



**Memorandum Circular No. MS- 2023 - 02**

Series of 2023

**TO : ALL SHIPOWNERS/ BAREBOAT CHARTERERS/ SHIP OPERATORS/ SHIP MANAGERS, RECOGNIZED ORGANIZATIONS, LOCAL CLASSIFICATION SOCIETIES, SHIP BUILDING AND SHIP REPAIR ENTITIES, BOAT BUILDER AND BOAT REPAIR ENTITIES, AND OTHER MARITIME ENTITIES/ PARTIES CONCERNED**

**SUBJECT : RULES AND GUIDELINES FOR THE CLASSIFICATION REQUIREMENTS FOR PHILIPPINE – REGISTERED SHIPS ENGAGED IN THE DOMESTIC TRADE**

Pursuant to the provisions of the Presidential Decree No. 474, Executive Order No. 125 / 125 – A, Philippine Merchant Marine Rules and Regulations (PMMRR) of 1997/ Philippine Ship Safety Rules and Regulations (PSSRR) and in order to foster rationalized implementation of the Section 22 of the Republic Act no. 9295 and its IRR, the following rules and guidelines in the classification of ships engaged in the domestic trade are hereby adopted:

**I. OBJECTIVES**

1. To strengthen and support the expansion and modernization of the Philippine – registered ships engaged in the domestic trade and its strict adherence to classification requirements;
2. To provide classification requirements in order to ensure all ships to be registered and subsequently operated under Philippine flag to be structurally sound and safe for sea voyage;
3. To ensure that all Philippine-registered ships engaged in the domestic trade are designed, constructed, equipped and maintained throughout its operational life in compliance with the technical rules, regulations, standards, and guidelines approved by the Administration, covering the design, construction, hull, machinery, navigational equipment and electrical equipment, including associated surveys and inspection of the ship's structure and essential engineering systems.

**II. COVERAGE**

This Circular shall apply to all ships, whether existing or to be acquired or constructed, and subsequently registered under Philippine flag and operated in the domestic trade except those falling on the types or categories under Section III hereof.

**III. EXEMPTION**

**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](http://www.marina.gov.ph)**

The following ships shall not be covered:

1. Wooden-hulled ships;
2. Fishing Vessels including Fish Carriers
3. Vessels using composite materials less than 24 meters in length;<sup>1</sup>
4. Government owned vessels not engaged in commercial trade;
5. Passenger/Passenger-Cargo ships less than 50 GT or carrying below 50 passengers (except those who are carrying dangerous/harmful cargoes);
6. Cargo Ships less than 100 GT (except those who are carrying dangerous/harmful cargoes);
7. Tugboats less than 100 GT;
8. Dredgers less than 100 GT;
9. Propelled/Non-propelled Barges less than 100 GT (except those who are carrying dangerous/harmful cargoes);
10. Non-propelled Barges regardless of size operating in the bay and river trade (except those who are carrying dangerous/harmful cargoes);
11. Recreational Boats less than 100 GT;
12. Following types of Recreational Boats:
  - a. Not engaged in commercial trade;
  - b. Personal Water Craft;
  - c. Canoe Kayak Shell Rowboat;
  - d. Dinghy, Auxiliary;
  - e. Dragon Boat Galley;
  - f. Pontoon Boat;
  - g. Raft or Floating Bar;
  - h. Houseboat;
  - i. Holder of Exemption Certificate relative to issuance of CPC.
13. Other ships which are holders of an Exemption Certificate relative to issuance of CPC or a MARINA letter expressly exempting from securing CPC.

#### IV. DEFINITION OF TERMS

For the purpose of this Circular, the following terms are defined:

1. **Administration** refers to the Maritime Industry Authority (MARINA).
2. **Certificate of Accreditation (COA)** refers to the document issued by the Administration to qualified Local Classification Societies authorized to conduct classification services for ships engaged in the domestic trade per MARINA Circular No. MS-2020-01, as amended.
3. **Certificate of Classification** refers to the certificate issued to a ship that states that the vessel is complying with the rules of the classification society. Can interchangeably called as **Classification Certificate**.

---

<sup>1</sup> Per Sec. V.1 of MARINA Circular No. SR-2020-03



4. **Classification Services** refers to the issuance of a classification certificates attesting that the structural strength and integrity of essential parts of the ship's hull and its appendages, and the reliability and function of the propulsion and steering systems are in accordance with the published standard of the accredited Classification Society.<sup>2</sup>
5. **Class Rules** refers to the standards developed and published by a classification society regarding the design, construction, and certification of vessels.
6. **Classed Ship/ Vessel** refers to a vessel that meets the classification society requirements that embody the technical rules, regulations, standards, guidelines and associated surveys and inspections covering the design, construction and through – life compliance of a ship's structure and essential engineering, machinery, and electrical systems.
7. **Class Survey Status Report** refers to the concise report of the current classification survey and certificate status of a vessel.
8. **Company(ies)** refers to the owner of the ship or any other organization or person such as the Manager, or the Bareboat Charterer, who has assumed the responsibility for the operation of the ship from the Shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities in the operation of the ship.
9. **Domestic Trade** refers to the sale, barter or exchange of goods, materials or products within the Philippines;<sup>3</sup>
10. **MARINA Accredited Classification Society (MACS)** refers to an organization authorized by the Administration to conduct classification services for ships engaged in the domestic trade per MARINA Circular No. MS-2020-01, as amended.
11. **Ship or Vessel** may be used interchangeably and shall mean any kind, class or type of craft or artificial contrivance capable of floating in water, designed to be used, or capable of being used, as a means of water transport in the domestic trade for the carriage of passengers or cargo, or both, utilizing its own motive power or that of another.<sup>4</sup>
12. **Ship Plans and Specifications** refers to plans showing the detailed drawings of each specific plan of the ship.<sup>5</sup>

## V. GENERAL PROVISIONS

1. All ships covered by this Circular shall be classed and class maintained by the MARINA Accredited Classification Society (MACS) with valid Certificate of Accreditation (COA).

<sup>2</sup> Based on MARINA Circular No. MS-2020-01 definition

<sup>3</sup> Based on Republic Act No. 9295 definition

<sup>4</sup> Based on Republic Act No. 9295 definition

<sup>5</sup> Based on MARINA Circular No. 2015-07 definition



2. Classification services rendered to ships shall be in accordance with the class rules validated by the Administration.

#### *Classification Process*

3. The process of classification of ships shall include the independent audit and verification of the following:
  - i. Design review – technical review of the design plans and related documents for a new vessel to verify compliance with the applicable class rules;
  - ii. Equipment and material supply – ensuring key components such as the steel, engine, generators and castings to verify that the components conform to the applicable class rule requirements;
  - iii. Construction – attendance at the construction of the vessel in the shipyard to verify that the vessel is constructed in accordance with the approved design plans and classification rules, as well as during sea trials and other trials relating to the vessel and its equipment prior to delivery to verify conformance with the applicable rules;
  - iv. Assignment of class – class is assigned to a ship upon the completion of satisfactory surveys, held to verify that the vessel is in compliance with the relevant class rules of the society. This assignment may be given on completion of the new building ship after satisfactory survey have been performed or to an existing ship after completion of a satisfactory survey carried out in accordance with the relevant class rules of the society and the agreement between the gaining and losing MACS relative to the ships transferring class.
  - v. Issuance of certificate – upon satisfactory compliance to the class rules, the shipowner's request for the issuance of a Certificate of Classification will be considered; the assignment of class may be approved and a Certificate of Classification issued; and
  - vi. Maintenance of the vessel throughout its subsequent trading life – conduct of clearly specified program of periodical class surveys and other surveys during the life of ship including those performed during repairs, modification and alteration, carried out onboard the vessel, to verify that the ship continues to meet the relevant class rule requirements for continuation or maintenance of class.

## **VI. SPECIFIC PROVISIONS**

1. All ships, whether existing or to be acquired or constructed, and subsequently registered under the Philippine flag, shall be required to be classed upon registration, be class-maintained and shall carry a valid Certificate of Classification at all times during its operation.



2. Companies may apply to any MACS with valid COA for the ship plans approval, conduct of survey during ship construction and commissioning to verify its design, structures, machineries, equipment and propulsion machineries are built and installed in compliance with the approved standards.
3. The MACS shall only accept application and engage in classification services of ships with type of hull material, type/ class of ships, and navigational area as stipulated and authorized under its COA.

