishing vessel in cubic metres,

$$K_1 = 0.2 + 0.02 \log_{10} V$$

Please refer to Annex IV of this Rules and Regulation for the table of coefficients K_1 and K_2

4. **Net Tonnage.**

The Net Tonnage (NT) of a fishing vessel shall be determined by the following formula:

$$NT = K_2 V_c (4d/3D)^2 + K_3 (N_1 + N_2/10)$$

in which formula:

- a. A the factor $(4d/3D)^2$ shall not to be taken as greater than unity;
- b. the term $K_2 V_c (4d/3D)^2$ shall not to be taken as less than 0.25 GT; and
- c. NT shall not to be taken as less than 0.30 GT, and in which:

V_c = total volume of fishing vessel spaces in cubic meters

$$K_2 = 0.2 + 0.02 \log_{10} V_c$$

$$K_3 = 1.25 \frac{GT + 10,000}{10,000}$$

D = moulded depth amidship in meters

D = moulded draught amidship in meters

N_1 = number of persons in cabin with not more than 8 berths,

N_2 = number of other persons,

$N_1 + N_2$ = total number of persons the fishing vessel is permitted to carry as indicated in the fishing vessel's safety certificate; when $N_1 + N_2$ is less than 13, N_1 and N_2 shall be taken as zero,

GT = gross tonnage of the fishing vessel

5. **The moulded draught (d) referred to above shall be one of the following draughts:**

- a. for fishing vessels to which the International Convention on Load Lines in force applies, the draught corresponding to the Summer Load Line (other than timber load lines) assigned in accordance with that Convention;
- b. for fishing vessels to which the International Convention on Load Lines does not apply but which have been assigned a load line in compliance with national requirements, the draught corresponding to the summer load line so assigned;

- c. for the fishing vessels to which no load line has been assigned but the draught of which is restricted in compliance with national requirements, the maximum permitted draught;
- d. for other fishing vessels, 75 percent of the moulded depth amidship.

6. **By Rake-Rake Method**

To be used for wooden/steel/FRP/ etc.-hulled motor/ non-motorized bancas with/without outriggers, and/or open deck designed with rake forward and rake aft, with dugged-out bottom.

$$\text{Tonnage Length (TL)} = \frac{L - [\text{Rake}_1 \text{ fwd} + \text{Rake}_2 \text{ aft}]}{2}$$

$$\text{Tonnage Breadth (TB)} = \frac{B_1 + B_2}{2}$$

$$\text{Gross Tonnage (GT)} = \frac{\text{TL} \times \text{TB} \times \text{TD}}{2.83}$$

$$\text{Net Tonnage (NT)} = \text{GT} - \text{PP}$$

Where:

TL = Tonnage Length

TB = Tonnage Breadth

TD = Tonnage Depth

PP = Propelling Power (32% of GT)

7. **By Coefficient Method**

To be used for wooden/steel/FRP/etc.-hulled motor/non-motorized bancas with/without outriggers and/or open deck where the design is considered novel in the sense that it is not an ordinary design with dugged-out bottom.

$$\text{Gross Tonnage (GT)} = \frac{\text{TL} \times \text{TB} \times \text{TD} \times 0.70}{2.83}$$

PP = Propelling Power (32% of GT)

$$\text{Net Tonnage (NT)} = \text{GT} - \text{PP}$$

Where:

TL = Tonnage Length

TB = Tonnage Breadth

TD = Tonnage Depth

0.70 = Block Coefficient

Rule 12

Life Saving Appliances

Section 1. Application

1. Unless expressly provided otherwise, this Rules applies to new and existing fishing vessels in compliance with the following:
 - a. Life-Saving Appliances shall be in compliance with recognized standards or of the Administration-approved type or its equivalent
 - b. Survival craft and their launching appliances shall, as far as practicable, provide capacity for the fishing vessel's minimum manning and ancillary requirements.
 - c. Fishing vessels shall comply with the requirements of these Regulations relating to the following:
 - i. Lifejackets;
 - ii. Lifebuoys;
 - iii. Radar transponders;
 - iv. Survival Craft;
 - v. Muster and abandon fishing vessel drill training
 - vi. Distress signal;

Section 2. General Requirements. The Administration may, if it considers the sheltered nature and conditions of the fishing operation are such as to render the application of any specific requirements of this Rules unreasonable or unnecessary, approve alternative specifications, which are considered equally effective under the circumstances.

Section 3. Approval of Life-Saving Appliances and Arrangements. Life-saving appliances and arrangements required by this Rules shall be approved by the Administration or by any member of the International Association of Classification Societies (IACS). Where life-saving appliances or arrangements are to be approved, the Administration shall ensure that they provide the same safety standards as specified herein and that such appliances and arrangements are evaluated.

Section 4. Communications. Fishing vessels shall carry:

1. At least one (1) two-way VHF radiotelephone apparatus;
2. At least one (1) radar transponder for 500 GT and above. Such radar transponder shall be so stowed that it can be rapidly placed in any survival craft;
3. At least one (1) rocket parachute flares on the bridge of the fishing vessel above 20 GT;
4. An emergency means comprising either fixed or portable equipment or both for two-way communications between emergency control stations, muster and embarkation stations and strategic positions on board.
5. A general emergency alarm system for summoning the fishers to muster stations capable of sounding a signal consisting of seven (7) or more short blasts followed by a long blast on the vessel's whistle or siren, which shall be

powered from the vessel's main or the emergency power. The system shall be operated from the vessel's bridge and be audible throughout all the accommodation and normal fishers spaces.

Section 6. Personal Life-Saving Appliances

1. Fishing vessels shall carry lifebuoys of at least:
 - a. One (1) lifebuoy shall be provided with self-igniting light;
 - b. One (1) lifebuoy shall be fitted with a buoyant lifeline;
 - c. Two (2) such lifebuoys shall be fitted with self-activating smoke signals and be capable of quick release from the navigating bridge;
 - d. Lifebuoys with light and those with light and smoke signals shall be equally distributed on both sides of the fishing vessel.
2. Fishing vessels shall carry life jackets accessible to every person on board. In addition, they shall carry sufficient number of life jackets for persons on watch.
 - a. Table for Lifebuoys:

DOMESTIC

Gross Tonnage	Lifebuoy (non-lighted)	Self-Igniting Lighted Light Lifebouys	Buoyant Lifeline
3 GT – 50 GT	one (1)	N/A	N/A
51 GT – 250 GT	two (2)	one (1)	25 m
251 GT – 500 GT	three (3)	one (1)	25 m
501 GT and above	four (4)	two (2)	25 m (2)

INTERNATIONAL

Gross Tonnage	Lifebuoy (non-lighted)	Self-Igniting Lighted Light Lifebouys	Buoyant Lifeline
3 GT – 50 GT	two (2)	N/A	25 m
51 GT – 250 GT	two (2)	one (1)	25 m (2)
251 GT – 500 GT	four (4)	two (2)	25 m (2)
501 GT and above	six (6)	two (2)	25 m (2)

- b. Table for Distress Signals:

DOMESTIC WATERS

Gross Tonnage	Red Hand Flares	Rocket Parachute Flares	Smoke Signal
3 GT – 50 GT	one (1)	N/A	N/A

51 GT – 250 GT	one (1)	one (1)	N/A
251 GT – 500 GT	two (2)	one (1)	one (1)
501 GT and above	two (2)	two (2)	two (2)

INTERNATIONAL WATERS

Gross Tonnage	Red Hand Flares	Rocket Parachute Flares	Smoke Signal
3 GT – 50 GT	one (1)	N/A	N/A
51 GT – 250 GT	two (2)	one (1)	one (1)
251 GT – 500 GT	two (2)	one (1)	two (2)
501 GT and above	four (4)	four (4)	two (2)

Section 7. Survival craft:

1. Life raft (Inflatable or rigid type) shall be capable of carrying 100% of the total number of persons onboard fishing vessel, and/or
2. Equivalent Approved-Type Life raft shall be capable of carrying 50% of the total number of persons onboard fishing vessel.

EQUIVALENT APPROVED TYPE LIFERAFT (Rigid)

CAPACITY	Rigid type
Number of person onboard	
0 – 8	1 (8 person capacity)
9 - 16*	1 (16 person capacity) or 2 (8 person capacity)
17 - 24*	1 (24 person capacity) or 3 (8 person capacity)

Note: Fishing vessels with outrigger shall be exempted

- * The number of Rigid Liferafts may vary according to the capacity of persons onboard.

Section 8. Lifejackets. Fishing vessels shall carry at least one (1) approved-type life jacket for every person onboard.

Section 9. Manning and Survival Procedures.

1. All persons manning such fishing vessels shall be trained in launching and operating of the survival crafts.
2. Illustrations and instructions relating to the use of life-saving appliances in appropriate languages shall be posted at muster stations and other crew spaces.

