

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 242

**AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF
TRANSPORTATION AND COMMUNICATIONS TO IMPLEMENT THE
VOLUNTARY INTERNATIONAL MARITIME ORGANIZATION
MEMBER STATE AUDIT SCHEME**

WHEREAS, the Philippines is a member state of the International Maritime Organization (IMO) and is a contracting party to the IMO Mandatory Instruments;

WHEREAS, the IMO Assembly, in accordance with Resolution A.946(23), adopted the Voluntary IMO Member State Audit Scheme (VIMSAS), establishing an Audit Scheme, on a voluntary basis, to determine the extent that member states are implementing and enforcing applicable IMO Instruments, and thereby promoting the consistent and effective implementation of IMO Instruments with a view to enhancing global and member state performance;

WHEREAS, the IMO Assembly, in accordance with Resolution A.973(24) and A.996(25), adopted the Code for the Implementation of Mandatory Instruments, which serves as a guide to member states on how to be a good flag, coastal and/or port state, and provides a standard against which a member state should be audited;

WHEREAS, the Philippines offered to be audited under the Audit Scheme during the 24th Session of the IMO Assembly, which was confirmed in the letter of the Secretary of the Department of Transportation and Communications (DOTC) to the IMO Secretary-General on the offer to be audited in the second half of 2009;

WHEREAS, the Philippines is a leading maritime nation being the largest supplier of seafarers to the international maritime community, and its decision to volunteer for audit is part of its continuing commitment to maritime safety and environmental consciousness;

WHEREAS, there is a need to effectively and carefully plan, manage, direct, coordinate and monitor the efforts of national government agencies involved in the implementation of IMO Mandatory Instruments relative to the IMO Audit Scheme;



WHEREAS, the DOTC, including its attached agencies, is primarily responsible for the adoption, implementation and enforcement of the IMO Mandatory Instruments, including the continuous improvement of the same.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Lead Agency for the Implementation of the International Maritime Organization (IMO) Audit Scheme. The Department of Transportation and Communications (DOTC) shall serve as the lead agency in the implementation of the Voluntary IMO Member State Audit Scheme (VIMSAS) in the Philippines. It shall carry out the planning, coordination and implementation of the following activities, among others:

1. Preparations for Audit
2. Provision of Assistance during Audit
3. Preparation and Implementation of Corrective Action Plan for Audit Findings
4. Periodic In-House Evaluation of Performance

Section 2. Role of the DOTC Secretary. The DOTC Secretary is hereby authorized to direct, manage and coordinate all activities, mobilize available government resources and call on the assistance of all government agencies concerned for the implementation of the IMO Audit Scheme in accordance with applicable laws.

Section 3. Cooperation and Support of Government Agencies. All departments, bureaus, offices and other government agencies and instrumentalities, including government-owned and/or controlled corporations are hereby directed to extend full cooperation, support and assistance to the DOTC and the DOTC Secretary regarding all matters and requests specifically related to and covered by this Order.

The following departments, agencies and corporation shall form the core of the inter-agency group for the implementation of the IMO Audit Scheme:

Secretary of the DOTC
Undersecretary for Maritime Transport, DOTC

Chairman
Vice-Chairman

As members, the following departments/agencies/entities included and represented by an Assistant Secretary or an official of equivalent rank, namely the: Department of Foreign Affairs (DFA), Department of Environment and Natural Resources (DENR), Department of National Defense (DND), Department



of Labor and Employment (DOLE), Commission on Higher Education (CHED), Commission on Maritime and Ocean Affairs (CMOA), Maritime Industry Authority (MARINA), Philippine Coast Guard (PCG), Philippine Ports Authority (PPA), Maritime Training Council (MTC), Technical Education and Skills Development Authority (TESDA), Professional Regulation Commission (PRC), Philippine Navy (PN), National Disaster Coordinating Council (NDCC), and National Mapping and Resource Information Authority (NAMRIA).

The DOTC shall provide a Secretariat for the inter-agency group to be headed by an Assistant Secretary and composed of officials of the DOTC and its attached agencies with rank equivalent to a Director.

The Department of Budget and Management (DBM) is hereby directed to provide and/or assist in facilitating the release of the necessary funding for the conduct of the IMO State Audit Scheme.

Section 4. Separability Clause. Any portion or provision of this Administrative Order that maybe declared unconstitutional shall not have the effect of nullifying its other portions or provisions, as long as such remaining portions can still be given effect.

Section 5. Repealing Clause. All administrative orders, rules and regulations and other issuances or parts thereof, which are inconsistent with this Administrative Order, are hereby revoked, amended, or modified accordingly.

Section 6. Effectivity. – This Administrative Order shall take effect immediately after its publication in a national newspaper of general circulation.

DONE in the City of Manila, this 13th day of October, in the year of Our Lord, Two Thousand and Eight.

Gloria M. Arroyo



By the President:

Eduardo R. Ermita

EDUARDO R. ERMITA
Executive Secretary

