



**TANGGAPAN NG KOMANDANTE**  
**(Office of the Commandant)**  
**PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS**  
**(Headquarters Philippine Coast Guard)**  
139 25<sup>th</sup> Street, Port Area,  
1018 Manila

**09 May 1996**

**HPCG/CG- 8**

**MEMORANDUM CIRCULAR**  
**NUMBER.....02-96**

**CARRIAGE OF DANGEROUS GOODS**

**I. AUTHORITY:**

1. R.A. 5173 which empowers the PCG to promulgate and administer regulations for the promotion of SOLAS
2. Chapter VIII Regulation VIII/11 of the 1977 PMMR on Carriage of Dangerous Goods
3. Chapter VII, SOLAS 1974 Convention, as amended, on Carriage of Dangerous Goods
4. International Maritime Dangerous Goods (IMDG) Code, as amended

**II. PURPOSE:**

To prescribe policies and procedures for the safe handling, carriage and transfer of dangerous goods for the promotion of safety of life and property at sea

**III. SCOPE:**

This Memorandum Circular applies to all types of vessels except vessels of Groups IV, VI and (Ref: PMMR) and all wooden vessels carrying passenger which are prohibited from carrying dangerous goods and those vessels specifically classified/ designed to carry bulk a particular class/type of dangerous cargo.

**IV. GENERAL:**

**A. DEFINITION OF TERMS**

For the purpose of this regulation, certain words or phrase are defined as follows:

1. **Ammunition-** consist of all types of projectiles, cartridges, grenades, bombs, mines, torpedoes, torpedo warheads, propellant powder chargers,

pyrotechnics, rockets, missiles, special weapons, chemical smoke or incendiary ammunition or other fabricated explosive devices.

2. **Carriage-** shall mean transportation of dangerous cargoes which include the handling and stowage of same
3. **Chemical Ammunition-** all kinds of explosives, chemical projectiles, bombs, grenades, mines, etc. loaded with toxic, tear or other gas, smoke or incendiary agent. Also such miscellaneous apparatus as cloud-gas cylinders, smoke generators, etc. that may be utilized to project chemicals
4. **Corrosive-** any dangerous article which when in contact with living tissues will cause severe damage of such tissue by chemical action, or in case of leakage, will materially damage or destroy other freight by chemical action, or are liable to cause fire when in contact with organic matter or with certain chemicals
5. **Dangerous Cargo-** goods are merchandise in the form of solids, gases or liquids which exhibit dangerous properties and are taken on board a vessel.
6. **Explosives-** any chemical compound mixture or device the primary or common purpose of which is to function by explosion with substantial instantaneous release of gas and heat
7. **Gas/Gases-** a state of matter in which the molecules are free to move in any direction, expand to fill a container in which they are held, and tend to expand indefinitely when not confined.
8. **Inflammable/Flammable-** capable of being set on fire, easily kindled, combustible
9. **Label-** the prescribed caution label required to be affixed to the container of dangerous cargoes.
10. **Oxidizing-** to convert into an oxide, to change as a compound so that the valence of the positive element is made higher
11. **Poisonous-** having qualities or effects of poison
12. **Radioactive material-** any material the specific gravity of which is greater than 0.002 microcurie per gram

#### **B. CLASSIFICATION:**

Dangerous Goods/ Cargoes shall be classified depending on the properties they exhibit as follows:

- Class 1 - Explosives
- Class 2 - Gases ; compressed, liquefied or dissolved under pressure
- Class 3 - Flammable Liquids
- Class 4.1 - Flammable Solids
- 4.2 - Substances liable to spontaneous combustion
- 4.3 - Substances which, when in contact with water, emit flammable gases
- Class 5.1 - Oxidizing substances
- 5.2 - Organic peroxides
- Class 6.1 - Poisonous (toxic) substances
- Class 6.2 - Infectious substances
- Class 7 - Radioactive materials
- Class 8 - Corrosives
- Class 9 - Miscellaneous dangerous substances that is any other substances which experience has shown, or may show, to be of such dangerous character that the provisions of this regulation should apply to it.

