

[MARINA CIRCULAR NO. 2009-15, May 21, 2009]

GUIDELINES IN DETERMINING SAILING SCHEDULES AND FREQUENCIES IN THE ISSUANCE AND AMENDMENTS OF CERTIFICATE OF PUBLIC CONVENIENCE (CPC) AND SPECIAL PERMIT (SP)

Pursuant to Presidential Decree No. 474 and Executive Order No. 125/125-A, the Maritime Industry Authority Board of Directors in its Meeting held on May 21, 2009, approved and adopted the following guidelines:

I. OBJECTIVE

This Circular serves to provide guidelines in determining sailing schedules and frequencies in the issuance and amendments of Certificate of Public Convenience (CPC) and Special Permit (SP) in order to:

1. encourage effective competition and to attract investments in the shipping industry by creating a healthy and competitive investment and operating environment;
2. enforce rules which will ensure compliance with required safety standards;
3. rationalize shipping operations by preventing port congestion and over tonnage in certain liner routes; and,
4. further implement MARINA Circular No. 2006-006 and its subsequent amendments.

II. COVERAGE

This Circular shall apply to all domestic shipowners or operators applying for Certificate of Public Convenience or Special Permit in the liner trade for the carriage of passengers or cargoes or both.

III. DEFINITION OF TERMS

1. **"Certificate of Public Convenience"** shall mean the license or authority issued by MARINA to a domestic shipowner or operator to engage in domestic shipping;
2. **"Special Permit"** refers to a temporary authority to operate issued by the MARINA to a domestic shipowner or operator under certain instances provided in MARINA Circular No. 2006-006;
3. **"Certificate of Berthing Window or Availability of Berthing Space"** refers to the Certificate issued by pertinent port authority or other government or private entity to the effect that the ship can be accommodated at the port or area being