

**[NTC MEMORANDUM CIRCULAR NO. 09-09-2004,
September 13, 2004]**

**GUIDELINES FOR THE IMPLEMENTATION OF SOLAS
CONVENTION AMENDMENT REQUIRING AUTOMATIC
IDENTIFICATION SYSTEM (AIS) AND INTERNATIONAL SHIP AND
PORT FACILITY SECURITY CODE (ISPS)**

Pursuant to Act 3846, as amended, Executive Order No. 546, and in conformity with the International Convention for the Safety of Life at Sea (SOLAS) 1974, as amended, the National Telecommunications Commission hereby promulgates the following guidelines for the implementation of SOLAS Chapter V/Regulation 19 and Chapter XI-2/Regulation 6.

A. OBJECTIVES

1. To provide specific guidelines in the implementation of security measures in accordance with SOLAS 1974, as amended, specifically on:

1.1 Chapter V/Regulation 19 concerning Carriage Requirement for Shipborne Navigational Systems and Equipment for Automatic Identification System; and

1.2 Chapter XI-2/Regulation 6 on the provision of Ship Security Alert System

2. To enhance maritime safety and security on board Philippine Registered Ships.

B. COVERAGE

1. All Philippine Registered Ships engaged in international voyages

2. Philippine Registered Ships primarily documented for domestic trade but temporarily allowed by the Administration in coordination with the Commission to undertake international voyages.

C. DEFINITION OF TERMS

1. Administration - refers to the Maritime Industry Authority (MARINA)

2. Commission - refers to the National Telecommunications Commission (NTC)

3. Convention - means the International Convention for the Safety of Life at Sea, 1974, as amended.

4. Code - refers to the International Shipping and Port Facility Security (ISPS) Code

5. 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 ship owner and who upon assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the Code.

6. Ship - refers to Philippine registered ships engaged in international voyages and covered by this Circular.

7. Automatic Identification System (AIS) - a device which indicates the ship's identity, type, position, course, speed, navigational status and other safety related information to appropriately equipped shore stations, other ships and/or aircraft.

8. Ship Security Alert System (SSAS) - is a system that when activated, will initiate and transmit a ship-to-shore security alert to a competent authority designated by the Administration, identifying the ship; its location; and indicating that the ship is under threat or has been compromised.

D. GENERAL PROVISIONS

D.1 Automatic Identification System (AIS)

1. All ships covered by this Circular shall be fitted with AIS in accordance with the following schedule:

Construction Date	Type of Vessel	Size/Gross Tonnage	Implementation Date
Ships constructed on or after 01 July 2002	Passenger Ships	Irrespective of size	Upon construction
	Cargo Ships	300 GT and upwards	Upon construction
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	50,000 GT	Not later than 01

Ships	and upwards but	July 2004
Other Ships	300 GT upwards less than 50,000 GT	Not later than the first survey for safety equipment* after 01 July 2004 or by 31 December 2004 whichever occurs earlier

*The first survey of safety equipment means the first annual survey, the first periodical survey or the first renewal survey for the 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:

2.1 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;

2.2 receive automatically safety related information from similarly fitted ships;

2.3 monitor and track ships; and

2.4 exchange data with shore-based facilities.

3. A ship may be exempted 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.

D.2 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	Implementation Date
1. Ships constructed on or after 01 July 2004	Upon construction
2. Ships on international voyages constructed before 01 July 2004	