

12 OCT 2018



PMO MOC MEMORANDUM CIRCULAR
No. 010 - 2018

TO : Cargo Handling Operators
Port Ancillary Service Operators
All PPA Employees
All Others Concerned

SUBJECT : **Implementation of PPA Administrative Order No. 10-2018**
"Guidelines on the Accreditation of Port Service Providers"

In line with the Authority's thrust of ensuring efficient and safe provision of port services to the highest possible level of professionalism, promulgated herein is the PPA Administrative Order No. 10-2018 "Guidelines on the Accreditation of Port Services Providers" (See Annex A). The said guidelines shall apply to all parties seeking accreditation from PPA to be able to provide port services at ports, whether government or private, under the jurisdiction of PPA.

It may be highlighted that under Section 3 of said Admin Order, "Only port service providers duly accredited by the PPA shall be allowed to provide services inside ports under PPA jurisdiction." Further, "Accreditation, while a requirement in the selection of service providers at PPA ports and PPA-registered private ports, shall not be construed as a guarantee for the appointment, employment, or award of any contract or permit."

Applications for accreditation shall be filed directly with the PPA Head Office, addressed to the General Manager, who has the sole and exclusive authority to approve accreditations, through the Office of the Port Manager. The application letter shall contain the following specific information:

- a. Business name and office address;
- b. Port Terminal Service/s offered, and;
- c. Checklist of documents being submitted for evaluation

The documents submitted for accreditation will be initially evaluated by the Port Manager prior to submission to PPA Head Office for further processing and approval by the General Manager (see Annex B – Flowchart for Processing of Applications for Accreditation).

PPA A.O. No. 10-2018 is effective starting 12 October 2018. Relative thereto, all existing Permit to Operate (PTO) holders are enjoined to file their applications with this PMO at least one (1) month prior to the expiration of their PTOs. Application forms are available at the BDMO Office located at Building 1, Gate 3, Port Area, Macabalan, Cagayan de Oro City and may be downloaded at the PMO website: www.ppapmocdo.wordpress.com.

For your information and guidance.


ISIDRO V. BUTASLAC, JR.
Port Manager

Annex A – PPA Administrative Order (A.O.) No. 10-2018

SEP 18 2018

PHILIPPINE
PORTS
AUTHORITY



PPA ADMINISTRATIVE ORDER
NO 10 - 2018



TO : Port Managers,
Department Managers,
Port Service Providers and
Others Concerned

SUBJECT : Guidelines on the Accreditation of Port Service Providers

Pursuant to PPA Board Resolution No 2714, and Sections 2(b), 6(a)(iii), 6(a)(v), 6(b)(xv), and 26 of Presidential Decree No 857, as amended, and in order to ensure that port services at PPA ports are being provided by qualified service providers, these guidelines are hereby prescribed for the information of, and compliance by, all concerned

ARTICLE I PRELIMINARY PROVISIONS

Section 1. Scope and Coverage

These guidelines shall apply to all parties seeking accreditation from PPA to be able to provide port services at ports, whether government or private, under the jurisdiction of PPA. It shall specify the requirements and procedures for the processing of applications for accreditation to provide port services

Section 2 Definition of Terms

For purposes of these guidelines, the following terms used herein shall mean

- a *Accreditation* – recognition and registration by the PPA evinced by a relevant certification issued to a port service provider as proof of the port operator's legitimacy, capability, and competency in the provision of port services. It is not, by any definition, equivalent to a permit, contract, or license. The sample certificate is hereto attached as **Annex "A"**. Unless otherwise specified, the requirements for accreditation is not intended to replace specific requirements prescribed under the existing regulations
- b *Accredited Service Provider*- a duly authorized and registered holder of a certificate of accreditation issued by the PPA evincing qualification to manage, operate, maintain, and develop ports and to provide port-related services in relation to PPA ports

- c *Port Services* – refers to services classified and defined in **Annex "B"** of these guidelines
- d *PPA* - the Philippine Ports Authority
- e *PPA-Registered Private Port* – a port facility along the seacoast or river bank or any body of water owned by a private individual or entity which holds a valid Certificate of Registration/Permit to Operate issued by the PPA, constructed and duly registered as a commercial or non-commercial private port in accordance with PPA Administrative Order No. 06-1995

Section 3. Policy Statements

Only port service providers duly accredited by the PPA shall be allowed to provide services inside ports under PPA jurisdiction

Accreditation is to be granted only to qualified port service providers. To qualify, a port service provider must be a duly recognized/registered entity pursuant to existing laws and must have complied with all the documentary requirements and standards set forth in these guidelines and as may be required by PPA from time to time pursuant to duly promulgated rules and regulations

Accreditation, while a requirement in the selection of service providers at PPA ports and PPA-registered private ports, shall not be construed as a guarantee for the appointment, employment, or award of any contract or permit

With regard to PPA-registered private ports, the private port owner or operator may be required to comply with other qualifications and requirements pursuant to duly promulgated rules and regulations. This is apart from the necessary accreditation from the PPA pursuant to these guidelines

ARTICLE II GUIDELINES

Section 4. Criteria for Accreditation

All applicants for accreditation shall comply with the following criteria

- a must be a single proprietor/cooperative/partnership/corporate entity duly organized and existing under Philippine laws,
- b must not have any incorporator, organizer, stockholder, member of the board of directors, trustee, officer, or key personnel related within the fourth civil degree of consanguinity or affinity to any member of the board of directors, officer, or any regular employee of the PPA,

- c must not have any outstanding account with the PPA,
- d must not have any incorporator, organizer, stockholder, member of the board of directors, trustee, officer, or key personnel with a derogatory record with the PPA, any court, tribunal, or other quasi-judicial agency, or any other government agency, and,
- e must have been engaged in the port service for no less than two (2) years immediately prior to the application date

Section 5. Documentary Requirements for Accreditation

An applicant for accreditation must submit the following requirements

- a duly Accomplished Application Form,
- b company and business profile,
- c certificate of registration from DTI/SEC/CDA,
- d certified true copy of the Articles of Incorporation and By-laws/Articles of Partnership/Articles of Cooperation,
- e certified true copy of the most recent General Information Sheet duly filed with, and received by, the Securities and Exchange Commission/Cooperative Development Authority,
- f certified true copy of the most recent Tax Clearance Certificate per Executive Order No 398, series of 2005,
- g certified true copy of the Audited Financial Statements for the past three (3) years immediately preceding the date of application for accreditation as filed with, and received by, the Bureau of Internal Revenue together with corresponding Annual Income Tax Return,
- h certified true copy of the Bureau of Internal Revenue Certificate of Registration,
- i copy of value-added tax or percentage tax return covering the immediately preceding year, and,
- j certified true copy of the Department of Labor and Employment Certificate of Registration

Section 6 Processing of Applications for Accreditation

An application for accreditation shall be filed directly with the PPA Head Office, addressed to the General Manager

The application letter shall contain the following specific information

- a Business name and office address,
- b Port Terminal Service/s offered, and,
- c Checklist of documents being submitted for evaluation

The Assistant General Manager for Operations, through the Port Operations and Services Department, shall review and evaluate all applications for accreditation. To aid in its evaluation, the PPA may require additional documentary requirements, observe applicant's actual operations, and/or conduct the necessary inspection

Any and all applications for accreditation shall be approved solely and exclusively by the General Manager

Release of the approved Certificate of Accreditation shall be subject to the payment of Accreditation Fee in accordance with the schedule of fees in **Annex "B"**

All accredited service providers shall be included in a registry of accredited service providers nationwide of the PPA

Consistent with the objectives of these guidelines to ensure that port services at PPA ports are rendered efficiently and continuously by qualified service providers, all accreditations shall be renewed after three (3) years reckoned from the date of the approval by the General Manager of the application for accreditation. The renewal shall be subject to the submission and evaluation of updated documents where necessary and of additional documents as may be determined by the PPA and the payment of corresponding fees

Section 7. Penalties

Any misrepresentation in the applications for accreditation or submission of fraudulent document to support the application, violation of, or non-compliance with any of the terms and conditions by the accredited port service provider may be a ground for revocation of its accreditation. Exclusion from the PPA's registry of accredited service providers as a result of revocation under this Section shall render the service provider ineligible to renew or reapply for accreditation

**ARTICLE III
FINAL PROVISIONS**

Section 8. Applicability Clause


Any of the rules and regulations issued or promulgated by the PPA not covered by these guidelines but are deemed by the PPA to be pertinent in ensuring the effective provision of services at ports under the jurisdiction of PPA, including those that may be issued by the PPA after the effectivity of these guidelines, shall be applied and implemented accordingly

