



Department of Transportation and Communications
PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS
Headquarters Philippine Coast Guard
139 25th Street, Port Area
1018 Manila

HPCG/CG8

24 August 2012
Date

MEMORANDUM CIRCULAR
NUMBER 05-12

MASTER'S DECLARATION OF SAFE DEPARTURE

I. AUTHORITY:

Republic Act 9993 (The 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 Regulation (PMMRR), as amended;
- C. SOLAS 74/78, as amended

III. PURPOSE:

To prescribe guidelines in the submission of the Master's Declaration of Safe Departure as a requirement prior to every voyage to ensure that the Master continuously comply to the prescribed safety requirements and to develop his awareness and responsibility to abide with safety rules and regulations in conducting day to day operations.

IV. SCOPE:

This Memorandum Circular shall apply to the Master of the Philippine-registered vessels engaged in domestic trade to include Major Patron/Captain of fishing vessels of three gross tonnage and above.

V. GENERAL PROVISIONS:

- A. Based on the Master's obligation and authority to ensure the seaworthiness of his vessel for its intended voyage, the PCG shall require the Master to submit a Master's Declaration of Safe Departure (MDS) as a condition prior departure for the purpose of conducting the required pre-departure inspection

to verify whether the vessel is fit for the conveyance of passengers and/or cargoes;

- B. The Master's Declaration of Safe Departure (MDSD) is a statement of the Master of the vessel executed before the Station Commander or Detachment Commander, submitted prior to departure to attest the vessel's safe condition, status, proper compliance to safety rules and readiness to sail to its intended voyage;
- C. The MDSD shall be prepared by the Master of the vessel in accordance with the format prescribed in Annex "A" which he shall submit in original form to the Coast Guard Station/Detachment at the port of origin or departure;
- D. It shall be accompanied with a Voyage Plan to ensure that there will be no unauthorized deviation of its intended route, as well as Crew List, Passenger Main Manifest, Passenger Supplemental Manifest, Coasting Manifest, Dangerous Cargo Manifest and Permit to Carry Dangerous Cargo issued by the appropriate Government agency.
- E. The Master's Declaration of Safe Departure shall contain a declaration of compliance to safety standards, rules and regulations, which includes the following:
 - 1. Completeness and validity of ship safety certificates and documents;
 - 2. Compliance with safe manning requirement and crew certification and qualification document validity;
 - 3. Officers and crew are in healthy and sound condition, not under the influence of alcohol or prohibited drugs and fit to perform duties and responsibilities for the intended voyage;
 - 4. Carriage of cargo and passengers are within authorized limits, and properly documented;
 - 5. Required communications and navigational equipment are complete and in good operating condition;
 - 6. Main and auxiliary engines are in good operating condition;
 - 7. Fire-fighting and life-saving appliances are complete, in good operating condition, available and accessible to passengers;
 - 8. Proper ship stability and trim, cargo stowage, securing and lashings are strictly observed; and
 - 9. Prevailing weather conditions for intended voyage is safe and latest weather bulletin and advisory are available.

10. The crew, passengers and cargoes have undergone the necessary security screening;

F. The Master and shipowner/company management of the vessel shall be held equally responsible for any false declaration in the MDSD or for leaving port without submitting MDSD;

VI. PROCEDURES:

A. The Master of the vessel shall:

1. Cause the preparation of MDSD (HPCG Form C);
2. In the event that the vessel has undergone engine repair, the Master shall submit a sworn statement stating that the repair has been satisfactorily done. This sworn statement shall be submitted in original form as one of the attachments of MDSD;
3. Ensure that the information contained therein are accurate, complete and personally verified;
4. Affix his signature on the MDSD and on the sworn statement for satisfactory derangement repair of engine, if applicable;
5. Submit a copy of duly accomplished and subscribed MDSD and its necessary attachments to the Coast Guard Station/Detachment two hours prior to scheduled departure.
6. For vessels with less than two hour sailing time, the submission of MDSD shall be at least one hour before departure. Fishing vessels may submit MDSD thirty minutes before the intended time of departure.

B. The procedures to be followed by Coast Guard Station/Detachment Commanders in receiving and recording MDSD shall be governed by HPCG Standing Operating Procedure (SOP) on Master's Declaration of Safe Departure.

VII. PENALTY CLAUSE:

The following violations shall be imposed with corresponding penalties:

Violation	Penalty
Master's failure to accomplish MDSD	50,000.00
Fraudulent Entry (with evidence that the act is deliberate and with the intent to deceive)	30,000.00
Connivance between shipowner's/company manager and the Master to leave port without submitting MDSD	50,000.00

VIII. RESCISSION:


This Memorandum Circular rescinds previous publications pertaining to Master's Oath of Safe Departure.

IX. EFFECTIVITY:

This Memorandum Circular is effective fifteen (15) days after publication in a newspaper of general circulation and/or in the Official Gazette.

EDMUND C TAN
VADM PCG
Commandant, PCG

Approved by:


MAR ROXAS
Secretary, DOTC

Annex:

Master Declaration of Safe Departure (Form "C")



DOTC-OSEC OUTGOING

12-00583