**V. PACKAGING REQUIREMENTS:**

- A.** The packaging of dangerous goods shall be:
  - 1. Well made and in good condition;
  - 2. of such character that any interior surface with which the contents may come in contact is not dangerously affected by the substances being conveyed; and
  - 3. capable of withstanding the ordinary risks of handling and carriage by sea.
- B.** Where the use of absorbent or cushioning materials is customary in the packaging of liquids in the receptacles that materials shall be:
  - 1. capable of minimizing the dangers to which the liquid may give rise.
  - 2. so disposed as to prevent movement and ensure that the receptacle remains surrounded and
  - 3. where reasonably possible, of sufficient quantity to absorb the liquid in the event of breakage of the receptacle.
- C.** Receptacles containing dangerous liquids shall have ullage at the filling temperature sufficient to allow for the highest temperature during the course of normal voyage
- D.** Cylinders or receptacles for gases under pressure shall be adequately tested, constructed, maintaining and correctly filled

- E. Empty uncleanness receptacles, which have been used previously for the carriage of dangerous goods, shall be subject to the provisions of SOLAS '74 Reg. 3 Chapter VII for filled receptacles, unless measures have been taken to nullify any hazard
- F. Dangerous goods not loaded in bulk shall not be carried on any ship if the goods are not packed in a manner adequate to withstand the risk of handling and transport by the sea and if the packing does not conform to the requirements of the IMDG Code

**VI. IDENTIFICATION / MARKING / PLACARDING:**

- A. Packages containing dangerous goods shall be durably marked with the correct technical name; trade names alone shall not be used.
- B. Packages containing dangerous goods shall be provided with distinctive labels as stencils of the labels or placards, as appropriate, so as to make clear the dangerous properties of the goods contained therein.
- C. The method of making the correct technical name and affixing labels or applying stencils, or of affixing placards on packages containing dangerous goods shall be such that this information will still be identifiable on package surviving at least three (3) months immersion in the sea. In considering suitable marking, labeling and placards method, accounts shall be taken of the durability of the materials used and of the surface of the package.
- D. Package containing dangerous goods shall be so marked and labeled except:
  - 1. Packages containing dangerous goods of low degree of hazard or which are packed in limited quantities; or
  - 2. When special circumstances permit, packages that are stowed and handled in units that are identified by labels or placards. May be exempted from labeling requirements

**VII. STOWAGE REQUIREMENTS:**

- A. Dangerous goods shall be stowed safely and appropriately in accordance with the nature of the goods. Incompatible goods shall be segregated from one another.
- B. Explosives (except ammunition ) which present a serious risk shall be stowed in a magazine, which shall be kept securely closed while at sea. Such explosives shall be segregated from detonators. Electrical apparatus and cables in any compartment in which explosives are carried shall be also designed and used as to minimize the risk of fire or explosion

- C. Dangerous goods in packaged form, which give off dangerous vapors, shall be stowed in a mechanically ventilated space or on deck. Dangerous goods in solid form in bulk which give off dangerous vapors shall be stowed in a well-ventilated space.
- D. In ships carrying flammable liquids or gases, special precaution shall be taken where necessary against fire or explosion
- E. Substances, which are liable to spontaneous heating or combustion, shall not be carried unless adequate precautions have been taken to minimize the likelihood of outbreak of fire.

#### **VIII. DANGEROUS CARGO MANIFEST WITH STOWAGE PLAN:**

- A. Any vessels carrying or transferring dangerous cargo while in navigable waters of the Philippine must have on board a Dangerous Manifest with Stowage Plan.
- B. The dangerous Cargo Manifest with Stowage plan shall show thereon the following information
  - 1. Name of the vessels and official number
  - 2. Nationality/ Flag of Vessel
  - 3. True shipping name of the dangerous cargoes. Noun descriptions must be used
  - 4. List of receptacles containing dangerous goods shall be marked with the correct technical name (trade name shall not be used) and identified with a distinctive label or stencil of the label so as to make clear the dangerous character.
  - 5. Tonnage in bulk shipment or the number and description of the outside containers and their gross weight.
  - 6. Classification of the dangerous goods.
  - 7. The stowage provided for the dangerous cargoes on board the vessel.
  - 8. Loading point destination
  - 9. Permits from the firearms and explosive Office, Philippine National Police as appropriate ( for domestic transport)
  - 10. Environmental Compliance Certificate issued by the Environmental Management Bureau, DENR, as appropriate ( for domestic transport )