Section 9. Separability Clause

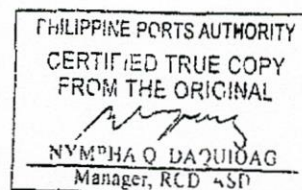
If for any reason any provision or section of these guidelines is declared to be invalid or unconstitutional, the other provisions not affected shall remain in force and effect

Section 10. Effectivity Clause

This Order shall take effect fifteen (15) calendar days from its publication in the Official Gazette or in a newspaper of general circulation and a copy filed with the University of the Philippines Law Center


JAY DANIEL R. SANTIAGO
General Manager

Published in the Philippine Star - September 28, 2018
Effectivity Date October 12, 2018





[NO. _____]

Republic of the Philippines

*Pursuant to the provisions of Presidential Decree No 857, as amended, and PPA
Administrative Order No _____ on the Guidelines on the Accreditation of Port
Service Providers In Philippine Ports Under the Supervision and Control Of the Authority this*

CERTIFICATE OF ACCREDITATION

is hereby granted to

(Name of Registrant)

(Tax Identification Number)

(Authorized Officer)

Valid for three (3) years,

starting from _____ to _____

*The grantee shall comply with the pertinent laws and existing PPA rules and regulations,
including those that will be promulgated during the validity of this Certificate*

Approved

PPA

SEAL

JAY DANIEL R. SANTIAGO

(General Manager)

**PORT SERVICES AND SCHEDULE OF FEES COVERED UNDER
PPA A.O No. _____**

- I PORT TERMINAL SERVICES (Php 10,000.00 PLUS VAT)
- II CARGO HANDLING SERVICES (Php 5,000.00 PLUS VAT)

A. ARRASTRE SERVICES

Shore-based cargo handling (CH) activities

- Receive and load cargoes from and to ship's tackle with the use of dock gang and CH gears and equipment
- Check cargo by marks and quantity, acknowledge and sign tally sheet.
- Deliver or transfer cargo onto or receive from truck's tail of consignee or shipper's transportation or ships' tackle
- Provide manpower, equipment and such other necessary CH gears for receiving, stowing, delivery, transfer, shifting and palletizing of cargo

B. STEVEDORING SERVICES

Work performed on-board vessel

- Stowing inside hatches, compartments and on deck or open cargo spaces on board vessel
- Rigging and unrigging of ship's gear
- Opening and closing of hatches.
- Provision of standard stevedoring gears and equipment as required by the cargo type

III VESSEL SERVICES (Php 3,000.00 PLUS VAT)

- 1 Mooring/Unmooring
- 2 Vessel Repair/Maintenance
- 3 Waste Disposal Services
- 4 Bunkering Services
- 5 Chandling Services
- 6 Pilotage Services
- 7 Tug Assistance
- 8 Lighterage/Barging
- 9 Watering Services
- 10 Towing/Tugging Services

IV PASSENGER SERVICES (Php 3,000.00 PLUS VAT)

