



**PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS**  
(HEADQUARTERS, PHILIPPINE COAST GUARD)  
139 25th Street, Port Area  
Manila

HPCG/CG9

**MEMORANDUM CIRCULAR**  
NUMBER NR . . . . .

**REVISED RULES AND REGULATIONS ON THE ISSUANCE OF**  
**INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE (IOPPC) AND**  
**OIL POLLUTION PREVENTION CERTIFICATE**

**REGULATION 1**  
**AUTHORITY**

The Republic Act 9993 (The Philippine Coast Guard Law of 2009) and its Implementing Rules and Regulations empowers the Philippine Coast Guard to promulgate and enforce rules and regulations for the prevention and control of marine pollution.

**REGULATION 2**  
**REFERENCE**

1. Republic Act 9275: Philippine Clean Water Act of 2004 and Its Implementing Rules and Regulations
2. Presidential Decree No. 979: Marine Pollution Decree of 1976
3. International Convention of 1973 for the Prevention of Pollution from Ships as modified by the Protocol of 1978 (MARPOL 73/78)
4. International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC 1990)

**REGULATION 3**  
**SCOPE**

Apply to all Philippine registered vessels engaged in international or domestic trade unless expressly provided otherwise.

**REGULATION 4**  
**PURPOSE:**

To prescribe the procedure for the issuance of International Oil Pollution Prevention Certificate (IOPPC) and Oil Pollution Prevention Certificate (OPPC) to Philippine registered vessels.



## **REGULATION 5 DEFINITION OF TERMS**

For the purpose of this circular, the following terms shall be defined as:

1. *Cargo Tank Cleaning System*- a system equipped in a crude oil tanker of 20,000 tons deadweight and above using crude oil washing.
2. *Convention* – refers to the International Convention on the Prevention of Pollution from Ships, MARPOL 73/78
3. *Dedicated Clean Ballast Tank*- a tank primarily constructed for carrying ballast which, if such effluent were discharged into clean water would PCG MC 06-2005 2 not produce visible traces of oil on the water surface upon adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.
4. *Existing Ship*- a ship which is not a new ship.
5. Organization – refers to the International Maritime Organization
6. MARPOL Surveying Organization – an organization accredited by PCG authorized to conduct ships survey to comply with the requirements of Annex 1 of MARPOL 73/78
7. *New Ship*
  - 7.1 A ship for which the building contract is placed after 31 December 1995; or
  - 7.2 In the absence of a building contract, the keel of which is laid or which is at a similar stage of construction after 30 June 1996; or
  - 7.3 The delivery of which is after 31 December 1999; or
  - 7.4 Which has undergone a major conversion;
    - 7.4.1 For which the contract is placed after 31 December 1995; or
    - 7.4.2 In the absence of a contract the construction work of which completed after 31 December 1999.
8. Oil Water Separator – a separator or filter or any combination thereof which is designed to produce effluent containing not more than 15 parts per million of oil.
9. *Oil Filtering Equipment*- any combination of a separator and a filter of coalescer, which is designed to produce effluent containing not more than 15 parts per meter of oil.
10. *Oil Discharge Monitoring and Control System*- a system consisting of a control unit, a computing unit and a circulating unit. This system shall be equipped in oil tankers of 150 tons gross tonnage and above and shall record continuously the discharge of oil in liters per nautical mile and total quantity of oil discharged or in lieu thereof, the oil content of the effluent and rate of discharge.



11. *Oil Tanker*- a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers and any “chemical tanker” constructed or adapted primarily to carry cargoes of noxious liquid substances in bulk.
12. *Product carrier*- an oil tanker engaged in the trade of carrying oil other than crude oil.
13. *Segregated Ballast Tank* - a tank which is completely separated from the cargo oil and oil fuel system permanently allocated to the carriage of ballast or cargoes other than oil or noxious substances.
14. *Special Area* – a sea area where for recognized technical reasons in relation to its oceanographical and ecological condition and to the particular character of its traffic the adoption of special mandatory methods for the prevention of sea pollution by oil is required. (MARPOL 73/78, Annex I)
15. *Survey (Initial)* – a survey to ensure that the structure, equipment, systems, fittings arrangements and material of the ship fully comply with the applicable requirements. To be conducted before the issuance of IOPPC and OPPC. (based on MARPOL Annex I, Reg.4)
16. *Survey (Intermediate)* – a survey to ensure that the equipment and associated pump and piping systems including oil discharge monitoring and control systems, crude oil washing systems, oily-water separating equipment and oil filtering systems fully comply with the applicable requirements and are in good working order
17. *Vessels* - a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air cushion vehicles, submersibles, floating craft and fixed or floating platforms; may be used synonymously with ship;
18. *MARPOL Surveying Organization* - an organization or entity duly accredited by the Philippine Coast Guard to conduct ships survey in compliance with the MARPOL 73/78.

