



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

HPCG/CG8

24 August 2012

Date

MEMORANDUM CIRCULAR
NUMBER 08-12

EMERGENCY READINESS EVALUATION (ERE)

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 Regulations (PMMRR), as amended
- C. SOLAS 74/78, as amended

III. PURPOSE:

To prescribe policies for the conduct of Emergency Readiness Evaluation (ERE) to all Philippine registered vessels to determine their compliance to safety standards and readiness of the Officers and crew in responding to any emergency situation on board the vessel while underway or at port, to be carried out by qualified PCG Vessel Safety Enforcement Inspectors.

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

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

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

Emergency Readiness Evaluation Report – an assessment report conducted by the VSE Inspectors in relation to emergency response of officers and crew of the vessel on dealing evitable emergency circumstances.

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.

Detention – intervention action taken by the Vessel Safety Enforcement Inspectors 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;

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

Vessel Safety Enforcement Inspectors (VSEI) – a duly authorized and qualified PCG personnel who are composed of Boarding, Vessel Safety Enforcement Inspection, Emergency Readiness Evaluation and Operational Readiness Evaluation Teams that checks the validity of vessel and crew documents and the over-all condition of the vessel's hull, machinery and equipment.

VI. POLICIES:

- A. The Emergency Readiness Evaluation is conducted as part of precautionary measures and protocols to ensure that quick and efficient response is available on board the vessel for the safety of the passengers, crew, the vessel itself and the cargoes on board;
- B. It is the primary responsibility of the Master of the vessel and shipowner/company management to ensure that the officers and crew manning the vessel are competent, ready, equipped and well trained in responding to any emergency situation on board the vessel or at port at all times.

C. The evaluation shall be conducted for the following simulated emergency situations:

1. Abandonship
2. Fire in Port or at Sea
3. Collision at Port / Sea
4. Emergency Steering Casualty
5. Man Overboard
6. Bomb threat
7. Hostage taking
8. Explosion
9. Piracy

D. The shipowner / operator may or may not be notified prior to the conduct of actual ERE on a specific vessel;

E. The shipowner or Master may request the Commandant, PCG for Vessel Safety Enforcement Inspectors for the conduct ERE on their vessels;

F. The emergency readiness of all vessels covered by this Circular shall be subject for evaluation by PCG-VSE Inspectors once in every six (6) months;

G. The evaluation may be conducted more than once within the period of six months in case the emergency readiness of the officers and crew of the vessel is found to be unsatisfactory and that there is a clear showing of potential danger on board which could lead to loss of lives and property at sea and damage to the marine environment;

H. The shipowner / operator / master shall be informed of the result of evaluation. The deficiencies noted during the actual ERE shall be rectified within seven days upon the receipt of the evaluation result;

I. In case the officers and crew do not meet the prescribed standard operational and emergency readiness, they shall be required to undergo re-training and re-evaluation until such time that the standard of readiness has been satisfactorily met.

J. The master shall provide proper billeting for PCG VSE Inspectors during the conduct of evaluation and may stay aboard for the return trip if more time is needed to complete the evaluation;

K. The shipowner or Master may request the PCG VSE Inspectors to conduct training on emergency readiness provided that the company shall shoulder the expenses of the team.

VII. FINES, FEES AND PENALTIES:

A. In case the emergency readiness is found to be unsatisfactory during the evaluation, the shipowner / operator or master shall be issued an Enforcement Apprehension Inspection Report, as defined under HPCG

Memorandum Circular on Vessel Safety Enforcement Inspection, Such deficiency shall be reflected in the Vessel Inspection Record Booklet.

- B. Unsatisfactory rating is a clear ground for the vessel to be temporarily suspended from operating until such time that the standard of readiness has been satisfactorily met.
- C. In case that during re-evaluation, it was found out that the shipowner or Master did not remedy or rectify the findings of unsatisfactory performance of the officers and crew or deficiency in responding to emergency situation, the following fees/fines/penalties shall apply:

Inspection Remarks	Fines/Fees/Penalties
Unsatisfactory over-all performance	<ul style="list-style-type: none">• Re-inspection fee of P10,000.00• Overtime charge for inspectors equal to the basic daily salary of the inspectors x number of days conduct of ERE
Failure to rectify and attain a satisfactory over-all rating within 7 calendar days	<ul style="list-style-type: none">• Re-inspection fee of P20,000.00• Overtime charge for inspectors equal to the basic daily salary of the inspectors x number of days conduct of ERE
Failure to attain a satisfactory over-all rating after two (2) re-inspections	<ul style="list-style-type: none">• Detention of vessel• Recommendation for suspension of CPC

VIII. 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.

IX. REPEALING CLAUSE:

This Memorandum Circular rescinds previous publications pertaining to the conduct of ERE. The provisions of existing Memorandum Circulars which are inconsistent with this Memorandum Circular are hereby modified accordingly.

X. AUTOMATIC REVIEW

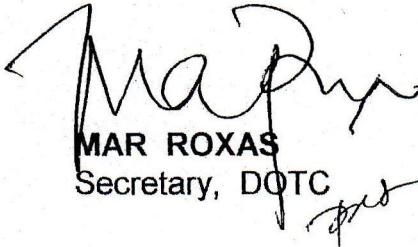
This Memorandum Circular shall be subject to automatic review one year after its effectivity or as necessary.

XI. EFFECTIVITY:

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

EDMUND C TAN
VADM PCG
Commandant, PCG

Approved by:


MAR ROXAS
Secretary, DOTC

ANNEXES:

1. Enforcement Inspection Apprehension Report (Form A)
2. Certificate of Orderly Inspection (Form B)
3. ERE Form (Form E)
 - a) ERE Checklist for Abandonship
 - b) ERE Checklist for Fire in Port / at Sea
 - c) ERE Checklist for Collision at Port / at Sea
 - d) ERE Checklist for Steering Casualty
 - e) ERE Checklist for Man overboard



DOTC-OSEC OUTGOING 12-00586