

[MIA MEMORANDUM CIRCULAR NO. 50, July 26, 1989]

REVISED SCHEDULE OF PENALTIES AND ADMINISTRATIVE FINES

Pursuant to the provisions of Executive Orders Nos. 125 and 125-A, Presidential Decree No. 474, as amended, and the Public Service Act, as amended (C.A. No. 146, as amended), the penalties/administrative fines for various violations shall be, as follows:

A
Violations Under Public
Service Act As Amended

1. For operating without valid Certificate of Public Convenience (CPC) or Provisional Authority (PA):

- 1.1 **Without CPC/PA but application for CPC pending.** P500 per day of operation without CPC/PA or any authorization or P25,000 whichever is higher, for vessel of 501 GRT and above; P300 per day of operation without CPC/PA or any authorization or P10,000 whichever is higher for vessel of 101-500 GRT, and P100 per day of operation without CPC/PA or any authorization or P5,000 whichever is higher for vessel of 100 GRT and below, without prejudice to issuance of cease and desist order.
- 1.2 **Without CPC/PA and no CPC application pending.** P1,000 per day of operation without CPC/PA or P50,000 whichever is higher for vessel of 501 GRT and above; P500 per day of operation without CPC/PA or any authorization or P25,000 whichever is higher for vessel of 101-501 GRT P200: P200 per day of operation or P10,000 whichever is higher for vessel of 100 GRT and below, without prejudice to issuance of cease and desist order.

2. For willfully and deliberately issuing tickets for a particular voyage in excess of the maximum authorized passenger capacity of the vessel:

- 2.1 **First Offense.** Ten Thousand Pesos (P10,000)
- 2.2 **Second Offense.** Ten Thousand Pesos (P10,000) and recommendation for suspension of Certificate of Public Convenience or Provisional Authority for thirty (30) days.
- 2.3 **Third Offense.** Ten Thousand Pesos (P10,000) and recommendation for indefinite suspension of Certificate of Public

Convenience or Provisional Authority.

3. For carrying passengers in excess of the authorized passenger capacity:

3.1 **First Offense.** P100.00 per excess passenger

3.2 **Second Offense.** P100.00 per excess passenger and recommendation for suspension of Certificate of Public Convenience or Provisional Authority for thirty (30) days.

3.3 **Third Offense.** P100.00 per excess passenger and recommendation for indefinite suspension of the Certificate of Public Convenience or Provisional Authority.

4. For unilateral withdrawal or abandonment of the route without prior authorization or permit from the MARINA:

4.1 **First Offense.** P200.00 per day of withdrawal or abandonment of service from the authorized route.

4.2 **Second Offense.** P200.00 per day of withdrawal or abandonment of service and recommendation for suspension of the Certificate of Public Convenience or Provisional Authority for thirty (30) days.

4.3 **Third Offense.** P200.00 per day of withdrawal or abandonment and a recommendation for indefinite suspension of Certificate of Public Convenience or Provisional Authority.

5. For operating the vessel without updated and valid Certificate of Inspection/Coastwise License/Radio Station License, each violation considered a separate offense:

5.1 **First Offense.** P200.00 per day of invalidity or lapsation

5.2 **Second Offense.** P200.00 per day of invalidity or lapsation and recommendation for suspension of Certificate of Public Convenience or Provisional Authority for thirty (30) days.

5.3 **Third Offense.** P200.00 per day of invalidity or lapsation and recommendation for indefinite suspension of Certificate of Public Convenience or Provisional Authority.

6. For non-payment of annual supervision fee:

6.1 **First Offense.** Amount of supervision fee already due plus 50% thereof as surcharges.

6.2 **Second Offense.** Amount of supervision fee already due plus 50% surcharges and recommendation for suspension of Certificate of Public Convenience or Provisional Authority for thirty (30) days.

6.3 **Third Offense.** Amount of supervision fee already due plus 50%

surcharges and recommendation for indefinite suspension of Certificate of Public Convenience or Provisional Authority.

7. For unauthorized omission of ports of call:

7.1 **First Offense** P1,000 per day of unauthorized omission of port(s) of call.

7.2 **Second Offense** P1,000 per day of unauthorized omission of port(s) of call and recommendation for suspension of the Certificate of Public Convenience or Provisional Authority for thirty (30) days.

7.3 **Third Offense** P1,000 per day of unauthorized omission of port of call and recommendation for indefinite suspension of the Certificate of Public Convenience or Provisional Authority.

8. For unauthorized increase of passenger capacity:

8.1 **First Offense** P1,000 per day of unauthorized increase of passenger capacity, if the unauthorized increase of passenger capacity does not exceed ten (10) passengers; P2,000 per day if the unauthorized increase of passenger does not exceed twenty (20) passengers; provided, however, that this Authority may impose P100 per day of unauthorized increase in passenger per day or P10,000 whichever is higher, at the discretion of the Authority.

8.2 **Second Offense** P1,000 per day of unauthorized increase of passenger capacity and recommendation for suspension of the Certificate of Public Convenience or Provisional Authority for thirty (30) days.

8.3 **Third Offense** P1,000 per day of unauthorized increase of passenger capacity and recommendation for indefinite suspension of the Certificate of Public Convenience or Provisional Authority.

9. For unauthorized deviation of route:

9.1 **First Offense** P1,000 per day of unauthorized deviation of route.

9.2 **Second Offense** P1,000 per day of unauthorized deviation of route and recommendation for suspension of Certificate of Public Convenience or Provisional Authority for thirty (30) days.

9.3 **Third Offense** P1,000 per day of unauthorized deviation of route and recommendation for indefinite suspension of Certificate of Public Convenience or Provisional Authority.

10. For unauthorized increase/reduction in rates (passenger and/or freight):

10.1 **First Offense** P1,000 per day of unauthorized increase/reduction in rates (passenger and/or freight).