#### *Ships for Construction*

4. Ships covered by this Circular subject for construction shall be designed and built in accordance with the approved class rules.
5. Shipyards and boatyards shall only accept vessel for construction or commence construction of the vessel with the approved plans by the MACS, and the Administration.

#### *Ships to be Acquired thru Importation*

6. Ships to be acquired thru importation shall comply with the classification requirements under MARINA Circulars No. 2017-04 under its Sec. V.3, 2010-01 under its Sec. IV.5.5, 121 under its Sec. IV.3, 104 under its Sec. V.3.a and their subsequent amendments.

#### *Ships under Pioneer Status, and Other Incentive and Prioritization Programs*

7. Ships under Pioneer status, and other incentive and prioritization programs shall comply with the classification requirements under Sec. IV.2 and VII.1 of the MARINA Circular No. DS-2021-03, and its subsequent amendments.

#### *Ships Applying for Temporary Utilization to Domestic Trade*

8. Philippine-registered ships trading overseas applying for temporary utilization in the domestic trade shall comply with the classification requirements under Sec. V.A.3 of the MARINA Circular No. 2013-04 and its subsequent amendments.

#### *Cruise Ships*

9. Cruise Ships covered under MARINA Circular No. 2018-05 shall be classed by any member of the International Association of Classification Societies (IACS) recognized by the Administration as required under Sec. V.3 of the said Circular.<sup>6</sup>

#### *Submersible Passenger Craft*

10. Submersible Passenger Craft covered under MARINA Circular No. 2013-07 shall be classed by any member of the IACS recognized by the Administration as required under Sec. V.1.1 and V.1.2 of the said Circular.<sup>7</sup>

#### *High Speed Craft*

<sup>6</sup> As required under Sec. V.3 of MARINA Circular No. 2018-05

<sup>7</sup> As required under Sec. V.1.1 and V.1.2 of MARINA Circular No. 2013-07



11. High Speed Craft covered under MARINA Circular No. 121 shall be classed by any member of the IACS recognized by the Administration as required under Sec. IV.3 of the said Circular.<sup>8</sup>

## **VII. APPROVAL OF SHIP PLANS AND SPECIFICATIONS/ DRAWINGS AND BOOKLETS**

1. As integral part of the classification services, the MACS shall undertake a detailed technical review and approval of the ship plans and specifications/ drawings to ensure that the design covering, but not limited to the following, meets the requirements prescribed under the approved class rules, considering the notation intended to the vessel:
  - i. Hull covering ship structures including ship structural fire protection, stability, and watertight integrity;
  - ii. Lifting equipment and cargo gears;
  - iii. Piping system and arrangements;
  - iv. Machinery, equipment and related systems; and
  - v. Electrical and control systems.
2. The plans approval for vessel construction and in service ships shall cover, but not limited to, the following:
  - i. Plan approval required for the construction of a vessel;
  - ii. Existing ships coming to class; and
  - iii. Ships for conversion, alteration, and modification.
3. Company shall also apply to MACS where the ship is class maintained for the approval and examination ship booklets, as appropriate, as required by applicable class rules and MARINA standards, rules and regulations.
4. The approval of ship plans/drawings and booklets to be conducted by the MACS shall be done prior to and separate or independent from the plan approval by the Administration as required under MARINA Circular No. SR-2020-03, as amended, MARINA Circular No. 2015-07 and other relative MARINA Circulars.

## **VIII. SURVEY AND CERTIFICATION**

### *Initial/ Annual/ Periodical/ Occasional/ Renewal/ Underwater/ Damage Survey*

1. All ships shall be subjected to actual survey in accordance with the class rules of the MACS during construction, conversion, alteration, modification, re-building, repair and through-life operation to ensure that the ship is constructed, repaired, converted, altered, or modified and strictly maintained in accordance with the approved plans and specifications.

---

<sup>8</sup> As required under Sec. IV.3 of MARINA Circular No. 121



2. The MACS shall establish ship survey guidelines that covers at least the following:
  - i. General requirements for the conduct of ship survey;
  - ii. Types of ship survey and their objectives and coverage; and
  - iii. Assignment of surveyor.
3. Surveys shall be carried out in accordance with the relevant class requirements to confirm that the condition of the hull, machinery, equipment and appliances is in compliance with the applicable class rules.
4. When a surveyor identifies corrosion, structural defects or damage to hull, machinery and/or piece of equipment which, based on the class rules and in the opinion of the surveyor, affects the ship's class, remedial measures and/or appropriate recommendations/ conditions of class shall be specified in order to retain class of the vessel.
5. The MACS shall provide the company/ vessel with the class survey report after the conduct of survey. The class survey report may be subjected to verification by the Administration.

*Certification and Class Survey Status Report*

6. A Certificate of Classification shall be issued to a ship which certifies that upon the conduct of survey, the ship was found to be structurally sound and safe for sea voyage, periodically maintained, and verified the reliability and function of the machineries, propulsion, steering, power generation and auxiliary systems, in accordance with the class rules.
7. The Certificate of Classification shall be valid for not more than five (5) years, subject for endorsement upon successful completion of annual/ periodical survey.
8. The Certificate of Classification shall be supported by a Class Survey Status Report to inform the Administration and other concerned enforcement officers with the status of the certificate issued to the ship, and related survey arrangement, outstanding recommendations/ observation/ findings, and conditions of class associated to the ship.
9. The Class Survey Status Report shall convey at least the following status of the ship's classification components:
  - i. Date the report is issued;
  - ii. Ship's general information and description (Vessel name, IMO number if applicable, Official Number, Call Sign, Flag, Port of Registry/Homeport, Vessel Description/Category, Operational Status, etc.)
  - iii. Ship's particulars (Gross Tonnage, Net Tonnage, Deadweight, Length Overall, Length between Perpendiculars, Depth, Breadth, Draught, Freeboard, etc.);
  - iv. Construction Information (Builder, Country, Date of Build, Date of Keel Laid, Date of Commissioning, Hull Material/ Hull information);
  - v. Ship's class information (Classed by, Class Notation, Class number, etc.);



- vi. Owner's/ Manager's Information (Owner name, Manager's Name, Address, City/ZIP, etc.);
  - vii. Certification issued (Certificate Name, Certificate Number, Type/Term, Issued date, Location, Expiry, Extended Date, Status, etc.);
  - viii. Survey Information (Survey Description, Last Survey Date, Location, Next Survey Date/ Window, Status, etc.);
  - ix. Vessel Findings (Condition of Class/ Class Recommendations/ Class Additional Requirements/ Special Requirements, Date issued, Period of Rectification, Status etc.).
- 10.** The MACS shall establish certification guidelines that covers at least the following:
- i. General requirements for the issuance of Certificate of Classification;
  - ii. The type of certificates they issued;
  - iii. Duration/ Validity/ Reckoning Schemes of the certificates;
  - iv. Certification procedures/ procedure for approval and issuance of certificates;
  - v. Ships that warrant or do not warrant the issuance or endorsement of Certificate of Classification; and
  - vi. Suspension and withdrawal of certificates.

#### *Operational Limitations*

- 11.** The MACS shall identify and reflect in the Certificate of Classification the operational limitations of the vessels taking into consideration the area of navigation.

#### *Ships that Warrant Non-Issuance/ Non-Endorsement*

- 12.** Ships found with major defects, and associated outstanding recommendations/ observation/ findings, and conditions during the conduct of surveys prescribed under item (1) of this section that may compromise the safety or the safe operation of the vessel and warrants immediate rectification shall not be given with Certificate of Classification, or endorsement thereof, until rectified.

#### *Suspension/ Withdrawal/ Change of Class Notation*

- 13.** If the condition for maintenance of class cannot be complied with, the Certificate of Classification of a ship may be suspended, withdrawn, or revised to a different notation as deemed appropriate by the MACS as and when it becomes aware of the conditions.
- 14.** The MACS may suspend or withdraw a vessel's Certificate of Classification due to, but not limited to, the following:
- i. Overdue surveys and overdue recommendations/ conditions;
  - ii. Involved in incident/ accident or failure to inform Class/ Administration regarding damage from accident/incident found during survey;



- iii. When, owner fails to request a survey after having detected any defects or damages affecting the class;
- iv. When, due to the nature of reported defects, the Society considers that a ship is not entitled to retain its class even on a temporary basis, pending necessary repairs or renewals, etc.