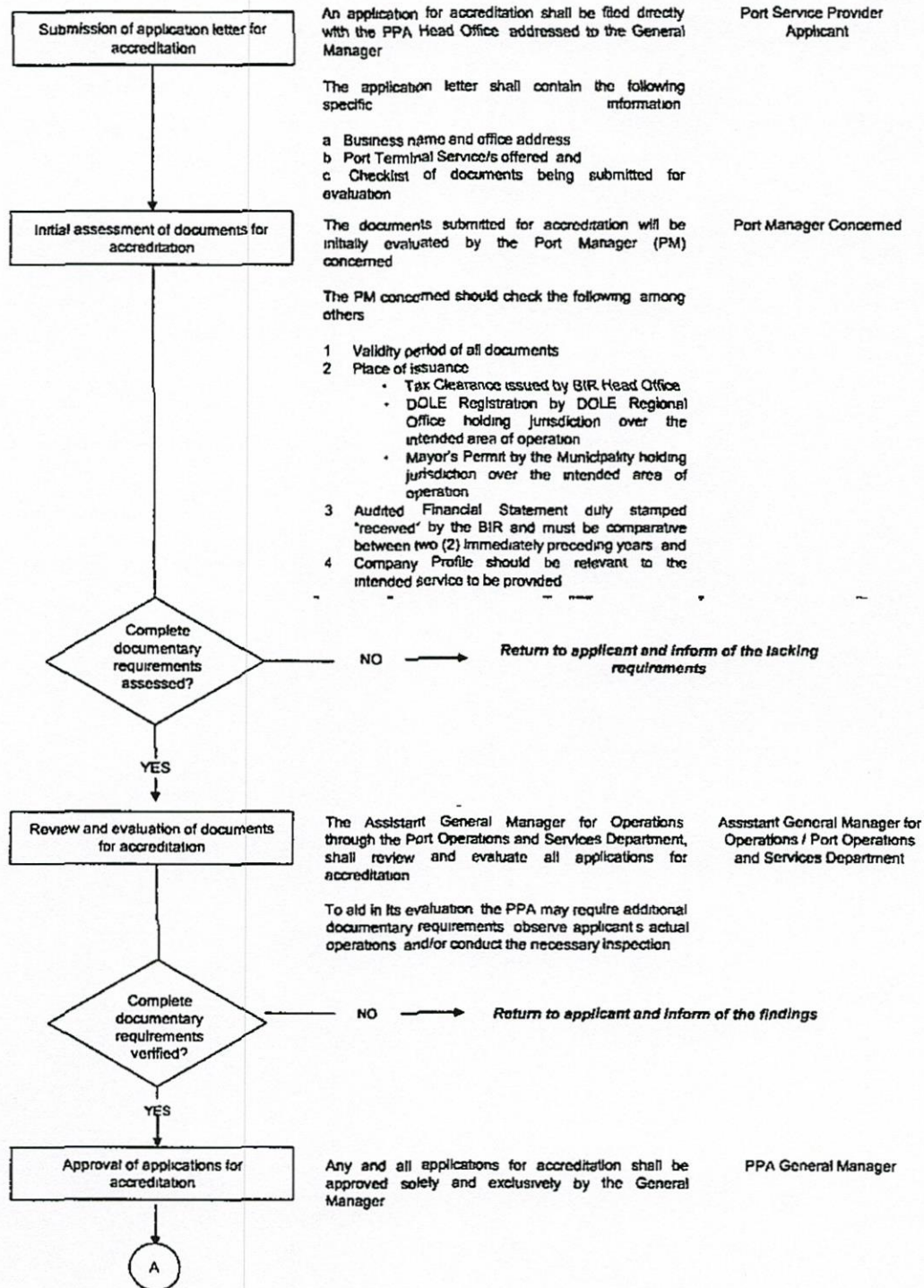
- 1 Parking/Garage Service
- 2 Water Taxi Service
- 3 Canteen Services
- 4 Porterage Services
- 5 Transport Services
- 6 Communication Services
- 7 Shops and Stores

V ANCILLARY SERVICES (Php 1,000.00 PLUS VAT)

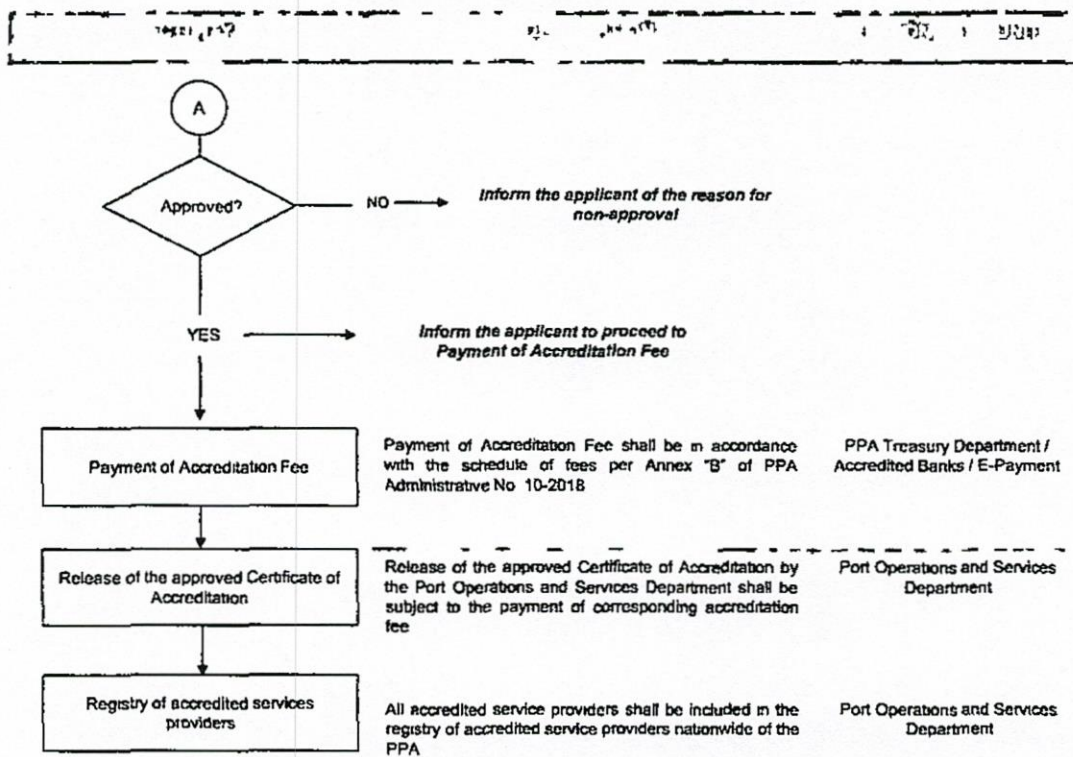
1. Cleaning Service
- 2 Container Repair
- 3 Fumigation
- 4 Laundry Service
- 5 Reproduction Service
- 6 Weighbridge/Truckscale
- 7 Other Services

