



Republic of the Philippines
Department of Transportation
MARITIME INDUSTRY AUTHORITY



MEMORANDUM CIRCULAR NO. SR 2022-04
Series of 2022

TO : ALL MARINA ACCREDITED MARITIME COMPANIES/ ENTITIES TO CONDUCT INCLINING TEST AND STABILITY CALCULATION AND ASSESSMENT (INTACT AND DAMAGE) SERVICES, SHIPOWNERS AND ALL OTHER CONCERNED ENTITIES

SUBJECT : REVISED RULES AND REGULATIONS ON THE ACCREDITATION OF MARITIME COMPANIES/ENTITIES CONDUCTING INCLINING TEST AND STABILITY CALCULATION AND ASSESSMENT (INTACT AND DAMAGE) SERVICES

Pursuant to PD 474 and Executive Order Nos. 125/125-A, the following rules and regulations are hereby adopted and prescribed for the accreditation of Marine Surveying Companies authorize to conduct Inclining Test and Stability Calculation.

I. OBJECTIVES

1. To prescribe policies and guidelines in the accreditation of Maritime Companies/Entities in the Philippines conducting Inclining Test and Stability Calculation and Assessment (Intact and Damage); and,
2. To ensure that only those Maritime Companies/Entities accredited by MARINA are authorized to conduct Inclining Test and Stability Calculation and Assessment (intact and damage) for Philippine-Registered Ships.

II. COVERAGE

This Circular shall apply to:

1. All MARINA-Accredited Maritime Companies/Entities to Conduct Inclining Test and Stability Calculation and Assessment (intact and damage) Services as well as existing Ship Stability and Inclining Test Surveyor; and,
2. All other persons, natural or juridical who is interested to be accredited and duly authorized by MARINA to conduct inclining test, stability calculation and assessment (intact and damage) services.

III. DEFINITION OF TERMS

For the purpose of this Circular, the following terms shall be defined as follows:

1. **"Administration"** refers to the Maritime Industry Authority (MARINA).

2. **"Certificate of Accreditation"** refers to the document issued by the Administration to a qualified *Maritime Companies/Entities* authorizing them to conduct Inclining Test and Stability Calculation and Assessment (intact and damage) Services.
3. **"Ship Stability and Inclining Test Surveyor Certificate"** refers to the document issued by the Administration to the authorized RENA under the accredited companies/entities who have passed the examination and panel interview to conduct inclining test and stability calculation and assessment (intact and damage).
4. **"Inclining Test"** involves moving a series of known weights, normally in the transverse direction, and then measuring the resulting change in the equilibrium heel angle of the ship. By using this information and applying basic naval architecture principles, the ship's vertical center of gravity (VCG) is determined.
5. **"MARINA-Accredited Maritime Companies/Entities for Stability Calculation and Assessment (intact and damage) of ships"** refers to an organization authorized by the Administration to conduct inclining test and prepare the stability calculation booklet and assessment of ships for intact and damage.
6. **"MARINA-Certified Ship Stability and Inclining Test Surveyor"** refers to the authorized RENA under the accredited companies/entities who have passed the examination and panel interview to conduct inclining test and stability calculation and assessment for intact and damage.
7. **"Stability Calculation and Assessment"** refers to the calculation of intact stability of ships under MARINA MC SR-2021-04 and its subsequent amendments and damage stability under MARINA MC 2015-08 and its subsequent amendments.
8. **"RENA"** refers to Registered Naval Architects.

IV. GENERAL PROVISIONS

1. All application for Accreditation of Maritime Companies/Entities to conduct Inclining Test and Stability Calculation and Assessment (intact and damage) Services shall comply with the requirements prescribed by this Circular prior to the issuance of the Certificate of Accreditation.
2. All application for Accreditation of Maritime Companies/Entities covered by this Circular can only be issued, re-issued and renewed by the Administration.
3. The Administration will have a data bank or inventory/lists of accredited maritime companies/entities covered by this Circular which shall be posted in the Administration site.
4. All MARINA-Accredited Maritime Companies/ Entities conducting Inclining Test and Stability Calculation and Assessment (Intact and

Damage) of Ships and the Ship Stability and Inclining Test Surveyors shall:

