



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

Memorandum Circular No. MS- 2024 - 02

Series of 2024

TO: **ALL SHIPPING COMPANIES, SHIPOWNERS/ OPERATORS, CHARTERERS, PUBLIC SERVICE OPERATORS, OTHER MARITIME ENTITIES AND ALL CONCERNED**

SUBJECT: **IMPLEMENTATION OF RULES GOVERNING THE CARRIAGE OF DANGEROUS AND/ OR HAZARDOUS CARGOES OR GOODS IN PACKAGED FORM TO PHILIPPINE REGISTERED SHIPS ENGAGE IN THE INTERNATIONAL VOYAGE**

Under the provisions of Presidential Decree No. 474, Executive Order No. 125/ 125-A, Section 10 Items 6 to 8 of Republic Act No. 9295, Executive Order No. 125, as amended, Chapter VII, Part A of International Convention on the Safety of Life at Sea (SOLAS), 1974 Convention, as amended, the International Management Code for the Safe Operation of Ships and Pollution Prevention (ISM Code), as amended, the International Maritime Dangerous Goods (IMDG) Code, as amended, and Annex III of MARPOL 73/78, as amended, the following rules shall govern the carriage of dangerous and/or hazardous cargoes or goods in packaged form:

I. OBJECTIVES

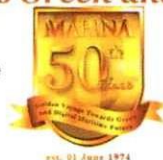
1. To adopt and comply with the requirements of the International Maritime Dangerous Goods (IMDG) Code and Annex III of MARPOL 73/78 and its subsequent amendments, by institutionalizing mechanisms for the safe stowage, shipment, handling, packing, and transporting of dangerous goods in package form on all Philippine-registered ships engaged in international voyages.
2. To ensure full adherence to the requirements, enhance compliance among Philippine-registered ships engaged in international voyages with the IMDG Code, and secure the effective enforcement of regulations concerning dangerous or hazardous cargoes in package form aboard Philippine-registered vessels.
3. To prevent ship detention arising from Port State Control inspections.

II. COVERAGE

This Circular shall apply to all Philippine-registered ships engaged in international voyages intended and/or designed to carry dangerous and/or hazardous cargoes or goods in packaged form.

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REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

III. EXEMPTION

This Circular shall not apply to the following:

1. Philippine-registered ships specifically classified, designed, constructed, and engaged to carry a particular class/ type of dangerous and/or hazardous cargoes or goods in bulk (not in packaged form);
2. Ship's store and equipment; and
3. Carriage of dangerous cargo by the crew, any personal items such as toiletries, medicines, and medical/assistive devices (implanted, ingested, injected, or fitted externally as a result of medical treatment) with a limited amount of dangerous goods/ hazardous/ harmful substances in carry-on and/or checked baggage.

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. **Carriage** refers to the transportation of dangerous cargoes, which includes the handling, stowage, and securing of same.
3. **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 imposed by the International Safety Management (ISM) Code.
4. **Crew** refers to the officers and ratings of the ship;
5. **Dangerous Cargo** refers to goods or merchandise in the form of solids, gases, or liquids, which exhibit dangerous properties and are taken onboard a ship. May be used in lieu of the term "Dangerous Goods."
6. **Dangerous Cargo Manifest** refers to information concerning marks and numbers on cargo packages. It also contains full particulars of the ship, voyage, crew, passengers, and cargo.
7. **Hazardous/Harmful substance** refers to any substance which, if introduced into the sea, is liable to create hazards to human health, to harm living resources and marine life, to damage amenities, or to interfere with other legitimate uses of the sea, and includes any substance subject to control by the present MARPOL Convention.
8. **Inflammable/Flammable** refers to the capability of being set on fire, easily kindled, and combustible.
9. **International Maritime Dangerous Goods (IMDG) Code** refers to the code adopted by the Maritime Safety Committee of the International Maritime Organization by resolution MSC.122(75) for the carriage of dangerous goods



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

and/or hazardous cargo, and considered an extension to the provision of Chapter III of SOLAS, as amended, and the Annex III of MARPOL 73/78, as amended.

