



**TANGAPAN NG KOMANDANTE  
(OFFICE OF THE COMMANDANT)  
PUNONG HIMPILAN TANOD BAYBAYIN NG PILIPINAS  
(HEADQUARTERS PHILIPPINE COAST GUARD)  
139 25<sup>TH</sup> Street, Port Area  
Manila**

**1 February 1981**

**MEMORANDUM CIRCULAR  
NR..... 01-81**

**TO : ALL CONCERNED**

**SUBJ : RULES AND REGULATION ON MONITORING PROCEDURES FOR  
SOLAD AND MARITIME ENVIRONMENTAL PROTECTION (MEP)  
REQUIREMENTS FOR DOMESTIC VESSELS**

**I. AUTHORITY:**

Republic Act 5173, otherwise known as the Coast Guard Law, together with certain Provisions of R.A. 1937 as amended by P.D. 34 are incorporated thereto pursuant to P.D. 1464, P.D. 602 in relation to P.D. 600 as amended by P.D. 979 and IMCO SOLAS 1974.

**II. SCOPE:**

This Memorandum Circular applies to all domestic vessel watercraft sailing/operating within the harbor bays, rivers, lakes, seas and/or waters to the jurisdiction of the Philippines.

**III. PURPOSE:**

To prescribe a system for an orderly and effective vessel monitoring process responsive to the promotion of Safety of Life at Sea (SOLAS) and for Marine Environmental Protection (MEP).

**IV. GENERAL PROCEDURES AND GUIDELINES:**

**A.** The Philippine Coast Guard shall have the authority to board and inspect all vessels falling under paragraph 2 of this Memorandum Circular at any time,

whether in port or underway, to determine compliance with SOLAS and MEP requirements. (Listed in Annex A. which part of this Memorandum Circular).

Provided, however that in the conduct of boarding and inspection of vessels/watercraft, caution must be exercised to the end that the operations of vessels shall not be duly hampered or delayed. Provided further, that on any violation of SOLAS and/or MEP requirements, PCG inspection shall issue the corresponding "Inspection Apprehension Report" and subsequently allow the vessel to continue her voyage, if underway. And provided further, that nothing in this Memorandum shall be construed as authorizing PCG personnel to hold or unnecessary delay the departures of vessels/watercrafts unless there is a strong evidence that may warrant a full and thorough check inspection or holding vessels and/or upon specific orders of proper authorities, in which case, the apprehending/boarding team shall so reflect to specific reasons for such action in the duly accomplished "Boarding port" (Contained in Annex B hereof).

- B. Shipowners, operators, charterers, agents, captain masters/patrons/responsible marine officers and other similar persons are required to comply with the requirements in order to attain the objective of this Memorandum Circular.

#### **V. ARRIVAL PROCEDURES:**

Upon arrival in ports, a representative/agent of the shipping company/vessel/watercraft shall submit without delay a duly accomplished "Arrival Report" (Contained in Annex C hereof) to the nearest station/sub-station/detachment.

The PCG duty personnel acknowledge the report and shall thereafter make the appropriate entries in the arrival logbook for vessels.

#### **VI. DEPARTURE PROCEDURES:**

Within a responsible time prior to each departure of vessels/ watercrafts from port, a Representative/agent of the shipping company/vessel/watercraft shall proceed to the nearest PCG Station/substation/detachment and submit a copy on each of the following:

- A. Outbound Passenger Manifest
- B. Crew list

The PCG inspecting team shall at random have the authority to verify and check the vessels Roll Book as well as the validity of Seaman Continuous Discharge Books. The PCG duty personnel shall thereafter take the appropriate entries in the departure logbook for vessels.

## **VII. BOARDING PROCEDURES:**

It is important that the Philippine Coast Guard boarding operations be conducted in such a manner that there shall be no cause for complaint from shipowners and operators.

The following conditions should be meticulously observed during boarding operations:

- A.** Large vessels engaged in the trade should be boarded at the dock.
- B.** Pleasure crafts should be boarded in places where it will not cause them inconvenience.
- C.** Commercial Fishing Vessel should be boarded where it will not cause the cargo to spoil or delay from reaching the market. (Detailed Boarding Procedure is contained in Annex D hereof).

## **VIII. REPORTING PROCEDURES ON SABOTAGE AND INSURGENT ACTIVITY:**

It shall be incumbent upon referred to in paragraph 4b of this Memorandum Circular to report immediately to the Coast Guard Station/ Sub-station/ detachment in the area, information or evidence of sabotage or insurgent subversive activity especially those involving tending to endanger any person, vessel, harbor, port or other watercraft facility. They shall immediately take all necessary precautions to initially protect their vessels and cargo from sabotage. In areas where there is no Coast Guard Station/ sub-station/ detachment, reports should be forwarded to the PC/INP or to the nearest military installation copy of which will be forwarded to the nearest CG Districts/ Stations.

## **IX. PENALTIES:**

Pursuant to the last provision of Section 7 of Republic Act 5173 otherwise known as the Coast Guard Law, the provisions of R.A. 1973 as amended by PD No. 34 which are incorporated there to pursuant to PD No. 1464 the following penalties shall be imposed singly and/or collectively for violation or non-compliance with the provisions and requirements of this Memorandum Circular.

### **a. Fine:**

- A.** P2,000.00 to P 10,000.00 willfully and deliberately issuing tickets for a particular voyage in excess of the maximum authorized passenger capacity of the vessel.
- B.** P50.00 per excess passenger if after a headcount for the purpose of SOLAS the passenger on board exceeds the maximum authorized passenger of vessel.

C. P200.00 per ticket issues without indicating there in the availability of corresponding accommodation on board.

D. P500.00 to P1,000.00 for non-compliance with the requirement of this Memorandum for which no specific penalty is provided.

b. Custody of apprehended Vessel/watercraft.

If a vessel/watercraft is held by the Coast Guard Boarding Team and MEP violations as reflected in the Vessel Boarding Report, custody of same shall remain with the apprehending unit and the vessel released only after full compliance with the requirements is affected. If a vessel is being held for offenses or crimes other than SOLAS and MEP, the vessel shall remain in the custody of the apprehending unit until so ordered released by the Commandant, Philippine coast Guard.

c. Revocation or suspension of license of Marine Officers and Revocation of Coast wise Licensed or Bay and River License

**X. PERSONS WHO MAY BE LIABLE UNDER THIS MEMORANDUM CIRCULAR:**

A. The shipowners, operator, charterers and agent of vessels/ watercrafts.

B. The Captains or masters or patrons of vessels/watercrafts and responsible marine officers.

C. Other persons.

**XI. RESCISSION**

Memorandum Circular No. 10 dated 21 June 1974 and Memorandum Circular No. 14 dated May 1975 of this Headquarters and other regulation inconsistent herewith are hereby rescinded and/or modified accordingly.

**XII. EFFECTIVITY:**

This Memorandum Circular shall take effect upon its publication in the Official Gazette

(SGD)  
**BRILLIANTE C OCHOCO**  
**COMMO      AFP**