

Republic of the Philippines
Department of Transportation and Communications
MARITIME INDUSTRY AUTHORITY



MEMORANDUM CIRCULAR NO. 194

Series of 2003

**TO : ALL SHIPPING COMPANIES OPERATING
PHILIPPINE-REGISTERED SHIPS FOR
INTERNATIONAL VOYAGES**

**SUBJECT: RULES ON THE PROVISION/INSTALLATION OF
SHIP SECURITY EQUIPMENT**

Pursuant to the provisions of Presidential Decree No. 474 and Executive Order No. 125, as amended, and in conformity with the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, the following rules were approved by the Maritime Industry Board in its meeting on 11 August 2003.

I. Objectives:

1. To provide specific guidelines on the implementation of security measures in accordance with SOLAS, 1974, as amended, specifically:
 - a. Regulation V/19 concerning Carriage Requirement for Shipborne Navigational Systems and Equipment for Automatic Identification System;
 - b. Regulation XI-1/3 on Ship Identification Number; and,
 - c. Regulation XI-2/6 on the provision of Ship Security Alert System.
2. To enhance maritime safety and security onboard Philippine-registered ships.

II. Coverage:

1. All Philippine-registered ships engaged in international voyages; and

2. Philippine-registered ships primarily documented for domestic trade but temporarily allowed by the Administration to undertake international voyages.

III. Definitions:

1. **Administration** – refers to the Maritime Industry Authority (MARINA);
2. **Company** -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 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 Code.
3. **Ship** – refers to a Philippine-registered ship engaged in international voyages and covered by this Circular.

IV. Specific Provisions:

A. SHIP SECURITY ALERT SYSTEM

1. All ships covered by this Circular shall be provided with a ship security alert system in accordance with the following schedule:

CONSTRUCTION DATE	DATE OF IMPLEMENTATION
1. ship constructed on or after 1 July 2004	Upon construction
2. ships on international voyages constructed before 1 July 2004	
a. passenger ships/including high speed craft irrespective of size	Not later than the First Survey of the radio installation after 1 July 2004
b. oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high speed crafts of 500 gt and upwards	Not later than the First survey of the radio installation after 1 July 2004
c. other cargo ships of 500 gt and upwards and mobile offshore drilling units	Not later than the First survey of the radio installation after 1 July 2006

2. The ship security alert system, when activated shall:
 - .1 initiate and transmit a ship-to-shore security alert to a competent authority designated by the Administration and to the company operating the ship, identifying the ship, its location and indicating that the security of the ship is under threat or it has been compromised;
 - .2 not send the ship security alert to any other ships;
 - .3 not raise any alarm on-board the ship; and
 - .4 continue the ship security alert until deactivated and/or reset.

3. The ship security alert system shall:
 - .1 be capable of being activated from the navigation bridge and in at least one other location; and
 - .2 conform to performance standards not inferior to those adopted by the IMO.
4. The ship security alert system activation points shall be designed so as to prevent the inadvertent initiation of the ship security alert.
5. The requirement for a ship security alert system may be complied with by using the radio installation fitted for compliance with the requirements of Chapter IV on Radio communications of SOLAS 1974 as amended, provided all requirements of this Circular are complied with.

B. AUTOMATIC IDENTIFICATION SYSTEM (AIS)

1. All ships covered by this Circular shall be fitted with an automatic identification system (AIS) in accordance with the following schedule:

Construction Date	Type	Size	Date of Implementation
Ships constructed On or after 01 July 2002	Passenger ships	irrespective of size	Upon construction
	Cargo ships	300 gt and upwards	
Ships constructed Before 01 July 2002	Passenger ships	Irrespective of size	Not later than 01 July 2003
	Tankers	300 gt and upwards	Not later than the first survey for safety equipment on or after 01 July 2003
	Other ships	50,000 gt and upwards	Not later than 01 July 2004
		300 gt upwards but less than 50,000 gt	Not later than the first safety equipment survey* after 01 July 2004 or by 31 December 2004 which ever occurs earlier.

* the first safety equipment survey means the first annual survey, the first periodical survey or the first renewal survey for safety equipment whichever is due first after 01 July 2004, and, in addition, in the case of ships under construction, the initial survey.

2. The AIS shall:
 - .1 provide automatically to appropriately equipped shore stations, other ships and aircraft information, including the ship's identity, type, position, course, speed, navigational status and other safety-related information;
 - .2 receive automatically safety related information from similarly fitted ships;
 - .3 monitor and track ships; and,
 - .4 exchange data with shore-based facilities.

3. Paragraph IV.2 of this Circular shall not apply to cases where international agreements, rules or standards provide for the protection of navigational information.

4. A ship may be exempted by the Administration from the requirement of this Circular provided the ship will be taken permanently out of service within two (2) years after the implementation date. For this purpose, the company operating such ship shall submit an undertaking attesting to such fact.

C. SHIP IDENTIFICATION NUMBER (SIN)

1. Ships covered by this Circular shall have the ship's identification number permanently marked, according to the schedule herein stipulated:
 - .1 in a visible place either on the stern of the ship or on either side of the hull, amidships port and starboard, above the deepest assigned load line or either side of the superstructure, port and starboard or on the front of the superstructure or in the case of passenger ships, on a horizontal surface visible from the air; and
 - .2 in an easily accessible place either on one of the end transverse bulkheads of the machinery spaces, as defined in regulation II-2/3.30, or on one of the hatchways, or, in the case of tankers, in the pump-room or, in the case of ship's with ro-ro spaces, as defined in regulation II-2/3.41, on one of the end transverse bulkheads of the ro-ro spaces.

SCHEDULE OF COMPLIANCE:

CONSTRUCTION DATE	DATE OF IMPLEMENTATION
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1. Ships constructed on or after 1 July 2004 <ul style="list-style-type: none"> • Passengers ships of 100 gt and upwards • Cargo ships of 300 gt and upwards 	Upon construction
2. Ships constructed before 1 July 2004 <ul style="list-style-type: none"> • Passenger ships of 100 gt and upwards • Cargo ships of 300 gt and upwards 	Not later than the first drydocking of the ship after 01 July 2004

2. The permanent marking shall be plainly visible, clear of any other markings on the hull and shall be painted in a contrasting colour.
3. The permanent marking referred to in C.1.1 shall not be less than 200 mm in height. The permanent marking referred to in paragraph C.1.2 shall not be less than 100 mm in height. The width of the marks shall be proportionate to the height.
4. The permanent marking may be made by raised lettering or by cutting it in or by centre punching it or by any other equivalent method of marking the ship identification number which ensures that the marking is not easily expunged.
5. For ships constructed of material other than steel or metal, the Administration shall approve the method of marking the ship identification number.

V. Sanctions and Penalties:

1. The company shall be imposed the following fines or penalties, after due notice and hearing, for failure to comply with any of the provisions of this Memorandum Circular:

First Violation	-	P 50,000.00
Second Violation	-	100,000.00
Third and succeeding violations	-	200,000.00

2. The Administration may, after proper determination of the gravity of non-compliance with this Circular, order a ship to cease operations until corrective action is instituted and clearance by the Administration thereto had been granted.

VI. Repealing Clause:

All memorandum circulars, rules and regulations and other issuances inconsistent with this Memorandum Circular are hereby amended, repealed or modified accordingly.

VII. Effectivity Clause

The provisions of this Memorandum Circular shall take effect fifteen (15) days after publication once in a newspaper of general circulation unless otherwise herein specified.

Manila, Philippines, 11 August 2003.

OSCAR M. SEVILLA
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. **194** has been approved by the MARINA Board on its Special Board Meeting held on 11 August 2003.

ATTY. GLORIA V. B AÑAS
Acting Corporate Board Secretary

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