11. Signature of the Master or other officer of the vessel authorized by the vessel owner/master.

- C. The information required that appearing on the Dangerous Cargo Manifest with Stowage Plan should be the correct information actually furnished to the vessels by the ship/cargo owner
- D. The said manifest stowage plan aboard the vessel be produced upon the demand of the Commandant Philippine Coast Guard or his authorized representative.
- E. Owners characters or agents of vessel carrying and transferring dangerous cargoes shall retain for one year, copy of the Dangerous Cargo Manifest with Stowage Plan.

#### **IX. PROHIBITED DANGEROUS CARGOES:**

Dangerous articles such as fulminates or other detonating compounds in bulk in dry composition, or explosive composition that ignites spontaneously or undergo marked decomposition when subjected for 48 hours to a temperature of 167 degrees Fahrenheit or composition containing a ammonium salt and a chocolate, or other like explosive shall not be accepted by any vessel.

#### **X. EXPLOSIVED HAZARD DIVISIONS:**

- A. Substances and articles which have a mass explosive hazard.
- B. Substances and articles, which have a projection, hazard but nit a mass explosion hazard.
- C. Substances and articles, which have a fire hazard and either a minor projection hazard or both, but not, a mass explosion hazard
  - 1. Substances and articles which give rise to considerable radiant heat or
  - 2. Substances and articles which burn one after another, producing minor blast or projection effects or both.
- D. Substances and articles which present no significant hazard

This division comprises substances and articles, which present only small hazards in the event of ignition during transport. The effects are largely confines to the package and no projection size or range is to expected. An external fire must not cause virtually instantaneous explosion of almost entire content of the package.

**NOTE:** Substances and articles in this division so packaged or designed that any hazardous effects arising from the accident functioning are confined within the package has been degraded by fire, in which cause all blast or project effects are limited to the extent that they do not significantly hinder fire-fighting or other emergency response efforts in the immediate vicinity of the package, are in compatibility group S

- E.** Very sensitive substances, which have a mass explosion, hazard.  
This division comprises substances, which have a mass explosion hazard but are so insensitive there is very little probability of initiation from burning to detonation under normal conditions of transport.

**NOTE:** The probability of transition from burning to detonation is greater when large quantities are carried in a ship. As a consequence, the stowage requirements for explosive substances in division A and for those on division E are identical.

## **CLASSIFICATION CODES**

<i>Description of substance or article to be classified</i>	<i>Compatibility</i>	
<i>Classification</i>	<i>Group</i>	
<i>Code</i>		
Primary explosive .....	A	1.1 A
1.1 B		
Article containing primary explosive .....	B	1.2 B
1.4 B		
Propellant explosive or other secondary deflagrating explosive or Article containing such explosive .....	C	1.1 C 1.2 C
1.3 C		
1.4 C		
Secondary detonating explosive or black powder or article containing Secondary detonating explosive, in each case without its own means of Initiation and without a propulsive charge .....	D	1.1 D 1.2 D 1.4 D
1.5 D		
Article containing secondary detonating explosive, without its own Means of initiation, with a propulsive charge .....	E	1.1 E 1.2 E
Article containing secondary detonating explosive, with its own means Of initiation, with or without a propulsive charge .....	F	1.1 F 1.2 F
1.3 F		
1.4 F		
Pyrotechnic substance, or article pyrotechnic substances.		1.1 G
Or article containing both an explosive and an illuminating, incendiary		1.2 G
Lachrymatory or smoke producing substances ( other than a water		1.3 G