10. **IMO** refers to the International Maritime Organization
11. **Oxidizing** refers to the conversion into an oxide, to change as a compound so that the valence of the positive element is made higher.
12. **Packaged Form** refers to the forms of containment specified for harmful substances in the IMDG Code.
13. **Packaging** refers to the assembly of components necessary to enclose the contents completely. It may, in particular, consist of one or more receptacles, absorbent materials, spacing structures, radiation shielding, and service equipment for filling emptying, venting, and pressure relief; devices for cooling, absorbing mechanical shocks, handling and tie-down, thermal insulation; and service devices integral to the package. The packaging may be a box, drum, or similar receptacles, or may also be a freight container, tank, or intermediate bulk container.
14. **Radioactive material** refers to any material with a specific gravity of which is greater than 0.002 microcuries per gram.
15. **Recognized Organization (RO)** refers to an organization duly assessed by the Administration and has found compliant with the Code for Recognized Organizations (RO Code) and authorized to undertake statutory surveys and inspections and to issue certificates on behalf of the Administration per MARINA Circular No. 2018-01, as amended¹;
16. **Safety Data Sheet (SDS)** refers to the documents that list information relating to occupational safety and health for the use of various substances and products. Also referred to as Material Safety Data Sheet (MSDS) or Product Safety Data Sheet (PSDS).

V. GENERAL PROVISIONS

1. The carriage of dangerous and/or hazardous cargoes or goods in packaged form shall be in compliance with the provisions of this Circular. The International Maritime Dangerous Goods (IMDG) Code under IMO resolution MSC.122(75) and its subsequent amendments, is hereby adopted as an integral part of this circular.
2. Only ships complying with the requirements of this Circular shall be allowed to carry dangerous and/or hazardous cargoes in packaged form, where the compliance shall pertain to the proper identification, packaging, marking, labeling, handling, stowage, segregation, and transfer of dangerous/ hazardous cargoes.
3. Only dangerous cargo properly identified/labeled on the outside of the package and possessing the required documents shall be allowed on board.
4. Dangerous goods liable to spontaneous combustion shall not be carried on board unless added precautions are taken for the carriage of such items.

¹ Refer to MARINA Memorandum Circular No. 2018-01, Sec. III.8.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

5. Each ship carrying dangerous goods in packaged form shall have a special list/manifest and/or stowage plan set forth for the dangerous goods and their location on board, in accordance with the relevant provisions of Regulation 4 of Chapter VII of SOLAS, as amended, Regulation 4 of Annex III of MARPOL 73/78, as amended, and the IMDG Code. A copy of one of these documents shall be made available before departure to the person or organization designated by the Port State Authority.
6. Each ship carrying dangerous goods in packaged form shall have a Document of Compliance issued, in accordance with the relevant provisions of Regulation 19.4 of Chapter II-2 of SOLAS as amended. A copy of one of the documents shall be made available before departure to the person or organization designated by the Port State Authority.
7. The Master shall ensure that all dangerous cargo/es carried on board are protected from any unauthorized access and, that such spaces where these cargoes are carried are properly marked (i.e., black and yellow stripes, restricted area, authorized personnel only, others, as applicable).
8. When dangerous cargo is to be and/or are carried on board, smoking, the use of fire, and naked lights shall be prohibited on deck in the area where such goods are to be stowed. Notices of this provision shall be put up in suitable places.
9. Persons involved in the handling, carriage, and stowage of dangerous goods shall take the necessary precautions commensurate with the nature and extent of foreseeable hazards to prevent damage or, if damage occurs, minimize its extent.
10. When dangerous goods are to be carried on board, appropriate information shall immediately be available at all times for use in emergency response to incidents and accidents involving dangerous goods in loading, transport, and/or unloading.
11. All members of the crew, especially those involved in emergency measures, shall be informed that dangerous goods are being carried on board, relative to the location where such dangerous goods are stowed, what hazards may emanate from them, and what to do in the event of irregularities.
12. The Company and the Master shall ensure that all dangerous and/or hazardous cargoes or goods on board the ship are carried in compliance with the IMDG Code and this Circular, and shall be jointly responsible for the safe carriage of such.
13. The dangerous goods shall be monitored regularly during transport. The nature and extent of the monitoring measures shall be appropriate to the circumstances of each case and shall be entered in the ship's logbook.
14. Jettisoning of harmful substances carried in packaged form shall be prohibited, except where necessary for the purpose of securing the safety of the ship or saving life at sea. ²

² Refer to Regulation 7.1 of Annex III of MARPOL 73/78, as amended.