- 4.1. Not engage in any activities that may conflict with their independence of judgement and integrity in relation to their service, such as but not limited to a Company/Entity and/or Surveyor covered by this Circular who is also the owner of the vessel and/or directly affiliated to a shipyard/ shipbuilder/ boatbuilder who constructed the vessel.
- 4.2. Provide technical cooperation, upon request by the Administration in terms of all discussion related to the stability of ships, ship designs and naval architecture in general for the policy formulation, queries and/or any maritime investigation.
- 4.3. Be governed by the principles of ethical behavior which should be contained in a Code of Ethics.
- 4.4. Follow their guidelines based on the Code on Intact Stability, 2008 MSC 267(85)), MSC 429 (98) and other applicable International Codes and Conventions related to the conduct of Inclining Test and Stability Calculation and Assessment (intact and damage) of ships.
- 4.5. Submit the documented procedural manual of their services to the Administration for approval including the marine software used for the stability calculation (intact and damage).

V. SPECIFIC PROVISIONS

1. ACCREDITATION OF MARITIME COMPANIES/ENTITIES FOR STABILITY CALCULATION AND ASSESSMENT (INTACT AND DAMAGE) OF SHIPS

- 1.1 The Certificate of Accreditation shall be valid for five (5) years subject for annual endorsement.
- 1.2 The application for renewal shall be filed at least three (3) months before the expiration of the certificate. While the application for annual endorsement shall be filed at least one (1) month before annual anniversary date from the issuance of the certificate.
- 1.3 MARINA-Accredited Maritime Companies/ Entities conducting Inclining Test and Stability Calculation and Assessment (intact and damage) of ships shall have at least one (1) RENA, competent and trained MARINA-Certified Ship Stability and Inclining Test Surveyor.

2. CERTIFICATION OF SHIP STABILITY AND INCLINING TEST SURVEYOR

- 2.1 The Ship Stability and Inclining Test Surveyor Certificate has no expiration but is subject for revalidation every 3 years or conterminous with their PRC License.
- 2.2 Unvalidated Ship Stability and Inclining Test Surveyor Certificate is considered invalid.
- 2.3 RENA with unvalidated Ship Stability and Inclining Test Surveyor Certificate who wish to be re-certificated shall retake the examination.
- 2.4 Only MARINA-Certified Ship Stability and Inclining Test Surveyor shall be authorized to conduct inclining test and stability calculation and assessment (intact and damage) in accordance with the provisions of MARINA MC SR 2021-04 and MARINA MC 2015-08 and its subsequent amendments.
- 2.5 MARINA-Certified Ship Stability and Inclining Test Surveyor shall only be associated with one MARINA-Accredited Maritime Companies/Entities for Stability Calculation and Assessment (intact and damage) Services at a time.
- 2.6 Those applicants who failed in the written and/or oral examination/panel interview may be allowed to re-apply after six (6) months.
- 2.7 Only the following Ship Stability and Inclining Test Surveyor shall be accredited by the Administration and be allowed to conduct surveys:
 - 2.7.1 For existing Ship Stability and Inclining Test Surveyor – those who passed the revalidation; and,
 - 2.7.2 For new Applicant for Ship Stability and Inclining Test Surveyor – those who passed the written and oral examination/panel interview conducted by the Administration.

VI. DOCUMENTARY REQUIREMENTS

The application for accreditation shall be accepted by the Shipyards Regulation Service (SRS) upon presentation of the following:

1. Corporation/ Partnership:

1.1 New Application

- a. Application Letter;
- b. SEC Registration Certificate;
- c. Board resolution or Secretary Certificate or SPA authorizing the person to apply in behalf of the company;
- d. Valid Mayor's Permit;

- e. List of all ship stability and inclining test surveyor and their bio-data;
- f. Copies of the surveyors' professional licenses/certificates;
- g. Process/procedural manual of services offered;
- h. Naval Architecture and stability Software/s used by the company; and,
- i. Employment Contract of RENA (if applicable)

1.2 Annual Endorsement

- a. Application Letter;
- b. Updated list of all ship stability and inclining test surveyor;
- c. Consolidated report of Vessels surveyed;
- d. Copies of the surveyors' professional licenses/certificates;
- e. Process/procedural manual of services offered (if revisions were made); and,
- f. Employment Contract of RENA (if applicable)

