

## **[ MARINA MEMORANDUM CIRCULAR NO. 90, October 15, 1994 ]**

### **IMPLEMENTING GUIDELINES FOR VESSEL REGISTRATION AND DOCUMENTATION**

The Maritime Industry Authority Board in its meeting on 07 October 1994 has approved and promulgated the following guidelines in the implementation of vessel registration pursuant to the provisions of Executive Order No. 125, as amended, DOTC Memorandum dated 7 September 1994 and MARINA Memorandum Circular No. 88, s-94 approved by the MARINA Board on 15 September 1994.

#### **I Objective**

This Circular serves to provide a consolidated implementing guidelines that shall govern the registration and documentation of vessels to entitle it to the protection of Philippine laws and the right to fly the Philippine flag subject to the obligations and disabilities under the laws of the Philippines.

#### **II Coverage**

This Guidelines shall apply to:

1. All types of vessels of domestic ownership and of more than 15 GRT;
2. All vessels engaged in towing/pushing or carrying goods and/or passengers for hire regardless of tonnage; and
3. All vessels acquired under PDs 760/866/1711.

Registration of vessels 15 GRT and below under this Circular shall be optional. Provided that such vessels as are not entered in the Philippine register ships shall be required to secure a vessel identity certificate (Certificate of Number).

The following vessels shall not be covered:

1. Warships and naval vessels;
2. All vessels of foreign registry temporarily used in the Philippine waters for less than one year;
3. Non-motorized bancas, sailboats, and other waterborne contrivance of less than three gross tons capacity.

#### **III Definition of Terms**

1. Vessel Any watercraft used for water transportation, delivery of services and those used for scientific, educational and research purposes, including fishing vessels.
2. Domestic Ownership Ownership vested in citizens of the Philippines or corporations or associations organized under the laws of the Philippines at least sixty per centum of the capital stock or capital of which is wholly owned by citizens of the Philippines.
3. Homeport The port where the vessel is registered or enrolled provided, registration shall be effected at the port where the principal office of the shipowner/operator is located and/or at the terminal port of the vessel.
4. Domestic Trade The carriage of passenger and/or cargoes between two or more ports and places in the Philippines by the use of vessel either as common or contract carrier or for exclusive company/own use including operations within bays and rivers and other inland waterways.
5. Overseas Trade The transport of goods and/or passengers and/or vessel operations outside of Philippine territorial waters, including those calls at Philippine ports from foreign ports and vice versa.

#### **IV**

#### **General Provisions**

The Maritime Industry Authority (MARINA) is the exclusive authority in matters of registration and documentation of Philippine vessels including, but not limited to, the issuance of certificates, licenses, or other documents incident thereto.

#### **V**

#### **Specific Guidelines**

##### **A. Register of Vessels**

1. The MARINA shall maintain a registry of vessels be known as "REGISTER OF PHILIPPINE VESSELS" which shall be kept open to free inspection by the public during regular office hours or when the exigency of the service so requires. Separate registers shall be maintained for overseas and domestic vessels.
2. The Register of the Philippine Vessels shall contain the following particulars in such form and detail as the MARINA may prescribe:
  - a. Name of vessel
  - b. Former Names and registry (if applicable)
  - c. Type of vessel
  - d. Call Sign
  - e. Official Number
  - f. Material of Hull
  - g. Principal Dimensions
  - h. Tonnage (Gross/Net/Deadweight)
    - i. Classification
    - j. Speed
  - k. Main engine
    - l. Builders/Place of built
  - m. Year built