

[MIA MARINA CIRCULAR NO. 2008-02, November 08, 2007]

RULES TO IMPLEMENT THE MASTER'S OATH OF SAFE VOYAGE (MOSV)

Pursuant with the provisions of P.O. 474, E.O. 125 as amended, R.A. 9295 and its Implementing Rules and Regulations and SOLAS 74, as amended, whereby the Master has the overriding authority and responsibility over the safe operation of a ship, the following rules to implement the MASTER'S OATH OF SAFE VOYAGE (MOSV) in the domestic trade are hereby adopted.

I. COVERAGE

This Circular shall apply to all Masters of Philippine registered ships engaged in the domestic trade.

II. OBJECTIVES

1. To provide rules on the implementation of the MOSV as a requirement on board Philippine-registered ships engaged in the domestic trade.
2. To provide the Administration and the Company a tool to ensure the maintenance of seaworthiness of Philippine registered ships engaged in the domestic trade, at all times.
3. To provide procedures and designate responsibilities towards the proper and effective implementation and maintenance of the required MOSV.

III. DEFINITION OF TERMS

For purposes of this Circular, the following definitions shall apply

1. ADMINISTRATION shall refer to the Maritime Industry Authority.
2. MASTER'S OATH OF SAFE VOYAGE (MOSV) shall refer to a document signed under oath by the master of a ship attesting to the seaworthiness of his ship.
3. SHIP or VESSEL shall refer 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 for the carriage of passenger or cargo or both.
4. SEAWORTHINESS shall refer to the normal stability condition of the ship, the ability to withstand stress of wind and sea and the capability to control and contain any emergencies that may arise during the course of her voyage, OR THE OVERALL CONDITION OF THE SHIP TO UNDERTAKE ITS INTENDED VOYAGE

5. COMPANY shall refer to the owner of the ship or organization or person such as manager or bare boat 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 such responsibilities imposed by these Rules and Regulations.

6. MASTER shall refer to the person having command of a ship, pursuant to the provisions of Chapter XVIII of the PMMRR, as amended.

IV. GENERAL PROVISIONS

1. The Company; as defined herein, shall ensure that all their Philippine-registered ships engaged in the domestic trade should have onboard a copy of the MOSV, herein attached,, as MARINA Form* No.

2. The MOSV, bearing the picture of the Master, shall be posted in a conspicuous place onboard the ship.

3. Only duly authorized/designated officials of the Administration shall administer the oath relative to the MOSV

V. SPECIFIC PROVISIONS

1 All Masters are required to possess on board a valid MOSV for the operation of a ship which must be duly conformed by the shipowner/company.

2. The Master of the ship shall be covered by the said MOSV during his term as the Master of the particular ship. In case the Master is replaced, a new MOSV shall be executed by the new ship Master. The MOSV shall be a one time accomplishment prior to the departure of the ship.

3. The Company shall apply for the issuance of an MOSV every time there is a change inl the command of any of its operational ships. A Board Resolution shall be required authorizing the person to sign for and in behalf of the company.

4. Consequently, the MOSV by the previous/replaced Master shall have to be surrendered to the Administration, within three (3) working days, upon change in command of the ship.

5. In case of emergency, which shall necessitate the change in the command of the ship, and where no MARINA Office is located, the oath may be administered by any person/official duly authorized under existing laws of the Philippines, provided that the MOSV shall be valid for one (1) voyage only and a copy of the MOSV shall be submitted to the nearest office of the Administration within twenty four (24) hours whenever practicable. The surrender of the MOSV of the relieved Master shall be undertaken in accordance with item V 3 above.

6. Companies shall be required to submit to the Administration a list of their operational ships within thirty (30) days from the effectivity of this Circular.

7. Applications for the administration of the oath relative to the MOSV shall be made