## **IX. TRANSFER OF CLASS**

### *Obligation and Reporting of the Company*

1. Should the company decide to transfer from one classification society to another, company shall request to the losing classification society all the pertinent ship survey records, status, result of the last thickness gauging measurement, ship plans, and conducted and planned maintenance for machineries, auxiliaries, steering, propulsion and other related systems, including any outstanding recommendation/ condition of class issued against the subject vessel which was not yet complied and submit to the gaining classification society.
2. Company should also advise the Administration with the intention.

### *Obligation and Reporting of the Losing Classification Society*

3. The losing classification society shall, within fifteen (15) days<sup>9</sup> from notice from the shipowner, unless there are overdue/ outstanding survey/ recommendation to ships falling under item (8.b) of this Section, transmit to the gaining classification society all the pertinent ship survey records, status, result of the last thickness gauging measurement, ship plans, and conducted and planned maintenance for machineries, auxiliaries, steering, propulsion and other related systems, including any outstanding recommendation/ condition of class issued against the subject vessel which was not yet complied.
4. The losing classification society, being aware of the intention of the company to transfer the class of a vessel to another classification society, shall advise the Administration with such information, including any outstanding recommendation/ condition of class issued against the subject vessel which was not yet complied.

### *Obligation and Reporting of the Gaining Classification Society*

5. Upon receipt of a request for transfer of class, the gaining classification society shall obtain from the company/ losing classification society the pertinent ship survey records, status, result of the last thickness gauging measurement, ship plans, and conducted and planned maintenance for machineries, auxiliaries, steering, propulsion and other related systems, including any outstanding recommendation/ condition of the losing class issued against the subject vessel which was not yet complied prior commencing to classification services of such vessel.
6. New certificates for the ship shall be issued by the gaining classification society only after:

---

<sup>9</sup> As required under Section XI.2 of MARINA Circular no. MS-2020-01



- a. Determining the vessel's compliance with its class rules through design review and conduct of the pertinent survey in accordance with its established rules and regulation and the agreement between the losing classification society relative to the ship transferring class.
  - b. All overdue surveys as specified by the losing classification society have been satisfactorily completed; and
  - c. All overdue outstanding recommendations/ conditions of class previously issued to the ship as specified by the losing classification society have been completed.
7. The gaining classification society, within one (1) month from the issuance of Certificate of Classification to newly transferred vessel, shall advise the losing classification society and the Administration of the date of issuance of such certificate and confirm the date, location and action taken to satisfy each overdue survey, outstanding recommendation/ condition of class, if any, issued against the subject vessel as specified to the Owner by the losing classification society.

*Completion of Overdue Surveys and Recommendations/ Conditions of Class*

8. No Certificate of Classification, whether interim or full-term, shall be issued to a vessel until all overdue surveys and all overdue recommendations/ conditions of class previously issued against the subject vessel as specified to the Owner by the losing classification society, have been completely and rectified by:
- a. the gaining society, for vessels less than 15 years of Age; or
  - b. the losing society, for vessels 15 years of age and above.

**X. RESPONSIBILITY OF THE SHIPOWNER/ COMPANY AND THE CLASSIFICATION SOCIETY**

*Maintenance of Class*

1. Shipowner/ Company who has the overall responsibility for the safety and integrity of a vessel, including the manner in which it is operated and maintained, shall ensure that their ship complies with the rules, recommendations, conditions and requirements of the MACS relating to the ship within the prescribed time of the society.
2. Shipowner/ Company shall cooperate with the MACS where the ship is class maintained in an open and transparent manner on all issues which may affect its class status. This particularly requires acting in good faith by disclosing to the classification society any damage or deterioration that may affect the vessel's classification status. If there is the least question, the owner should notify the class and schedule a survey to determine if the vessel is in compliance with the relevant class rules.

*Incident/ Accident Occurrence*

3. Company shall promptly call the attention of the Administration and the MACS where the vessel is classed any dangerous occurrences, accident, machinery or structural breakdowns, failures or any condition which has given or might have



given rise to damage and requiring immediate repair or repair by a given due date, for their recommendation for repairs or other action to be taken in compliance to their approved class rules.

4. The MACS should immediately inform the Administration, through any means possible, of any dangerous occurrences, accident, machinery or structural breakdowns, failures or any condition which has given or might have given rise to damage and requiring immediate repair or repair by a given due date that they are aware of a ship.<sup>10</sup>

#### *Suspension/ Withdrawal of Certificate of Classification*

5. The MACS shall inform the Administration relative to the vessel with Certificate of Classification subject for suspension or withdrawal, and publish the information on its website.

