

**EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
First Regular Session

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SENATE

Senate Bill No. 532

Introduced by SENATOR JUAN MIGUEL F. ZUBIRI

**AN ACT
MANDATING SHIPOWNERS, SHIP CREW, AND CONCERNED GOVERNMENT
AGENCIES TO PROVIDE FOR AND ENSURE THE SAFETY OF PASSENGERS AT
SEA, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

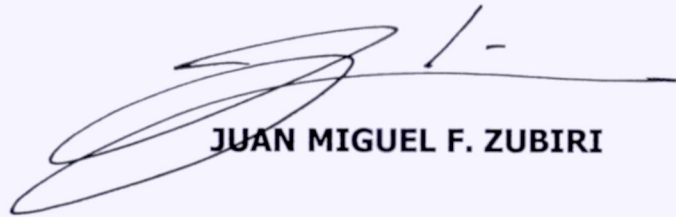
Considering the archipelagic composition of the Philippines with over 7,000 islands surrounded by water, the Philippines is a country with bustling ports and thriving shipping industry. The Philippine Ports Authority (PPA) hit peak revenue in 2017 of P15.36 billion, growing by 7.24%. In addition, passenger traffic at ports expanded by 4.57% in 2017. This growth is driven by reliance on sea-travel using Ro-Ro vessels, fast crafts, and motorized bancas for domestic inter-island travel. However, there is a need to enhance the safety equipment and protocols utilized in sea transportation. There has been an influx of incidents at sea, involving both commercial vessels, yet safety measures imposed still prove to be inadequate. This massive sea movement translates to a bulk of the country's trade and industry. With the growth of the Philippines as a developing economy, the hectic port activity will only keep getting more substantial.

This bill seeks to assign the Philippine Coast Guard, as well as the Maritime Industry Authority, as the implementing body to monitor commercial vessels that execute trade and serve as a means of transportation for the general public. This bill requires that vessels covered under this act will provide standard safety features to passengers regarding the safety protocols of the vessel. Vessels covered will also be required to have functional and quality safety equipment and emergency features for the safety of those on board the ship.

To encourage the continuous abidance with the minimum safety standards set in place, this bill seeks to penalize companies that fail to comply with stipulated rules with a fine of PHP 50,000 – PHP 200,000, depending on the offense and the number of times the specific party has been called out. This bill also emphasizes that offenders repeating the violation for the third time will be punishable by imprisonment.

In a country with thousands of sea travelers daily, it is crucial that the Philippines hold companies to a high standard in ensuring the safety of transportation by water. This will ensure the growth of businesses that execute commerce by sea through the improvement of transport infrastructure required.

In view of the foregoing, approval of the this bill is earnestly sought.




JUAN MIGUEL F. ZUBIRI

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Introduced by Senator Juan Miguel F. Zubiri

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*Be it enacted by the Senate and the House of the Representatives of the Philippines in
Congress assembled:*

1 **SECTION 1.** *Short Title.* – This Act shall be known as the "Maritime
2 *Passenger Safety Act.*"

3 **SEC. 2.** *Declaration of Policy.* – It is hereby declared the policy of the State
4 to:

5 a. Enhance and ensure the safety and quality of passenger-transport
6 services in the country through the provision on board the ship of adequate safety
7 equipment, strict observance by ship owners, ship crew, and passengers of
8 minimum safety measures and standards, and the provision of qualified and
9 competent crew personnel to man and operate the vessels;

10 b. Provide for the effective supervision and regulation of operations of all
11 water transport utilities in the country, particularly those engaged in the
12 commercial carriage of passengers by sea, through the rationalization of functions
13 and responsibilities of government agencies involved in the enforcement of
14 maritime safety laws; and

15 c. Provide the basis for the criminal liability of ship owners and crew
16 members of ships for any injuries suffered by, or loss of lives of their passengers
17 resulting from their malicious or culpable negligence in the course of performance
18 of their contracts of carriage with such passengers.

