

9 SEP -8 P4:54

SENATE  
P. S. Res. No 1352

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Introduced by **Senator Biazon**

**RESOLUTION**

**DIRECTING THE SENATE COMMITTEE ON NATIONAL DEFENSE AND SECURITY AND OTHER APPROPRIATE COMMITTEES, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE SINKING OF THE SUPER FERRY 9 AS IT RELATES TO MARITIME SAFETY AND SECURITY**

*Whereas*, The Super Ferry 9 is a 7,268-ton ship built in 1986 by Usuki Iron Works Ltd. at Saiki, Japan and subsequently launched in the same year as the "Ariake";

*Whereas*, It was converted in 1995 in Cebu City for William Lines Incorporated and renamed "Mabuhay 5";

*Whereas*, In 1996, the ship was acquired by the Aboitiz Transport System Corporation and renamed as "Super Ferry 9";

*Whereas*, On 06 September 2009, the Super Ferry 9, classified as a roll on/roll off ferry and carrying 968 people and precious cargo, sank in waters off the Zamboanga Peninsula;

*Whereas*, The sinking of the Super Ferry 9 caused the death of 9 persons and the loss of its cargo worth millions of pesos;

*Whereas*, This incident is an apparent repeat of previous sinkings of major commercial vessels such as the MV Princess of the Stars, MV Princess of the Orient and others where numerous lives and millions of pesos worth of cargo were lost;

*Whereas*, If this sorry situation continues unabated, it will have adverse effects on the economic and other related aspects such as disaster prevention and response, of national security;

*Whereas*, According to reports, there have been previous occasions wherein the Super Ferry 9 encountered problems related to its seaworthiness *to wit*;

- In April of 2006, the vessel was stranded near Masbate because of engine trouble due to a cracked cylinder head. After it was repaired, the replacement cylinder suffered a leak on the same day while crossing Romblon waters; and
- In February 2007, the ship's engine stalled Southwest of Daog Point on Negros Island while on its journey from Bacolod City to Iligan City. As a result of this incident, the Maritime Industry Authority (MARINA) revoked the safety certificate of the vessel and ordered the owner to dock the ship to perform appropriate repairs;

- In May 4, 2009 – about four months before this unfortunate incident, the ship also suffered from engine problems that caused 900 passengers to be stranded off the waters of Camiguin Island;

*Whereas*, In light of these reports, there is therefore a need to look into the following issues:

1. Was there an alteration of the ship after its acquisition in 1986 in order to increase its cargo and passenger capacity?
2. Were the cargoes, especially the container vans, properly stowed and lashed?
3. Were the ballast tanks properly utilized?
4. Who gave the clearance to sail considering that there were reports that even after departure from the port of General Santos, the ship was already listing?
5. Was there an inspection made by the appropriate authorities for the seaworthiness of the ship?
6. Were there proper, quality and sufficient safety of life at sea (SOLAS) equipment such as lifeboats and life jackets?

*Whereas*, There is a need to clearly define the distribution of powers and functions among agencies of the government as far as maritime safety is concerned;

*Whereas*, There are several proposed pieces of legislation pending in the different committees such as the Philippine Coast Guard Law, the Maritime Administration Act, the Maritime Code and the National Transportation Safety Board Act that are geared to address some of the problems besetting maritime safety that may need to be fast-tracked in light of this recent development;

*Now Therefore, Be It Resolved, As It Is Hereby Resolved,*

*By The Senate, To Direct The Senate Committee on National Defense and Security And Other Appropriate Senate Committees To Conduct An Inquiry, In Aid Of Legislation, On The Sinking of the Super Ferry 9 As It Relates To Maritime Safety And Security.*

Adopted,

  
RODOLFO G. BIAZON  
Senator