Annex B – Flowchart

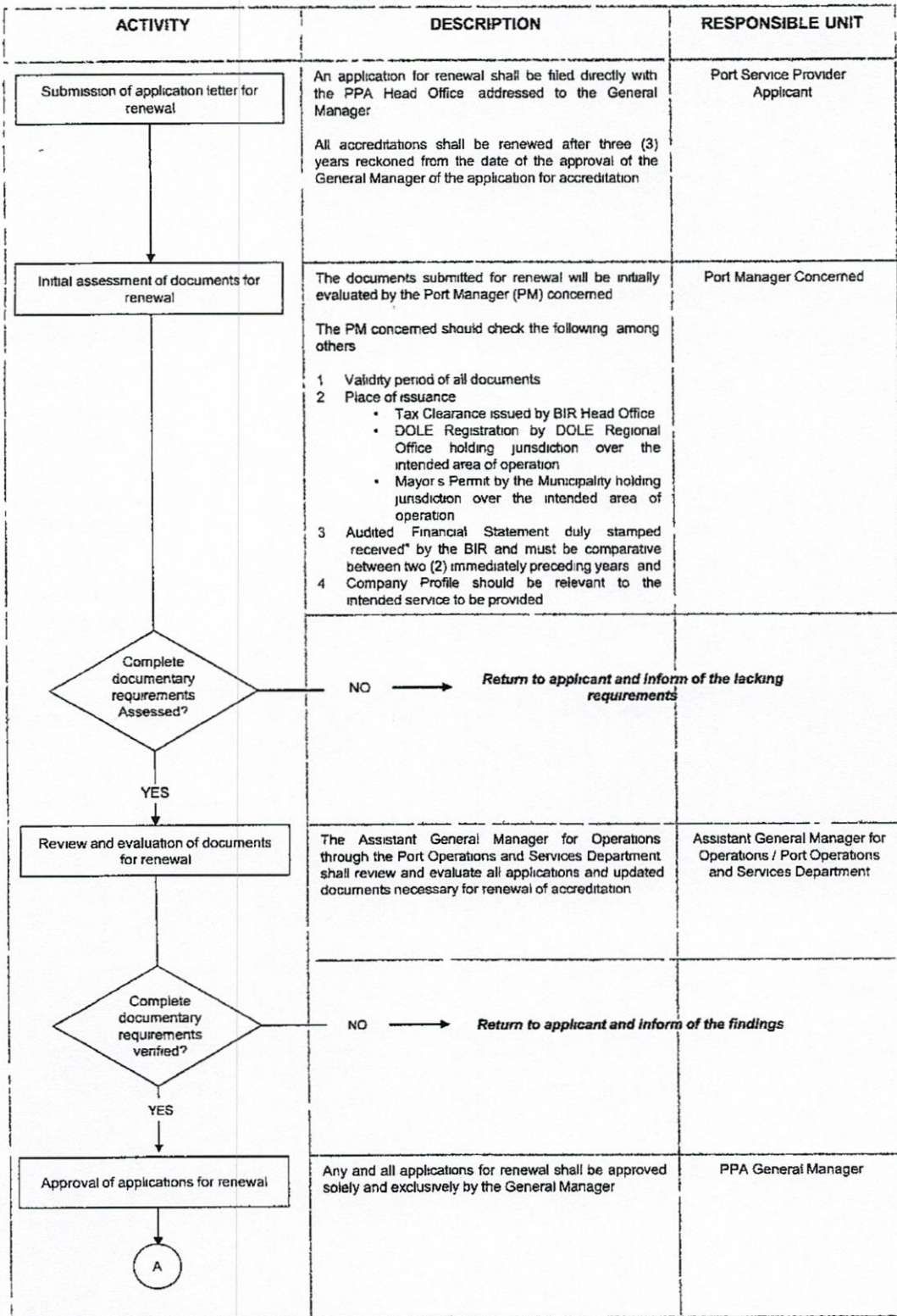
**PROCESSING OF APPLICATIONS FOR ACCREDITATION PURSUANT TO
PPA ADMINISTRATIVE ORDER NO 10-2018**