3. Posters or signs shall be provided on or in the vicinity of survival craft and their launching controls.
4. Muster stations shall be provided close to the embarkation stations. Both shall be adequately illuminated by lighting supplied from the emergency source of electric power.
5. Persons onboard shall participate in at least one abandon fishing vessel drill and one fire drill every quarter. Onboard training in the use of life-saving appliances including survival craft equipment shall be provided at such drills.
6. Records of the fishing vessel drills and onboard training shall be maintained and recorded in the deck logbook.

Section 10. Stowage, Launching and Recovery of Survival Crafts

1. Survival craft shall be properly stowed as follows:
 - a. That neither the survival craft nor its stowage arrangements interfere with the operation of any other survival craft at any other launching station;
 - b. As near the water surface safe and practicable with the fishing vessel in the fully loaded condition under unfavorable condition of trim and list up to 20° in either way;
 - c. That the liferafts can easily be launched from the fishing vessel in less than five minutes;
 - d. Liferafts intended to be thrown overboard shall be stowed as to be readily transferable for launching on either side of the fishing vessel.
2. Where the liferafts are not provided with launching appliances, they shall be stowed with its painter permanently attached to the vessel with a float-free arrangement complying with the recognized standards.

Section 11. Marking of Survival Craft.

11 survival craft shall be marked in block capitals of the Roman alphabet with the following information:

1. Name and port of registry of the fishing vessel;
2. Name of approving authority;
3. Number of persons permitted to accommodate.

Section 12. Operational Readiness, Maintenance and Inspections.

1. Before the fishing vessel leaves port and at all times during fishing operation, all life-saving appliances shall be in good working order and ready for immediate use.
2. Instructions on board maintenance of life-saving appliances shall be easily understood and illustrated where possible.
3. All survival craft life-saving appliances including launching appliances shall be inspected regularly by company safety officer to ensure they are in good order, complete and ready for use.
4. Every inflatable liferaft, inflated rescue boats and radar transponders shall be serviced not more than fifteen (15) months and at an approved servicing station

to the satisfaction of the Administration. However, the Administration may extend this period to twenty (20) months.

5. Hydrostatics release units shall be serviced not more than fifteen (15) months and at an approved servicing station to the satisfaction of the Administration. However, the Administration may extend this period to twenty (20) months.

Rule 13

Fire Safety Measures

Section 1. General Application.

1. This Section applies to fishing vessels which are provided with machinery spaces of category "A" to maintain its normal habitable and operational condition.
2. Fishing vessels which are provided with machinery other than machinery space of category "A" shall comply with the provisions of this Rules to the satisfaction of the Administration.

Section 2. Structural Fire Protection

1. Shall be so constructed as to be capable of preventing the spread of fire to the unexposed side.
2. Interior stairways below the weather deck shall be of steel or other material having acceptable fire resisting properties.
3. Insulation materials in accommodation spaces, service spaces, control stations and machinery spaces except domestic refrigeration compartments shall be non-combustible. Vapor barriers and adhesive used in conjunction with insulation, as well as insulation of pipe fittings for cold service systems, need not be non-combustible materials, but they shall be kept to the minimum quantity practicable and their exposed surfaces shall have qualities of resistance to the propagation of flame to the satisfaction of the Administration.
4. Paints, varnishes and other finishes used on exposed interior surfaces shall not offer an undue fire hazard to the satisfaction of the Administration and shall not be capable of producing excessive quantities of smoke.

Section 3. Means of Escape and Control of Ventilation

1. Means of escape shall be provided as follows:
 - a. Stairways and ladders shall be so arranged as to provide means of escape to the lifeboat and liferaft embarkation deck.
 - b. Escape routes shall be provided to the satisfaction of the Administration, having regard to the nature and location of the spaces and whether persons are normally employed in such spaces.
2. The following provisions shall apply to machinery spaces of category "A" and, where the Administration considers it desirable, to the other machinery spaces.
 - a. Means of control shall be provided for opening and closure of skylights, opening and closure of windows in machinery space boundaries, closure of openings in funnels which normally allow exhaust ventilation, and closure of ventilator dampers;
 - b. Means of control shall be provided for permitting the release of smoke;
 - c. Means of control shall be provided for stopping forced and induced draught fans, fuel oil transfer pumps, fuel oil unit pumps and to similar fuel pumps;

- d. Controls required in sub-paragraphs (m) and (n) of Rule 13, Section 3.1 of this Regulation shall be located outside the space concerned, where they may be cut off in the event of fire in the space they serve;
- e. The number of skylights, doors, ventilators for natural ventilation, openings in funnel to permit exhaust ventilation and other openings to machinery spaces shall be in accordance with requirements of Regulation Rule 7, Section 8 (Ventilation Systems in Machinery Spaces);
- f. Skylights shall not contain glass. However, skylights containing wire-reinforced glass or toughened safety glass may be permitted provided they are fitted with external shutters or steel or other equivalent materials permanently attached. Suitable arrangements shall be made to permit the release of smoke in the event of fire from the spaces to be protected;
- g. Windows shall not be fitted in machinery space boundaries. This does not preclude the use of glass for windows in control rooms within the machinery space;
- h. Doors fitted in machinery space boundaries shall as far as practicable be equivalent in resisting fire to the divisions forming such boundaries. If such doors are not watertight or watertight, the same shall be self-closing;
- i. The arrangements of each ventilation system shall be entirely separated from each other such that fire in one space shall not readily spread to machinery spaces, galleys, fishing hold spaces, accommodation spaces and control stations;
- j. Power ventilation of accommodation spaces, service spaces, fish hold spaces, control stations and machinery spaces shall be capable of being stopped from an easily accessible position located outside the space being served. This position shall not be readily cut off in the event of fire in the space served. The means provided for stopping the power ventilation of machinery spaces shall be entirely separated from the means provided for stopping ventilation of other spaces;
- k. The main inlets and outlets of all ventilation systems shall be capable of being closed from outside the spaces being ventilated.

3. Ventilation of Tanks and Cofferdams.

Subject to the provisions of these Regulations, all tanks, cofferdams and other enclosed spaces where dangerous vapors are liable to be trapped shall be provided with effective means for ventilation and access to the satisfaction of the Administration having regard to the intended services.

4. Miscellaneous Items

- a. Where bulkheads, decks, ceilings or linings are penetrated for the passage of electric cables, pipes, trunks, etc.; for the fitting of ventilation terminals, lighting fixtures and similar devices; or for girders, beams or other structural members, arrangements shall be made to ensure the fire integrity is not impaired.
- b. The Administration may permit the conveying of oil and combustible liquid through accommodation and service spaces, provided the pipes conveying

oil or combustible liquids are of a material approved by the Administration having regard to the fire risk.

- c. Material readily rendered ineffective by heat shall not be used for overboard scuppers including sanitary discharges and other outlets, which are close to the water-line, and where the failure of the material in the event of fire would give rise to danger of flooding.
- d. Electric radiators, if used, shall be fixed in a position and so constructed as to reduce fire risks to a minimum. No such radiators shall be fitted with an element so exposed that clothing, curtains or other similar materials can be scorched or set on fire by heat from the element or equivalent material.
- e. Paint lockers with an area of more than 10 m² shall be provided with adequate measures to recognized standards to control fire in such spaces.
- f. In spaces where penetration of oil products is possible, the surface of insulation shall be impervious to oil or oil vapor.

5. Arrangement for Oil Fuel and Other Oil Tanks

- a. The following limitations shall apply to the use of oil as fuel:
 - i. Except as otherwise permitted by this Regulation, no oil fuel with a flashpoint of less than 60°C shall be used;
 - ii. In emergency generators, oil fuel with a flashpoint of no less than 43°C may be used;
 - iii. Subject to such additional precautions as may consider necessary and on condition that the ambient temperature of the space in which such oil fuel is stored or used shall not be allowed to rise within 10°C below the flash point of the oil fuel. The Administration may permit the general use of oil fuel having a flashpoint of less than 60°C but not less than 43°C.
- b. Fishing vessels in which oil fuel is used, the arrangements for the storage, distribution and utilization of the oil fuel shall be such as to ensure the safety of the vessel and fishers on board and shall at least comply with the following provisions:
 - i. As far as practicable, parts of the oil fuel systems containing heated oil under pressure exceeding 0.18 N/mm² shall not be placed in a concealed position such that defects and leakage cannot be readily observed. The machinery spaces on the way of such parts of the oil fuel system shall be adequately illuminated;
 - ii. Every oil fuel pipe if damaged would allow oil to escape from a storage, settling or daily service tank situated above the double bottom shall be fitted with a cock or valve directly on the tank capable of being closed from a safe position outside the space concerned in the event of a fire occurring in the space in which such tanks are situated. Tanks of not more than 250 liters capacity need not comply with this sub-paragraph;
 - iii. Safe and efficient means of ascertaining the amount of oil fuel contained in any oil fuel tank shall be provided. Sounding pipes shall not terminate in any space where the risk of ignition of spillage from the sounding pipe

might arise. In particular, they shall not terminate in accommodation spaces. Other means of ascertaining the amount of oil fuel contained in any fuel tank may be permitted provided the failure of such means or overfilling of the tanks will not permit release of fuel. The Administration may permit the use of oil level gauges with flat glasses and self-closing valves between the gauges and fuel tanks. Cylindrical gauge glasses may also be permitted and fitted with self-closing valves to the satisfaction of the Administration;

iv. Provision shall be made to prevent over-pressure in any oil tank or in any part of the oil fuel system, including the filling pipes. Relief valves and air or over-flow pipes shall discharge to a position that in the opinion of the Administration is safe. The open ends of air pipes shall be fitted with wire gauze;

c. The arrangements for storage, distribution and utilization of other flammable oils employed under pressure in power transmission systems, control and activating systems and heating systems shall be such to ensure the safety of fishing vessels and fishers on board. In locations where means of ignition are present,

