



Republic of the Philippines
DEPARTMENT OF TRANSPORTATION

MARITIME INDUSTRY AUTHORITY



MEMORANDUM CIRCULAR NO. DS-2020-02
Series of 2020

TO : ALL PERSONS, CORPORATIONS, ENTITIES, FIRMS AND
OTHER MARITIME ENTERPRISES CONCERNED

SUBJECT : REVISED RULES ON THE ACCREDITATION OF MARITIME
ENTERPRISES

Pursuant to Paragraph 2, Section 4 of Presidential Decree (PD) No. 474 and Section 14(a) and (i) of Executive Order No. 125, as amended, the following revised rules and regulations on the accreditation of maritime enterprises are hereby adopted:

I. OBJECTIVES:

- a. To promote the growth and development of maritime-related activities to encourage the growth of the maritime industry;
- b. To regulate and supervise maritime enterprises with the end in view of formulating policies and programs that will encourage the development of all industries relating to the maritime industry.
- c. To encourage companies engaging in crew management to invest in ship management operations.
- d. To have a source of data information on domestic seafarers employed by local manning agencies.

II. COVERAGE:

All persons, corporations, firms and other entities engaged or shall engage in maritime industry-related businesses.

III. DEFINITION OF TERMS:

1. **MARINA**- refers to the Maritime Industry Authority
2. **Maritime Enterprises** – a company or business undertaking which may include ship management, ship agency, multimodal transport operation and any other similar enterprise which activities consist of representing within the Philippines, as an agent, the business interests of one or more shipping line or shipping companies. It shall also include ship husbanding, ship chandling, manning, and companies engaged in

MARINA Building
20th Street corner Bonifacio Drive
1018 Port Area (South), Manila

Tel. Nos: (632) 523-9078 / 526-0971
Fax No: (632) 524-2895
Website: www.marina.gov.ph

importation and trading of accessory boats, recreational crafts, and marine spare parts, and other similar enterprises.

IV. GENERAL PROVISIONS:

1. A maritime enterprise as defined herein must be accredited under this Memorandum Circular, except those covered by a separate accreditation mechanism imposed by MARINA;
2. The applicant must have a minimum paid-up capital of Five Hundred Thousand Pesos (P500,000.00);
3. Accreditation under this Circular shall be valid for a period of three (3) years and may be renewed for the same number of years.
4. Companies intending to operate in maritime-related enterprises for ships in the domestic trade must submit their applications for accreditation at the Domestic Shipping Service (DSS). However, companies intending to operate in maritime-related enterprises for Philippine-registered ships in the international trade must submit their applications at the Overseas Shipping Service (OSS).
5. Re-issuance of Certificate of Accreditation shall be made whenever there are changes or amendments in the corporate/company name. A notice in writing must be filed with MARINA in case of any change in the Incorporators/Directors/Officers of the corporation/company, without need for the re-issuance of the Certificate of Accreditation.

V. QUALIFICATION REQUIREMENTS:

1. Citizenship/Equity Participation

- 1.1 The applicants must be a citizen and permanent resident of the Philippines
- 1.2 Commercial partnership must be wholly owned by a Philippine citizen. In case of corporations, at least sixty percent (60%) of the capital is owned by a Philippine citizen.

VI. DOCUMENTARY REQUIREMENTS

The following documentary requirements must be submitted with the DSS for the issuance of the Accreditation Certificate:

1. Letter of Application
2. List of names and the corresponding position of the company's /entity's partners/directors and principal officers

3. Bio-data of principal officers (with picture) reflecting their experience related to their main line of business
4. Copy of Certificate of Registration with the Department of Trade and Industry (DTI) (for single proprietorship) and the copy of the original application with DTI
5. Copy of Certificate of Registration, Articles of Incorporation & By-Laws issued by Securities and Exchange Commission (SEC) for corporation and partnership
6. Latest certification from SEC of the company's increase of paid-up capitalization (if applicable)
7. Latest Audited Financial Statement (for renewal)

VII. SCHEDULE OF FEES

Corporation	-	P11,000.00
Partnership	-	P11,000.00
Single Proprietor	-	P 7,600.00

Re-issuance of Certificate due to:

1. Change of Corporate/Company Name - P2,800.00
2. Change of Business Name (For Single Proprietorship) - P2,800.00

VIII. REPORTORIAL REQUIREMENTS

A MARINA-accredited enterprise shall submit the following reports and/or documents in original or true copy forms duly attested by responsible officer of the accredited enterprise, independent auditor, or proper government agency.

1. Amendment of Articles of Incorporation or By-Laws within thirty (30) days from the date of registration of said amendment with the SEC;
2. Replacement of any director or any principal officer within thirty (30) days from date of replacement;
3. Audited annual financial statements on or before 15 May of the following year; and,
4. Change of business address/location.

In the case of manning and/or shipping companies, they are required to submit every six (6) months (semi-annual) of an Annual Report indicating the names, position and number of seafarers/ship personnel which they have processed for employment on board domestic ships.

IX. SUSPENSION/CANCELLATION OF ACCREDITATION AND PENAL PROVISIONS

1. After due investigation, MARINA may suspend/cancel the accreditation of MARINA-accredited enterprise on the following grounds:

- 1.1 Failure to comply with any of the provisions under this Circular; and,
- 1.2 Willful or gross violation of any of the terms and conditions of the accreditation.

2. Companies operating with expired Certificate of Accreditation is liable to pay fines/penalties in accordance with the following schedule:

- First violation - P10,000.00
- Second violation - P20,000.00
- Third violation - P25,000.00 including the company blacklisting and disqualification for one (1) year to apply for accreditation in MARINA under this Circular.

X. REPEALING CLAUSE

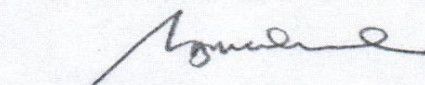
Memorandum Circular No. 186 is hereby repealed. All circulars, rules and regulations and other issuances inconsistent herewith are hereby amended or repealed accordingly.

XI. EFFECTIVITY CLAUSE

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

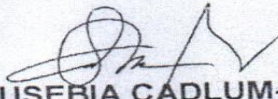
Manila, Philippines, OCT 27 2020.

BY AUTHORITY OF THE BOARD:


VADM ROBERT A EMPEDRAD AFP (Ret)
Administrator

SECRETARY'S CERTIFICATE

Memorandum Circular DS-2020-02 has been approved by the MARINA Board in its 280th Regular Board Meeting held on 27 October 2020.


ATTY. EUSEBIA CADLUM-BOCO
Board Secretary

Date of Publication: 09 February 2021
Business Mirror
Date of Submission to ONAR: