

[MARINA ADVISORY NO. 2011-08, August 10, 2011]

REPEATED AND WILLFUL CANCELLATION OF SHIP'S SAILING FREQUENCIES/SCHEDULE OF TRIPS

In view of documented reports of repeated and willful cancellation by some domestic shipowners/operators of their ship's sailing frequencies/schedule of trips resulting to the inconvenience of the riding public, all Certificate of Public Convenience (CPC) holders/ grantees are hereby reminded of their obligation to provide safe, adequate, efficient, reliable and economical shipping service at all times, and to comply with Rule III, Sections 7.6 and 7.7 of the Revised Implementing Rules and Regulation (R-IRR) of RA 9295 and the following terms and conditions of their existing CPCs, which require submission of prior notice and/or filing of the necessary application for CPC amendment before any such cancellation of sailing frequencies/schedule of trips is effected and implemented:

1. That the CPC grantee shall apply for amendment/s of its CPC under any of the following instances:

- a. Permanent Addition/Permanent Deletion of route/port/link;
- b. Permanent Addition/Reduction/Replacement of Ship/Fleet;
- c. Change of Ship's Name;
- d. Change in name of the entity;
- e. Change in the type of operation/type of service;
- f. Change in type of cargo to be carried;
- g. Change in the hull of the ship and other ship particulars;
- and
- h. Change in sailing Frequencies/Schedule of trips.

2. That the CPC grantees shall not increase or decrease its equipment or substitute said motor ship or operate outside of the route/links/ports of call without prior notice and approval from the MARINA.

Any violation of or failure of the CPC grantee to comply with the rules, regulations and orders/decisions of this Authority shall subject the grantee to the appropriate sanctions and penalties and/or cancellation or revocation of the issued CPCs, as provided for under the pertinent provisions of the Public Service Act, as amended, RA 9295 and its R-IRR, Memorandum Circular No. 120 and its subsequent amendments, and other relevant laws, rules and regulations and circulars.

All concerned MARINA Central/Regional Office Directors/Officers-in-Charge shall continuously monitor the operations of CPC grantees within their respective areas of