6. Spillage or Leakage of Oil

No oil fuel tank or lubricating oil tank or any other flammable oil tank shall be situated where spillage or leakage there from can constitute a hazard by falling on heated surfaces. Precautions shall be taken to prevent any oil that may escape under pressure or oil leakage from any pump, filter, piping system or heat exchanger from coming into contact with heated surfaces or enter into machinery air intakes. Where necessary, a suitable spill tray or gutter screen or other suitable arrangement shall be provided to allow oil to drain to a safe place in the event of spillage or leakage of oil from such an oil tank, machinery, equipment or system. The number of joints in piping systems shall be kept to a minimum practicable.

7. Pipes and Fittings

Pipes, fittings and valves handling fuel oil, lubrication oil and other flammable oils shall be of steel or other approved material. The restricted use of flexible pipes shall be permissible in positions where the Administration is satisfied that they are necessary. Such flexible pipes and end attachments shall be of approved fire-resisting materials of adequate strength and shall be constructed to the satisfaction of the Administration.

8. Carriage of Dangerous Goods for Fishing Vessel Use

Fishing Vessels carrying dangerous goods shall comply with the requirement of the Administration on the carriage of dangerous goods for fishing vessel's use.

Rule 14 Communications

Section 1. Radio Communication

1. General Provisions
 - a. Fishing vessels above 300 gt shall comply with the requirements of this Rule
 - b. Existing and new fishing vessels below 300 gt are exempted from the above paragraph, and may otherwise use the installations as prescribed by the telecommunications authority.
 - c. No provision in this Rules shall prevent the use by any fishing vessel, survival craft or person in distress, of any means at their disposal to attract attention, make known their position and obtain help.
2. Functional Requirements
 - a. Each fishing vessel covered in Regulation paragraphs (1) and (3) of Rule 14 Section 1, while at sea shall be provided with radio installations capable of complying with the functional requirements identified in this Regulation throughout its intended voyage for the sea area or areas through which it will pass during the intended voyage.
 - b. Each fishing vessel, while at sea, shall be capable of:
 - i. transmitting ship-to-shore distress alerts by at least two separate and independent means, each using a different radio communication service;
 - ii. receiving shore-to-ship distress alerts;
 - iii. transmitting and receiving fishing vessel-to-ship distress alerts;
 - iv. transmitting and receiving search and rescue coordinating communications;
 - v. transmitting and receiving on-scene communications;
 - vi. transmitting and where applicable receiving signals for locating;
 - vii. transmitting and receiving maritime safety information;
 - viii. transmitting and receiving general radio communications to and from shore-based radio systems or networks; and
 - ix. transmitting and receiving bridge-to- bridge communications.
3. Fishing Vessel Requirements
 - a. Every radio installation shall be:
 - i. so located that no harmful interference of mechanical, electrical or other origin affects its proper use;
 - ii. so located as to ensure the greatest possible degree of safety and operational availability;
 - iii. be protected against harmful effects of adverse environmental conditions;

- iv. provided with reliable permanently arranged electrical lighting for adequate illumination; and .5 clearly marked with the call sign, the fishing vessel station identity and other qualified codes.
 - b. Control of the radiotelephone channels required for navigational safety shall be available on the navigation bridge.
4. Watches
- a. Each fishing vessel, while at sea, shall maintain continuous distress and safety watch on the, appropriate distress frequencies identified for the relevant sea area.
 - b. Each fishing vessel, while at sea, shall maintain a radio watch for broadcasts of maritime safety information on the appropriate frequency or frequencies on which such information is broadcast for the area in which the fishing vessel is navigating.
 - c. Until 1 February 1999 each fishing vessel, while at sea, shall maintain a continuous listening watch on:
 - i. VHF distress channel 16; 156.8 MHz
 - ii. radiotelephone distress frequency 2,182KHz
5. Maintenance Requirements
- a. The Administration shall ensure that the radio equipment required by this Rules is maintained to provide the availability of the functional requirements and to meet the recommended performance standards for such equipment.
 - b. Adequate information shall be provided to enable the equipment to be properly operated and maintained, taking into account the recommendations of the IMO.

Section 2. Radio Equipment

- 1. Each fishing vessel shall be provided with:
 - a. a VHP installation capable of transmitting and receiving:
 - i. Digital selective calling (DSC) on the frequency 156.525 MHz (channel 70) and maintaining a continuous DSC watch on VHF channel 70. It shall be possible to initiate the transmission of distress alerts on channel 70 from the position from which the fishing vessel is normally navigated. Fishing vessels plying exclusively in sea area A2 need not comply with this requirement if they maintain a continuous listening watch on VHF channel 16 from the navigating bridge;
 - ii. radiotelephony on frequencies 156.300 MHz (channel 6) (Intership), 156.650 MHz (channel 13)(PCG Harbormaster) and 156.800 MHz (channel 16)(VHF International Distress Channel);
 - b. a receiver capable of receiving international NAVTEX service broadcasts if the fishing vessel is engaged on voyages in any area in which an international NAVTEX service is provided;
 - c. where NAVTEX service is not provided, a radio facility for reception of:

- i. maritime safety information service by the INMARSAT enhanced group calling system; or
 - ii. the HF direct-printing telegraphy maritime safety information service.
- d. Where Fishing vessels regularly ply on voyages of less than 24 hours the Administration may exempt such fishing vessel from these requirements provided arrangements to receive NAVTEX messages and weather broadcasts are made available prior to sailing.
- e. Subject to the provisions of Regulation 6.1.2.4.3 (for verification), a satellite emergency position-indicating radio beacon (satellite EPIRB) which should be:
 - i. capable of transmitting a distress alert either through the polar orbiting satellite service operating in the 406 MHz band or, if the craft is engaged only on voyages within INMARSAT coverage, through the INMARSAT geostationary satellite service operating in the 1.6 GHz band;
 - ii. installed in an easily accessible position;
 - iii. ready to be manually released and capable of being carried by one person into a survival craft;
 - iv. capable of floating free if the craft sinks and of being automatically activated when afloat; and
 - v. capable of being activated manually.
- f. Radio Equipment: Sea Area A1
 - i. In addition to meeting the requirements of Regulation Rule 14, Section 2 (Radio Equipment), each fishing vessel engaged on voyages exclusively in sea area A1 should be provided with a radio installation capable of initiating the transmission of ship-to-shore distress alerts from the position from which the fishing vessel is normally navigated, operating either:
 - 1. on VHF using DSC; this requirement may be fulfilled by the EPIRB prescribed by **paragraph (e) of Rule 14, Section 2**, either by installing the EPIRB close to, or by remote activation from, the position from which the fishing vessel is normally navigated; or
 - 2. through the polar orbiting satellite service on 406 MHz; this requirement may be fulfilled by the satellite EPIRB, required by **paragraph (e) of Rule 14, Section 2**, either by installing the satellite EPIRB close to, or by remote activation from the position from which the fishing vessel is normally navigated; or
 - 3. if the fishing vessel on voyages within the coverage of MF coast stations equipped with DSC, or MF using DSC; or
 - 4. on HF using DSC; or
 - 5. through the INMARSAT geostationary satellite service; this requirement may be fulfilled by:
 - 5.1. an INMARSAT fishing vessel earth station; or