Activated article or one containing white phosphorous, phosphide or Flammable liquid gel .....	G	1.4 G
Article containing both an explosive and white phosphorous ..... 1.3 H	H	1.2 H
Article containing both an explosive and flammable liquid and gel..	J	1.3 J
Article containing both an explosive and a toxic chemical agent ... 1.3 K	K	1.2 K
Article containing explosive and presenting a special risk needing Isolation of each type 1.3 L	L 1.2 L	1.1 L
Explosive so packed or designed that any explosive effect ..... During transport is confined with the package except when an External fire has degraded this packing.	S	1.4 S

## **XI. EXPLOSIVE IN PASSENGER SHIPS:**

- A.** Explosive in division D group S may be carried in any amount in passenger ships. No other explosives may be carried except any one of the following
1. Explosive articles for life-saving purposes, if the total net explosives mass of such articles does not exceed 50 kg per ship.
  2. Explosives in compatibility group C, D and E, if the total explosive mass does not exceed 10 kg per ship
  3. Explosive articles in compatibility group G other than those special stowage, if the total net explosives mass does not exceed 10 kg per ship; and
  4. Explosive articles in compatibility group B, if the total net explosives mass does not exceed 5 kg per ship.
- B.** Notwithstanding the provisions of paragraph, additional quantities or types of explosives may be carried in passenger ships in which special safety measures approved by the administration are taken

## **XII. REPORTING OF INCIDENTS INVOLVING DANGEROUS GOODS:**

- A.** When an incident takes place involving loss or likely loss overboard of packaged dangerous goods into then waters subjects to the jurisdiction of the Philippines, the master, or other person having charge of the ship, shall report the particulars of such an incident without delay and into the fullest extent possible to the nearest Coast Guard Station and / or Detachment



- B.** In the event of the ship referred to in a paragraph A being abandoned, or in the event of a report from a ship of being incomplete or unobtainable, the owner, charterer, manager or operator of the ship, or other agents shall, to the fullest extent possible, assume the obligations placed under the master by this regulation.

### **XIII. AUTHORITY TO THE CARRIAGE OF OXYGEN, ACETYLENE AND OTHER FLAMMABLE GASES IN CYLINDERS**

On the authority to the carriage of Oxygen, Acetylene and other flammable gases in cylinders, Chapter VIII Regulation VIII/10 of the 1997 PMMR provides as follows:

- A.** Where more than one cylinder of oxygen and more than one cylinder of acetylene and other flammable gases in cylinders are carried simultaneously, permit shall be secured from the Administration. Such cylinders shall be arranged in accordance with the following:
1. permanent piping systems for oxy-acetylene-acetylene may be accepted provided that they are designed having due regard to standards and codes of practice to the satisfaction of the Administration;
  2. where two or more cylinders of each gas are intended to be carried in enclosed spaces, separate dedicated storage rooms shall be provided for each gas;
  3. storage rooms shall be constructed of steel, and be well ventilated and accessible from the open deck;
  4. provisions shall be made for the expeditious removal of cylinders from the storage rooms in the event of fire;
  5. "NO SMOKING" signs shall be displayed at the gas cylinder storage rooms;
  6. where cylinders are stowed in open locations means shall be provided to:
    - a) protect cylinders and associated piping from physical damage;
    - b) minimize exposure to hydrocarbons; and
    - c) ensure suitable drainage;
  7. in all cases, cylinders and associated piping shall be located at a safe distance away from the ship's sides to avoid leakage of gases due to damage to the cylinders in the case of an accident to the ship's side.
- B.** Fire-extinguishing arrangements for the protection of areas or spaces where such cylinders are stored shall be to the satisfaction of the Administration

#### **XIV. CARRIAGE OF DANGEROUS GOODS FOR SHIP'S USE**

- A.** Stowage of explosives associated with ship's use shall be in accordance with the requirements for explosive storage specified in Chapter 7 of the Code of Safety for Special Purpose Ships (SPS Code) adopted by the Organization by Resolution A.534 (XIII), as amended.
- B.** Subject to the provisions of Regulation 11, paragraph 2, of the SPS Code, liquids which give off dangerous vapors and flammable gases, and cylinders containing flammable or other dangerous gases shall be stored in a well ventilated space or on deck and protected against sources of dangerous heat. All pipes and fittings associated with the gas cylinder shall be adequately protected against damage. Where storage rooms are necessary, separate storage rooms meeting the requirements of the International Maritime Dangerous Goods(IMDG) Code shall be provided.
- C.** Substances which are liable to spontaneous heating or combustion shall not be carried unless adequate precautions have been taken to prevent the outbreak of fire.
- D.** Radioactive substances shall not be carried unless adequate precaution has been taken to the satisfaction of the Administration.