## **REGULATION 6**

### **POLICY**

#### **1. Surveys**

- 1.1. Every oil tanker of 150 gross tonnage and above, and every other ship of 400 gross tonnage and above shall be subject to the surveys specified below:
  - 1.1.1. An an initial survey before the ship is put in service or before the IOPPC/OPPC Certificate required under **Regulation 7** of this Memo Circularis issued for the first time, which shall include a complete survey of its structure, equipment, systems, fittings, arrangements and material in so far as the ship is covered by this Memo Circular. This survey shall be such as to ensure that the



structure, equipment, systems, fittings, arrangements and material fully comply with the applicable requirements of MARPOL 73/78.

- 1.1.2. A Renewal Survey at intervals specified by the PCG, but not exceeding 5 years shall be conducted. The renewal survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with applicable requirements of MARPOL 73/78;
  - 1.1.3. An Intermediate Survey within 3 months before or after the second anniversary date or within 3 months before or after the third anniversary date of the IOPPC/OPPC which shall take the place of one of the annual surveys specified in paragraph 1.1.4 of this regulation. The intermediate survey shall be such as to ensure that the equipment specified under **paragraph 1.1.1 of this regulation** fully comply with the applicable requirements of this Memorandum Circular and are in good working order. Such intermediate surveys shall be endorsed on the Certificate issued under Regulation 7 or 8 of this Memo Circular;
  - 1.1.4. An annual survey within 3 months before or after each anniversary date of the Certificate, including a general inspection of the structure, equipment, systems, fittings, arrangements and material referred to in **paragraph 1.1.1** of this regulation to ensure that they have been maintained in accordance with **paragraphs 4.1 and 4.2** of this regulation and that they remain satisfactory for the service for which the ship is intended. Such annual surveys shall be endorsed on the Certificate issued under **Regulation 7 or 8** of this Memo Circular;
  - 1.1.5 An additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in **paragraph 4.3** of this regulation, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory and that the ship complies in all respects with the requirements of this Memo Circular.
2. The PCG shall establish appropriate measures for ships which are not subject to the provisions of paragraph 1.1 of this regulation in order to ensure that the applicable provisions of this Memo Circular are complied with.
  - 3.1 Surveys of ships as regards the enforcement of the provisions of this MC shall be carried out by the PCG thru its MEPU. The PCG may, however, entrust the surveys either to surveyors nominated for the purpose or to organizations recognized by it. Such organizations shall comply with the guidelines adopted by the Organization by resolution A.739(18), as may be amended by the Organization or the PCG and the specifications adopted by the Organization by resolution A.789(19), as may be amended by the Organization or the PCG, provided that such amendments are adopted, brought into force and take effect in



accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to this Annex.

- 3.2 The PCG accredited MSO to conduct surveys as set forth in paragraph 3.1 of this regulation shall, as a minimum, empower any nominated surveyor or recognized organization to conduct surveys to the ship:

The PCG shall notify the MSO of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognized organizations, for the information of their officers.

- 3.3 When a nominated surveyor or recognized organization determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the Certificate or is such that the ship is not fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the PCG. The PCG shall be recommended to be withdrawn by the PCG. If such corrective action is not taken the Certificate shall be withdrawn and the Administration shall be notified immediately; and if the ship is in a port of another Party, the appropriate authorities of the port State shall also be notified immediately.

- 3.4 In every case, the PCG shall fully guarantee the completeness and efficiency of the survey and shall undertake to ensure the necessary arrangements to satisfy this obligation.

- 4.1 The condition of the ship and its equipment shall be maintained to conform with the provisions of the present memorandum circular to ensure that the ship in all respects will remain fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

- 4.2 After any survey of the ship under paragraph 1.1 of this regulation has been completed, no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey, without the sanction of the PCG, except the direct replacement of such equipment and fittings.

- 4.3 Whenever an accident occurs to a ship or a defect is discovered which substantially affects the integrity of the ship or the efficiency or completeness of its equipment covered by this Memo Circular the master or owner of the ship shall report at the earliest opportunity to the PCG, the recognized organization or the nominated surveyor responsible for issuing the relevant Certificate, who shall cause investigations to be initiated to determine whether a survey as required by paragraph 1 of this regulation is necessary. If the ship is in a port of another Party, the master or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such report has been made.

## **REGULATION 7**

### **ISSUE OR ENDORSEMENT OF IOPPC/OPPC**



1. An International Oil Pollution Prevention Certificate shall be issued, after an initial or renewal survey in accordance with the provisions of regulation 6 of this Memo Circular, to any oil tanker of 150 gross tonnage and above and any other ships of 400 gross tonnage and above which are engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the present Convention.
2. Such certificate shall be issued or endorsed as appropriate either by the Administration or by any persons or organization duly authorized by it. In every case the PCG assumes full responsibility for the certificate.