- 5.2. the satellite EPIRB, required by **paragraph (e) of Rule 14, Section 2**, either by installing the satellite EPIRB close to, or by remote activation from, the position from which the fishing vessel is normally navigated.
- ii. The VHP radio installation, required by paragraph (1a) of Rule 14, Section 2, should also be capable of transmitting and receiving general communications using radiotelephony.
 1. Fishing vessel engaged on voyages exclusively in sea area A1 may carry, in lieu of the satellite EPIRB required by **paragraph (e) of Rule 14, Section 2**, and EPIRB which should be:
 - 1.1. capable of transmitting a distress alert using DSC on VHP channel 70 providing for locating by means of a radar transponder operating in the 9 GHz band;
 - 1.2. installed in an easily accessible position;
 - 1.3. ready to be manually released and capable of being carried by one person into a survival craft;
 - 1.4. capable of floating free if the craft sinks and of being automatically activated when afloat; and
 - 1.5. capable of being activated manually.
- g. Radio Equipment: Sea Areas A1 and A2
 - i. In addition to meeting the requirements of Rule 14, Section 2 (Radio Equipment), every fishing vessel engaged on voyages beyond sea area A1, but remaining within sea area A2, should be provided with:
 1. an MF radio installation capable of transmitting and receiving, for distress and safety purposes, on the frequencies:
 - 1.1. 2,187.5 KHz using DSC; and
 - 1.2. 2,182 KHz using radiotelephony;
 2. a radio installation capable of maintaining a continuous DSC watch on the frequency 2,187.5 KHz which may be separate from, or combined, that required by paragraph 1.1.1; and
 3. means of initiating the transmission of ship-to-shore distress alerts by a radio service other than MF operating either:
 - 3.1. through the polar orbiting satellite service on 406 MHz; this requirement may be fulfilled by the satellite EPIRB, required by **paragraph (e) of Rule 14, Section 2**, either by installing the satellite EPIRB close to, or by remote activation from the position from which the fishing vessel is normally navigated; or
 - 3.2. on HF using DSC; or
 - 3.3. through the INMARSAT geostationary satellite service; this requirement may be fulfilled by:
 - 3.3.1. the equipment specified in paragraph 3.2 ; or

3.3.2. the satellite EPIRB, required by **paragraph (e) of Rule 14, Section 2**, either by installing the satellite EPIRB close to, or by remote activation from, the position from which the fishing vessel is normally navigated.

ii. It should be possible to initiate transmission of distress alerts by the radio installations specified in paragraphs 1.1 and 1.3 from the position from which the fishing vessel is normally navigated.

iii. The fishing vessel should, in addition, be capable of transmitting and receiving general radio communications using radiotelephony or direct-printing telegraphy by either:

1. a radio installation operating on working frequencies in the bands between 1,605 KHz and 4,000 KHz or between 4,000 KHz and 27,500 KHz. This requirement may be fulfilled by the addition of this capability in the equipment required by, paragraph 1.1; or
2. an INMARSAT fishing vessel earth station.
3. The Administration may exempt fishing vessels constructed before 1 February 1997, which are engaged exclusively on voyages within the sea area A2, from the requirements of paragraphs (1) and (2) of Rule 14, Section 2 provided such fishing vessels maintain, when practicable, continuous listening watch on VHP channel 16. This watch should be kept at the position from which the craft is normally navigated. Such exemption should be endorsed by the base port State in the Permit to Operate.

h. Radio Equipment: Sea Areas A1, A2 and A3

i. In addition to meeting the requirements of Rule 14, Section 2, every fishing vessel engaged on voyages beyond sea area A1 and A2, but remaining within sea area A3, should, if it does not comply with the requirements of paragraph 2, be provided with:

1. an INMARSAT fishing vessel earth station capable of:
 - 1.1. transmitting and receiving distress and safety communications using direct-printing telegraphy;
 - 1.2. initiating and receiving distress priority calls;
 - 1.3. maintaining watch for shore-to-ship distress alerts, including those directed to specifically defined geographical areas;
 - 1.4. transmitting and receiving general radiocommunications, using either radiotelephony or direct-printing telegraphy; and
2. an MF radio installation capable of transmitting and receiving, for distress and safety purposes, on the frequencies:
 - 2.1. 2,187.5 KHz using DSC; and
 - 2.2. 2,182 KHz using radiotelephony;
 - 2.3. a radio installation capable of maintaining a continuous DSC watch on the frequency 2,187.5 KHz which may be separate from, or combined, that required by paragraph 1.2.1; and

- 2.4. means of initiating the transmission of ship-to-shore distress alerts by a radio service other than MF operating either:
 - 2.5. through the polar orbiting satellite service on 406 MHz; this requirement may be fulfilled by the satellite EPIRB, required by Regulation 6.14.2 (Radio Equipment), paragraph 3, either by installing the satellite EPIRB close to, or by remote activation from the position from which the fishing vessel is normally navigated; or
 - 2.6. on HF using DSC; or
 - 2.7. through the INMARSAT geostationary satellite service, by an additional fishing vessel earth station or by the satellite EPIRB required by Regulation 6.14.2 (Radio Equipment), paragraph 3, either by installing the satellite EPIRB close to, or by remote activation from the position from which the craft is normally navigated;
3. In addition to meeting the requirements of Rule 14, Section 2, every fishing vessel engaged on voyages beyond sea areas A1 and A2, but remaining within sea area A3, should, if it does not comply with the requirements of paragraph 1, be provided with:
- 3.1. an MF radio installation capable of transmitting and receiving, for distress and safety purposes, on all distress and safety frequencies in the bands between 1,605 KHz and 4,000 KHz or between 4,000 KHz and 27,500 KHz:
 - 3.2. using DSC;
 - 3.3. using radiotelephony; and
 - 3.4. using direct-printing telegraphy; and
 - 3.5. equipment capable of maintaining DSC watch on 2,187.5 KHz, 8,414.5 KHz and on at least one of the distress and safety DSC frequencies 4,207.5 KHz, 6,312 KHz, 12,577 KHz or 16,804.5 KHz; at any time, it should be possible to select any of these DSC distress and safety frequencies. This equipment may be separate from, or combined with, the equipment required by paragraph 2.1; and
 - 3.6. means of initiating the transmission of ship-to-shore distress alerts by a radiocommunication service other than HF operating either:
 - 3.7. through the polar orbiting satellite service on 406 MHz; this requirement may be fulfilled by the satellite EPIRB, required by paragraph (e) of Rule 14, Section 2, either by installing the satellite EPIRB close to, or by remote activation from the position from which the fishing vessel is normally navigated; or
 - 3.8. through the INMARSAT geostationary satellite service; this requirement may be fulfilled by:

- 3.8.1. an INMARSAT fishing vessel earth station; or
 - 3.8.2. the satellite EPIRB, required by Regulation **paragraph (e) of Rule 14, Section 2** either by installing the satellite EPIRB close to, or by remote activation from, the position from which the fishing vessel is normally navigated.
 - 3.8.3. In addition, the fishing vessel should be capable of transmitting and receiving general radio communications using radiotelephony or direct-printing telegraphy by an MF/HF radio installation operating on working frequencies in the bands between 1.605 KHz and 4.000 KHz and between 4,000 KHz and 27,500 KHz. This requirement may be fulfilled by the addition of this capability in the equipment required by paragraph 2.1.
4. It should be possible to initiate transmission of distress alerts by the radio installations specified in paragraphs 1.1', 1.2, 1.4, 2.1 and 2.3 from the position from which the fishing vessel is normally navigated.
 5. The Administration, in conjunction with the base port State, may exempt fishing vessels constructed before 1 February 1997 and engaged exclusively on voyages within sea areas A2 and A3, from the requirements of Rule 14, Section 2 Regulation 6.14.2 (Radio Equipment), paragraph 1.1 and 1.2, provided such fishing vessels maintain, when practicable, a continuous listening watch on VHP channel 16. This watch should be kept at the position from which the craft is normally navigated.
- i. Radio Equipment: sea areas A1, A2, A3 and A4
 - i. In addition to meeting the requirements of Regulation 6.14.2 (Radio Equipment), fishing vessel engaged on voyages in all areas be provided with the radio installations and equipment required by Regulation 6.14.2.7 (Radio Equipment: Sea Areas A1, A2 and A3) paragraph 2, except that the equipment required by Regulation 6.14.2.7 (Radio Equipment: Sea Areas A1, A2 and A3), paragraph 2.3.2 should not be accepted as an alternative to that required by Regulation 6.14.2.7 (Radio Equipment: Sea Areas A1, A2 and A3), paragraph 2.3.1, which should always be provided. In addition, fishing vessel engaged on voyages in all areas should comply with the requirements of Regulation 6.14.2.7 (Radio Equipment: Sea Areas A1, A2 and A3) paragraph 3.
 - ii. The Administration, in conjunction with the base port State, may exempt fishing vessels constructed before 1 February 1997 and engaged exclusively on voyages within sea areas A2, A3 and A4, from the requirements of Regulation 6.14.2 (Radio Equipment), paragraph 1.1,1 and 1.2, provided such fishing vessels maintain, when practicable, a continuous listening watch on VHP channel 16. This watch should be kept at the position from which the craft is normally navigated.