15. Subject to the provisions of the present MARPOL Convention, appropriate measures based on the physical, chemical, and biological properties of harmful substances shall be taken to regulate the washing of leakages overboard, provided that compliance with such measures would not impair the safety of the ship and persons on board.³

VI. SPECIFIC PROVISIONS

1. Carriage of Dangerous Goods and/or Hazardous Cargoes

All Philippine-registered ships engaged in the carriage of dangerous goods in packaged form shall comply with the requirements of Annex III of MARPOL 73/78, as amended, Chapter VII of SOLAS, as amended, the International Maritime Dangerous Goods (IMDG) Code, and to the provision of this Circular.

1.1. Carriage of Dangerous Cargo by Crew:

- 1.1.1. The Company shall establish requirements and procedures on items containing dangerous goods to be allowed for carry-on and/or checked baggage when carried by the crew (taking into account the type, size, quantity, etc. of dangerous goods contained), including procedures upon discovery of undeclared dangerous goods held by the crew, **to be incorporated in a specific provision of Safety Management System (SMS) of the company and the vessel**, as required under section VII.4 of this Circular.

2. Classification of Dangerous Goods

- 2.1. The classification and divisions of dangerous/ hazardous goods allowed onboard are provided in the table below:

Table 1 – Class/ Divisions of Dangerous Goods

UN Class	Dangerous Goods	Div.	Classification
1	Explosives	1.1	Substances and articles which have a mass explosion hazard
		1.2	Substances and articles which have a projection hazard but not a mass explosion hazard
		1.3	Substances and articles which have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion
		1.4	Substances and articles which present a significant hazard

³ Refer to Regulation 7.2 of Annex III of MARPOL 73/78, as amended.



		1.5	Very insensitive substances which have a mass explosion hazard
		1.6	Extremely insensitive articles which do not have a mass explosion hazard
2	Gases	2.1	Flammable gases
		2.2	Non – flammable, non – toxic gases
		2.3	Toxic gases
3	Flammable Liquids		Flammable liquid
4	Flammable Solids	4.1	Flammable solids, self – reactive substances, solid desensitized explosives and polymerizing substances
		4.2	Substances liable to spontaneous combustion
		4.3	Substances which, in contact with water, emit flammable gases
5	Oxidizing Substances and Organic Peroxides	5.1	Oxidizing substances
		5.2	Organic peroxides
6	Toxic and Infectious Substances	6.1	Toxic substances
		6.2	Infectious substances
7	Radioactive Materials		Radioactive Materials
8	Corrosive Substances		Corrosive Substances
9	Miscellaneous Dangerous Substances and Articles and Environmentally Hazardous Substances		Miscellaneous Dangerous Substances and Articles and Environmentally Hazardous Substances

3. High Consequence Dangerous Goods

- 3.1. High-consequence dangerous goods are those which have the potential for misuse in a terrorist event and which may, as a result, produce serious consequences such as mass casualties, mass destruction, or mass socio-economic disruption.
- 3.2. High-consequence dangerous goods may be allowed on board however, the crew shall ensure that the requirements of the appropriate authorities of the loading port are complied with, which may include inspection by authorities and may include security provisions prior to the carriage of high consequence dangerous goods.
- 3.3. The shipping company shall adopt and implement a security plan when it intends to carry high consequence dangerous goods or high consequence radioactive materials.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

- 3.4. Devices, equipment, or arrangements to prevent the theft of high consequence dangerous goods or high-consequence radioactive material shall be applied and measures are taken to ensure that these are operational and effective at all times. The application of these protective measures shall not jeopardize emergency response.

4. Packaging Requirements

- 4.1. The packaging requirements in the carriage of dangerous goods in packaged form shall be based on the provisions under Chapter 4.1 of the IMDG Code, 2022 edition, and its subsequent amendments.
- 4.2. Packages shall be adequate to minimize the hazard to the marine environment, having regard to their specific contents.

5. Marking, Labelling, and Posting of Placards

- 5.1. The **marking, labeling, and posting of placards** of dangerous goods in packaged form shall be based on the provisions under **Chapter 5.2** of the IMDG Code, 2022 edition, and its subsequent amendments.
- 5.2. Packages containing dangerous goods shall be durably marked/labeled and posted with placards to indicate that the substance is a harmful substance in accordance with the relevant provisions of the IMDG Code.

