

[MARINA CIRCULAR NO. 2011-03, January 25, 2011]

REVISED RULES AND REGULATIONS TO IMPLEMENT THE CODE OF SAFE PRACTICE FOR CARGO STOWAGE AND SECURING IN DOMESTIC SHIPPING

Pursuant to Presidential Decree No. 474, Executive Order Nos. 125/125Aas amended, 295 and its Revised Implementing Rules and Regulation (R-IRR), and Flag State Administration in Advisory (FSAA) No. 23 dated 15 February 2002, the ISM Code, the applicable provisions of the Code on Safe Practice for Cargo Stowage and Securing (CSS Code) under Chapters VI and VII of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, the following rules are hereby adopted.

I. Objectives

1. To foster the safe operation of Philippine-registered ships covered under this Circular;
2. To provide rules and regulations to implement the Code Safe Practice for Cargo Stowage and Securing in the domestic trade; and
3. To institutionalize the Cargo Securing Manual as part of the safety requirement for ships covered under this Circular.

II. COVERAGE

This Circular shall apply to all domestic ships/motor boats carrying cargo units except the following:

1. Ships/vessels issued solely in the carriage of solid or liquid cargoes and timber stowed on deck;
2. Ships/vessels used solely in the carriage of gasses in bulk; and
3. Motor boats of 3 GT and below.

III. DEFINITIONS

For purposes of this Circular, the following terms are hereby defined:

1. **Administration** — refers to the Maritime Industry Authority (MARINA).
2. **Cargo Securing Devices** — refers to all fixed and portable devices used to secure and support cargo units.
3. **Cargo Securing Manual (CSM)** — refers to cargo securing arrangement for the safe stowage and securing of cargoes on board, including packing or loading in road vehicle and freight container where applicable.
4. **Cargo Units** — refers to vehicles (road vehicles, roll trailers, etc.) railway wagons, containers, flats, pallets, portable tanks, intermediate bulk containers (IBC), packed units, units loads, other cargo carrying units such as shipping cassettes, cargo entities such as steel coils and heavy cargo items such as locomotives and transformers; loading equipment or any part thereof, transported on the ship but which is not permanently fixed to the ship, is also considered a cargo unit.
5. **Chief Officer** — refers to an officer next in rank to the Master and upon whom the command of a ship will fall in the event of the incapacity of the Master.
6. **Code** — refers to the Code of Safe Practice for Cargo Stowage and Securing provided under Chapters VI and VII of the Convention for the Safety of Life at Sea (SOLAS) 1974, as amended.
7. **Company** — refers to the owner of the ship or any organization of person such as the manager, or the bareboat charterer, who has assumed responsibility for operation of the ship owner and who on turning such responsibility, has agreed to take over all the duties and responsibilities imposed by the Code
8. **CSM Compliance Certificate** — refers to a certificate issued by the Administration attesting that a particular ship after due review and evaluation by the Administration has been found to have fully complied with all the requirements of the Code and this Circular.
9. **Standardized Cargo** — refers to cargo for which the ship is provided with an approved securing system based upon cargo units of specific types.
10. **Semi-Standardized Cargo** — refers to cargo for which the ship is provided with securing system capable of accommodating a limited variety of cargo units, such as vehicles, trailers, etc.
11. **Non-Standardized Cargo** — refers to cargo which requires individual stowage and securing arrangements.

IV. GENERAL PROVISIONS:

1. Companies whose ships are 500T and above and carrying cargo units shall submit a Cargo Securing Manual (CSM) consistent with these rules and regulations, the Code, Trim and Stability Calculation of the ship to the Administration for approval.
2. Companies whose ships/boats are below 500 GT and carrying cargo units shall prepare and submit a CSM appropriate to the characteristics of their ship and its intended/approved type of service, taking into consideration the ship's dimensions, hydrostatic properties, and the weather and sea conditions expected in the ship's approved trading areas/including the cargo composition, to the Administration for approval.

3. Companies and /or owners/operators of motor boats (with or without outrigger) and carrying cargo units shall prepare and submit a CSM reasonable and appropriate to the characteristics of their ship/motor boats and their intended/approved type of service.
4. Ships/motor boats covered by those Circular shall be equipped with the required cargo securing facilities/devices that meet acceptable functional and strength criteria applicable to the ships/motor boats particulars and their cargo.
5. Companies/owners/operators shall ensure that officers and crew responsible in the stowage and securing of cargoes on board their ships are aware of their duties and responsibilities.
6. The Master/Boat Captain shall be responsible for the safe conduct of the voyage and the safety of the ship/motor boat, its crew and cargo and the protection of the environment. The company shall likewise be responsible to extend the necessary support to the Master/Boat Captain in discharging this responsibility.