Section 4. Table for Communications:

DOMESTIC

Gross Tonnage	VHF Radio Telephone	SSB	Transponder
3 GT – 150 GT	one (1)	N/A	N/A
151 GT – 500 GT	one (1)	one (1)	N/A
501 GT and above	one (1)*	one (1)	one (1)

INTERNATIONAL

Gross Tonnage	VHF Radio Telephone	SSB	Transponder
3 GT – 150 GT	one (1)	N/A	N/A
151 GT – 500 GT	one (1)*	one (1)	N/A
501 GT and above	one (1)*	one (1)	one (1)

* to include at least two units of portable/handheld two-way radio equipment

Section 5. Sources of Energy.

There shall be available at all times, while the fishing vessel is at sea, a supply of electrical energy sufficient to operate the radio installations and to charge any batteries used as part of a reserve source or sources of energy for the radio installations for a period of 18 hours as specified in Regulation 6.8.4 (Emergency Source of Electrical Power) paragraph 4 of these Rules and Regulations.

Section 6. Radio Logs

1. A radio log shall be maintained in accordance with the Radio Regulations in a fishing vessel which is fitted with a GMDSS radio communication station. Every qualified operator, master, officer or crew member maintaining a listening watch in accordance with Regulation 6.14.1.4 shall enter in the log his name and the details of all incidents connected with the radio service which occur during his watch which may appear to be of importance to safety of life at sea. In addition, there shall be entered in the log:
 - a. the details required by the Radio Regulations;
 - b. the time listening watch begins when the fishing vessel leaves port, and the time at which it ends when the fishing vessel reaches port;
 - c. the time at which listening watch was discontinued for any reason together with the reason thereof, and the time at which listening watch was resumed thereafter; and,
 - d. details of the maintenance of the batteries (if provided), including a record of the charging required.
2. Radio logs shall be available for inspection by the officers authorized by the Administration to make such inspection.

Rule 15

Safety of Navigation

Section 1. General. This Rules applies to ships including those towed or pushed by a tug or other such ship. Wooden ships when propelled by mechanical means shall as far as practicable comply with the regulations relating to the prevention of collisions (COLREG) and the routing measures adopted by the Organization.

Section 2. Danger Messages

1. The master of each ship which meets with dangerous derelict, or any other direct danger to navigation, or a tropical storm (signal no. 2 and above) or winds of force 10 or above on the Beaufort scale shall communicate such information by all the means at his disposal to ships in the vicinity and to the competent authorities at the first point on the coast with which he can communicate.
2. All radio messages issued under this Regulation shall be preceded by the safety signal, using the procedure as prescribed by the Radio Regulations.
3. The information to be transmitted shall be as complete as practicable and may be sent in plain language preferably in English.

Section 3. Routing. Fishing Vessels shall comply with the traffic separation schemes or routing requirements applicable to the area including avoidance of passage through areas designated as areas to be avoided by Ships or certain classes of ships.

Section 4. Misuse of Distress Signals. The use of any distress signal, except for the purpose of indicating that a ship, aircraft or person is in distress, and the use of any signal which may be confused with any international distress signal, are prohibited.

Section 5. Distress Messages: Obligations and Procedures

1. The master of a ship at sea, on receiving a signal from any source that a ship or aircraft or survival craft thereof is in distress, is bound to proceed with all speed to the assistance of the persons in distress informing them if possible that he is doing so. If he is unable or, in the special circumstances of the case, considers it unreasonable or unnecessary to proceed to their assistance, he must enter in the log-book the reason for failing to proceed to the assistance of the persons in distress.
2. The master of such ship shall be released from the obligation imposed by paragraph (1) of Rule 15, Section 5 if he is informed by the persons in distress or by the master of another ship which has reached such persons that assistance is no longer necessary. If the Master of a ship receives such release, this has to be documented by him from the duty to render assistance.
3. A ship which receives any kind of distress message, shall simultaneously report this immediately to the nearest Coast Guard, Ports Authority or Coastal Radio Station under providing all relevant data to introduce immediate life saving actions.

Section 6. Shipborne Navigational Equipment

1. Ships shall be fitted with:
 - a. standard magnetic compass, except as provided in Section 6.2.b;

- b. steering magnetic compass, unless heading information provided by the standard compass required under sub-paragraph (1a) of Rule 15, Section 6 is made available and is clearly readable by the helmsman at the main steering position;
 - c. adequate means of communication between the standard compass position and the normal navigation control position to the satisfaction of the Administration;
 - d. means of taking bearings as nearly as practicable over an arc of the horizon of 360°
2. Each magnetic compass referred to in paragraph (1) of Rule 15, Section 6 shall be properly adjusted and its table of curve of residual deviations shall be available at all times.
- a. A spare magnetic compass, interchangeable with the standard compass, shall be carried, unless the steering compass mentioned in sub-paragraph (1b) of Rule 15, Section 6 or a gyro-compass is fitted.
 - b. The Administration, if it considers it unreasonable or unnecessary to require a standard magnetic compass, may exempt individual ship or classes of ships from these requirements if the nature of the voyage, the ship's proximity to land or the type of ship does not warrant a standard compass. A suitable steering compass shall in all cases be carried with means for taking bearings according to the recognized standards.
 - c. From 1 February 1999, ships of 300 GT and above shall be fitted with a RADAR installation capable of operating in the 9 GHz frequency band. A ship may be exempted from compliance with the requirements of paragraph 6 at the discretion of the Administration, provided that the equipment is fully compatible, with the radar transponder for search and rescue.
 - d. All equipment fitted in compliance with this Regulation shall be of type-approved by the Administration. Equipment installed on board ships on or after 1 February 1999 shall conform to appropriate performance standards not inferior to those adopted by the Organization. Equipment fitted prior to the adoption of related performance standards may be exempted from full compliance with those standards at the discretion of the Administration having due regard to the recommended criteria which the Organization might adopt in connection with the standards concerned

Section 7. Nautical Publications. All ships shall carry adequate and up-to-date charts, sailing directions, lists of lights, notices to mariners, tide tables and all other nautical publications necessary for the intended voyage.

Section 8. International Code of Signals. Ships required to carry radio installations shall carry the International Code of Signals. This publication may also be carried by any other ship, which, in the opinion of the Administration, has a need to use it.

Section 9. Life-Saving Signals. Life-saving signals shall be used by ships when communicating with ships or persons in distress or when communicating with life-saving stations, maritime rescue units and aircraft engaged in search and rescue operations. An illustrated table describing the life-saving signals shall be readily available to the officer of the watch of every ship.

Rule 16
Occupational Health and Safety

Section 1. Objectives. These Rules aim to promote health and safety, protection from and prevention of accidents, injuries, diseases, or deaths occurring in the course of deployment of fishers onboard fishing vessels through compliance with mandatory occupational safety and health standards.

Section 2. Occupational Safety and Health

1. For small-scale, medium-scale and large-scale commercial fishing operation, the following standards shall be mandatory:
 - a. **Occupational Safety and Health.** The fishing vessel owner/operator shall formulate, implement, and promote occupational safety and health policies which shall preferably include, the prevention and control of tuberculosis (TB), human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS), hepatitis B, and the prohibition of illegal drug use on board the fishing vessel. The fishing vessel owner/ operator shall also implement and promote workplace policies and programs on anti-sexual harassment and gender and development among fishers.
 - b. **Safety and Health Committee.** The skippers (Masters) on board fishing vessels shall act as safety officers for fishing vessels less than 500 GT. An on-board safety and health committee shall be organized in fishing vessels above 500 GT. The skippers (Masters) on board this class of fishing vessel shall act as chairman of the committee.
 - c. **Training and Orientation on Occupational Safety and Health.** The fishing vessel owner/operator shall ensure that their skippers and fishers undergo applicable occupational safety and health training depending on their rank or position and classification of the vessel as required by the Administration and appropriate government agencies, as applicable. All skippers (Masters) of fishing vessels regardless of the type or category of the vessel they are manning shall undergo the mandatory Basic Occupational Safety and Health Training from appropriate government agencies or any of their accredited service providers. Likewise, the fishing vessel owner shall require all their skippers (Masters) to undergo basic first aid training conducted by accredited training organization.
 - d. **Safety Protection and Accident Prevention.** The fishing vessel owner/operator shall ensure the following are observed on board for safety, protection, and accident prevention in accordance to MARINA regulations.
 - e. **Medical Care.** The fishing vessel owner/operator shall provide adequate first aid services on board and shall ensure that all fishers have access, when in port, to out-patient treatment for sickness or injury, hospitalization, when necessary, and dental treatment.
 - i. Further, the fishing vessel owner/operator shall ensure that all fishing vessels carry first aid kit and medical supplies, which shall be properly maintained and inspected at regular intervals by the skipper (Master). Medicines shall be properly stored and labelled with directions for use and expiry dates.

