



Department of Transportation and Communications  
**PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS**  
(Headquarters Philippine Coast Guard)  
139 25<sup>th</sup> Street, Port Area  
1018 Manila

HPCG / CG-8

24 August 2012

**MEMORANDUM CIRCULAR**  
**NUMBER ..... 07-12**

**PRE-DEPARTURE INSPECTION**

**I. AUTHORITY:**

Republic Act 9993 (Philippine Coast Guard Law of 2009)

**II. REFERENCES:**

- A. DOTC Department Order 2012-01 dated 09 Jan 2012 entitled Mandating the Strict Implementation of Precautionary, Safety and Security Measures to Ensure Safe, Fast, Efficient and Reliable Transportation Services, the Immediate Implementation of Quick Response Protocols, and the Immediate Investigation of Transformation-Related Incidents.
- B. Philippine Merchant Marine Rules and Regulations (PMMRR), as amended
- C. SOLAS 74/78, as amended
- D. MARPOL 73/78, as amended

**III. PURPOSE:**

This Memorandum Circular prescribes the policies and procedures for the conduct of pre-departure inspection of all merchant vessels calling at domestic ports to promote their continuing compliance with safety standards prescribed by the existing policies, rules and regulations, marine pollution prevention, standards on manning and competency of seafarers.

**IV. SCOPE:**

This Memorandum Circular applies to all Philippine-registered vessels engaged in domestic trade to include fishing vessels of 3 gross tonnage and above calling at domestic ports except for ships not propelled by mechanical means, wooden ships of primitive build, ships of war and troopships, Government vessels and pleasure yachts not engaged in trade.

## **V. DEFINITION OF TERMS:**

For purpose of this Circular, the following words and phrases shall be defined as:

**Clear Grounds** – evidence that the vessel, its equipment, or its crew does not correspond substantially with the requirements of relevant maritime laws or that the master or crew members are not familiar with the essential shipboard procedures relating to safety of the vessel or the prevention of marine pollution;

**Deficiency** – a condition found not to be in compliance with the requirements of relevant maritime regulations;

**Detention** – intervention action taken by the boarding team/authority when the condition of the ship or its crew does not correspond substantially with the applicable laws to ensure that the ship will not sail until it can proceed to sea without presenting any danger to the ship or person on board, or without presenting any threat of harm to the marine environment;

**Domestic Trade** – any operation of vessel within Philippine waters.

**Enforcement Inspection Apprehension Report (EIAR)** – a document issued by the vessel safety enforcement inspection of the PCG to the Master of a vessel after he has been apprised of prima facie findings of violation of maritime safety laws, rules and regulations;

**Fishing Vessel** – a vessel used for catching fish or other resources of the sea;

**More Detailed Inspection** – an inspection conducted when there are clear grounds to believe that the condition of the vessel, its equipment, or its crews do not correspond substantially with the particulars of the certificates;

**Philippine-Registered Vessel** – All vessels registered in the Philippines.

**Pre-Departure Inspection** – an inspection conducted prior to depart of a vessel;

**Pre- Departure Inspection Checklist** – a list of documents, equipments, machinery, life saving appliances and maritime safety devices which shall be examined and evaluated by the VSEI while conducting MPDI.

**Seaworthy** – ability to withstand ordinary stress of wind, waves and other weather disturbances which the vessel might normally be expected to encounter and that it is manned by competent officers and crew;.

**Stoppage of an Operation** – formal prohibition against a ship to continue an operation due to an identified deficiency(ies) which, singly or together, render the continuation of such operation hazardous

**Sub-standard Ship** – a ship whose hull, machinery, equipment or operational safety is substantially below standards required by relevant maritime laws or regulations or whose crew is not in conformance with standard manning requirements.

**Valid Certificate** – a statutory certificate that has been issued by a cognizant government agency or on its behalf by a Recognized Organization which attest to the substantial compliance of ship, its equipment or crew with the required standards.

**Vessel Safety Enforcement Inspection Deficiency Codes** - a list of coded deficiencies that will be used as a guide of the inspectors in conducting vessel safety inspection to have a uniform and systematic report.

**Vessel Safety Enforcement Inspectors (VSEI)** – duly authorized, qualified and trained PCG personnel tasked to evaluate and examine the validity of documents of the vessel and crews as well as the over-all condition of the vessel's hull, machinery and equipment. They will compose the Boarding, VSEI, Emergency Readiness Evaluation and Operational Readiness Evaluation Teams.