6. Stowage and Segregation Requirements

- 6.1. The **stowage requirements** in the carriage of dangerous goods in packaged form shall be based on the provisions under **Chapter 7.1** of the IMDG Code, 2022 edition, and its subsequent amendments.
- 6.2. The **segregation requirements** in the carriage of dangerous goods in packaged form shall be in accordance with the provisions under **Chapter 7.2** of the IMDG Code, 2022 edition, and its subsequent amendments.
- 6.3. Dangerous goods shall be properly stowed and secured to minimize the hazards to the marine environment without impairing the safety of the ship and persons on board.
- 6.4. Dangerous goods shall be loaded and stowed safely and appropriately in accordance with the nature of the goods. **Incompatible goods shall be segregated from one another.**
- 6.5. Dangerous goods that are liable to spontaneous heating and combustion shall not be carried unless adequate precautions have been taken to minimize the likelihood of the outbreak of fire.
- 6.6. Dangerous goods that give off dangerous vapors shall be stowed in a well-ventilated cargo space.

7. Explosives



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

- 7.1. The carriage of explosives on board should be in accordance with **Class 1, Chapter 2.1** of the IMDG Code, 2022 edition, and its subsequent amendments.

8. Design and Construction

- 8.1. Ships intended to carry dangerous goods/ hazardous cargoes shall comply with the construction and equipment requirements under Regulation 19 of Chapter II-2 and Chapter VII of the SOLAS, as amended.

9. Fixed gas fire – extinguishing systems for dangerous goods

- 9.1. A ship engaged in the carriage of dangerous goods in any cargo spaces shall be provided with a fixed carbon dioxide or inert gas fire-extinguishing system complying with the provisions of the Fire Safety Systems Code or with a fire-extinguishing system which, in the opinion of the Administration, gives equivalent protection for the cargoes carried.

10. Acceptance and Loading of Dangerous Goods

- 10.1. Only dangerous cargo in a packaged form that complies with the requirements for packaging, marking, labeling, and placarding and possessing the required document shall be allowed on board.
- 10.2. Packaging, transportable containers, portable tanks, and cargo transport units not in a condition allowing for safe transport shall not be loaded onboard the ship.
- 10.3. Prior to loading of dangerous goods, the Master or the Officer responsible for the planning of the loading shall establish stowage instruction in accordance with the stowage and segregation requirements, and stowage and segregation plan of the ship.
- 10.4. The Master and responsible Officer shall ensure that the stowage instructions and the stowage and segregation requirements are complied with.
- 10.5. The Master and responsible Officer shall ensure that the cargo is secured taking into account the ship's approved Cargo Securing Manual (CSM) as required by Regulation 5 of Chapter VII of SOLAS, as amended.
- 10.6. The Master and responsible Officer shall ensure that the stowage and securing of the cargo have been completed before leaving the port and are still in place when berthing in the port of destination.

11. Emergency Response

- 11.1. The company shall develop and implement an Emergency Response Procedure based on the IMO's EmS Guide for incidents involving dangerous substances, materials, or marine pollutants regulated by the IMDG Code, ensuring a comprehensive contingency system during emergencies.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

11.2. Emergency Response Procedure required under paragraph (11.1) above shall include actions to be taken in case of, but not limited to, the following:

11.2.1. Fire incident; and

11.2.2. Leakage and/or Spillage incident.

11.3. Company shall ensure that materials/ equipment, including medical first aid, to address incidents and accidents involving dangerous goods are readily available onboard and ashore.

12. Emergency Drills and Procedures

12.1. Company shall establish procedures for the conduct of the musters and drills required under paragraph (11.2) above based on the established emergency response required under paragraph (11).

13. Medical First Aid

13.1. Guide for the provision of Medical First Aid in accordance with the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods (MFAG – MSC/Circ.857), shall also be available on board.

13.2. Ships shall be equipped with the medicines and equipment listed in Appendix 14 of MFAG. The medicines and equipment shall be ready for use at any time.

13.3. Protective clothing and equipment shall be worn by the members of the crew in the cases provided for.

14. Quantity Limitations

14.1. Certain harmful substances may, for sound scientific and technical reasons, need to be prohibited for carriage or be limited as to the quantity that may be carried aboard any one ship. In limiting the quantity, due consideration shall be given to the size, construction, and equipment of the ship, as well as the packaging and the inherent nature of the substances.

VII. DOCUMENTATION REQUIREMENTS

1. Guidelines

1.1. Philippine registered ships engaged in the carriage of dangerous goods shall maintain a copy onboard relative guidelines and issuances by this Administration, the IMO, and other international organizations regarding the carriage of dangerous goods referred to by this Circular and the ship/ company's SMS Manual, such as, but not limited to the following:

1.1.1. This Circular and its subsequent amendments;

1.1.2. The Philippine Merchant Marine Rules and Regulations (PMMRR) 1997, as amended;



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

- 1.1.3. The International Convention on the Safety of Life at Sea (SOLAS), 1974 Convention, as amended;
- 1.1.4. The International Safety Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), as amended;
- 1.1.5. The International Maritime Dangerous Goods (IMDG) Code, as amended;
- 1.1.6. The International Convention for the Prevention of Pollution from Ships (MARPOL) 73/78, as amended;
- 1.1.7. Emergency Procedures for Ships Carrying Dangerous Goods (EmS Guide);
- 1.1.8. The Medical First Aid Guide for Use in Accidents Involving Dangerous Goods (MFAG – MSC/Circ.857).

2. Dangerous Cargo Manifest and Safety Data Sheet:

- 2.1. The carriage of dangerous and/or hazardous cargoes in packaged form shall be covered by a Dangerous Cargo Manifest (DCM) duly signed by the Master and shall be supplemented by the Safety Data Sheet (SDS), as applicable.
- 2.2. The DCM shall include the following information:
 - 2.2.1. Name of the ship and official number
 - 2.2.2. Port of Registry/Homeport
 - 2.2.3. Proper shipping name of the dangerous cargoes. Noun descriptions must be used.
 - 2.2.4. Each receptacle containing dangerous goods shall be marked with the correct technical name (trade names shall not be used and identified with a distinctive label or stencil of the label so as to make clear the dangerous character).
 - 2.2.5. Tonnage in bulk shipment or the number and description of the outside containers and their gross weight.
 - 2.2.6. Classification of dangerous cargoes.
 - 2.2.7. The stowage provided for the dangerous cargoes on board the ship.
 - 2.2.8. Loading point and destination.
 - 2.2.9. Applicable clearances from concerned government agencies.
 - 2.2.10. Signature of the Master or its authorized representative.
- 2.3. The information required to appear on the DCM with the Stowage Plan shall be the information actually furnished to the ship by the shipper.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

- 2.4. In addition, a duly filled-up Stowage and Segregation Plan (SSP) for the carriage of dangerous/ hazardous cargoes, shall also form part of the documentation together with the DCM with SDS.
- 2.5. A copy of the DCM with SDS and the Stowage Plan shall be made available before departure to the person or organization designated by the Port State Authority, and as required by the Administration during inspection, or the Administration's deputized agent during its inspection prior to the departure of Philippine – registered ship engage on international trade.
- 2.6. Owners, charterers, or agents of ships transporting or storing dangerous cargoes shall retain for one year, a copy of the DCM with Stowage Plan.

3. Document of Compliance⁴

- 3.1. Philippine-registered ships engaged in the carriage of dangerous goods shall have an appropriate document as evidence of compliance of construction and equipment with the requirements of regulation 19.4 of Chapter II-2 of SOLAS, as amended, as prescribed under section V.6 of this Circular. Certification for dangerous goods, except solid dangerous goods in bulk, is not required for those cargoes specified as class 6.2 and 7 and dangerous goods in limited quantities and excepted quantities.⁵
- 3.2. Document of Compliance prescribed in paragraph (3.1) above shall be issued by the Recognized Organization (RO) on behalf of the Administration.

4. Safety Management System (SMS) Manual

- 4.1. Philippine-registered vessels engaged in the carriage of dangerous goods shall establish, maintain, implement, and comply with the rules and procedures for the carriage of dangerous goods, to be incorporated in the company and ship Safety Management System (SMS) Manual on a specific/ distinct provision, which shall address, but not limited to, the following:
 - 4.1.1. Classes of dangerous goods and hazards they may present;
 - 4.1.2. Acceptance;
 - 4.1.2.1. Properly packaged, marked, labelled and placarded dangerous goods;
 - 4.1.2.2. Limited quantity of DG;
 - 4.1.2.3. Excepted quantity of DG;

⁴ Refer to Document of Compliance with the special requirements for ships carrying dangerous goods under the provision of regulation 19, as amended, and paragraph 7.17 of the 2000 HSC Code, as amended (MSC.1/Circ.1266).

⁵ Refer to Regulation 19.4 of Part G: Special Requirements, Chapter II-2 of SOLAS, as amended.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

- 4.1.2.4. Carriage of dangerous goods by crew and passengers.
- 4.1.3. Safe loading and unloading procedures;
- 4.1.4. Safe stowage and segregation requirements;
- 4.1.5. Cargo securing requirements (can be cross-referenced to CSM on board);
- 4.1.6. Safe transportation requirements and procedures, including monitoring;
- 4.1.7. Emergency response procedures;
- 4.1.8. Reporting of incidents involving dangerous goods;
- 4.1.9. Drills and exercises;
- 4.1.10. Master's responsibility;
- 4.1.11. Company responsibility.
- 4.2. Provisions for the carriage of dangerous goods in the company and ship SMS Manual shall be approved and verified during the conduct of document review, if applicable, and conduct of the required audits prescribed under the ISM Code, as amended, by the Recognized Organization (RO).

VIII. RESPONSIBILITIES

The COMPANY and MASTER OF THE SHIP shall be jointly responsible in ensuring:

1. The safe carriage of dangerous cargo.
2. That personnel are familiar with the provisions under the safety management system relative to the handling, carriage, stowage, and securing of dangerous goods.
3. That materials/equipment, including medical first aid, to address accidents involving dangerous goods are readily available whenever operations regarding these goods are taking place.
4. That, when an accident/incident takes place involving the loss or likely loss overboard of packaged dangerous goods into the sea, the Master shall report the particulars of such an incident without delay and to the fullest extent possible to the nearest port state authorities, copy furnished the Administration, in accordance with Regulation 6 of Chapter VII, of SOLAS, as amended.
5. That in the event, that the ship is abandoned due to an incident/accident involving dangerous cargoes, or in the event of a report from such a ship being incomplete or unobtainable, the Company, assumes the obligations placed under the Master by this Circular, to the fullest extent possible.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

6. Coordination with the Administration by way of proposing amendments/ recommendations to further improve the existing system to control the carriage of dangerous goods by sea.

IX. COMPLIANCE MONITORING AND ENFORCEMENT (CME)

1. Recognized Organizations (RO) shall verify that every covered vessel they survey/ inspect has complied with the requirements of this Circular prior issuance/ endorsement/ renewal of the appropriate Statutory Certificates.
2. Philippine-registered vessels covered by this Circular shall be subjected to Flag State Inspection (FSI) pursuant to MC No. MS-2020-02. The requirements of this Circular shall form part of the items for verification/ validation during the conduct of FSI.

X. ADMINISTRATIVE FINES AND/OR PENALTY/IES

The Company and Master of the ship covered by this Circular shall be jointly and solidarily responsible and liable for violations or non-compliance with the policies herein set forth whether found during the conduct of FSI in accordance with Sec. IX, Paragraph 2 above or during Port State Control inspections, and shall be subject to the following administrative fines and/or penalties, after due process:

Violation	Fines/Penalties
1. Non-compliance to Section III relative to any requirements on the design, construction, and equipment without exemption approval from MARINA.	₱500,000.00 per violation plus suspension of Safety certificate, if warranted (whether issued by MARINA or an RO) until compliance
2. Non-compliance with the IMDG Code, including provisions for the safe stowage and shipment of dangerous and/ or hazardous cargoes or goods in packaged form, and failing to ensure all related operations comply with the IMDG Code and relevant international conventions and regulations.	
3. Non-compliance with fire protection arrangements as outlined in SOLAS Chapter II-2.	
4. Non-compliance with the requirements, rules, and guidelines prescribed by Chapter VII – Part A of SOLAS for carriage of dangerous goods in packaged form.	
5. Non-compliance of Section VI item 6 on stowage and segregation system.	



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
MARITIME INDUSTRY AUTHORITY

6. All other violations in the IMDG Code and in this circular.	
7. Failure to develop and implement adequate emergency response plans for situations involving dangerous and/ or hazardous cargoes or goods in packaged form under Section VI item 11 and 12.	₱ 500,000.00 per plus additional audit by the Administration and/or its Recognized Organization (RO) within the period of 3 months.
8. Violation with Section VII item 4 failure to provide, implement and maintain a Safety Management System (SMS) onboard the ship, which includes procedures for the carriage of dangerous goods.	

The foregoing penalties shall not be a bar and shall not prejudice the institution of criminal cases before the courts of law.

XI. 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.

XII. EFFECTIVITY CLAUSE

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

Manila, Philippines AUG 01 2024

By the Authority of the Marina Board

08 Oct 2024
MS. SONIA B. MALALUAN
Administrator

SECRETARY'S CERTIFICATE

This is to certify that the foregoing Memorandum Circular No. MS-2024-02 was approved by the MARINA Board during its 307th Board Meeting on 01 August 2024.

Sharon L. De Chavez-Aledo
ATTY. SHARON L. DE CHAVEZ-ALEDO
Board Secretary

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