

**[ MIA MEMORANDUM CIRCULAR NO. 159, S. 2000,  
November 16, 2000 ]**

**ADOPTION OF A NATIONAL SAFETY MANAGEMENT CODE AND  
PROVIDING RULES AND REGULATIONS FOR ITS  
IMPLEMENTATION IN THE DOMESTIC SHIPPING**

Pursuant to Presidential Decree No. 474 and Executive Order Nos. 125/125-A, the Maritime Industry Authority Board during its 154th regular meeting held on 16 November 2000, decided to adopt and approve the National Safety Management (NSM) Code and the Guidelines on the implementation of the National Safety Management Safety Code herein set out as Annexes to the present Memorandum Circular and thereby further approved the following Rules and Regulations to implement the Code and the Guidelines and shall become part of the Philippine Merchant Marine Rules and Regulations 1997, as amended as Chapter XX thereof.

**I. Objectives**

1. To foster safety culture in domestic shipping operations by institutionalizing the adoption, implementation and maintenance of a Safety Management System (SMS) by shipping companies, designed to ensure personnel competence in every aspect of ship operations;
2. To enable companies to achieve and maintain high standards of safety and marine environment protection through safe practices in ship operation and safe working environment; establishing of safeguards against all identified risks; and, continuous improvement of safety management skills of personnel ashore and aboard ships, including preparation for emergencies related both to safety and marine environment protection; and
3. To ensure compliance with mandatory rules and regulations, codes and standards governing safety and environmental protection.

**II. Coverage**

1. This Circular shall apply to the following steel/wooden hulled ships, whenever operating in Philippine waters:
  - a. All passenger-carrying ships not required to be classed;
  - b. Tankers not required to be classed;
  - c. Bulk Carriers not required to be classed;
  - d. Other Cargo Ships not required to be classed; and

- e. Tugboats, whenever pulling/pushing non-propelled tanker barges carrying oil products.
2. The following shall be exempted from the application of this Memorandum Circular:
- a. Those covered by Memorandum Circular No. 143, specifically:
    - i. Passenger High Speed Crafts;
    - ii. Passenger-carrying ships required to be classed and those currently classed;
    - iii. Oil tankers, chemical tankers and gas carriers 500 gt and above; and
    - iv. Bulk carriers 500 gt and above and required to be classed.
  - b. fishing boats;
  - c. non-propelled barges;
  - d. sailing ships;
  - e. pleasure crafts not engaged in commercial trading;
  - f. government owned ships not engaged in commercial trade; and
  - g. naval warships.

### **III. Definitions**

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

1. Administration refers to the Maritime Industry Authority (MARINA).
2. Code refers to the National Safety Management (NSM) Code for the Safe Operation of Ships and for Pollution Prevention.
3. Company refers to the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed responsibility for operation of the ship from the shipowner and who in assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the Code.
4. Safety Management System (SMS) refers to the structured and documented system enabling company personnel to effectively implement the company's safety and environmental protection policy.
5. NSM Manual refers to the three-part manual developed by the Administration.
6. Document of Compliance (DOC) refers to the document issued to a Company that complies with the requirements of the Code.

7. Safety Management Certificates (SMC) refers to the document issued to a ship, which signifies that the Company and its shipboard management operate in accordance with the approved SMS.

Further, terms, guidance, elaborations or interpretations relative to the implementation of this Circular shall be in reference to the Code and its Guidelines and other related documents where applicable and warranted.

#### **IV. Specific Requirements**

1. All companies and Philippine registered ships covered under II.1 of this Circular are required to develop and implement a Safety Management System consistent with the Code and the Guidelines for its Implementation. To this end, companies/ships stated shall submit their SMS manuals and secure DOC/SMC respectively according to the following schedule:

a. Passenger Carrying Ships:

<u>Certificate</u>	<u>Date of Submission of SMS Manual</u>	<u>Date of Compliance</u>
DOC/SMC (250 gt and above but not required to be classed)	July 01, 2001	December 31, 2001
DOC/SMC (150 gt to 249.99 gt but not required to be classed)	January 01, 2002	July 01, 2002
DOC/SMC (less than 150 gt but not required to be classed)	July 01, 2002	July 01, 2003

b. Tankers, Bulk Carriers, Tug-boats pulling/pushing non-propelled barges carrying oil products:

<u>Certificate</u>	<u>Date of Submission of SMS Manual</u>	<u>Date of Compliance</u>
DOC/SMC (150 gt and above but not required to be classed)	July 01, 2001	July 01, 2002
DOC/SMC (less than 150 gt but not required to be classed)	July 01, 2002	July 01, 2003

c. All other ships not classified under IV.1. (a) and (b):

<u>Certificate</u>	<u>Date of Submission of SMS Manual</u>	<u>Date of Compliance</u>
DOC/SMC (150 gt and above but not required to be classed)	July 01, 2003	July 01, 2004