- ii. If substances hazardous to skin or eyes exist on the fishing vessel, facilities to wash the skin and/or eyewash facilities to irrigate the eyes shall be provided for immediate use by the fishers. If it is not practicable to do so, portable equipment shall be provided such as wash basins.
- iii. The fishing vessel owners/ operators shall keep and maintain medical and health records, reports, or other related documents in their onshore facilities in a manner that ensures confidentiality yet easily accessible by company's occupational health personnel. The fisher shall have access to his/her own records at no cost as may be needed.
- iv. Fishing vessels above 500 GT shall carry appropriate medical equipment and medical supplies, taking into account the number of fishers on board, the area of operation and the length of the voyage.
- v. Fishing vessels carrying 100 or more fishers should have a qualified medical doctor on board.
- f. **Food and Potable Water.** The fishing vessel owner/operator shall ensure that fishers are provided with ample food supply, food preparation and storage facilities, and potable water for drinking and food preparation.
 - i. Cooking equipment shall be provided on board and shall be fitted, where practicable, in a separate galley. Where a separate galley is not provided, cooking area shall be of adequate size for the purpose, well-lit and ventilated, and properly equipped and maintained.
 - ii. The containers of gases used for cooking purposes in a galley shall be kept on the open deck and in a shelter which is designated to protect them from external heat sources and external impact.
 - iii. A suitable place for provisions for adequate capacity shall be provided which can be kept dry, cool, and well-ventilated in order to avoid deterioration of stores and, where practicable and possible, refrigerators or other low temperature storage shall be used.
 - iv. Food and potable water shall be sufficient, considering the number of fishers and duration and nature of the voyage. In addition, they shall be suitable in respect of nutritional value, quality, quantity, and variety, considering fishers' religious or health requirements and cultural practices in relation to food.

Section 2. Requirements for General Accommodation and Related Facilities

The succeeding requirements of this Rule for accommodation and related facilities shall be applicable to fishing vessels that are above 500 GT and constructed on or after the effectivity of this Rule.

Plans, designs and layouts of covered newly-constructed fishing vessels shall conform to applicable maritime laws, rules and regulations.

1. Sleep Accommodation.

Where the design, dimensions, or purpose of the fishing vessel allow, the sleeping accommodation shall be located so as to minimize the effects of motion and acceleration but in no case be located at the forward of the collision bulkhead.

2. **Insulation**

Sleeping accommodation shall be adequately insulated against heat and shall be adequately protected against mosquitoes and other insects.

3. **Airconditioning System**

For large commercial fishing vessels 500GT and above, applicable airconditioning system shall be installed in sleeping and accommodation spaces.

4. **Floor Area and Person per Sleeping Room**

The number of persons per sleeping room and the floor area per person, excluding space occupied by berths and lockers, shall be such as to provide adequate space and comfort for the fishers on board, taking into account the intended service of the vessel.

For fishing vessels above 500 GT, the floor area per person shall not be less than 1.5 square meters.

a. **Openings**

Sleeping rooms must not open directly into cargo and machinery spaces, galleys, storage rooms, drying rooms, or communal sanitary areas.

b. **Separate Sleeping Accommodation**

Separate sleeping accommodation shall be provided for men and women.

c. **Mess Rooms.**

Fishing vessels 500GT and above, shall be provided with mess room accommodation suitable for their service. To the extent as practicable, mess room accommodation shall be separate from sleeping quarters.

Mess rooms shall be as close as possible to the galley, but in no case shall be located forward of the collision bulkhead.

The dimensions and equipment of each mess room shall be sufficient for the number of fishers likely to use it at any one time and for the type and quantity of provisions to be brought on board for a particular voyage.

d. **Sanitation Facilities**

Sanitary facilities, which include toilets, wash basins, and tubs or showers, shall be provided for all fishers on board, as appropriate for the service of the vessel and shall be separate for men and women.

Water, of sufficient quantities, shall be available to all fishers on board to allow for proper hygiene. Where sanitary facilities are provided, it shall be properly ventilated to eliminate contamination of other spaces as far as practicable. The sanitary facilities shall allow for reasonable privacy.

Toilets should be of an approved type and provided with an ample flush of water, available at all times and independently controllable. Where practical, they should be situated convenient to, but separate from sleeping rooms and washrooms. Where there is more than one toilet in a compartment, the toilets should be sufficiently screened to ensure privacy.

For fishing vessel 500GT and above, fishers, who do not occupy rooms to which sanitary facilities are attached, shall be provided at least a toilet and bathing area. Also, amenities for washing and drying clothes shall be provided, as may be necessary taking into account the service of the fishing vessel.

Section 4. Work Environment Conditions

The fishing vessel owner/operator shall ensure and maintain the working and living environment in comfortable and healthy conditions for the purpose of promoting and maintaining the health of the fishers.

1. Headroom

Fishing vessels 500GT and above shall have a headroom of not less than two hundred (200) centimeters. For other fishing vessels, adequate headroom that is reasonable and will not result to discomfort of fishers shall be provided.

2. Ventilation

- a. Sleeping and accommodation areas and work rooms with machineries shall be adequately ventilated.
- b. For fishing vessels 500 GT and above, appropriate ventilation system shall be installed in sleeping and accommodation areas and work rooms with machineries.
- c. All enclosed areas in fishing vessels shall be designated as non-smoking areas.

3. Lighting

- a. All accommodation spaces shall be provided with adequate light.
- b. Wherever practicable, accommodation spaces shall be lit with natural light in addition to artificial light. Where sleeping spaces have natural light, a means of blocking the light shall be provided.

4. Hazardous Substances

- a. All containers with hazardous substances shall be properly labelled in accordance to Globally Harmonized System. No fishing vessel owner shall accept any container or hazardous substance for use, handling, storage, or disposal on a fishing vessel unless such container is labelled with the following:
 - i. The trade and chemical name of the substance;
 - ii. The hazardous properties of the substance;
 - iii. Hazard statements;
 - iv. Precautionary statements; and,
 - v. Manufacturers' Identity.
- b. All hazardous substance for use, handling, and storage on a fishing vessel should have Safety Data Sheets from the supplier and shall keep a copy of the same readily available in the fishing vessel for information of the fishers.

- c. Fishers shall be given careful instructions if special precautions need to be taken when operations would produce fumes and depleted oxygen.

Rule 17

Environment

Section 1. Application of MARPOL73/78. The provisions of the International Convention for the Prevention of Pollution from Ships 1973 and its 1978 Protocol, as amended, and national legislations and issuances to implement thereto, shall apply to vessels covered by these Rules and Regulations.

Where the Administration considers the provisions relating to construction and equipment unreasonable or impracticable, it may exempt fishing vessels from such provisions, provided that the construction and equipment of that vessel provides equivalent protection against pollution of the marine environment, having regard to the service for which the fishing vessel is intended.

Rule 18
Handline Fishing Boat (HFB)

Section 1. Application. This Rules adopts the Implementing Rules and Regulations of Republic Act No. 9379, "An Act Defining Handline Fishing, Providing Effective Regulations therefore and for other purposes." (HFL-IRR) under Joint DA-DOTC-NTC Administrative Order No. 01, series of 2016 and shall apply to Handline Fishing Boats.

Section 2. General Provisions

1. Such HFB, irrespective of the date of construction which undergoes repairs, alterations, modifications and outfitting related thereto shall continue to comply with Rule V of the HFL-IRR.
2. Compliance with structural standards referred and adhered to by the HFL-IRR shall be satisfactory proof of the structural adequacy of the HFB.
3. The owner/ operator/ company operating the HFB shall exercise strict control over its operation and maintenance in compliance with requirements set in the HFL-IRR;
4. The owner/ operator/ company shall ensure that the HFB is manned only by persons duly qualified and certificated in accordance to Rule IV of the HFL-IRR.
5. An HFB shall, at all times, be in seaworthy condition as to their hull and machinery, electrical installations, provided with lights, shapes, means of making sound signals and distress signals, properly fitted with adequate navigational aids and equipment, firefighting equipment, life-saving appliances and that they are operated and maintained in accordance to pertinent sections in the HFL-IRR and its subsequent amendments.
6. The PMMRR and its subsequent amendments shall be applied suppletorily to the HFL-IRR insofar as reasonable, practicable, and beneficial to the HFB and its operation as may be determined by the Administration;

Section 3. Surveys. The inspection and survey of the HFB shall be carried out in accordance to the HFL-IRR.

Section 4. Equivalents.

1. Where the HFL-IRR requires that a particular fitting, material, appliance or apparatus, or type thereof should be fitted or carried in a HFB, or that any particular provision should be made, the Administration may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made in the craft, if it is satisfied by trial thereof or otherwise that such fitting, materials, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by the HFL-IRR.
2. Where compliance with any of the requirements of the HFL-IRR would be impractical for the particular design of the HFB, the Administration may substitute those with alternative requirements provided that equivalent safety is achieved.

