

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES	
A. PUBLIC SERVICE ACT, AS AMENDED		
1. Operating without or with expired authority to operate (CPC, PA, SP)	Ship Size	
	Below 35GT	P5,000.00 per day but not to exceed P150,000.00
	35GT to below 100GT	P10,000.00 per day but not to exceed P300,000.00
	100GT to below 250GT	P15,000.00 per day but not to exceed P450,000.00
	250GT to below 500GT	P20,000.00 per day but not to exceed P600,000.00
	500GT to below 1,000GT	P25,000.00 per day but not to exceed P750,000.00
	1,000GT and above	P30,000.00 per day but not to exceed P900,000.00
2. Failure to provide and maintain safe, adequate, efficient, reliable and proper service	Ship Size	
	Below 35GT	P5,000.00 per day but not to exceed P150,000.00
	35GT to below 100GT	P10,000.00 per day but not to exceed P300,000.00
	100GT to below 250GT	P15,000.00 per day but not to exceed P450,000.00
	250GT to below 500GT	P20,000.00 per day but not to exceed P600,000.00
	500GT to below 1,000GT	P25,000.00 per day but not to exceed P750,000.00
	1,000GT and above	P30,000.00 per day but not to exceed P900,000.00

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
3. Failure to maintain compliance with the health and minimum standards for public service, safety sanitation protocols, operational safety standards, and marine environment protection at all times during the validity of its CPC	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + warning	P75,000.00 per ship + suspension of CPC/PA/SP until compliance	P100,000.00 per ship + suspension of CPC/PA/SP until compliance
4. Adopting, maintaining, or enforcing any regulation, practice or measurement which shall be found or determined by the MARINA to be unjust, unreasonable, unduly preferential or unjustly discriminatory in a final order. (n)	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + warning	P75,000.00 + suspension of CPC/PA/SP until compliance	P100,000.00 + suspension of CPC/PA/SP until compliance

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
5. Unjust refusal or failure of, crew onboard the ship, shipowner/ operator, managers or any authorized personnel including the security guard in the business / branch / satellite / ticketing offices to receive Legal Orders and Decisions from the MARINA (n)	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + warning	P75,000.00 + suspension of CPC/PA/SP until compliance	P100,000.00 + suspension of CPC/PA/SP until compliance
6. Failure to carry mails on mutually agreed terms and conditions and failure to give preferential negotiated conditions for the carriage of government cargoes. (n)	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + warning	P75,000.00 + suspension of CPC/PA/SP until compliance	P100,000.00 + suspension of CPC/PA/SP until compliance
7. Refusal or withholding of service without valid cause to any individual or shipper	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + warning	P75,000.00 + suspension of CPC/PA/SP until compliance	P100,000.00 + suspension of CPC/PA/SP until compliance

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
8. To refuse or neglect, when requested by the MARINA to urgently use, deliver or render the public service for the purpose of avoiding further loss on human, material, economic, or environment during a state of calamity (<i>n</i>)	First violation	Second violation	Third & Succeeding violations
	P500,000.00 + suspension of CPC/PA/SP until compliance	P800,000.00 + suspension of CPC/PA/SP until compliance	P1,000,000.00 + suspension of CPC/PA/SP until compliance
9. Failure to submit complete Annual Reports on June 30 of each year	Ship Size		
	Below 35GT	P100.00 per day but not to exceed P10,000.00	
	35GT to below 100GT	P150.00 per day but not to exceed P150,000.00	
	100GT to below 250GT	P200.00 per day but not to exceed P200,000.00	
	250GT to below 500GT	P250.00 per day but not to exceed P250,000.00	
	500GT and above	P300.00 per day but not to exceed P300,000.00	
	1,000GT and above	P350.00 per day but not to exceed P350,000.00	
10. Submission of Annual Report containing false and fraudulent entries	<i>Refer to the Unified Penalty in Relation to Fraudulent Documents under Section VI of the General Circular</i>		

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
11. Failure to give notice in writing within fifteen (15) days after cessation of operations as required, or within 30 days after cessation of operations due to force majeure and state of natural and health emergencies in lieu of the submission of Annual Report, in case of operators/companies that have ceased operations for the whole covered period of one (1) year or more and have no intention of reviving its service due to decommissioned services, bankruptcy, sale and transfer of ownership or other reasons amounting to permanent cessation of operations	First violation	Second violation	Third & Succeeding violations
	P100,000.00	P250,000.00	P500,000.00
12. Failure to keep books, records and accounts for	First violation	Second violation	Third & Succeeding violations

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
MARINA inspection, audit and evaluation.	P5,000.00+compliance	P10,000.00+compliance	P25,000.00+compliance
13. Failure to notify MARINA of the change of management	First violation	Second violation	Third & Succeeding violations
	P5,000.00+compliance	P10,000.00+compliance	P25,000.00+compliance
14. Failure to observe the procedure in effecting an upward or downward adjustment of passage and/or cargo rates	First violation	Second violation	Third & Succeeding violations
	P500,000.00 + reversion to original rate	P800,000.00 + reversion to original rate	P1,000,000.00 + reversion to original rate
15. Unauthorized amendment in unregulated rates; practices which constitute combination in restraint of trade or result in the lack of effective competition in a route/link; refusal to carry and shutout of cargo without just and reasonable cause	First violation	Second violation	Third & Succeeding violations
	P500,000.00 + warning	P800,000.00 + one (1) month suspension of CPC	P1,000,000.00 + six (6) months suspension of CPC

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES	
B. RULES ON THE ISSUANCE OF CPC/SP/PA AND ITS TERMS AND CONDITIONS		
1. Failure to maintain all required insurance coverage required for its vessel and its operation.	Ship Size	
	Below 35GT	P5,000.00 per day but not to exceed P150,000.00 + suspension until compliance
	35GT to below 100GT	P10,000.00 per day but not to exceed P300,000.00 + suspension until compliance
	100GT to below 250GT	P15,000.00 per day but not to exceed P450,000.00 + suspension until compliance
	250GT to below 500GT	P20,000.00 per day but not to exceed P600,000.00 + suspension until compliance
	500GT to below 1,000GT	P25,000.00 per day but not to exceed P750,000.00 + suspension until compliance
	1,000GT and above	P30,000.00 per day but not to exceed P900,000.00 + suspension until compliance

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES	
2. Using the ship directly or indirectly for any purpose other than that for which the CPC is granted	Ship Size	
	Below 35GT	P100.00 per day but not to exceed P10,000.00
	35GT to below 100GT	P150.00 per day but not to exceed P150,000.00
	100GT to below 250GT	P200.00 per day but not to exceed P200,000.00
	250GT to below 500GT	P250.00 per day but not to exceed P250,000.00
	500GT to below 1,000GT	P300.00 per day but not to exceed P300,000.00
	1,000GT and above	P350.00 per day but not to exceed P350,000.00
3. Operating outside of its authorized route/area of operation without prior approval from the MARINA	Ship Size	
	Below 35GT	P5,000.00 per day but not to exceed P150,000.00
	35GT to below 100GT	P10,000.00 per day but not to exceed P300,000.00
	100GT to below 250GT	P15,000.00 per day but not to exceed P450,000.00

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES	
	250GT to below 500GT	P20,000.00 per day but not to exceed P600,000.00
	500GT to below 1,000GT	P25,000.00 per day but not to exceed P750,000.00
	1,000GT and above	P30,000.00 per day but not to exceed P900,000.00
4. Carrying passengers above the authorized capacity contained in the safety certificate	Ship Size	
	Below 35GT	P5,000.00 per day but not to exceed P150,000.00
	35GT to below 100GT	P10,000.00 per day but not to exceed P300,000.00
	100GT to below 250GT	P15,000.00 per day but not to exceed P450,000.00
	250GT to below 500GT	P20,000.00 per day but not to exceed P600,000.00
	500GT to below 1,000GT	P25,000.00 per day but not to exceed P750,000.00
	1,000GT and above	P30,000.00 per day but not to exceed P900,000.00

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES	
5. Overloading or carrying of passengers and cargoes above authorized loading capacity/above plimsoll mark of the ship	Ship Size	
	Below 35GT	P5,000.00 per day but not to exceed P150,000.00
	35GT to below 100GT	P10,000.00 per day but not to exceed P300,000.00
	100GT to below 250GT	P15,000.00 per day but not to exceed P450,000.00
	250GT to below 500GT	P20,000.00 per day but not to exceed P600,000.00
	500GT to below 1,000GT	P25,000.00 per day but not to exceed P750,000.00
	1,000GT and above	P30,000.00 per day but not to exceed P900,000.00
6. Failure to drydock the ship in accordance with relevant safety rules and regulations	Ship Size	
	Below 35GT	P100.00 per day but not to exceed P10,000.00
	35GT to below 100GT	P150.00 per day but not to exceed P150,000.00

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
	100GT to below 250GT	P200.00 per day but not to exceed P200,000.00	
	250GT to below 500GT	P250.00 per day but not to exceed P250,000.00	
	500GT to below 1,000GT	P300.00 per day but not to exceed P300,000.00	
	1,000GT and above	P350.00 per day but not to exceed P350,000.00	
7. Failure of the Master of the vessel to assist any vessel nearby which is in distress in order to avoid undue peril to its load and passengers	First violation	Second violation	Third & Succeeding violations
	P50,000.00	P75,000.00	P100,000.00
8. Failure to provide the MARINA a marine protest/report of any accident/incident directly or indirectly arising from or connected with maintenance/operation of its ship within 24 hours following the occurrence of the accident or incident.	First violation	Second violation	Third & Succeeding violations
	P50,000.00	P75,000.00	P100,000.00
9. Failure to carry on board the following documents: a. Certified true copy of its valid CPC or Rider and the corresponding Decision; and b. Other ship safety certificates and relevant licenses/certificates.	First violation	Second violation	Third & Succeeding violations
	P5,000.00	P10,000.00	P15,000.00

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
10. Failure to maintain operations in a financially sufficient condition	First violation	Second violation	Third violation
	2 months opportunity to improve financial condition (with justification)	To provide justification for extension or Suspension of operations until submission of proof of financial viability and stability	Suspension or cancellation of CPC
11. Failure to secure CPC amendment or CPC Exemption for the following instances, as applicable: a. Permanent Addition or Deletion of Route/Link; b. Permanent Addition/Reduction/Permanent Replacement of Ship/Fleet; c. Change of Ship's Name; d. Change in Name of the Entity; e. Change in the Type of Operation/Type of Service; f. Change in the Type of Cargo to be Carried; g. Change in the Hull of the Ship and Other Ship Particulars; h. Change in Sailing Frequencies/Schedule of Trips; i. Change in the Contract Period of Bareboat Chartered Ships; and	First violation	Second violation	Third & Succeeding violations
	P500,000.00 + suspension of the ship or operator's CPC as applicable until compliance	P800,000.00 + suspension of the ship or operator's CPC as applicable until compliance	P1,000,000.00 + suspension of the ship or operator's CPC as applicable until compliance

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
j. Other analogous instances as determined by MARINA.			
12. Sale, transfer and conveyance of ships covered by a CPC/PA/SP without approval from the MARINA	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + compliance	P75,000.00 + compliance	P100,000.00 + compliance
13. Selling/alienating/transferring shares of capital stock resulting in the reduction of the capital stock	Ship Size	Fines	
	Below 35GT	P100.00 per day but not to exceed P10,000.00	
	35GT to below 100GT	P150.00 per day but not to exceed P150,000.00	
	100GT to below 250GT	P200.00 per day but not to exceed P200,000.00	
	250GT to below 500GT	P250.00 per day but not to exceed P250,000.00	
	500GT to below 1,000GT	P300.00 per day but not to exceed P300,000.00	
	1,000GT and above	P350.00 per day but not to exceed P350,000.00	

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
14. Abandonment or failure to call on its authorized route/link/port without MARINA approval	First violation	Second violation	Third & Succeeding violations
	P100,000.00 + warning	P150,000.00 + suspension of CPC/PA/SP until compliance	P200,000.00 + cancellation of CPC/PA/SP
15. Failure to observe the procedure on notice and posting, in effecting temporary stoppage of service or operation	P50,000.00 + compliance	P75,000.00 + compliance	P100,000.00 + compliance
16. Failure to keep the authorized schedule of trips and rates posted in a conspicuous place in the ship and where the ship makes its port calls and departures.	First violation	Second violation	Third & Succeeding violations
	P5,000.00 + compliance	P10,000.00 + compliance	P15,000.00 + compliance
17. Failure to ensure that the ship's officers and crew are wearing proper prescribed uniform and IDs anytime they are onboard	First violation	Second violation	Third & Succeeding violations
	P5,000.00 + compliance	P10,000.00 + compliance	P15,000.00 + compliance

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
18. Failure to comply as applicable, with the 10-minute film-showing pertaining to the vessel's safety, health, and sanitation or the voice tape on the safety features of a vessel	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + suspension until compliance	P75,000.00 + suspension until compliance	P100,000.00 + suspension until compliance
19. Failure to provide discounts and privileges to students, senior citizens, persons with disabilities (PWDs), medal of valor awardees, and other persons entitled thereto under the law.	First violation	Second violation	Third & Succeeding violations
	P10,000.00 + compliance	P20,000.00 + compliance	P30,000.00 + compliance
20. Failure to observe authorized schedule of trips and rates approved by the MARINA in the exercise of its regulatory intervention when public interest and safety so require	P1,000.00/GT but not to exceed P200,000.00		
21. Failure to provide appropriate assistance to survivor/s of a maritime accident	Ship Size		
	Below 35GT		P5,000.00
	35GT to below 100GT		P10,000.00
	100GT to below 250GT		P15,000.00
	250GT to below 500GT		P20,000.00
	500GT to below 1,000GT		P25,000.00

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
	1,000GT and above	P30,000.00	
22. Failure to observe the prescribed period for indemnification (insurance compensation)	Ship Size		
	Below 35GT	P100.00/day but not to exceed P10,000.00	
	35GT to below 100GT	P150.00/day but not to exceed P150,000.00	
	100GT to below 250GT	P200.00/day but not to exceed P200,000.00	
	250GT to below 500GT	P250.00/day but not to exceed P250,000.00	
	500GT to below 1,000GT	P300.00/day but not to exceed P300,000.00	
	1,000GT and above	P350.00/day but not to exceed P350,000.00	
23. Violation of the Order of Suspension of CPC/PA/SP	First violation	Second violation	Third & Succeeding violations
	P500,000.00 + compliance	P800,000.00 + compliance	P1,000,000.00 + compliance

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
24. Operation of a wooden-hulled ship without passing the MARINA re-inspection	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + suspension until compliance	P75,000.00 + suspension until compliance	P100,000.00 + suspension until compliance
25. Operation of a wooden-hulled ship without deploying qualified officers and ratings onboard	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + suspension until compliance	P75,000.00 + suspension until compliance	P100,000.00 + suspension until compliance
26. Operation of a wooden-hulled ship in violation of service and navigational restrictions	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + suspension until compliance	P75,000.00 + suspension until compliance	P100,000.00 + suspension until compliance
27. Operation of a wooden-hulled ship without new / modified / amended authority to operate (CPC/PA/SP)	First violation	Second violation	Third & Succeeding violations

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
	P50,000.00 + suspension until compliance	P75,000.00 + suspension until compliance	P100,000.00 + suspension until compliance
28. Submission of fraudulent documents/ information or willful or gross negligence, concealment or falsification of material fact, in any investigation, inquiry, summary proceeding, hearing or application	<i>Refer to the Unified Penalty in Relation to Fraudulent Documents under Section VI of the General Circular</i>		
29. Failure to provide information to passengers in case of cancellation, delay or non-completion of the voyage	First violation	Second violation	Third & Succeeding violations
	P100,000.00 for each voyage and warning	P200,000.00 for each voyage and 5-day suspension of operations	P300,000.00 for each voyage and 10-day suspension of operations
30. Failure to render assistance to passengers, particularly persons with disability, senior citizens, pregnant women and children and all other persons with reduced mobility or requiring assistance in cases of cancelled, delayed or unfinished/uncompleted voyages	First violation	Second violation	Third & Succeeding violations
	P100,000.00 for each voyage + warning	P200,000.00 for each voyage and 5-day suspension of operations	P300,000.00 for each voyage and 10-day suspension of operations

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
31. Failure to grant refund or revalidation of ticket at the option of the passenger in cases of cancelled, delayed or unfinished/uncompleted voyages	First violation	Second violation	Third & Succeeding violations
	P100,000.00 for each voyage + warning	P200,000.00 for each voyage and 5-day suspension of operations	P300,000.00 for each voyage and 10-day suspension of operations
32. Granting refunds beyond seven (7) days from the date the request of refund is made in cases of cancelled, delayed or unfinished/uncompleted voyages	First violation	Second violation	Third & Succeeding violations
	P100,000.00 for each voyage + warning	P200,000.00 for each voyage and 5-day suspension of operations	P300,000.00 for each voyage and 10-day suspension of operations
33. Failure to provide amenities as prescribed under the existing rules and regulations in cases of cancelled, delayed or unfinished/uncompleted voyages	First violation	Second violation	Third & Succeeding violations
	P100,000.00 for each voyage + warning	P200,000.00 for each voyage and 5-day suspension of operations	P300,000.00 for each voyage and 10-day suspension of operations
34. Imposition of unauthorized fees or charges on passengers availing of their rights in cases of cancelled, delayed or unfinished/uncompleted voyages	First violation	Second violation	Third & Succeeding violations

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
	P100,000.00 for each voyage + warning	P200,000.00 for each voyage and 5-day suspension of operations	P300,000.00 for each voyage and 10-day suspension of operations
35. Failure to give compensation in lieu of accommodation to a passenger in cases of cancelled, delayed or unfinished/uncompleted voyages	First violation	Second violation	Third & Succeeding violations
	P100,000.00 for each voyage + warning	P200,000.00 for each voyage and 5-day suspension of operations	P300,000.00 for each voyage and 10-day suspension of operations
36. Other acts of similar or of analogous nature that prevent the passengers from availing of their rights in cases of cancelled, delayed or unfinished/uncompleted voyages	First violation	Second violation	Third & Succeeding violations
	P100,000.00 for each voyage + warning	P200,000.00 for each voyage and 5-day suspension of operations	P300,000.00 for each voyage and 10-day suspension of operations
37. Failure to observe schedule of trips/sailing frequencies	Ship Size	Fines	
	Below 35GT	P10,000.00 per instance	
	35GT to below 100GT	P20,000.00 per instance	
	100GT to below 250GT	P30,000.00 per instance	

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES	
	250GT to below 500GT	P40,000.00 per instance
	500GT to below 1,000GT	P50,000.00 per instance
	1,000GT and above	P60,000.00 per instance
38. Failure to comply with such other terms and conditions set forth under the CPC/PA/SP	Ship Size	Fines
	Below 35GT	P5,000.00 + compliance
	35GT to below 100GT	P10,000.00 + compliance
	100GT to below 250GT	P15,000.00 + compliance
	250GT to below 500GT	P20,000.00 + compliance
	500GT to below 1,000GT	P25,000.00 + compliance
	1,000GT and above	P30,000.00 + compliance

REVISED SCHEDULE OF ADMINISTRATIVE FINES AND PENALTIES

ANNEX F: FRANCHISING

VIOLATION	FINES AND PENALTIES		
C. OTHER FRANCHISING-RELATED VIOLATIONS			
1. Failure to issue tickets / Bill of Lading	First violation	Second violation	Third & Succeeding violations
	P5,000.00 + compliance	P10,000.00 + compliance	P15,000.00 + compliance
2. Failure to submit a request for approval to MARINA for the sale, transfer, mortgage, encumbrance, lease, merger, consolidation of property, franchise, privileges, rights, or any portion of the CPC with those of another public service	First violation	Second violation	Third & Succeeding violations
	P50,000.00 + compliance	P75,000.00 + compliance	P100,000.00 + compliance
3. Operating with expired Third-Party Liability Cover Liquefied Petroleum Gas (LPG) / Liquefied Nitrogen Gas (LNG) or Appropriate Oil Pollution Cover from duly licensed Insurance Company by the Insurance Commission & International Protection & Indemnity Club / Association	First violation	Second violation	Third & Succeeding violations
	P500,000.00 + suspension until compliance	P800,000.00 + suspension until compliance	P1,000,000.00 + suspension until compliance

(n) – new regulation