V. SPECIFIC PROVISIONS:

1. All domestic ships/motor boats covered under this Circular shall have on board a Cargo Securing Manual (CSM) duly approved by the Administration.
2. Cargo, cargo units and cargo transport units, shall be loaded, stowed and secured prior to ship's departure and throughout the voyage in accordance with CSM approved by the Administration.
3. The CSM shall be regularly updated to assist the ships's/motor boats, Master/Boat Captain and crew regarding the proper use of the equipment available to adequately stow and secure the ship's/motor boats cargo.
4. Ships/motor boats which comply with all the provisions of the Code and this Circular shall be issued CSM Compliance Certificates by the Administration.
5. CSM Compliance Certificate shall be valid for a period not exceeding five (5) years from the date of issue. It shall be endorsed annually by the Administration, and ceases to be valid if no endorsement has been made.
6. The Designated Chief Mate or his equivalent shall be required to undergo training on cargo securing and IMDG and shall be required to submit his certificate of training upon renewal of Domestic Certificate of Competency (D-COC).

VI. RESPONSIBILITIES OF ADMINISTRATION, COMPANY AND MASTER

1. The Administration will monitor the CSM compliance as part of the routine SSIS inspections and the required International Safety Management (ISM)/ National Safety Management (NSM) Code audits aboard (conventional) ships covered by this Circular.
2. Personnel commissioned in the planning and supervising of cargo stowage and securing should be properly qualified and experienced with a sound practical knowledge of the application and content of the CSM which is primarily the task of the Chief Officer/Boat Captain of the ship/motor boats.
3. Owners/Operators of motor boats shall secure a Special Permit for loading flammable, pesticide and toxicated cargoes. Loading of such cargoes is prohibited in cargo-passenger designed motor boats.
4. The Master/Boat Captain shall be responsible for the familiarization of the crew

and other persons employed for the securing of cargoes in the correct application and use of cargo securing devices on board the ship.

5. Companies and Owners/Operators shall provide their ships personnel with adequate Personal Protective Equipment (PPE).

6. The Master shall ensure that proper precautions are observed, when entering enclosed spaces where the atmosphere may be oxygen-depleted, toxic or flammable in accordance with Resolution A.864(20) which is hereby incorporated in this Circular by reference.

7. The Master and crew should regularly inspect the cargo spaces to ensure that the cargo, cargo units and vehicles remain safely secured throughout the voyage.

VII. CSM PREPARATION GUIDELINES

1. CSMs for conventional ships shall comply with the provisions of Maritime Safety Committee/Circular 745, "Guidelines for the Preparation of the Cargo Securing Manual which is hereby incorporated in this Circular by reference

2. In addition, the CSM shall be specific for a single ship/motor boat or for sister-ships/boats; with identical cargo stowage arrangements, and shall describe the types of cargo for which the manual is applicable using the general cargo categories of standardized, semi-standardized, and non-standardized as defined in this Circular.

3. Specifically, identify applicable securing standards to which the ships/motor boats were designed.

3.1 The CSM for new construction ship shall comply with:

3.1.1 Applicable classification society standards.

3.1.2 A level of safety equivalent to applicable classification society standards as formally approved by the ship's classification society after careful review of securing system particulars.

3.2 The CSM for existing ships shall comply with applicable international or shipowner's cargo securing equipment design standards in place at the time of ship construction. When necessary, the ship's owner shall provide complete copies of these applicable standards to the Administration in order to facilitate the review of the CSM.

4. CSM for non-standard cargo shall comply with the provisions of the guidelines for the preparation of cargo Securing Manual (CSM).

5. With respect to CSM for new construction motor boat, preparation of CSM shall comply with the guidelines provided in this Memorandum Circular.

6. The CSM shall take into consideration the Guidelines on the Safe Stowage and Securing of cargo Units and other Entities in Ships other than Cellular Container Ships, Res. A.489(XII). Guidelines for Securing Arrangements for the Transport of Road Vehicles on RO-RO Ships, Res.A.581(14); Elements to be Taken into Account when Considering the Safe Stowage and Securing of Cargo Units and Vehicles in Ships, Res. 533(13) all of which are incorporated in this Circular by reference.