Section 5. Certification. HFB which complies with the requirements of the HFL-IRR in its entirety and which has been surveyed and certified as provided for in the HFL-IRR shall be deemed to have complied with the requirements of the PMMRR and its subsequent amendments. The certificates and permits issued under the HFL-IRR shall have the same force and the same recognition as the certificates issued under the PMMRR and its subsequent amendments.

Section 6. Documentation. Documentation requirements of HFB shall be in accordance with pertinent sections in the HFL-IRR.

Section 7. Minimum Safe Manning. Minimum safe manning requirements of HFB shall be in accordance to pertinent sections stipulated in the HFL-IRR.

Rule 19
Maritime Investigation and Disciplinary Proceedings

Section 1. Scope. This Rules prescribes the rules and procedures of the administrative investigation of all maritime-related cases described herein, including violation/s of relevant rules and regulations and the grounds for the disciplinary/administrative action and the prescribing penalty therefore.

Section 2. Objective. The purpose is two-fold:

1. To determine the cause/s of maritime casualties/incidents/accidents and the adoption of measures to prevent the recurrence/occurrence of the same; and,
2. To establish responsibility for a casualty or accident or violation of maritime laws, rules and regulations as basis for legal action.

Section 3. Report of Maritime Casualty/Marine Protest and Voyage Record.

1. **Report of Maritime Casualty/Marine Protest.** The owner or Skipper of a fishing vessel involved in a maritime casualty/incident/accident shall submit a written Report/Marine Protest to the Administration's Central Office or its nearest Regional Office where the casualty/incident/accident occurs, by any fastest means of communications within 24 hours from the occurrence of the maritime casualty/ incident/accident, whenever the casualty/incident/accident, result in any of the following:
 - a. Actual physical damage to the fishing vessel;
 - b. Material damage affecting the seaworthiness or efficiency of the fishing vessel;
 - c. Stranding, grounding, collision or sinking;
 - d. Loss of life
 - e. Physical injuries to any person; and,
 - f. Incidents which may result to any of the above.
2. **Contents of the Report/Marine Protest.** The report required shall show the name and official number of the fishing vessel involved, the port of registry or homeport, the company thereof, the locations and time where the casualty occurred and, insofar as practicable, the probable names of persons and the nature and extent of injury to persons, the damage to property and estimated amount of loss or damage and other additional information relevant to the casualty/incident/accident.
3. **Voyage Records,** retention of:
 - a. The owner, agent, skipper or person in charge of any fishing vessel involved in a maritime casualty or accident shall retain such voyage records as are maintained by the vessel such as deck logbooks, engineering logbooks, navigational charts, crew lists and other official logbooks and materials, which might be of assistance in investigating and determining the cause of the casualty or accident. The owner, agent, skipper, other officer or person responsible for the custody thereof, shall make these records available to the investigating or hearing officer/body concerned.

- b. The Investigating/Hearing Officer/Body may substitute true or photocopies of the voyage records referred to in the preceding paragraph when they serve their purpose and return the original records to the company.
- 4. **Report of Accident to Aids of Navigation.** Whenever a fishing vessel strikes or damage to a lightship, buoy, or other aids to navigation under the jurisdiction of other appropriate government agency, or is involved in any such damage, it shall be the duty of the Skipper of such fishing vessel to report the accident to the nearest appropriate government agency.

Section 4. Procedure of Investigation

- 1. **Commencement of Investigation.** Administrative investigation shall be initiated by the Administration through:
 - a. Motu proprio based on reliable information/report;
 - b. Inspection/investigation report submitted by any official/s of the Administration or other government agency;
 - c. Sworn complaint of any private person, duly supported by affidavits of witnesses and/or documentary evidence;
 - d. Marine Protest.
- 2. **Preliminary Inquiry.**
 - a. Without prejudice to the plenary authority of the Board to order an investigation, an investigating officer/body shall conduct investigation in order to determine the cause/s of the casualty or accident or any contributing factors thereto and whether there has been any act of misconduct, inattention to duty, or negligence upon the part of any licensed or certificated fishing vessel's officers and fishers, or whether there has been a violation of the Administration rules or the law, or whether there is evidence any government agency or personnel or any other person caused or contributed to the cause of the casualty/accident so that appropriate action shall be taken, and to determine whether a formal investigation shall be held;
 - b. In the conduct of the preliminary inquiry, the investigating officer/ body may examine any relevant papers, documents or records, interview witnesses, and go on board to inspect the fishing vessels and equipment and to examine the vessel's and the fishers's documents. The investigating officer/body may obtain and collect evidence including but not limited to affidavits, statements, books, papers, documents on records, and may make copies, take photographs, and remove and mark any original documents or objects for future identification;
 - c. Thereafter, the investigating officer/body shall submit an investigation report and recommendation to the Administration for appropriate action.

Section 5. Formal Hearing

- 1. **Power.**

Without prejudice to the filing of appropriate criminal action against the responsible person before the Department of Justice/Prosecutor's Office, the Hearing Officer/Body shall have the power to hear and try maritime casualty/incident/accident,

complaints/cases against the fishing company and/or fishing vessel's officers and fishers for violation of these Rules and Regulations.

- a. When prima-facie evidence exists, a Show Cause Order shall be issued against the offender/s, requiring him to file counter affidavit/answer under oath, within five days of receipt thereof, and to show cause why no administrative sanction shall be imposed against him.
- b. The Hearing Officer/Body shall have the power to administer oaths, summon witnesses, require persons having knowledge of the subject matter to appear at the hearing to answer questions and to require the production of relevant books, papers, documents or any other evidence/s. Attendance of witnesses or the production of books, papers, documents or other evidence shall be compelled by a similar process as in the regular courts of justice;
- c. In accordance with Section 29, Rules V of the Public Service Act, as amended, the Hearing Officer/Body may summarily punish for contempt by a fine not exceeding two hundred pesos, any person guilty of misconduct in the presence of the Hearing Officer/Body or so near the same as to interrupt the hearing or session or any proceedings before him, including cases in which a person present at a hearing session or investigation held by the Hearing Officer/Body refuses to be sworn as a witness or to answer as such when lawfully required to do so. To enforce this provision, the Hearing Officer/Body may request the assistance of police authorities for the execution of any order made for this purpose;
- d. The venue of the hearing may be determined or changed by the Hearing Officer/Body motu proprio or upon motion of either of the parties when it is more advantageous to conduct the hearing.
2. **Right to be Represented by a Counsel.** The party litigants shall be given opportunity to present their case or defense personally or through counsel, and to present all witnesses and evidence/s as they may desire. The Hearing Officer/Body shall have the discretion to overrule unreasonable motions regarding the presentation of evidence which are clearly dilatory.
3. **Order of Hearing.** Unless the Hearing Officer/Body directs otherwise, the Order of Hearing shall be, as follows:
 - a. The complainant or prosecution shall first introduce evidence/s;
 - b. The respondent or defense then presents evidence/s in support of its theory;
 - c. The complainant or prosecution may submit rebuttal evidence/s;
 - d. The respondent or defense may present sur-rebuttal evidence/s;
 - e. When the presentation of evidence has been concluded, and formal offer of the same has been made, the parties may be required to submit their respective memoranda within a reasonable time.
4. **Clarificatory Questions.** The Hearing Officer/Body may from time to time ask clarificatory questions.
5. **Objections.** All objections or interlocutory questions that arise during the proceedings shall be resolved by the Hearing Officer/Body as the case may be.