#### **XIV. PRECUATIONARY MEASURES:**

- A.** No unnecessary fire shall be permitted on deck, lighter or vessel while loading, handling, or discharging dangerous cargoes.
- B.** Every fire deemed necessary must be properly safeguarded and for the entire period of cargo transfer shall be under the close supervision of the competent person assigned for that purpose by the master or the person in charge of the vessel.
- C.** Every vessel engaged in the handling and transfer of dangerous cargoes and equipped with means of power, heating, cooking, or lighting involving use of smokes pipes and/or stacks protected by a spark screen.
- D.** Insofar as practicable, unless the barge, lighter, etc, is loading or discharging dangerous cargoes to or from the vessel, barges, lighters, tugboats and other types of vessels shall not come alongside a vessel handling, stowage, storing and loading, discharging or transporting dangerous cargoes opposite the area where hatches serving a hold containing explosives are open.
- E.** Welding or cutting operation involving the use of open flames shall not be undertaken on a vessel having dangerous cargoes on board, except in case of an emergency affecting the safety of the vessel.

- F.** Cleaning of fireside of boilers shall not be undertaken on a vessel while in the areas designated as a dangerous cargo loading and unloading facility.
- G.** All tubes and uptakes of the vessel must be thoroughly swept or blown and reasonably free of soot prior to the arrival of the vessel at a dangerous cargo loading facility or anchorage shall not blow tubes or uptakes.
- H.** Bunkering of a vessel shall not be done while the vessel is at dangerous cargo loading waterfront facility. When an anchorage, dangerous cargo laden vessels may engaged in bunkering operation provided dangerous cargoes are not being loaded, handled or discharged, and all holds in which explosives are stowed and secured.
- I.** A vessel at a dangerous cargo loading facility or anchorage shall not transfer fuel oil between its own fuel oil storage tank or from its storage tank to the settling tank except under the close supervision of a licensed engineer who shall be in constant attendance until the operation is completed.
- J.** The refueling of powered lifeboats or units of the vessel machinery is prohibited while the vessel is at the dangerous cargo loading facilities.
- K.** Boiler room and engine room bilge's must be clean and free oil or necessary residue before the vessel proceeds to a dangerous cargo loading facility for anchorage, and it is further required that the bilge's be maintained in this loading facility or anchorage.
- L.** On every vessel located at dangerous cargo loading facility or anchorage no work shall be undertaken on the main propulsion machinery auxiliaries or boilers that will render inoperative fire pumps, electric power propulsion unit, tugboat shall be available for immediate towing of such vessel needed.
- M.** Every self-propelled vessel having on board dangerous cargo shall at all times maintain means of propulsion. When not underway, such a vessel shall have available on deck, fore and aft., hawsers, capable of being used for emergency towing. The eye of such hawser shall be clear of the chock with messenger attached and ready to run and the ships and shall be stopped off on the butts to permit reasonable scope of hawser for towing. A heavy line made up and secured to the rail by rope yarn shall be bent to the messenger. Fire axes shall be kept conveniently at hand, fore and aft to be used on the ship or passed to the deck for cutting mooring lines in case of an emergency.
- N.** Non-propelled vessels having on board dangerous cargoes when moored or anchored shall have at least one tugboat for each facility or area at which they are moored or anchored.
- O.** Every vessel loading or unloading cargoes shall display at its masthead by day a red flag at least 16 square feet in area or at least 10 feet above the upper deck if the vessel has no mast, and at night, while fast to a dock, a red light in the position specified for the flag.