1.3 Renewal of Accreditation

- a. Application Letter;
- b. Board resolution or Secretary Certificate or SPA authorizing the person to apply in behalf of the company;
- c. Annual report of Vessels surveyed;
- d. Valid Mayor's Permit;
- e. List of all ship stability and inclining test surveyor and their bio-data;
- f. Copies of the surveyors' professional licenses/certificates;
- g. Process/procedural manual of services offered;
- h. Naval Architecture and stability Software/s used by the company; and,
- i. Employment Contract of RENA (if applicable)

1.4 Reissuance

- a. Request Letter for Re-Issuance; and,
- b. Affidavit of loss

2. Single Proprietorship

2.1 New Application

- a. Application Letter;
- b. DTI Registration Certificate
- c. Valid Mayor's Permit;
- d. Copies of the surveyors' professional licenses/certificates;
- e. Process/procedural manual of services offered; and,
- f. Naval Architecture and stability Software/s used.

2.2 Annual Endorsement

- a. Application Letter;
- b. Consolidated report of Vessels surveyed;
- c. Copies of the surveyors' professional licenses/certificates; and,
- d. Process/procedural manual of services offered (if revisions were made).

2.3 Renewal of Accreditation

- a. Application Letter;
- b. Annual report of Vessels surveyed;
- c. Valid Mayor's Permit;
- d. Copies of the surveyors' professional licenses/certificates;
- e. Process/procedural manual of services offered; and,
- f. Naval Architecture and stability Software/s used by the company.

2.4 Reissuance

- a. Request Letter for Re-Issuance; and,
- b. Affidavit of loss.

3. For Ship Stability and Inclining Test Surveyor:

3.1 New Application

- a. Application Letter from the Accredited Company;
- b. Letter of intent to take Examination from the RENA
- c. Bio-data; and,
- d. Valid PRC License.

3.2 Revalidation

- a. Application Letter for revalidation from the RENA;
- b. Proof of affiliation from the MARINA Accredited Marine Surveying Company;
- c. List of Vessels surveyed during the duration of the Certification;
- d. Bio-data with copy of training Certificates; and,
- e. Valid PRC License.

1.5 Reissuance

- a. Application Letter for Re-Issuance
- b. Proof of affiliation from the MARINA Accredited Marine Surveying Company;
- c. Affidavit of loss; and,
- d. Valid PRC License.

VII. SAFETY RESPONSIBILITIES

1. The MARINA-Accredited Maritime Companies/Entities conducting Inclining Test and Stability Calculation and Assessment (Intact and Damage) of Ships shall be responsible for ensuring that the conduct of inclining test and stability calculation survey done by their Surveyor is in accordance with the procedures set by the company as required by the Administration.
2. The MARINA-Certified Ship Stability and Inclining Test Surveyor shall be responsible for the conduct of inclining test and stability calculation survey in accordance with the procedures set by the Maritime Companies/Entities for Stability Calculation and Assessment (Intact and Damage) as required by the Administration.

VIII. FEES AND CHARGES:

The payment of following fees and charges shall be made through MARINA Central or Regional Office:

Services		Amount (PhP)
1.	Issuance/ Renewal of Certificate of Accreditation for Marine Surveying Companies and Entities to Conduct Inclining Test and Stability Calculation (intact and damage)	9,700.00
2.	Annual endorsement of Certificate of Accreditation for Marine Surveying Companies and Entities to Conduct Inclining Test and Stability Calculation (intact and damage)	5,000.00
3.	Re-Issuance of Certificate of Accreditation for Marine Surveying Companies and Entities to Conduct Inclining Test and Stability Calculation (intact and damage)	700.00
4.	Surcharge for Expired Accreditation Certificate	1,000.00/month
5.	Issuance of Ship Stability and Inclining Test Surveyor Certificate	1,000.00/ certificate
6.	Revalidation of Ship Stability and Inclining Test Surveyor Certificate	700.00
7.	Re-Issuance of Ship Stability and Inclining Test Surveyor Certificate	700.00

IX. SIMULATED EXAMINATION AND PANEL INTERVIEW

1. All applicants for Ship Stability and Inclining Test Surveyor under the accredited Companies must be a licensed Naval Architect.
2. Those applicants for Ship Stability and Inclining Test Surveyor who passed the documentary evaluation shall be notified to undergo the written, oral examination and/or panel interview.
3. All new applicants for Ship Stability and Inclining Test Surveyor shall undergo the written examination and panel interview set by the MARINA Screening Committee created for this purpose.
4. The applicants must obtain at least 75% rating in average for the written and oral examination/panel interview to qualify as Ship Stability and Inclining Test Surveyor.
5. The Administration shall issue Ship Stability and Inclining Test Surveyor Certificate to those RENA who have passed the written examination and panel interview.

X. VALIDITY OF CERTIFICATES

1. The Certificate of Accreditation shall be valid for five (5) years subject for annual endorsement unless revoked/cancelled. The Certificate ceases to be valid if not endorsed.

2. The Ship Stability and Inclining Test Surveyor Certificate has no expiration but is subject for revalidation every three (3) years or conterminous with their PRC License. The Certificate ceases to be valid if not revalidated.

XI. OVERSIGHT / PERFORMANCE MONITORING

1. The Administration thru its Naval Architect shall oversee inclining test and stability calculation (intact and damage) of all MARINA-Accredited Maritime Companies/Entities conducting Inclining Test and Stability Calculation and Assessment (Intact and Damage) Services.
2. In order to monitor compliance of the Maritime Companies/Entities covered by this Circular, the Central Office shall conduct annual endorsement of Certificate of Accreditation.
3. The Administration shall undertake random inspection to the MARINA-Accredited Maritime Companies/Entities conducting inclining Test and Stability Calculation and Assessment (Intact and Damage) Services in addition to the annual endorsement.

XII. REVOCATION, SUSPENSION AND WITHDRAWAL OF CERTIFICATES

1. The Certificate of Accreditation is to be suspended if:
 - 1.1 The Company/Entity submitted false statement in the application, fraudulent or tampered certificates of documents; and,
 - 1.2 The Company/Entity failed to comply with any provision of this Circular.
2. The Certificate of Accreditation shall be withdrawn if no actions were taken by the Company/Entity in rectifying the abovementioned violations three (3) months after their suspension.
3. The Certificate of Ship Stability and Inclining Test Surveyor shall be revoked if the surveyor commits any act of misrepresentation, dishonesty, unethical conduct or gross incompetence in connection with the performance of his/her profession in accordance Section 26 of RA 10698 otherwise known as "*Act to Regulate and Modernize the Practice of Naval Architecture in the Philippines*".

XIII. FINES AND PENALTIES

The following fines and penalties shall be imposed to all MARINA Accredited-Maritime companies/ entities conducting inclining Test and Stability Calculation and Assessment (Intact and Damage) Services and/or Ship Stability and Inclining Test Surveyor for violating any of the provisions of this circular:

1. Submission of false statement in the application, fraudulent or tampered certificates and/or documents	Php 100,000.00 and Suspension of Certificate of Accreditation (6 months)
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2. Operating with expired Accreditation Certificate	Php 100,000.00
3. Failure to comply with any provision of this Circular	Php 50,000.00 and Suspension of Certificate of Accreditation (6 months)

XIV. TRANSITORY PROVISIONS

1. All new applicants for Accreditation of Maritime Companies/Entities conducting Inclining Test and Stability Calculation and Assessment (intact and damage) Services shall comply upon effectivity of this circular.
2. All existing MARINA-Accredited Maritime Companies/Entities covered by this Circular shall comply upon the renewal of their Certificate of Accreditation.

XV. REPEALING CLAUSE

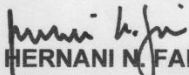
All other issuance that are inconsistent with the provisions of this MARINA Circular are hereby superseded, repealed or amended accordingly.

XVI. EFFECTIVITY

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

Manila, Philippines, SEP 01 2022.

BY THE AUTHORITY OF THE BOARD:


Atty. HERNANI N. FABIA
Administrator

SECRETARY'S BOARD CERTIFICATE

This is to Certify that the Memorandum Circular No. SR-2022-04 has been approved by the MARINA Board on its 292nd Regular Board Meeting on 16 June 2022.


Atty. SHARON L. DE CHAVEZ-ALEDO
Board Secretary

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Date of Submission to ONAR: