

[MARINA CIRCULAR NO. 2013-02, January 18, 2013]

REVISED RULES FOR THE REGISTRATION, DOCUMENTATION AND DELETION OF SHIPS OPERATING IN PHILIPPINE WATERS

Pursuant to Presidential Decree No. 474, Section 12 (d) of Executive Order Nos. 125, as amended, Section 10 (1) Chapter III of Republic Act 9295, and Chapter XV of the Philippine Merchant Marine Rules and Regulations (PMMRR) 1997, the following revised rules are hereby adopted:

I. OBJECTIVE

This Circular serves to provide rules that shall govern the registration and documentation of ships entitled to fly the Philippine flag subject to the laws of the Philippines.

This Circular also provides rules on the deletion of these ships from the Philippine Registry.

II. COVERAGE

These Rules shall apply to all types of ships operating in the Philippine waters regardless of size and utilization, whether with power or without power, including those ships below three (3) gross tonnage (GT), motorized or nonmotorized.

The following ships shall not be covered:

1. Warships and naval ships;
2. Ships of the Philippine Coast Guard;
3. All ships of foreign registry temporarily used in the Philippine waters; and,
4. Inflatable Boats used for rescue made of either a single or more rubber tubing.

III. DEFINITION OF TERMS

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

1. "**Administration**" refers to the Maritime Industry Authority (MARINA)
2. "**Deletion**" refers to the cancellation of a ship's registry from the Register of Philippine Ships and termination of its trading status in the domestic shipping trade.
3. "**Domestic Ownership**" refers to the ownership vested in citizens of the Philippines or corporations, cooperatives or associations organized under the laws of the Philippines at least sixty percentum (60%) of the capital stock or capital of which is wholly by citizens of the Philippines.
4. "**Homeport**" refers to the port where the ship is registered.
5. "**Miscellaneous Ship**" refers to all other ships not falling under any classes of ship identified under Regulation I/5 paragraph 4.2 of the RPMMRR 1997, to

include wing-in-ground (WIG), amphibian, submarine, hydrofoil, hovercraft, floating restaurants and tandem pushboat.

6. **"Personal Water Craft (PWC)"** also called water scooter, refers to a recreational watercraft that the person rides or stands on, rather than inside of, as in a boat. It is a jet drive boat less than 13 feet in length designed for two or three people or four passenger models.
7. **"Port of Registry"** refers to the port in the Philippines where the ship's record of registry is being kept and maintained. It is likewise the homeport where the ship's first entry into the registry was made.
8. **"Ship Registration"** refers to the documentation and authorization of a ship to sail under the Philippine flag.
9. **"Ship or Vessel"** (may be used interchangeably) refers to 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 Philippine waters for the carriage of passengers or cargo, or both, utilizing its own motive power or that of another.
10. **"Single or More Rubber Tubing (SMRT)"** refers to the construction of an inflatable boats made of rubber and consists of a single tube for a banana boat used for pleasure, and for a rescue or similar boats, four inflatable tubes - two side tubes, a bow tube and a keelson tube. They have a rigid floor piece and a rigid transom for fitting an outboard motor.
11. **"Special Purpose Ship"** refers to a mechanically self-propelled ship which by reason of its function carries on board more than 12 special personnel including passengers. Special purpose ships to which these Rules and Regulation apply to type of ships mentioned in the said regulation to include Power Barges and Mobile Offshore Drilling Unit (MODU).
12. **"Type of Ship"** according to use or service refers to the classes of ships enumerated in Regulation I/5 of the Philippine Merchant Marine Rules and Regulations (PMMRR) 1997, as follows;

Class A. Passenger ships
Class B. Cargo ships
Class C. Tankers
Class D. Tugs and Dredgers
Class E. Fishing Vessels
Class F. Yachts
Class G. High Speed Crafts
Class H. Special Purpose ships
Class I. Miscellaneous Ships

Type of Ship, **according to construction refers**, to the grouping of ship based on its design, as enumerated in Appendix B of MARINA Administrative Order No. 07-12 dated 12 April 2012.

13. **"Yacht"** refers to any ship which is used for pleasure only, whether power driven or not, to include Personal Water Craft (PWC).

IV. GENERAL PROVISIONS

1. All ships of domestic ownership plying the Philippine waters, regardless of size and utilization must be properly registered and issued a Certificate of Philippine Registry (CPR) and Certificate of Ownership (CO). The forms of which are hereto attached as Annex "A" and "B", respectively. Ships such as

- PWC, WIG, amphibian, submarine, hydrofoil, hovercraft, floating restaurants, tandem push boat and mobile offshore drilling unit (MODU) shall be registered and issued CPR and CO.
2. Ships acquired through bareboat charter under PD 760, as amended, shall be issued a temporary Certificate of Philippine Registry (CPR) co-terminus with the validity of the charter period as approved by MARINA. No Certificate of Ownership (CO) shall be issued.
 3. Ships acquired through importation or bareboat chartering may be issued a Provisional Certificate of Philippine Registry (PCPR) in order to facilitate delivery of said ship from the country of origin to any port in the Philippines. The PCPR issued shall have fixed validities of a maximum of three (3) months or co-terminus with the approved Authority to Import (AI). For newly-built ships, the PCPR shall be issued for conduction purposes only. No PCPR shall be issued to ships operating under a Special Permit as provided in MARINA MC 105, as amended per MARINA MC 2011-04.
 4. A registry of ships to be known as "Register of Philippine Ships" shall be maintained and kept open to free inspection by the public during regular office hours.
 5. Ships registered under the Philippine Flag may be deleted from the Register of Philippine Ships under any of the circumstances enumerated in Section VI of this Circular and a Certificate of Deletion shall be issued effective on the date indicated in the certificate.
 6. Any change and/or correction in the entries of the CPR/CO shall require reissuance of these certificates.
 7. All owners/operators or charterers of Philippine-registered ships in the domestic trade shall be required to pay annual tonnage fee pursuant to MARINA Memorandum Circular Nos. 2008-05 and 2008-07, except for owners/operators or charterers of fishing vessels and non-motorized ships below three (3) GT.
 8. Any ship which has been involved/used for smuggling or carriage/transport of illegal drugs as reported by the Philippine Coast Guard will not be issued Certificate of Philippine Registry and Certificate of Ownership

V. SPECIFIC PROVISIONS

A. Assignment of Name

1. A domestic shipowner/operator shall secure approval on the assignment of the proposed name of a ship, subject for registration.
2. The Administration through its Management Information Systems Office (MISO) shall approve the assignment of a name for a ship, provided such name has not been assigned nor borne by another ship.
3. The name of the ship shall be painted on each side of the bow and the homeport to be painted at the ship's stern.

B. Assignment of Official Number and Marking of Ships

1. Every ship registered under this Circular shall be assigned an official number unique to each ship.
2. The official number shall consist of 10 (ten) characters, where the first two (2) characters refer to the Central Office or MRO where the ship is registered and the last seven (7) characters refers to the ascending number for ships

registered, as follows: (See image: NAR Volume 24 No. 2, April to June 2013, p. 359)

3. The official number shall have the following specification:

| Material of Main Beam | Height (mm) | Depth (mm) | Width (mm) |
|-----------------------|-------------|--------------|------------|
| Wood | 76.20 | 9.53 – 12.70 | 12.70 |
| Iron or other Metal | 76.20 | 3.18 – 12.70 | 12.70 |

4. The official number assigned to a ship shall be carved or otherwise permanently marked in the main beam of the ship and together with the name shall appear on all ship documents.
5. For open-hulled ships, the assigned official number shall not be less than 25.4 mm in height and not less than 6.35 mm in width and shall be placed at the most accessible frame forward of the engine.

C. Register of Ships

1. The registration of ship for domestic trade shall be effected as follows:
- a) Trampers - at the Central Office (CO) or the nearest MARINA Regional Office (MRO) where the company's principal or branch office is located; or,
 - b) Liners - at the Central Office (CO) or the nearest MARINA Regional Office (MRO) where the company's principal office is located, or any of the ports of call of the ship, provided the company has a branch office in that port of call.
2. The Register of Philippine Ships shall contain the following particulars;
- a. Name of Ship
 - b. Former Names and Registry (if applicable)
 - c. Type of Ship(service/construction)
 - d. Call Sign
 - e. Official Number
 - f. IMO Number (if applicable)
 - g. Material of Hull
 - h. Principal Dimensions and Structure (Mast/Decks/Stem/Stern)
 - i. Tonnage (Gross/Net/Deadweight)
 - j. Class
 - k. Speed
 - l. Main engine
 - m. Builders/Place of Built
 - n. Year Built
 - o. Name of Owner
 - p. Name of former owner
 - q. Mode of Acquisition (e.g, imported, bareboat chartered under PD 760, as amended, locally constructed, locally purchased)
3. MARINA Administrative Order No. 07-12 dated 12 April 2012 and its subsequent amendments covering the Guidelines on Filling Up, Maintenance, Safekeeping and Access to the Register of Philippine Ships is hereby adopted as an integral part of this Circular.
4. Errors made in recording entries in the Register shall be rectified as follows:

- a. Slight error/s not affecting the substance of the document, such as misspelled words, shall be corrected by the registrar or the designated officer by striking through the wrong entry/misspelled words and writing the correction above the errors and by affixing his initials beside the corrected entry or notation.
 - b. Any error/s which might affect the meaning of the document may be corrected upon petition or upon notice filed by the concerned party. The correction shall be made by rewriting the entire line or lines right below where the error occurred. Said correction, together with a statement of the circumstances, shall be signed by the responsible officer.
 - c. Errors made in copying shall not be erased. Instead, all required changes shall be effected in the manner described above.
5. Ship with incomplete details or has defaced engine block number shall not be registered, unless a clearance from a competent authority or proof of ownership of the engine is shown.

D. Re-issuance of CPR and CO

1. A new CPR and/or CO shall be re-issued under the following instances:

- a. Lost or damaged Certificates
- b. Change of Ownership
- c. Change of Homeport
- d. Change of Engine
- e. Change of Ship's name
- f. Change of Business Name and/or company address
- g. Change of Ship's particulars
- h. Change of Trading Area
- i. Change of Type of Ship
- j. No more space for annotation of mortgage
- k. Corrections of Entry in the CPR/CO
- l. Ship alteration

2. Change of Ownership

- a. The buyer/transferee of a Philippine-registered ship shall, within fifteen(15) days from approval by the Administration of the sale/transfer of the ownership, secure a new CPR/CO subject to the provisions of Item V.C.1 of this Circular.
- b. In case of judicial sale/award, the buyer/awardee shall secure a new CPR/CO within fifteen (15) days from the favorable endorsement by the Administration, subject to the provisions of Item V.C.1 of this Circular.
- c. If there is a corresponding change of homeport as a result of the transfer of ownership, the buyer/transferee shall instead secure clearance to change homeport from the current homeport. The buyer/transferee shall, upon grant of the clearance by the current homeport, file an application for the issuance of a new CPR/CO in the new homeport.
- d. If the buyer/transferee is a foreign national, the seller/transferor shall, within fifteen (15) days from the transfer, cause the deletion of the ship from the Register of Philippine Ship pursuant to the provision of Item VI of this Circular.

3. Change of Homeport

- a. A homeport may be changed in any of the following instances:
 - .1 change in ports of call or areas of operation of the ship; or