- P.** Any device, such as radio, radar etc., capable of radiating electromagnetic energy shall be de-energized by opening the main switches there to, and these switches thereto, and this switches shall be tagged to warn personnel against re-energizing the circuits whenever the vessel is at a dangerous cargo handling facility or anchorage with a barge or other type of vessel containing dangerous in uncovered.

#### **XV. VALIDITY PERMIT:**

The permit to Carry/Transfer Dangerous Cargo issued by the Maritime Industry Authority (MARINA) is valid for one voyage only.

#### **XVI. SCHEDULE OF FEES AND CHARGES:**

**A. Permit** – P 20.00 + .5% of total value in pesos of cargo but not less than P 25.00 per permit

**B. Inspection Fees** – P 20.00 + 0.20/ tonnage in tonnage of 50 GT

**C. Sample computation of the above is illustrated as follows:**

1. 2 cylinders of LPG worth P 125 /cylinder loaded on board a 10 GT vessel

Permit	$P20 + (P125 \times 2) \times .005 = P 21.25 =$	P 25.00
Inspection Fee:	$(10 \text{ GT} < 50 \text{ GT})$	20.00
		-----
Total		P 45.00

2. 20 drums of gasoline worth P 2,000.00/drum loaded on board a 1,000 GT vessel

Permit:	$P20 + (P 2,000 \times 20) \times .005 =$	P 220.00
Inspection Fee:	$P 20 + (950 \times .20) =$	210.00
		-----
total		P 430.00

3. 100 drums of gasoline worth P 2,000.00/drum loaded on board a 10,000 GT vessel

Permit:	$P 20 + (P 2,000.00 \times 100) \times .005 =$	P 1,020.00
Inspection Fee:	$P 20 + (9,950 \times .20) =$	2,010.00
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## **XVI. RESPONSIBILITIES:**

### **A. Coast Guard Station Commander**

1. Shall be responsible for the assessment of pertinent documents submitted in the applying for a permit to Carry/Transfer Dangerous Cargo
2. Shall cause the inspection of the dangerous cargo applied to be carried/transferred, including the evaluation of their particulars and characteristics, and the issuance of aforesaid permit
3. Shall cause the verification and evaluation of the location and suitability of cargo deck spaces,/rooms/holds where said cargoes will be stowed/stored and the inspection of vessels carrying dangerous cargo to ensure compliance with the prescribed regulations
4. Shall verify and evaluate the Dangerous cargo Manifest with Stowage Plan submitted and the capability of the ship's crew and ancillary services personnel in handling/transferring dangerous cargo on board.
5. Shall refer to the conditions of this Memo-circular, PMMRR and related Conventions and Codes in consideration of the issuance of said permit.
6. Shall inspect and monitor the actual stowage of the cargo prior to vessel departure and during the actual transfer of the dangerous cargo
7. Shall issue inspection and Apprehension Report for every violation, noted, duly acknowledged by vessel master/owner or terminal operator, as appropriate, and conduct hearings to dispose have said reports/cases.
8. Assess and collect fines for violations, issue official receipts thereof, and deposit amount collected to the PCG Trust receipt Account Number.
9. Shall submit to CPCG (Attn: CG-8) via District Commander, a monthly report of all permits issued and violations noted/fined, Official Receipt Number and date remitted to the bank. Appropriate reports of deliberations/hearings conducted shall be annexed there to.

### **B. Vessel Owner/Operator**

1. Shall submit a letter of application (form prescribed in Annex "B") to the Coast Guard Station (Headquarters, Philippine Coast Guard for foreign vessels) where the vessel is berthed/anchored for the issuance of a Permit to Carry/Transfer Dangerous Cargo on board his vessel stating therein the correct technical name of the Cargo to be carried/transferred (trade names shall not be allowed) and the correct description given in accordance with the classification set out in para IV – B. Said letter shall also contain

information on the cargo owner, company name, source of the cargo, intended destination, intended receiver and intended use/disposition.

2. Shall submit to the aforesaid Coast Guard Station (Headquarter of the Philippine Coast Guard for foreign vessels) together with the application, the dangerous Cargo Manifest with Stowage Plan covering the condition of the dangerous cargo stowage area, system of cargo stowage/transfer, safety precautionary measures to be undertaken/observed and the designated persons/in charge of the particular cargo while on voyage /actual transfer.
3. Shall abide the provisions of this memorandum circular in reference to the pertinent provisions of the PMMRR and the International maritime dangerous Goods Cargo pertaining to the proper identification, packaging, marking, labeling, handling, stowage and transfer of dangerous cargo.

#### **C. Vessel Master**

1. Shall carry/transfer dangerous cargo only when a valid Permit to Carry/Transfer Dangerous Cargo covers it issued by the PCG
2. Shall observe/undertake the safety procedures/measures cited in this Memorandum Circular, Chapter XVI of the PMMRR, Chapter VII of SOLAS 74, as amended and the IMDG Code.
3. Shall assign watches to regularly check the condition of them dangerous cargoes on board throughout the duration of the voyage up to the transfer to the recipients

#### **D. AC of S, CG – 8**

1. Monitor the implementation of this Memorandum Circular and the developments on this subject, and submit recommendations to the Commandant, PCG to further improve the existing system of control of dangerous goods in the country to fully adapt to the international standards and the provisions of UN/IMO issuance and the guidelines.
2. Shall program the periodic training of Coast Guard Inspectors regarding the Carriage of Dangerous Goods and related subjects.
3. Shall inter-act with concerned national, regional and international Agencies/Entities for exchange of appropriate information on the subject and for technical co-operation

### **XV. PENAL PROVISIONS:**

**A.** Shipowners, charterers, operators and/or agent found violating the following shall be liable top a fine as indicated without prejudice to filling of appropriate charges, as warranted:

1. For willfully and deliberately authorizing the loading/transfer of dangerous cargo on board their vessels without complying with the safety requirements

cited in this Circular on the required handling, stowage and precautionary measures.

- a) First Offense - 25% of the cargo's total value or P 3,000.00 whichever is higher.
  - b) Second Offense - 50% of the cargo's total value or P 6,000.00 whichever is higher; & recommendation for 30 days for suspension of CPC for Philippine registered vessels.
  - c) Third Offense- 100% of the cargo's total value or P 10,000.00 whichever is higher; & recommendation for infinite suspension of CPC for Philippine – registered vesels.
2. For carrying dangerous cargoes without appropriate permit thereof:
- a) First Offense - 35% of the cargo's total value or P 5,000.00 whichever is higher.
  - b) Second Offense - 75% of the cargo's total value or P 10,000.00 whichever is higher & recommendation of 30 days suspension for Philippine vessels.
  - c) Third Offense - 100% of the cargo's total value or P 20,000.00 whichever is higher & recommendation for indefinite suspension of CPC for Philippine registered vessels.

**B.** Ship's Master found violating the following shall be liable to a fine as indicated, without prejudice to filing of appropriate criminal charges, as warranted:

1. For carrying/transferring dangerous cargo on board without the required PCG Permit to Carry/Transfer Dangerous Cargo:
  - a) First Offense - P 1,000.00
  - b) Second Offense - P4,000.00; and recommendation for 30 days suspension of license for holders of Philippine licenses.
  - c) Third Offense - P 8,000.00 and recommendation for indefinite suspension of license for holders of Philippine licenses.
2. For not complying with the safety requirements regarding dangerous cargo cited in this Circular on its handling, stowage and the prescribed precautionary measures to be observed.
  - a) First Offense - P 1,000.00
  - b) Second Offense - P 4,000.00; and recommendation for one (1) month suspension of license for holders of Philippine license.
  - c) Third Offense - P 8,000.00; and recommendation for or indefinite suspension of license for holders of Philippine licenses.

**XVI. EFFECTIVITY:**

This Memorandum Circular shall take effect one month after its publication in a newspaper of general circular or fifteen days after submission to the University of the Philippine's law Center.

(signed)  
**ARTURO Y CAPADA**  
Commodore    AFP