1 **SEC. 3. *Scope and Coverage.*** – The provisions of this Act shall apply to:

2 a. All vessels engaged in the carriage of passengers and goods for hire
3 regardless of tonnage, including such vessels of foreign registry temporarily used
4 in Philippine waters; and

5 b. All types of vessels required to be registered in the Philippines under
6 existing laws.

7 Warships, naval vessels, non-motorized bancas, sailboats and other
8 watercrafts of less than three (3) gross registered tonnage (GRT) shall be excluded
9 from the coverage of this Act.

10 **SEC. 4. *Mandatory Minimum Safety Standards and Measures.*** – All vessels
11 covered by the provisions of this Act shall strictly observe the following:

12 a. The showing of a film, at least of ten (10) minutes length and dubbed in
13 the local dialects of the points of origin and destination of the vessel, pertaining to
14 the ship's safety, health and sanitation in such places in the vessel, and in such
15 times that will ensure that most if not all passengers on board have effectively
16 seen and heard the same;

17 b. All watertight doors, portholes, ramps and manholes shall be securely
18 locked and checked prior to leaving port and must be regularly inspected during
19 the voyage;

20 c. During any emergency, the posting of crew personnel in strategic areas
21 or points in the vessel as may be indicated in its general emergency plan for the
22 purpose of assisting and ensuring the safety of the passengers. The safety of
23 passengers shall at all times be accorded the highest priority;

24 d. The clearing, at all times, of all passageways of any obstruction. Safe
25 and convenient storage for passengers' hand-carried luggage must be provided;
26 and

27 e. The wearing of prescribed uniform and identification cards by the ship's
28 officers and crew, including security personnel, while they are on duty.

29 **SEC. 5. *Provision of Standard Safety Equipment.*** – All vessels covered by
30 this Act shall at all times be provided with:

1 a. Life vests or life jackets on board the vessel in the quantity of twenty
2 (20) units or pieces more than the passenger load capacity of such vessel, as
3 determined and authorized by the Maritime Industry Authority (MARINA),
4 imprinted with the vessel's name, conspicuously stored in a designated locker and
5 must be readily accessible for use in any case of emergency;

6 b. Lifeboats or rubber boats on board the vessel in the quantity of two (2)
7 units more than what is sufficient to accommodate the passenger load capacity of
8 such vessel, including the crew members, imprinted with the vessel's name
9 conspicuously located in strategic points or areas of the vessel, and must be readily
10 accessible for use in any case of emergency;

11 c. At least two (2) accessible emergency exits or escape openings in all
12 general areas, and the location of such shall be indicated by luminous signs visible
13 in all passenger areas showing the proper direction thereto;

14 d. Independent red blinking lights as a part of, and indicating each
15 emergency exit or escape opening for the purpose of assisting the passengers in
16 identifying such exits in cases of emergency;

17 e. Emergency lights, in good working condition, in all passenger
18 accommodations, passageways and stairways that shall automatically switch on in
19 any case of power failure in the vessel;

20 f. Emergency communications equipment, in good working condition, for
21 use of the crew personnel to assist passengers in cases of emergency, on board
22 and on escape or exit from the vessel;

23 g. Firefighting equipment and supplies, in good working condition, with
24 clear instructional diagrams and text; and

25 h. Sketches of the vessel indicating the locations of lifejackets, lifeboats,
26 firefighting equipment, emergency exits, and the major sections of the vessel,
27 passageways and stairways, including the vessel's general emergency plan,
28 conspicuously displayed in all passenger lounges and inside cabins and suites.

29 **SEC. 6. *Passenger Overloading.*** – No vessel shall:

1 a. Leave a port unless its manifest or passenger list has been prepared and
2 made available by the concerned ship officer to port authorities;

3 b. Leave the port carrying more than or in excess of its authorized
4 passenger load capacity;

5 c. Accept persons or passengers without a valid ticket issued by the ship
6 owner or its authorized agent;

7 d. Allow selling or issuance of tickets on board.

8 **SEC. 7. *Delineation of Functions.*** – Notwithstanding existing laws, rules and
9 memoranda and issuances, the MARINA shall promulgate rules and regulations for
10 the effective implementation of the provisions of this Act.

11 The Philippine Coast Guard (PCG) shall assist the MARINA in the
12 enforcement of this Act and its implementing rules and regulations. For this
13 purpose, it shall be primarily responsible for enforcing the provisions of this Act
14 before any vessel leaves, or as it calls on, any port, and whenever, allowed by law,
15 or when necessary in the interest of the safety of the passengers, while any such
16 vessel is on its voyage at sea.

17 The PCG shall assign a team to conduct the pre-departure inspection and
18 who shall sail with the vessel for the whole duration of its voyage.

19 **SEC. 8. *Penalties.*** – Any violation of the provisions of this Act shall be
20 punished accordingly:

21 a. Any person or entity in violation of the provisions of Section 4 of this Act
22 shall suffer the penalty of a fine not less than Fifty Thousand Pesos (P50,000.00)
23 but not more than One Hundred Thousand Pesos (P100,000.00) for the first and
24 second violation. For the third instance of violation of the same provisions, the ship
25 owners and other responsible officers, as the case may be, shall suffer the penalty
26 of imprisonment of two (2) years and one (1) day;

27 b. Any person or entity in violation of the provisions of Section 5 of this Act
28 shall be punished with a fine not less than One Hundred Thousand Pesos
29 (P100,000.00) but not more than Two Hundred Thousand Pesos (P200,000.00),
30 for the first and second violation. For the third violation of the same provisions,

1 the ship owners and other responsible officers, as the case may be, shall be
2 punished by an imprisonment of three (3) years and one (1) day;

3 c. Any person or entity in violation of the provisions of Section 6 of this Act
4 shall be punished with a fine not less than One Hundred Thousand Pesos
5 (P100,000.00) but not more than Two Hundred Thousand Pesos (P200,000.00) for
6 the first and second violation. For the third violation of the same provisions, the
7 ship owners and other responsible officer, or agent or employee, as the case may
8 be, shall be punished by an imprisonment of three (3) years and one (1) day.

9 **SEC. 9. *When Injuries or Deaths Occur.*** – Whenever less grave or serious
10 physical injuries or death of any passenger occur as a direct and efficient cause of
11 any violation of Sections 4, 5 and 6 of this Act as may be shown by evidence in a
12 judicial proceeding, the responsible persons of the entity shall be punished with
13 imprisonment of not less than six (6) years but not more than twelve (12) years,
14 without prejudice to the penalties imposed in the abovementioned sections.

15 **SEC. 10. *Jurisdiction of Courts.*** – The jurisdiction over a case arising from
16 any violations of this Act shall be in accordance with the pertinent provisions of
17 Batas Pambansa Bilang 129 as amended: *Provided,* That if the violation occurred
18 at sea, the Court whose seat is the most proximate in distance to such location of
19 the vessel at sea shall have jurisdiction.

20 **SEC. 11. *Implementing Rules and Regulations.*** – Within sixty (60) days
21 from the effectivity of this Act, an inter-agency committee chaired by the
22 Department of Transportation (DOTr), in coordination with its relevant attached
23 agencies, MARINA and the Philippine Coast Guard shall promulgate the necessary
24 Implementing Rules and Regulations for the effective implementation of this Act.

25 **SEC. 12. *Repealing Clause.*** – All laws, decrees, executive orders, rules and
26 regulations or other issuance, or parts thereof, inconsistent with this Act are
27 hereby repealed or modified accordingly.

28 **SEC. 13. *Separability Clause.*** – If any portion of provision of this Act is
29 declared unconstitutional, the remainder of this Act or any provisions not affected
30 thereby shall remain in force and effect.

1 **SEC. 14. Effectivity.** – This Act shall take effect fifteen (15) days after its
2 publication in the Official Gazette or two (2) newspapers of general circulation in
3 the Philippines.

4 Approved,