## **REGULATION 8 DURATION AND VALIDITY OF CERTIFICATE**

1. An IOPPC or OPCC shall be issued for a period not to exceed five years.
  - 2.1 Notwithstanding the requirements of paragraph 1 of this Regulation, when the renewal survey is completed within 3 months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing certificate.
  - 2.2 When the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing certificate.
  - 2.3 When the renewal survey is completed more than 3 months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of completion of the renewal survey.
3. If a certificate is issued for a period of less than 5 years, the PCG may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph 1 of this regulation, provided that the surveys referred to in Regulations 6.1.3 and 6.1.4 of this MC applicable when a certificate is issued for a period of 5 years are carried out as appropriate.
4. If a renewal survey has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the person or organization authorized by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.
5. If a ship at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No certificate shall be extended for a period longer than 3 months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be



valid to a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.

6A certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.

7In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by paragraphs 2.2, 5 or 6 of this regulation. In these special circumstances, the new certificate shall be valid to a date not exceeding 5 years from the date of completion of the renewal survey.

8If an annual or intermediate survey is completed before the period specified in Regulation 6 of this MC, then:

8.1 The anniversary date shown on the certificate shall be amended by endorsement to a date which shall not be more than 3 months later than the date on which the survey was completed;

8.2 The subsequent annual or intermediate survey required by Regulation 6.1 of this Annex shall be completed at the intervals prescribed by that regulation using the new anniversary date; and

8.3 The expiry date may remain unchanged provided one or more annual or intermediate surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation 6.1 of this Annex are not exceeded.

9A certificate issued under Regulation 7 or 8 of this Memo Circular shall cease to be valid in any of the following cases:

9.1 If the relevant surveys are not completed within the periods specified under Regulation 6.1 of this Annex;

9.2 If the certificate is not endorsed in accordance with Regulation 6.1.3 or 6.1.4 of this Memo Circular; or

9.3 Upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of Regulations 6.4.1 and 6.4.2 of this Memo Circular. In the case of a transfer between Parties, if requested within 3 months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the PCG copies of the certificate carried by the ship before the transfer and, if available, copies of the relevant survey reports.

## **REGULATION 9**



## GENERAL REQUIREMENTS

### 1 All ships

1.1 Ships of 400 gross tons but less than 10,000 gross tons shall be provided with:

1.1.1 Oil Water Separator equipment capable of producing an effluent with an oil content not exceeding 15 parts per million

1.1.2 Tank(s) of adequate capacity, having regards to the type of machinery and length of voyage, to receive the oily residues (sludge) such as those resulting from the purification of fuel and lubricating oils and oil leakages in machineries. The oil residues shall then be discharged into reception facilities.

1.1.3 Oil Record Book, whether as part of the ship's official log book.

1.2 Ships of 10,000 gross tons and above shall be provided with:

1.2.1 An oil discharge monitoring and control system in addition to the OWS equipment stated in **Section 5A(1)(a)**

1.2.2 Tank(s) of adequate capacity) to receive oily residues such as those resulting from the purification of fuel and lubricating oils and oil leakages in the machinery spaces. The oily residues shall then be discharged into reception facilities

1.2.3 Oil Record Book, whether as part of the ship's official log book

1.2.4 Vessels of less than 400 GRT shall be fitted with a holding tank having adequate capacity for the total retention on board of the oil bilge water for subsequent discharge to reception facilities

1.2.5 All oil water separator equipment shall be duly approved by the Philippine Coast Guard.

1.3 Requirement of Section V(A)(1)(a) and V(A)(2)(a) can be waived subject to the provision stated in Section VII(A)(1) of this Circular.

### 2 Oil Tankers

2.1 Oil tankers of 150 tons tonnage and above shall be provided with an oil discharge monitoring and control system, in addition to the Oily Water Separating Equipment, approved/accredited by the Philippine Coast Guard.

2.2 The above requirements shall not apply to oil tankers of less than 150 gross tons for which the control of discharge of oil shall be affected by the retention of oil on board with subsequent discharge of all contaminate washing to reception facilities.