6. **Rules of Evidence.** The proceedings of the aforesaid Hearing Officer/Body shall not be bound by the strict rules of evidence but the Rules of Court may be applied by analogy or as suppletory character and whenever practical and convenient.
7. **Employment of Stenographer.** The Hearing Officer/Body shall see to it that notes of the testimony of the witnesses or a summary thereof are taken, and together with the documentary evidence/s presented shall constitute the records of the case. The employment of a stenographer is optional except when in the opinion of the Hearing Officer/Body, the nature of the case requires the employment of one.
8. **Marking.** All documentary evidence or exhibits shall be marked by letter (A, B, C, etc.) if introduced by the complainant and by number (1, 2, 3, etc.) if introduced by the respondent. They shall be attached to the records or, if voluminous, kept in a separate folder marked "Folder of Exhibits" which shall also be a part of the records.
9. **Failure to Prosecute.** If complainant fails to appear at the time of the trial, or to prosecute his action for an unreasonable length of time, or to comply with this Rules or any order of the Hearing Officer/Body, the action may be dismissed upon motion of the respondent or upon the Hearing Officer/Body's own initiative. This dismissal shall have the effect of adjudication upon the merits, unless otherwise ruled by the Hearing Officer/Body.
10. **Failure to Answer/Appear.** If the respondent fails to answer within the period specified in the Order, he shall be declared in default and deemed to have waived his right to file an answer and the case shall proceed accordingly. If the respondent fails to appear by himself or through counsel on the specific date of hearing upon proof of service of notice to the latter, he shall be declared as in default and the hearing shall proceed ex-parte.
11. **Hearing Ex-Parte.** The Hearing Officer/Body may motu proprio or through motion of a party-litigant proceed with the hearing ex-parte, when one of the parties has been declared in default or otherwise refuses to recognize the authority of the investigating body or to comply with these rules or any order issued during the proceedings.
12. **Relief from Order of Default.** A party declared in default, may at any time after discovery thereof and before decision, file a motion under oath to set aside the order of default upon proper showing that his failure to answer was due to fraud, accident, mistake or excusable neglect and that he has a meritorious defense. In these instances, the order of default may be set aside on such terms and conditions as the Hearing Officer/Body may impose in the interest of justice.
13. **Testimony by Interrogatories and Deposition.**
 - a. Witnesses shall be examined orally, except that for a good cause shown, testimony may be taken by deposition upon application of any party in interest or upon the initiative of the Hearing Officer/Body;
 - b. Application to take deposition shall be made to the Hearing Officer/ Body prior to or during the course of the proceedings and shall be made in writing setting forth the reasons for the need, the name and address of the witness,

the matters on which the witness is expected to testify and the time and place proposed for the taking of the deposition. Such deposition may be taken before any officer authorized to administer oath under the Administrative Code of 1987. The procedure for taking deposition shall be in accordance with existing court practices;

- c. When the deposition has been duly executed, it shall be returned to the Hearing Officer/Body to be presented to the parties concerned for their examination. The Hearing Officer/Body shall rule on the admissibility of the deposition or any part thereof and of any objection offered by either party thereto.
14. **Report of Hearing.** The Hearing Officer/Body shall submit to the Management its report of findings and recommendation within 30 days of the termination of the formal hearing or after the parties have submitted their respective memoranda, as the case may be.
15. **Decision.** The Management may base its decision upon the findings and recommendations of the Hearing Officer/Body or may deviate from or disregard the same, or may order further investigation of the case.
16. **Motion for Reconsideration.** Either party may, within 15 days without extension from receipt of decision, file with the Management a Motion for Reconsideration thereof on the ground either the decision is not supported by the evidence on record or errors of law and/or fact, or irregularities have been committed prejudicial to the interest of the petitioner. Only one Motion for Reconsideration shall be entertained.
17. **Finality of Decision.** All decisions of the Management shall be final unless, within 15 days after receipt of a copy thereof, an appeal of said decision to the Board of the Maritime Industry Authority is filed and perfected.
18. **Appeal.** Within 15 days from receipt of the Decision/Order, an appeal may be made taken by serving upon the adverse party a copy of the appeal and filing with the Management three (3) copies thereof.
19. **Record on Appeal Form and Contents Thereof.** The full names of all the parties to the proceedings shall be stated in the caption of the record on appeal and it shall include the judgment or decision from which the appeal is taken, and, in chronological order, copies of only such pleadings, petitions, motions and all interlocutory orders as are related to the appealed judgment or decision and necessary for the proper understanding of the issue involved, together with such data as will show that the appeal was perfected on time. If an issue of fact is to be raised on appeal, the record on appeal shall include by reference all the evidence, oral and documentary, taken upon the issue involved. The reference shall specify the documentary evidence by the exhibit number of letters by which it was identified when admitted or offered at the hearing and the oral evidence by the names of the corresponding witnesses. If the whole oral and documentary evidence in the case is to be included, a statement to that effect will be sufficient without mentioning the names of the witnesses or the number of letters of exhibits. Every record on appeal exceeding 20 pages must contain a subject index.

20. **Decision on Appeal.** The decision of the Board shall be final and executory, unless within fifteen (15) days of receipt of a copy thereof, an appeal is filed with the appropriate appellate court.

Section 6. Suspension or Revocation of Licenses/ Certificates or Seafarers' Identification and Record Book (SIRB)

1. Grounds for Suspension or Revocation. The following shall be grounds for the suspension or revocation of License/Certificates or Seafarers' Identification and Record Book (SIRB):
 - a. Incompetence, negligence or incapacity in the performance of duty;
 - b. Misconduct committed while acting under authority of his license or certificate;
 - c. Intemperate habits such as drunkenness tending to cause immediate loss or destruction or serious damage to the fishing vessel or tending to endanger the life of any person belonging to or on board such vessel;
 - d. Immoral or disgraceful conduct committed while acting under the authority of his license or certificate;
 - e. Insubordination;
 - f. Violation of the terms and conditions of the contract without just cause; and,
 - g. Conviction by a court of competent jurisdiction of a crime involving moral turpitude.
2. **Offenses for Which Revocation of License or Certificate is Mandatory.** Revocation of license or certificate is mandatory for the following acts or offenses, the serious nature of which is such that permitting such persons to sail under their license or certificate would be clearly a threat to the safety of life at sea, the welfare of fishers and property onboard fishing vessels:
 - a. Assault with dangerous weapon;
 - b. Malicious destruction of fishing vessel's property;
 - c. Misconduct resulting to loss of life or serious injury;
 - d. Molestation of co-fisher;
 - e. Murder or attempted murder;
 - f. Mutiny;
 - g. Perversion;
 - h. Possession, use, sale or association with prohibited drugs and substances, including marijuana;
 - i. Serious theft of fishing vessel's property including unauthorized barter;
 - j. Smuggling of aliens or goods;
 - k. Sabotage;
 - l. Court conviction of a crime involving moral turpitude;
 - m. Jumpship;
 - n. Serious neglect of duty.

3. For the purpose of this Regulation, the following shall be defined:
- a. Misconduct is a human behavior which violates some formal duty or established rule, such as the common law, the general Maritime law, Code of Ethics, fishing company regulation or order;
 - b. Negligence refers to failure to perform one's assigned duties and responsibilities;
 - c. Incompetence is the inability of a person to perform required duties whether due to professional deficiencies, physical disability, mental incapacity, or any combination of the same;
 - d. Acting under Authority of a License, Certificate or Document. A person employed in the service of a fishing vessel is considered to be acting under the authority of a license, certificate or document held by him when the holding of such license, certificate or document is required as a condition of employment. A person does not cease to act under the authority of his license, certificate or document while on authorized shore leave from the fishing vessel.

In case of licenses/certificates issued by another government agency, the Administration shall coordinate with that agency for appropriate action.

Section 7. Non-Issuance of Endorsement of Certificates or Seafarers' Identification and Record Book (SIRB) Documents. No new STCW Endorsement of Certificates or SIRB document shall be issued to a person whose similar document is under suspension, except upon approval by the Administration.

Section 8. Preventive Suspension. If there is reason to believe at any time during the investigation or hearing, that the continued service of the certificated fisher will be detrimental to the maritime service, the Investigating/Hearing Officer/Body may recommend to the Management the temporary confiscation of his certificates or document.

Section 9. Reinstatement. Any fisher whose certificate or document has been revoked or surrendered shall be entitled to reinstatement after he shall have been cleared from the charge for which his certificate was revoked and upon the favorable findings by the Administration.

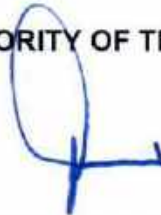
Rule 20
Final Provisions

Section 1. Repealing Clause. Any provision of the Revised Philippine Merchant Marine Rules and Regulations (PMMRR) 1997, and existing MARINA Rules and Regulations and Orders, which are inconsistent with the Philippine Fishing Vessels Safety Rules and Regulation (PFVSRR) of 2018, are hereby repealed.

Section 2. Separability Clause. Should any part of these Rules and Regulations be declared null and void by any competent authority, the same shall not affect the validity of the remaining part.

Section 3. Effectivity. These Philippine Fishing Vessels Safety Rules and Regulation (PFVSRR) of 2018 shall take effect Thirty (30) days after publication once in a newspaper of general circulation in the Philippines.

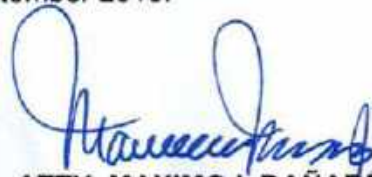
BY AUTHORITY OF THE BOARD:



REY LEONARDO B GUERRERO
Administrator

SECRETARY'S CERTIFICATE

This is to certify that the foregoing Philippine Fishing Vessels Safety Rules and Regulations has been approved by the MARINA Board in its 261st Regular Board Meeting held on 20 September 2018.



ATTY. MAXIMO I. BAÑARES, JR.
Corporate Board Secretary

Date of Publication: 11 October 2018
Business Mirror

Date of Submission to ONAR: