



Republic of the Philippines
Department of Transportation
OFFICE FOR TRANSPORTATION SECURITY

MEMORANDUM CIRCULAR NO. 2020-001

Subject : Extension of Period of Validity of Interim Certificates due to Declaration of State of National Calamity

Date : 18 March 2020

Pursuant to Proclamation No.929, Declaring a State of Calamity Throughout the Philippines Due to Corona Virus Disease 2019, OTS hereby issues the following interim policies and guidelines in the implementation of the National Security Program for Sea Transport and Maritime Infrastructure (NSPSTMI).

I. OBJECTIVE

To prescribe implementing guidelines in the extension of period of validity of an interim certificates which expiry date falls due in time of the declaration of state of national calamity.

II RATIONALE

Unhampered delivery of service towards maritime security objectives during the period of National Calamity where OTS auditors are unable to conduct Renewal Audit.

II. SCOPE

This MC covers all ships and port facilities which were issued with Interim Certificates pursuant to MC No. 03, series 2013.

III. DEFINITION OF TERMS

- A. *"Interim Certificate"* - security certificate, whether ISSC, NSSC or SoCPF, issued in the interim by OTS as the Designated Authority and Administrator, or by a Recognized Security Organization (RSO), when so authorized, to the ship or port facility under certain conditions specified in MC No. 03, series of 2013.
- B. *"International Ship Security Certificate (ISSC)"* - a certificate issued by OTS to a Philippine-registered ship engaged in international voyage stating that it fully complies with the requirements of maritime security measures and the associated security equipment are in satisfactory condition and fit for the service intended.
- C. *"National Ship Security Certificate (NSSC)"* - is a certificate issued by OTS to a Philippine-registered ship for coastwise voyage stating that it fully complies with the requirements of maritime security measures and the associated security equipment are in satisfactory condition and fit for the service intended.

Transport Security Audit Regime: "Ensuring a Secured National Transportation System"

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- D. "Statement of Compliance of a Port Facility (SoCPF) - a document issued by OTS to a port facility with an approved Port Facility Security Plan
- E. "State of Calamity" - a condition involving mass casualty and/or major damages to property, disruption of means of livelihoods, roads and normal way of life of people in the affected areas as a result of the occurrence of natural or human-induced hazard.¹

IV. POLICIES / GUIDELINES

- A. The validity period of previously issued Interim NSSC, ISSC or SoCPF with expiry date falling during the period in which the Philippines is placed under the State of National Calamity may be extended to another six (6) months reckoned from said expiry date.
- B. In case the State of National Calamity is extended and OTS auditors are still unable to conduct renewal audit, the validity date of the certificate shall again be extended for three (3) months from the expiration of the extension provided in IV.A.
- C. The new Interim Certificate with an updated validity period shall be approved and signed by the OTS, Administrator.

V. MISCELLANEOUS PROVISIONS

- A. **Construction** - This Circular shall be liberally construed in order to promote its maritime transportation security objectives.
- B. **Reservation** - Nothing shall be construed as precluding OTS through the Administrator from enforcing the rules enunciated herein and in prescribing other requirements to meet the constantly evolving challenges in the security of all modes of transportation.
- C. **Repeal** - All orders, regulations and issuances, or parts thereof, which are inconsistent with this Circular are hereby repealed or modified accordingly.
- D. **Separability** - If any provisions or sections of this rule are declared null and void by competent authority, the other provisions not affected thereby shall remain in full force and effect.
- E. **Effectivity** - This Circular shall take effect immediately. A copy of this Circular shall be deposited with the University of the Philippines Law Center in compliance with the Revised Administrative Code.



USEC. RAUL L. DEL ROSARIO
Administrator

¹ Section 3 (II) of Republic Act No. 10121 - An Act Strengthening the Philippine Disaster Risk Reduction and Management System, Providing for The National Disaster Risk Reduction And Management Framework and Institutionalizing the National Disaster Risk Reduction and Management Plan, Appropriating Funds Therefor and for Other Purposes