### **XI. COMPLIANCE MONITORING AND ENFORCEMENT (CME)**

1. The approval of ship plans and specifications/ drawing and booklets by the MACS as prescribed under Sec. VII of this Circular shall be part of the requirements for evaluation during application for the approval of such ship plans and specifications/ drawing and booklets by the Administration.
2. The Certificate of Classification shall be part of the requirements for the issuance of Certificate of Philippine Registry (CPR), and other MARINA certificates or permits as prescribed under relative MARINA Circulars.
3. Ships covered by this Circular shall maintain onboard an original copy of the Certificate of Classification and Class Survey Status Report, which are to be made available for verification during the conduct of safety inspection/ audit, and certification of the Administration and/or upon embarkation of other enforcement officers.

### **XII. FINES AND PENALTIES**

Companies / shipowners / operators / managers/ shipbuilders/ ship repairers/ boatbuilders/ boat repairers covered by this Circular who violate or fail to comply with the policies/ guidelines herein set forth shall be subject to the following administrative fines and/or penalties after due process:

1. **For operating ships without valid Certificate of Classification as required under Sec. VI.1:**

#### **A. For companies / shipowners / operators / managers/ or agent:**

Particulars	Fines and Penalties		
	1 <sup>st</sup> offense	2 <sup>nd</sup> offense	3 <sup>rd</sup> offense and succeeding offense

<sup>10</sup> As required under Section XII.4 of MARINA Circular No. MS-2020-01



.1	Companies operating ships below 250 GT	₱50,000.00 (no sail condition until compliance)	₱75,000.00 (no sail condition until compliance)	₱100,000.00 (no sail condition until compliance)
.2	Companies operating ships 250 GT to below 1000 GT	₱100,000.00 (no sail condition until compliance)	₱150,000.00 (no sail condition until compliance)	₱200,000.00 (no sail condition until compliance)
.3	Companies operating ships 1000 GT to below 3000 GT	₱200,000.00 (no sail condition until compliance)	₱250,000.00 (no sail condition until compliance)	₱300,000.00 (no sail condition until compliance)
.4	Companies operating ships 3000 GT and above	₱300,000.00 (no sail condition until compliance)	₱350,000.00 (no sail condition until compliance)	₱400,000.00 (no sail condition until compliance)

**2. For MACS providing classification services without valid COA:**

<b>Fines and Penalties</b>	
₱300,000.00/ Ship, but not more than ₱1,500,000.00 (Without prejudice to the filing of criminal liability)	

**3. Providing classification services to ships not authorized under its COA as required under Sec. VI.3:<sup>11</sup>**

<b>No. of Offense</b>	<b>Fines and Penalties</b>
For 1 <sup>st</sup> Offense	₱300,000.00/ Ship, but not more than ₱1,500,000.00
For 2 <sup>nd</sup> Offense	₱400,000.00/ Ship, but not more than ₱2,000,000.00
For 3 <sup>rd</sup> Offense	₱500,000.00/ Ship, but not more than ₱2,500,000.00 + Withdrawal of COA and perpetual disqualification for Accreditation as MACS

**4. Failure to inform MACS, and Administration regarding damage from accident/incident:**

Particulars		Penalty for companies / shipowners / operators / managers/ or agent		
		1 <sup>st</sup> offense	2 <sup>nd</sup> offense	3 <sup>rd</sup> offense and succeeding offense
.1	Companies operating ships below 250 GT	₱25,000.00	₱37,500.00	₱50,000.00
.2	Companies operating ships 250 GT to below 1000 GT	₱50,000.00	₱75,000.00	₱100,000.00
.3	Companies operating ships 1000 GT to below 3000 GT	₱100,000.00	₱125,000.00	₱150,000.00
.4	Companies operating ships	₱150,000.00	₱175,000.00	₱200,000.00

<sup>11</sup> As required under Section XV.2 of MARINA Circular No. MS-2020-01



3000 GT and above			
-------------------	--	--	--

5. Failure to secure approved plans by the MACS prior to commencing to ship construction, conversion, alteration, modification, re-building and other related activities as required under Sec. VI.5:<sup>12</sup>