- 2.3 Requirement of Section V (B) (1) can be waived subject to the provision stated in Section VII (A) (2) of this Circular.
- 2.4 Existing oil tankers of 40,000 tons DWT engaged in international voyage shall be provided with
  - 2.4.1 Segregated ballast tank(s) of adequate capacity so as to allow the ship to operate safely on ballast voyage without recourse to the use of cargo tanks for water ballast
  - 2.4.2 Adapt cargo tank cleaning procedures using crude oil washing in lieu of the requirement prescribed above; or
  - 2.4.3 Dedicated clean ballast tanks in lieu of the above.
- 2.5 New oil tankers of 20, 000 tons DWT and above engaged in international voyage shall:
  - 2.5.1 Be provided with segregated ballast tank(s) of adequate capacity so as to allow the ship to operate safely on ballast voyage without recourse to the use of tanks for water ballast.
  - 2.5.2 Adapt cargo tank cleaning procedures using crude oil washing.
- 2.6 An oil tanker operating with dedicated clean ballast tanks shall be equipped with an oil content meter, duly approved by the PCG, to enable supervision of the oil content in ballast water being discharged. The vessels shall further be provided with the following:
  - 2.6.1 Dedicated clean ballast tank operating manual and
  - 2.6.2 A supplement to the oil record book in the form specified in Annex II. The supplement shall be permanently attached to the Oil Record Book.

### **3 Product Carriers**

- 3.1 New product carriers of thirty thousand (30,000) tons deadweight and above shall be provided with segregated ballast tank(s) of adequate capacity so as to allow the ship to operate safely on ballast voyage without recourse to the use of cargo tanks for the water ballast.
- 3.2 Existing product carriers of forty thousand (40,000) tons deadweight and above shall be provided with segregated ballast tanks, or alternatively operated with dedicated clean ballast tanks equipped with an oil content meter duly accredited by the PCG. Provided that vessels operating with dedicated clean ballast tanks shall be equipped with the following:
  - 3.2.1 Dedicated clean ballast tank operating manual and
  - 3.2.2 A supplement to the oil record book in the form specified (Annex II). The supplement shall be permanently attached to the oil record book.



**REGULATION 10**  
**PROCEDURE FOR THE APPLICATION OF IOPPC/OPPC**

- 1 Shipowners shall forward their applications for the IOPP Certificate in writing to the Commander, Marine Environmental Protection Command (CMEPCOM).
- 2 Prior to the issuance of the Certificate and before the ship is put on service, an initial survey shall be undertaken by PCG thru MEPU or accredited MARPOL Surveying Organization (MSO)
- 3 After the survey, no significant changes or alterations shall be made in the structure, equipment, fittings, arrangements or materials covered by the survey without written authority from the Commandant, Philippine Coast Guard.
- 4 CMEPCOM, through AC of S, CG-9, may recommend to the Commandant, PCG the accreditation of classification societies or survey organizations/societies that may conduct the above-mentioned surveys. Procedure for the Accreditation of MSO is set out in Annex 1 while responsibilities and agreements between the PCG and accredited MSO is set out in Annex 2.
- 5 Vessels found to have complied with the provisions of this Circular shall be issued as appropriate an IOPPC/OPPC signed by the Commandant, PCG subject to the condition that periodical surveys shall be conducted in compliance with the requirement of 6.1 of this MC. Failure to submit the abovementioned vessel survey requirements shall warrant the suspension of IOPPC/OPPC.

**REGULATION 11**  
**PROCEDURES FOR THE APPLICATION OF WAIVERS**

- 1 Requirement for the Oily Water Separator and Oil Discharge Monitoring System maybe waived provided that all the following conditions are complied:
  - 1.1 Oily Water Separator
    - 1.1.1 Vessel is engaged exclusively on voyages within specific areas at regular basis
    - 1.1.2 Length of voyage does not exceeded 72 hours.
    - 1.1.3 The ship is fitted with holding tank/s of adequate capacity for the retention of oily mixtures on board.
    - 1.1.4 All oil bilge water is retained on board for subsequent discharge to reception facilities.
    - 1.1.5 The PCG has determined there is adequate reception facilities at the next port of call.



- 1.1.6 Quantity, time and port of the discharge are recorded in the Oil Record Book.

## 1.2 Oil Discharge Monitoring System

- 1.2.1 Voyage is within 50 miles from the nearest land (reckoned from country's baseline).
- 1.2.2 Length of voyage is 72 hours or less.
- 1.2.3 Tanker is engaged exclusively in trades between port/terminals within the country.
- 1.2.4 Tanker is fitted with a slop tank of adequate capacity to retain all oil mixtures on board for subsequent discharge to reception facility.
- 1.2.5 The PCG has determined there is adequate reception facility at the next port of call.
- 1.2.6 Quantity, time and port of the discharge are recorded in the Oil Record Book.