## **VI. GENERAL PROVISIONS:**

- A. Pre-departure inspection shall be conducted to verify whether the vessel engaged in domestic trade is fit for the conveyance of passengers and cargoes, is manned by qualified, competent and duly licensed crew and that it is equipped with the required communications equipment, lifesaving appliances and firefighting equipment. Pre-departure inspection shall include the video recording of point of inspections based from the Pre-departure Inspection checklist.
- B. The PCG shall board the vessel to conduct inspection and verification of the entries declared by the Master in the Master's Declaration of Safe Departure (MDSD) before it leaves the point to proceed to the next voyage.
- C. The Pre-departure inspection does not relieve the Master and shipowner of their duty to ensure that the vessel is seaworthy. The satisfactory assessment after the required inspection prior departure does not serve to mitigate liabilities of the Master and shipowner in case of casualty.

## **VII. POLICIES :**

- A. No vessel shall be cleared to depart for voyage unless it has been subjected to pre-departure inspection and has received a satisfactory assessment or has rectified detainable deficiencies.
- B. The submission of the Master's Declaration of Safe Departure (MDSD) to the PCG unit concerned signifies that the vessel and its crew are prepared to undergo pre-departure inspection, which shall forthwith be conducted. Whenever practicable, the pre-departure inspection shall be accomplished within such length of time as not to cause unnecessary deviation from the

vessel's appointed time of departure; but at all time, the due inspection of all the items in the checklist shall take precedence over the vessel's adherence to its schedule of departure;

- C. For vessel with multiple calls on a port on the same day, it shall be sufficient to conduct one complete round of pre-departure inspection for that day, without prejudice to the conduct of random inspection at any time of the day, except for the following items in the checklist which shall be inspected on a per trip basis:
1. passenger manifest
  2. excess passengers
  3. loadline/stability
  4. cargo lashings to include segregation of dangerous cargo
  5. malfunctioning equipment/machinery
  6. crew manifest
- D. Pre-departure inspection of vessels shall be carried out only by qualified VSEI's detailed to the PCG District, Station or Detachment having jurisdiction over the vessel's port of call.
- E. The inspection is a checklist-based procedure. The inspection is directed to items contained in the checklists duly approved for the purpose. The checklists are vessel-specific taking into account the structural and operational peculiarities of the type of vessel under inspection.
- F. The items to be inspection shall include the poster and other printed materials on safety procedures with emergency contact numbers, hotlines and name of responsible personnel of the company and concerned government agencies which should be displayed on noticeable spaces of the vessel and clearly communicated to the passengers and the general public. The copies of important ship's certificates (as listed in Form D of PDI Checklist) indicating the dates of expiration and last inspection shall also be prominently displayed in the vessel; .
- G. In case the VSEI finds deficiency on Board, the Master of the vessel shall be issued with EAIR (Form A) indicating the specific deficiencies recorded during the inspection. The deficiencies noted shall be corrected before proceeding to the next voyage. However, minor deficiencies may be corrected in the next port of call. Major deficiencies found shall warrant holding of departure of the vessel and shall be corrected within the period of ten days from discovery/recording thereof;
- H. The EAIR shall constitute a notice of an administrative case against the master or shipowner in whose name it is issued. A master or shipowner seeking to contest the citation shall adduce controverting evidence for and in his behalf before the Investigation and Adjudication Officer having jurisdiction over the case within ten (10) days from the issuance of the EAIR.

- I. Upon completion of the inspection and no violation was recorded, the Master shall be required to accomplish a Certificate of Orderly Inspection (Form B) by the team.
- J. The Master shall maintain an Inspection Record Book which shall serve as a permanent record of all deficiencies discovered in the course of every inspection.
- K. A record book which the master intends to utilize as the vessel's Inspection Record Book shall be submitted to the PCG for accreditation. All entries in the registered record book shall be in chronological order and no page therein shall be removed, deleted or erased. Any correction in the entry therein shall be countersigned by the person making the correction;
- L. No accreditation of Inspection Record Book shall be made unless the accreditation fee of Php 500 is fully paid. Such accreditation shall be valid for two years.
- M. If supervising events happen while underway that would endanger continuous navigation, the vessels shall be ordered to immediately proceed to the nearest port of refuge where it shall be subjected to further inspection following applicable PCG rules and regulations.

**X. FINES AND PENALTIES:**

- A. The ship's Master and shipowner/company management are equally liable for the following acts and shall bear the corresponding penalties to be imposed after due notice and investigation:
  - 1. Willfully and deliberately issuing tickets for a particular voyage in excess of the authorized passenger capacity of the vessel:

First Offense	Ten Thousand Pesos (P10, 000.00) plus warning;
Second Offense	Twenty Five Thousand Pesos (P25, 000.00) and recommendation for the suspension of Certificate of Public Convenience/ Provisional Authority/ Special Permit;
Third Offense	Fifty Thousand Pesos (P50, 000.00) and recommendation for the cancellation of Certificate of Public Convenience/ Provisional Authority/ Special Permit.

**2. Carrying passengers in excess of the authorized passenger capacity:**

First Offense	Five Hundred Pesos (P500.00) per excess passenger plus warning;
Second Offense	One Thousand Pesos (P1, 000.00) per excess passenger and recommendation for the suspension of Certificate of Public Convenience/Provisional Authority/Special Permit;
Third Offense	Three Thousand Pesos (P3, 000.00) per excess passenger and recommendation for the cancellation of Certificate of Public Convenience/ Provisional Authority/ Special Permit.

**3. Failure to enter the name of passengers in the manifest:**

First Offense	Five Hundred Pesos (P500.00) per passenger plus warning;
Second Offense	Two Thousand Pesos (P2, 000.00) per passenger and recommendation for the suspension of Certificate of Public Convenience/ Provisional Authority/ Special Permit;
Third Offense	Five Thousand Pesos (P5, 000.00) per passenger and recommendation for the cancellation of Certificate of Public Convenience/ Provisional Authority/ Special Permit.

**4. Carrying ship's certificates and documents which are spurious and/or not original or certificate true copy:**

First Offense	Five Thousand Pesos (P5, 000.00) per document plus warning;
Second Offense	Ten Thousand Pesos (P10, 000.00) per document and recommendation for the suspension of Certificate of Public Convenience/ Provisional Authority/ Special Permit;

Third Offense	Thirty Thousand Pesos (P30, 000.00) per document and recommendation for cancellation of Certificate of Public Convenience/ Provisional Authority/ Special Permit.
---------------	---

5. Carrying a spurious copy of the Certificate of Public Convenience/ Provisional Authority/ Special Permit shall be a ground for the ship's detention.
6. Leaving port without PCG clearance or leaving port with an outstanding detention order:

First Offense	Ten Thousand Pesos (P10, 000.00) plus warning;
Second Offense	Twenty Thousand Pesos (P20, 000.00) and recommendation for the suspension of the master's SIRB to MARINA and license issued by PRC;
Third Offense	Thirty Thousand Pesos (P30, 000.00) and recommendation for the cancellation of the master's SIRB to MARINA and license issued by the PRC.

7. The fine and penalty to be imposed to Ship Master for failure to submit MDSD or submitting MDSD with erroneous entry shall be governed by Memorandum Circular on MDSD.
8. Failure to present a duly accredited Inspection Record Book, making erroneous entry therein, or tearing off of its pages.

First Offense	Five Thousand Pesos (P5, 000.00) plus warning;
Second Offense	Ten Thousand Pesos (P10, 000.00) and recommendation for the suspension of the master's SIRB to MARINA and license issued by PRC;
Third Offense	Thirty Thousand Pesos (P30, 000.00) and recommendation for the cancellation of the master's SIRB to MARINA and license issued by the PRC.

**XI. SEPARABILITY CLAUSE:**

Any section or provision of this Memorandum Circular held or declared unconstitutional or invalid by a competent court, shall not affect the other sections or provisions hereof and shall continue to be enforced as if the sections or provisions so annulled or voided had never been incorporated herein.

**XII. REPEALING CLAUSE:**

This Memorandum Circular rescinds previous publications pertaining to the conduct of PDI.

**XIII. AUTOMATIC REVIEW**

This Memorandum Circular shall be subject to automatic review one year after its effectivity or as necessary.

**XIV. EFFECTIVITY:**

This Memorandum Circular shall take effect fifteen (15) days after publication in a newspaper of general circulation or the Official Gazette.

Note: Published in the Philippine Daily Inquirer on 19 September 2012.



- ANNEXES:**
1. *Enforcement Inspection Apprehension Report (Form A)*
  2. *Certificate of Orderly Inspection (Form B)*
  3. *PDI Checklist (Form D)*
    - a) *PDI Checklist for Cargo Vessel*
    - b) *PDI Checklist for Commercial Fishing Vessel and M/Banca below 3GT*
    - c) *PDI Checklist for M/Banca / Boat carrying passengers and/or cargoes*
    - d) *PDI Checklist for Passenger-Cargo Vessel*
    - e) *PDI Checklist for Passenger Vessel*
    - f) *PDI Checklist for Domestic Oil Tanker*