

[MARINA CIRCULAR NO. 2009-25, December 29, 2009]

RULES AND PROCEDURES ON THE APPROVAL OF LIFEJACKETS AND LIFEBUOYS FOR SHIPS ENGAGED IN DOMESTIC SHIPPING

Pursuant to the pertinent provisions of the Revised Philippine Merchant Rules and Regulations (RPMRR), 1997, the International Convention on Safety of Life at Sea (SOLAS) 1974, as amended, Life-Saving Appliances (LSA) Code and MARINA Circulars implementing maritime safety and accreditation of maritime related services, the following rules on the verification, confirmation and approval of lifejackets and lifebuoys are hereby promulgated.

I. OBJECTIVES

1. To prescribe rules on the verification, confirmation and approval of lifejackets and lifebuoys required onboard ships in the domestic shipping; and
2. To ensure the quality, safety and reliability of lifejackets and lifebuoys on board ships in the domestic shipping to foster safety of life at sea.

II. COVERAGE

1. All manufacturers, suppliers, distributors, dealers, retailers and agents of lifejackets and lifebuoys intended to be used onboard ships in the domestic shipping; and
2. All companies operating ships in the domestic shipping.

III. DEFINITION OF TERMS

For the purpose of this Circular, the following terms shall mean as follows:

1. **Administration** – refers to the Maritime Industry Authority (MARINA).
2. **Agent** – refers to any individual or entity representing or acting in behalf of manufacturer, supplier, distributor, dealer or retailer of lifejackets and/or lifebuoys.
3. **Certificate of Confirmation** – refers to the document issued by the Administration upon verification that the LSA are of the approved type.

4. **Child** – refers to a person three (3) years old and above but below twelve years old.
5. **Company** – refers to the owner of the ship or organization or person such as manager or bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who on assuming such responsibility, has agreed to take over all the duties and such responsibilities imposed by this Circular.
6. **Dealer** – refers to an individual or entity engaged in buying lifejackets and/or lifebuoys from manufacturer/supplier/distributor for wholesale and/or retail reselling.
7. **Distributor** – refers to an individual or entity allowed by manufacturer of lifejackets and lifebuoys to offer and/or sell its products to their authorized dealers or retailers.
8. **Domestic shipping** – refers to the operation of Philippine-registered ships, either commercial or company/personal-use, in any part of the Philippine waters.
9. **Infant** – refers to a person below three (3) years old.
10. **Manufacturer** – refers to any individual or juridical entity which produces, assembles, and/or processes lifejackets and lifebuoys required for ships engaged in domestic shipping.
11. **MARINA Hologram** – refers to a sticker to be affixed / displayed on lifejackets and lifebuoys to signify the Administration's approval.
12. **Nighttime navigation** – refers to navigation of ship from sunset to sunrise.
13. **Retailer** – refers to any individual or entity that sells lifejackets and/or lifebuoys individually or in small quantity directly to the end-user/consumer/clientele.
14. **Ship** – refers to all craft or artificial contrivance capable of floating in water designed to be used or capable of being used as a means of water transportation utilizing its own motive power or that of others.
15. **Supplier** – refers to any individual or entity which supplies/distributes/markets lifejackets and lifebuoys on ships engaged in domestic shipping.

IV. GENERAL PROVISIONS

1. All manufacturers, suppliers, distributors, dealers, retailers and agents of lifejackets and lifebuoys covered by this Circular shall apply for accreditation with the Administration. Distributors, dealers, retailers and agents shall be considered as suppliers in accordance with MC 2006-001 and its subsequent

amendments.

2. Only lifejackets and lifebuoys approved and certified by any of the following maritime administrations and classification societies, as initially listed hereunder, shall be deemed acceptable for use on board ships engaged in domestic shipping, after actual verification by the Administration and upon submission of Certificate of Type-Approval issued by flag administrations or Confirmation of Type Approval issued by classification societies and such other types of certification/document showing that such products have been approved and tested:

- 2.1 United States Coast Guard (USCG);

- 2.2 Australian Maritime Safety Administration (AMSA);

- 2.3 Danish Maritime Safety Administration (DMSA);

- 2.4 United Kingdom Maritime and Coastguard Agency (UK-MCA);

- 2.5 Japan Government-Ministry of Land Infrastructure and Transport (JG-MLIT); and

- 2.6 Any member of International Association of Classification Societies (IACS)

3. All companies operating ships in the domestic shipping shall ensure that lifejackets are conspicuously stored / stowed in the following areas:

- 3.1 Below the seats and/or bunks of passengers; and

- 3.2 Overhead compartments in case of motorized bancas.

Arrangement shall be made to ensure that child or infant lifejackets are provided in cabins or bunks or seats where children or infants are berthed.

4. All companies operating ships in the domestic shipping shall post notices in conspicuous place inside the passenger area indicating that the unauthorized taking of lifejackets outside the ship shall be punishable by law.

5. Manufacturers, suppliers, distributors, dealers, retailers and agents shall provide the ship owners copies of video demonstrations to be played on board and/or illustrated directions or instructions for donning of lifejackets for adults, children and infants. The donning instruction shall be in English or Filipino language, and the local dialects, depending on the area of operations, and shall be displayed conspicuously in both passenger and crew accommodation areas in all ships.

6. Three (3) months after the effectivity of this Circular, all passenger ships shall provide additional infant lifejackets of at least 5% of the authorized number of passenger capacity. Persons travelling with infants should be made aware of the provision of infants' lifejackets when boarding the vessel. They may bring their own infant lifejacket, provided such are type approved and bears the MARINA hologram.

7. All passenger ships shall provide additional child lifejackets of at least 10% of the authorized number of passenger capacity.

8. Ships with nighttime navigation shall be required to carry lighted lifejackets that complies with the LSA Code requirements.