



PAMBANSANG PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS

(National Headquarters Philippine Coast Guard)

139 25th Street, Port Area

1018 Manila

NHQ-PCG/CG-8

29 October 2025

STANDING OPERATING PROCEDURE

NUMBER

15-25

CONDUCT OF DISTRICT-LEVEL INVESTIGATIONS FOR THE PURPOSE OF FILING ADMINISTRATIVE OR CRIMINAL CHARGES ARISING FROM MARINE CASUALTIES

1. PURPOSE

This SOP prescribes the procedures to be observed by Coast Guard Districts in conducting investigations separate from Marine Casualty Investigation (MCI), specifically aimed at establishing administrative or criminal liabilities of vessel owners, operators, officers and crew involved in marine casualties.

2. SCOPE

This SOP shall apply to all Coast Guard Districts, Stations, Sub-Stations and Mobile Teams tasked to investigate marine casualties and incidents within their respective areas of responsibility (AOR), regardless of vessel type, flag or ownership, subject to the provisions of applicable laws and regulations.

3. LEGAL BASES

- A. Republic Act No. 9993, entitled "Philippine Coast Guard Law of 2009" and its Implementing Rules and Regulations dated 27 July 2009;
- B. Presidential Decree No. 474, entitled "Maritime Industry Decree of 1974" dated 01 June 1974;
- C. Presidential Decree No. 979, entitled "Marine Pollution Decree of 1976" dated 18 August 1976;
- D. Executive Order No. 125/125-A, entitled "Reorganizing the Ministry of Transportation and Communications (now DOTR)" dated 30 January 1987;

- E. IMO Casualty Investigation Code (CIC) – Adopted by IMO Resolution MSC.255(84), establishing a mandatory framework for the investigation of marine casualties and incidents; and
- F. Other related IMO instruments, PCG regulations and applicable national laws.

4. DEFINITION OF TERMS

- A. **Marine Casualty** – an event, or sequence of events, resulting from any of the following, which occurred directly in connection with the operations of a ship:
 - i. the death of, or serious injury to, a person;
 - ii. the loss of a person from a ship;
 - iii. the loss, presumed loss or abandonment of a ship;
 - iv. material damage to a ship;
 - v. the stranding or disabling of a ship, or the involvement of a ship in a collision;
 - vi. material damage to marine infrastructure external to a ship, that could seriously endanger the safety of the ship, another ship or an individual; or
 - vii. severe damage to the environment, or the potential for severe damage to the environment, brought about by the damage of a ship or ships.
- B. **Marine Incident** – an event, or sequence of events, other than a marine casualty, which has occurred directly in connection with the operations of a ship that endangered or, if not corrected, would endanger the safety of the ship, its occupants, or any other person, or the environment.
- C. **District-level Investigation** – Inquiry conducted by Coast Guard District, Station or Sub-Station with the primary purpose of determining culpability and filing of administrative or criminal cases.
- D. **Marine Casualty Investigation** – Formal investigation under the Casualty Investigation Code (CIC) framework intended for safety learning and prevention, not for liability attribution.

5. POLICIES

- A. All PCG Districts shall conduct a District-level investigation, separate and distinct from MCI proceedings being conducted by the Maritime Safety Services Command, in all cases of marine casualty and marine incident, as investigation under the CIC framework is intended for safety learning and prevention, not for liability attribution.

B. Investigations shall prioritize:

- i. Determination of criminal negligence, liability or violation of maritime laws and regulations;
- ii. Documentation of evidence sufficient for filing of cases before proper courts or administrative bodies; and
- iii. Preservation of integrity of evidence for future reference by MCI authorities.

C. The rights of individuals under investigation shall be respected in accordance with due process and human rights laws.

D. Districts may enlist the services and expertise of the Coast Guard Investigation and Detection Management Service (CGIDMS) to ensure alignment with the Coast Guard Law Enforcement Manual and Procedures.

E. PCG's role in criminal proceedings is limited to fact-finding and evidence gathering, with the DOJ retaining exclusive authority to determine probable cause.

6. PROCEDURES

A. Activation of Investigation Team

- i. Upon occurrence of a marine casualty, the District Commander shall immediately activate an Incident Investigation Team (IIT).
- ii. The IIT shall be composed of qualified Officers and Enlisted Personnel from the District, Stations or Sub-Stations within the AOR, as designated by the District Commander.
- iii. The Coast Guard Legal Unit of the District shall act as adviser for legal matters arising during the investigation.

B. Initial Actions

- i. Secure the casualty area.
- ii. Render immediate assistance to save lives, property and environment.
- iii. Preserve evidence (logbooks, manifests, VDR/AIS data, CCTV footage, communications, safety equipment).

C. Collection of Evidence

- i. Conduct on-site inspection of the vessel and accident area.
- ii. Interview survivors, crew, witnesses and rescuers.
- iii. Collect physical, documentary and electronic evidence.

