[MIA MEMORANDUM CIRCULAR NO. 112, December 15, 1995]

POLICY GUIDELINES ON THE REFUND/REVALIDATION OF PASSENGER TICKETS FOR INTER-ISLAND VESSELS, DECORUM OF THE CARRIER AND ITS EMPLOYEES, AND DELAYED AND UNFINISHED VOYAGE

In line with the Government's intensified program to upgrade the existing inter-island shipping services, the Maritime Industry Authority Board in its Meeting on 23 November 1995 has approved and promulgated the following policy guidelines to ensure the protection of the public against unreasonable and unwarranted charges, and poor and inefficient service.

I.
Objective

This Circular serves to provide a consolidated policy guidelines intended to promote uniform rules and regulations on refund/revalidation of passenger tickets for inter-island liner vessels, decorum of the carrier and its employees, and delayed and unfinished voyage.

II.
Coverage

This Circular shall apply to all persons, corporations, firms and entities engaged in the operation of a domestic water transportation service, commercial or public use, involving the carriage of passengers between and among the various ports and places in the Philippines.

III.
Definitions

For purposes of this Circular, the following terms and phrases shall have the meaning as herein below indicated:

1. Linear Service - the operation of domestic water transportation which publicly offers its service without discrimination to any user, have regular ports of call/destination and have fixed sailing schedules and frequency.

2. Contract of Carriage/Ticket - is one whereby a certain person or association of person obligate themselves to transport persons or things from one place to another for a fixed price.

3. Carrier - person, corporation, firm or association who undertakes to transport persons or things indiscriminately from one place to another, for compensation.

4. Vessel - a means of transportation on water engaged in the business of carrying or transporting passengers or goods and is offering its services to the public.

5. Refund - the amount as reflected in the ticket paid back to the owner of said ticket who is not able to board the particular vessel bound to his/her destination.

6. Revalidation - the accreditation of the ticket that is not used and intended to be used for another voyage.

7. Non-Transferability - only the person whose name appears in the ticket can solely use the ticket for a particular voyage and cannot be conveyed to another.

8. Sailing Schedule - the vessel's time of departure and arrival as provided for in the authority to operate, i.e. CPC/PA/SP.

9. Decorum - propriety and decency of words, dress and conduct of the carrier and its employees.

10. Delayed Voyage - late departure of the vessel from its port of origin and/or late arrival of the vessel to its port of destination.

11. Unfinished Voyage - failure of the vessel to reach its port of destination.

12. Unreasonable Delay - the period of time that has lapsed without just cause and is solely attributable to the carrier which has prejudiced the transportation of passengers and/or cargoes to their port of destination.

13. Fortuitous Event - occurrence by chance without cause or relation or without human intention.

14. Mealtime - is a period where meals shall be served on board vessels between 0600 and 2200 hours, specifically:

Breakfast	-	0600 - 0800
Lunch	-	1100 - 1300
Supper	-	1800 - 2000

IV.
Policy Guidelines

A. GENERAL

1. The carrier is bound to carry the passenger safely as far as human care and foresight can provide, using the utmost diligence of a very cautious person, with a due regard for all the circumstances. It is not enough that the carrier shall exercise ordinary diligence or the diligence of a good father of a family, but must render service with the greatest skill and utmost foresight.

2. The carrier shall provide ticket outlet(s)/booking office(s) in all ports of call of the vessel.

3. The carrier shall observe a "NO TICKET, NO BOARDING" policy at all times.

B. SPECIFIC

1. *Refund/Revalidation*

    1.1 Refund of Tickets   Assessment