**A. For shipbuilders, ship repairers, boatbuilders, & boat repairers:**

Category	Fines and Penalties		
	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation and Succeeding Violation
<b>Large Shipyards</b>	₱30,000.00	₱60,000.00 plus six (6) months suspension of license	The business establishment shall be subject to closure, to be effected by the MARINA in coordination with appropriate law enforcement authorities, after due process.
<b>Medium Shipyards</b>	₱20,000.00	₱40,000.00 plus six (6) months suspension of license	
<b>Small Shipyards</b>	₱10,000.00	₱20,000.00 plus six (6) months suspension of license	
<b>BB Class A</b>	₱5,000.00	₱10,000.00 plus six (6) months suspension of license	
<b>BB Class B</b>	₱1,000.00	₱2,000.00 plus six (6) months suspension of license	
<b>BB Class C</b>	₱250.00	₱500.00 plus six (6) months suspension of license	

**B. For ship owners, operators or his agent:**

Particulars	Fines and Penalties
50 GT or less	₱60,000.00 plus suspension and/or cancellation of Authority to Operate (no sail condition until compliance).
Over 50 GT – 500 GT	₱100,000.00 plus suspension and/or cancellation of Authority to Operate (no sail condition until compliance).
Above 500 GT – 1,500 GT	₱150,000.00 plus suspension and/or cancellation of Authority to Operate (no sail condition until compliance).
Above 1,500 GT	₱200,000.00 plus suspension and/or cancellation of Authority to Operate (no sail condition until compliance).

<sup>12</sup> As required under Section IX of MARINA Circular No. 2015-07



### **XIII. TRANSITORY PROVISION**

Upon the effectivity of this Circular:

*New Ships for/under Construction, to include existing vessels undergoing conversion, alteration, modification and re-building*

1. New ships for construction, to include existing vessels undergoing conversion, alteration, modification and re-building, with application already filed to the Administration for plans approval at the time effectivity of this Circular, shall be required to submit plans approved by the MACS where the ship is intended to be classed prior approval thereof.
2. For new ships under construction at the time of effectivity of this Circular, company shall immediately apply for the classification of the ship under construction and the approval of its plans to MACS where the ship is intended to be classed, and the conduct of construction shall continue in accordance with the approved ship plans. Compliance to this provision shall be checked and verified on the next scheduled construction survey by the Administration pursuant to the issuance of the Construction Certificate per MC No. 2015-07, as amended.

*Newly Constructed Ships and Existing Vessels that are not classed or not required to be classed under existing regulations and will now be covered by this Circular*

3. Newly constructed ships at the time of effectivity of this Circular, and all existing vessels shall be required to be classed on the next immediate drydocking schedule or within one (1) year upon the effectivity of this Circular, whichever comes later.

*Issuance of Safety Certificate*

4. All ship safety certificates to be issued by the Administration to ships falling on item (3) above shall have the validity of not more than the given period of compliance reckoned from the date of effectivity of this Circular, except if found to be compliant with the classification requirements.
5. Certificates bearing the full-term validity shall be issued upon compliance with the classification requirements taking into account the validity of the interim certificate issued per item (4) above.

### **XIV. REPEALING CLAUSE**

Any provisions of MARINA Circulars, rules and regulations and issuances inconsistent herewith are hereby amended, repealed, or modified accordingly.

### **XV. SEPARABILITY CLAUSE**

Should any provision or part of this Circular be declared by a competent authority to be invalid or unconstitutional, the remaining provisions or parts hereof shall remain in full force and effect and shall continue to be valid and effective.



## **XVI. EFFECTIVITY CLAUSE**

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

Done in Manila, Philippines FEB 14 2023.

By the Authority of the Marina Board

  
**ATTY. HERNANI N. FABIA**  
Administrator

## **SECRETARY'S CERTIFICATE**

This is to certify that the foregoing Memorandum Circular No. MS-2023-02 was approved by the MARINA Board during its 295<sup>th</sup> Board Meeting on 12 January 2023.

  
**ATTY. SHARON DE CHAVEZ-ALEDO**  
Board Secretary

Date of Publication: 22 February 2023

The Manila Times

Date of Submission to ONAR: \_\_\_\_\_