## 2. Procedure

- 2.1 Application of waiver from using either or both discharge Monitoring Equipment and the Oil Water Separator shall be made in writing and in a letter addressed to the Commander, Marine Environmental Protection of the Philippine Coast Guard. To be attached to the letter is an affidavit undertaking executed by the master of the ship and the vessel owner or charter party, attesting the vessel is in compliance with the requirement of these guidelines and the planned ports of call within the territorial Philippines of said vessel.
- 2.1 Within 15 days from receipt of application, the applicant must arrange for an ocular inspection of the vessel applied for and reception facilities in the planned ports of call of the vessel. Expenses for the inspection will determined whether the vessel is in compliance with abovementioned affidavit of undertaking and that the reception facilities on the planned ports of call are adequate and within standards of Annex 1 of MARPOL 73/78, as amended.
- 2.2 Within 15 days from the date of inspection the Marine Environmental Research and Development Center shall issue a memorandum of inspection to the Commander, MEPCOM, certifying whether or not the vessel applied for the vessel is in compliance with abovementioned affidavit of undertaking and that the reception facilities in the planned ports of call are adequate and within standards of Annex 1 of MAR4POL 73/78, as amended.
- 2.3 Within five (5) days from his receipt of the Memorandum of Inspection, he Commander, MEPCOM shall prepare and request CPCG the issuance of a Certificate of Waiver, or Conditional of Waiver subject to compliance to



certain requirements and time period for compliance, or denial of application, provided that in case of denials of application shall be made issued, no re-application may be entertained for a period of one year from date of the denial.

### **REGULATION 10 FEES**

1. IOPP/OPP Certificate Issuance - Php 3, 000.00
2. Issuance of Waiver - Php 3, 000.00
3. Issuance of MARPOL Surveying Organization Certificate – Php 3,250.00

### **REGULATION 11 PENALTIES**

1. An administrative fine in the amount of Fifty Thousand Pesos (Php50,000.00) shall be imposed to all vessels and tankers inspected without the required IOPPC or OPPC and the same is also subject to preventive detention.
2. Also an administrative fine in the amount of Fifteen Thousand Pesos (Php 15,000.00) for any violation of the application provisions of this Circular shall be imposed without to the prejudice to the cancellation of the IOPPC or OPPC.
3. If persons working with the MARPOL Surveyor Organization found not qualified with the requirements of this memorandum circular or with fake licenses, the certificate of accreditation shall be cancelled and appropriate legal remedies shall be imposed.
4. Non-performance of the responsibilities of the MARPOL Surveying Organization for this memo circular shall be subjected to the withdrawal of accreditation certificate issued by the PCG.

### **REGULATION 12 REPEALING CLAUSE**

PCG Memorandum Circular MC 06-2005 dated \_\_\_\_\_ is hereby rescinded.

### **REGULATION 13 EFFECTIVITY CLAUSE**

This Memorandum Circular shall take effect after fifteen (15) days after publication in the Official Gazette or in the newspaper of national circulation in the Philippines.

Approved by:



**HON. JOSEPH EMILIO AGUINALDO-ABAYA PCG**  
Secretary, DOTC

**ANNEX 1**

**GUIDELINES FOR ACCREDITING**  
**MARPOL SURVEYING ORGANIZATIONS (MSO)**

**1. PURPOSE**

This Standing Operating Procedure (SOP) prescribes guidelines and procedures governing the implementation of Memorandum Circular No. 06-2005 entitled "Issuance of International Oil Pollution Prevention Certificate (IOPPC) to Philippine Registered Vessels" and accreditation of MARPOL Surveying Organization/Entities.

**2. SCOPE**

This SOP shall apply to all companies/entities applying for MARPOL Surveying Organization (MSO) that will engage in ships surveying services whose reports will use as supporting documents for the issuance of International Oil Pollution Prevention Certificate (IOPPC) or Oil Pollution Prevention Certificate (OPPC) by the PCG.

**3. POLICY**

- 3.1 The MARPOL Surveyor should have the competence, capability and capacity to organize, manage and control the performance of survey in order to verify compliance with the requirements for the issuance of International Oil Pollution Prevention Certificate (IOPPC) or Oil Pollution Prevention Certificate (OPPC) only as provided under IMO Assembly Resolution 789(19).
- 3.2 The following are the qualification requirements for the accreditation of MARPOL Surveying Organization:
  - 3.2.1 The company has five (5) year experience in ships surveying
  - 3.2.2 Under the company workforce is a Licensed Second (2nd) Marine Engineer who had work experience as 2nd Marine Engineer for at least (5) years; and Unlicensed Naval Architect at least fifteen (15) years work experience
  - 3.2.3 Personnel have relevant trainings on MARPOL 73/78 taken three (3) years from the date of application for accreditation
- 3.3 The Certificate of Accreditation shall be valid for a period of three (3) years. Application for renewal of the Certificate of Accreditation shall be filed within three months prior to its expiry date. The Certificate cannot be transferred or alienated in whatever manner and its use by another shall not be allowed.