D. Legal Evaluation

- i. IIT shall forward the evidence(s) to the Coast Guard Legal Unit of the District for assessment of administrative and/or criminal liability.
- ii. Determine violations of RA 9993, RA 9295 (Domestic Shipping Development Act), PD 979, MARPOL and other applicable domestic or international laws, rules and regulations.

E. Coordination

- i. Coordinate with MARINA, PNP Maritime Group, BFAR, LGUs and other concerned agencies as necessary.
- ii. Ensure non-conflict with MCI proceedings (safety-focused) while pursuing liability cases.

F. Report Preparation

- i. IIT shall submit a District Investigation Report (DIR) containing:
 - a) Executive Summary
 - b) Factual Findings
 - c) Evidence Collected
 - d) Legal Analysis
 - e) Recommended Charges (Administrative/Criminal)
- ii. A copy shall be furnished to the Commandant, PCG.

G. Filing of Cases

The Coast Guard Legal Unit of the District, upon approval of the District Commander, shall file appropriate charges before the Prosecutor's Office, MARINA or other competent authorities within the prescribed period.

7. DOCUMENTATION AND RECORDS

- A. All reports, affidavits and evidences shall be kept in a secured archive at the Coast Guard Legal Unit of the District.

B. Copies shall be transmitted to NHQ-PCG (CG-8/CG-14), CGLS and CGIDMS for monitoring and guidance.

8. RESPONSIBILITIES

A. District Commander

- i. Activate the Incident Investigation Team (IIT) upon receipt of a marine casualty report within the AOR.
- ii. Issue written authority/order designating IIT members.
- iii. Ensure timely submission of the District Investigation Report (DIR), and endorse findings to higher headquarters when necessary.
- iv. Exercise overall supervision and control of the investigation process.
- v. Give final approval before filing the complaint with the proper forum.

B. Coast Guard Legal Unit of the District

- i. Provide legal guidance to the IIT in the conduct of investigation.
- ii. Review investigation reports for sufficiency of evidence and applicability of administrative or criminal charges.
- iii. Coordinate with DOJ, LGU, prosecutors or other law enforcement agencies when legal proceedings are required.
- iv. Conduct legal evaluation, draft and file complaint, and ensure compliance with procedural law.

C. Incident Investigation Team (IIT)

- i. Composed of designated Officers and Enlisted Personnel from the District, Stations or Sub-Stations and, when necessary, representatives from the Coast Guard Investigation and Detection Management Service (CGIDMS).
- ii. Shall include, at a minimum:
 - a) **Team Leader** – overall responsible for directing the investigation.
 - b) **Investigator(s)** – responsible for evidence gathering, interviews and fact-finding.

- c) **Documenter/Recorder** – ensure accurate recording of statements, timelines and findings.
- d) **Evidence Custodian** – safeguard physical and documentary evidence.
- e) **Legal Adviser (OIC, Coast Guard Legal Unit of the District or designated Legal Officer)** – provide guidance on legal implications.
- f) **CGIDMS Representative (when designated)** – provide investigative expertise, coordination and advanced evidence-handling capability.

- iii. Conduct on-site investigation, evidence preservation and initial fact-finding.
- iv. Coordinate with CGIDMS for specialized technical assistance.
- v. Prepare the District Investigation Report (DIR) with findings, conclusions and recommended actions.
- vi. Complete the investigation and recommend filing of charges.

D. Stations and Sub-Stations Commanders

- i. Provide personnel, logistical and operational support to the IIT.
- ii. Assist in securing the casualty site, witnesses and relevant records.
- iii. Ensure timely reporting of all relevant information to the District Commander and IIT.

E. CGIDMS

- i. When not directly included as IIT member, provide technical advice, expertise and resources upon request of the District.
- ii. Review investigation outputs submitted by Districts and recommend further actions if necessary.
- iii. Maintains consolidated records of all investigations for monitoring and compliance.

9. RESCISSION

This SOP rescinds all prior issuances inconsistent herewith.

10. SEPARABILITY CLAUSE

If any provision of this SOP is declared invalid, the remaining provisions shall remain in full force and effect.

11. REPEALING CLAUSE

PCG policies, rules or issuances inconsistent with this SOP are hereby amended or modified accordingly.

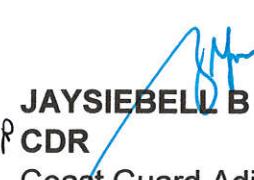
12. EFFECTIVITY

This SOP shall take effect on 13 October 2025.

BY COMMAND OF ADMIRAL GAVAN PCG:

OFFICIAL:

GLIDE GENE MARY G SONTILLANOSA
COMMO **PCG**
Acting Chief of Coast Guard Staff


JAYSIEBELL B FERRER 
CDR PCG
Coast Guard Adjutant