## **4. PROCEDURES**

- 4.1 The MARPOL Surveying Organization shall conduct technical evaluations and/or calculations pertaining to:
  - 4.1.1 Monitoring and control of oil and oily waste discharge;
  - 4.1.2 Segregation systems for oil and ballast water;
  - 4.1.3 Crude oil washing system;
  - 4.1.4 Ascertaining applicability and appropriateness of protective location of segregated ballast spaces;
  - 4.1.5 Pumping, piping and discharge arrangements are compliant to standards of MARPOL Annex I
- 4.2 After evaluation, the MARPOL surveying organization shall issue survey report to ships and endorse such report to PCG as supporting documents for ship owners or company application for IOPPC/OPPC.
- 4.3 If the survey/evaluation in accordance with the provisions of MARPOL 73/78 Annex I is found to be satisfactory, the International Oil Pollution Prevention Certificate (IOPPC) shall be issued by the PCG to any oil tanker of 150 tons gross tonnage and above and any other ships of 400 tons gross tonnage and above which are engaged in international trade or voyage. The Oil Pollution Prevention Certificate (OPPC) shall be issued by the PCG for Philippine-registered tanker of 150 tons gross tonnage and above and any other ships of 400 tons gross tonnage and above engaged in domestic trade or voyage.
- 4.4 When the PCG thru its MEPU determines that the condition of the ship and or its equipment does not correspond substantially with the particulars of the IOPPC/OPPC or such that the ship is not fit to proceed to sea without presenting a reasonable threat or harm to the marine environment, the MARPOL Surveying Organization shall be immediately notified.
- 4.5 After notification, the MARPOL Surveying Organization shall endeavour to carry out necessary corrective actions based on the findings by the Marine Environmental Protection Units. However, if such corrective action is not undertaken, the IOPPC/OPPC shall be cancelled and withdraw the accreditation certificate issued by the PCG to the MARPOL Surveyor who conducted the ships survey.

## **5. RESPONSIBILITY**

### **5.1 MARPOL Surveying Organization/Entities**

- 5.1.1 The accredited MARPOL Surveying Organization shall conduct initial, intermediate and renewal survey to ships where MARPOL surveying is required.
- 5.1.2 The accredited MARPOL Surveying Organization should possess the following qualifications:



5.1.2.1 The company has five (5) year experience in ships surveying

5.1.2.2 Under the company workforce is a Licensed Second (2nd) Marine Engineer who had work experience as 2nd Marine Engineer for at least (5) years; and Unlicensed Naval Architect at least fifteen (15) years' work experience

5.1.2.3 Personnel have relevant trainings on MARPOL 73/78 taken three (3) years from the date of application for accreditation

5.1.3 Submit summary lists of survey and inspection of ships every quarter to PCG thru MEPCOM.

5.1.4 Perform other duties in connection with the MARPOL surveying services as may be required by the PCG.

## **5.2 Commander, Marine Environmental Protection Command**

5.2.1 Shall monitor and supervise the strict implementation of this SOP

5.2.2 Shall submit quarterly the summary lists of survey inspection to ships by MSO to the Headquarters, PCG (Attn:CG9)

5.2.3 Shall direct NOCOP on matters requiring technical assistance

## **5.3 Director, National Operations Center for Oil Pollution**

5.3.1 Shall coordinate with other agencies on matters requiring technical assistance in accrediting a MARPOL Surveyor

5.3.2 Perform other duties as MEPCOM may direct.

## **5.4 Deputy Chief of Coast Guard Staff for MEP, CG-9**

5.4.1 Shall monitor the implementation of this SOP

5.4.2 Release and maintain records of the PCG accredited MSO



## **ANNEX 2**

### **AGREEMENT GOVERNING THE AUTHORIZATION OF [MSO] AS MARPOL SURVEYOR ACTING ON BEHALF OF THE PHILIPPINE COAST GUARD**

This agreement is made in accordance with the provisions of xxx PCG Memo Circular xxx, and in compliance with the IMO “Guidelines for the Authorization of Organizations Acting on Behalf of the Administration,” IMO Assembly Resolution A.739(18) and the Appendix thereto, is between the Government of the Republic of the Philippines, represented by Philippine Coast Guard, and [MSO] with respect to the performance of marine statutory surveys to vessels registered with the Republic of the Philippines (Philippine Ship Registry).

#### **1 Purpose**

- 1.1 The purpose of this Agreement is to delegate authority to perform statutory surveys and functions and to define the scope, terms, conditions and requirements of that delegation.

#### **2 General Conditions**

- 2.1 Statutory surveys and functions comprise the assessment of Philippine-flagged vessels, and Companies which operate these ships, in order to determine the compliance of such vessels with the applicable requirements of the international conventions, codes and national requirements (hereinafter referred to as “applicable instruments”) as set out in Appendix I hereto.
- 2.2 Insofar as the surveys and functions covered by this authorization are concerned, [MSO] agrees to cooperate with any MEP officers to facilitate the rectification of reported deficiencies on behalf the PCG when so requested, and report on the same to the PCG.
- 2.3 Statutory services rendered by [MSO] will be rendered as services rendered by the PCG provided that [MSO] maintains compliance with the provisions Appendix 1 to Assembly Resolutions A.739 (18) and Assembly Resolution A.789 (19)
- 2.4 Authorizations for services outside the scope of Appendix 1 and 3 to this Agreement will be dealt with as mutually agreed on a case-by-case basis.
- 2.5 [MSO] shall endeavor to avoid undertaking activities that may result in a conflict of interest.

#### **3 Interpretations, Equivalents and Exemptions**

- 3.1 While interpretations of the applicable instruments as well as the determination of equivalents or the acceptance of substitutes to the requirements of the applicable instruments are the prerogative of the PCG, [MSO] will cooperate in their establishment, if necessary.



3.2 Exemptions from the requirements of the applicable instruments are the prerogative of the PCG and must be approved by the PCG prior to issuance.

3.3 In instances where, temporarily, the requirements of an applicable instrument cannot be met under particular circumstances, [MSO] will specify such measures or supplementary equipment as may be available to permit the vessel to proceed to a suitable port where permanent repairs or rectifications can be effected or replacement equipment fitted.

#### **4. Information and Liaison**

4.1 [MSO] will report to the PCG such information at such frequency as agreed between [MSO] and the PCG, as delineated in Appendix 2 to this agreement.

4.2 The PCG shall be granted access to all plans and documents including reports on surveys on the basis of which certificates are endorsed by [MSO].

4.3 The PCG will provide [MSO] with all necessary documentation for the purpose [MSO's] provision of statutory certification services.

4.4 [MSO] and the PCG, recognizing the importance of technical liaison, agree to co-operate toward this end and maintain an effective dialogue.

4.5 Regulations, rules, instructions and report forms shall be written in [English].

#### **5. Supervision**

5.1 The PCG will be given the opportunity to satisfy itself that [MSO's] quality system continues to comply with the requirements of ~~Appendix I of the~~ Appendix to IMO Assembly Resolution A.739(18).

5.2 The PCG may choose to recognize audits performed on [MSO] by an independent audit group effectively representing the interests of the PCG or IMO.

5.3 Should the PCG choose to conduct direct auditing of [MSO], the frequency and extent of audit will be subject to mutual agreement between the PCG and [MSO].

#### **6 Other Conditions**

##### **6.1 Remuneration**

Remuneration for statutory survey services carried out by [MSO] on behalf of the PCG will be charged by [MSO] directly to the party requesting such services.



## 6.2 Confidentiality

In so far as activities related to this Agreement are concerned, both [MSO] and the PCG shall be bound by confidentiality provisions to be agreed between them.

## 6.3 Surveyors

Normally, surveys shall be carried out by surveyors working exclusively for [MSO]. [MSO] may use exclusive surveyors of another organization with which [MSO] has a bilateral agreement provided that the other organization is recognized by the Administration. However, [MSO] may use non-exclusive surveyors provided such surveyors and all services and functions performed by such personnel relevant to this agreement, are subject to the quality assurance system of the [MSO]. These provisions apply to subcontractors and to all other suppliers of support services being relevant to statutory survey.

## 6.4 Amendments

Amendments to this Agreement and appendixes will become effective only after consultation and written agreement between the PCG and [MSO].

## 6.5 Governing Law and settlement of Disputes

6.5.1 The Agreement shall be governed by and construed in accordance with [Philippine] law. Any dispute arising in connection with this Agreement which cannot be settled by private negotiations between the parties shall be settled finally by arbitration in accordance with the Rules of Conciliation and Arbitration of the International Chamber of Commerce in [Agreed Location].

6.5.2 In the performance of statutory certification services hereunder, [MSO], its officers, employees and other acting on its behalf are entitled to all the protection of law and the same defenses and/or counterclaims as would be available to the PCG and its own staff surveyors or employees if the latter had conducted the statutory certification service in question.

## 6.6 Liability

6.6.1 In the context of this Agreement, if a liability is finally and definitively imposed on the State of the PCG for loss or damage which is proved in a court of law to have been caused by any negligent act or omission by [MSO], its officers, employees or others who act on behalf of RO under this Agreement, the PCG is entitled to seek from [MSO] compensation up to but not exceeding the amount of financial liability as defined in the standard terms and conditions of [MSO].

6.6.2 While acting for the PCG under this Agreement, [MSO] shall be free to create contracts direct with its clients and such contracts



may contain [MSO's] normal contractual conditions for limiting its legal liability.

**6.7 Termination**

6.7.1 If this Agreement is breached by one of the parties, the other party will notify the violating party of its breach in writing to allow the notified party the opportunity to remedy the breach within days, failing which the notifying party has the right to terminate the Agreement immediately.

6.7.2 This Agreement may be terminated by either party by giving the other party 12 months written notice.

**7 This Agreement commences on [ Date ].**

IN WITNESS WHEREOF the undersigned, duly authorized by the parties, have on the [ Date ] signed this Agreement.

For the Philippine Coast Guard:For (MSO):

Date:\_\_\_\_\_

Date:\_\_\_\_\_



## Appendix I

**SCOPE OF AUTHORIZATION**

NO	CERTIFICATE OR DOCUMENT	INSTRUMENT/ REFERENCE	SCOPE OF AUTHORIZATION (SEE LEGEND)			
			A	S	C	E
1	International Tonnage Certificate (1969)		-	-	-	-
2	International Load Line Certificate		-	-	-	-
3	International Load Line Exemption Certificate		-	-	-	-
4	Intact Stability Booklet		-	-	-	-
5	Damage Control Booklets		-	-	-	-
6	<b>International Oil Pollution Prevention Certificate</b>		-	Y	-	Y
7	<b>Shipboard Oil Pollution Emergency Plan</b>		-	Y	-	Y
8	Garbage Management Plan		-	-	-	-
9	Cargo Securing Manual		-	-	-	-
10	Document of Compliance		-	-	-	-
11	Safety Management Certificate		-	-	-	-
12	Passenger Ship Safety Certificate		-	-	-	-
13	Search and Rescue Cooperation Plan		-	-	-	-
14	Decision Support System		-	-	-	-
15	Cargo Ship Safety Construction Certificate		-	-	-	-
16	Cargo Ship Safety Equipment Certificate		-	-	-	-
17	Cargo Ship Safety Radio Certificate		-	-	-	-
18	SOLAS Exemption Certificate		-	-	-	-
19	Document of Compliance with the Special Requirements for Ships Carrying Dangerous Goods		-	-	-	-
20	Document of Authorization for the Carriage of Grain in Bulk		-	-	-	-
21	Solid Bulk Cargo Booklet		-	-	-	-
22	<b>International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (NLS Certificate)</b>		-	Y	-	Y
23	Procedures and Arrangements Manual		-	-	-	-
24	Shipboard Marine Emergency Pollution Plan for Noxious Liquid Substances		-	-	-	-
25	Certificate of Fitness for Carriage of Dangerous Chemicals in Bulk		-	-	-	-
26	International Certificate of Fitness for Carriage of Dangerous Chemicals in Bulk		-	-	-	-
27	Certificate of Fitness for Carriage of Liquefied Gases in Bulk		-	-	-	-
28	International Certificate of Fitness for Carriage of Liquefied Gases in Bulk		-	-	-	-
29	High Speed Craft Safety Certificate					
30	Permit to Operate High Speed Craft					
31	International Certificate of Fitness for Carriage of INF Cargo					
32	Special Purpose Ships Safety Certificate					







Appendix 2

**REPORTING BETWEEN PCG AND [MSO]**

[MSO] agrees to report to the PCG, without cost to the PCG, information pertaining to services performed pursuant to this agreement as follows:

1. A current copy of [MSO's] Rules for Survey and Classification of Ships and Directory.
2. Reporting promptly in the case of general authorization, a copy or record of each full term initial and full-term certificate issued under Appendix 1.
3. Reporting on classification of ships, a copy or record of the classification certificate when a vessel enters the Registry for which certificates are issued under Appendix 1. A copy or record of any notice of withdrawal, change or cancellation of classification for such vessels.
4. Reporting to the PCG in writing of cases where a ship did not in all respects remain fit to proceed to sea without danger to the ship or persons on board or presenting unreasonable threat of harm to the marine environment.

This Agreement commences on the later date of the signatures indicated below

For the Philippine Coast Guard

For [MSO]

\_\_\_\_\_  
\_\_\_\_\_  
RADM WILLIAM MELAD PCG  
Officer-In-Charge, PCG

Date:\_\_\_\_\_

Date:\_\_\_\_\_



### Appendix 3

Agreement between the Philippine Coast Guard, referred to as PCG, and the [MSO], hereafter referred to as MSO, MARPOL Surveyor Organization, concerning ships registered under the flag of the Philippines.

General authorization from the PCG to delegate MARPOL Surveyor Organization status as [MSO].

#### 1. Application

[MSO] is hereby authorized to carry out survey and verification functions on behalf of PCG as mentioned below with respect to the (ISPS Code).

#### 2. Scope of Authorization

2.1 All vessels and (mobile offshore units) operating under the flag of the Philippines

2.1.1 Approval of (ship security) plans

2.1.2 Initial and periodic verification and endorsement of certification to PCG

This Agreement commences on the later date of the signatures indicated below.

For the Philippine Coast Guard

For [MSO]

\_\_\_\_\_  
\_\_\_\_\_  
RADM WILLIAM MELAD PCG  
Officer-In-Charge, PCG

Date:\_\_\_\_\_

Date:\_\_\_\_\_