**PROCESSING OF APPLICATIONS FOR ACCREDITATION PURSUANT TO
PPA ADMINISTRATIVE ORDER NO 10-2018**



**PROCESSING OF APPLICATIONS FOR RENEWAL OF ACCREDITATION PURSUANT TO
PPA ADMINISTRATIVE ORDER NO 10-2018**



**PROCESSING OF APPLICATIONS FOR RENEWAL OF ACCREDITATION PURSUANT TO
PPA ADMINISTRATIVE ORDER NO 10-2018**

ACTIVITY	DESCRIPTION	RESPONSIBLE UNIT
<pre> graph TD A((A)) --> D{Approved?} D -- NO --> D1[Inform the applicant of the reason for non-approval] D -- YES --> P[Payment of Renewal of Accreditation Fee] P --> R[Release of the approved Certificate of Renewal] R --> Reg[Registry of accredited services providers] </pre>	<p><i>Inform the applicant of the reason for non-approval</i></p> <p><i>Inform the applicant to proceed to Payment of Accreditation Fee</i></p>	
Payment of Renewal of Accreditation Fee	Payment of Renewal of Accreditation Fee shall be in accordance with the schedule of fees per Annex "B" of PPA Administrative No 10 2018	PPA Treasury Department / Accredited Banks / E-Payment
Release of the approved Certificate of Renewal	Release of the approved Certificate of Renewal of Accreditation by the Port Operations and Services Department shall be subject to the payment of corresponding accreditation fee	Port Operations and Services Department
Registry of accredited services providers	All accredited service providers shall be included in the registry of accredited service providers nationwide of the PPA	Port Operations and Services Department

Annex C – Application Form

Reference No _____
Date of Application _____

APPLICATION FOR ACCREDITATION

The General Manager
Philippine Ports Authority
PPA Corporate Building, Bonifacio Drive,
South Harbor, Port Area, Manila

Dear Sir

I, _____, the duly authorized representative of _____,
(Full Name) (Company/Business Name)
respectfully apply for PPA Accreditation as _____
(Port Terminal Service/s Offered)
(see Annex B of PPA AO No 10-2018)

at the Port of _____ pursuant to PPA Administrative Order No 10-2018
(Area of operation)

Attached as supporting documents to this application are the following

- [] 1 company and business profile, indicating the port service/s offered
- [] 2 certificate of registration from DTI/SEC/CDA
- [] 3 certified true copy of the Articles of Incorporation and By-laws/Articles of Partnership/Articles of Cooperation
- [] 4 certified true copy of the most recent General Information Sheet duly filed with, and received by, the Securities and Exchange Commission/Cooperative Development Authority
- [] 5 certified true copy of the most recent Tax Clearance Certificate per Executive Order No 398, series of 2005
- [] 6 certified true copy of the Audited Financial Statements for the past three (3) years immediately preceding the date of application for accreditation as filed with, and received by, the Bureau of Internal Revenue together with corresponding Annual Income Tax Return

- [] 7 certified true copy of the Bureau of Internal Revenue Certificate of Registration
- [] 8 copy of value-added tax or percentage tax return covering the immediately preceding year
- [] 9 certified true copy of the Department of Labor and Employment Certificate of Registration

Attached also, is an *Omnibus Sworn Statement* relative to this application

I shall provide additional information/documents regarding this application as may be required by PPA

Very truly yours,

Signature Over Printed Name

Designation

E-mail address

Telephone/Fax No

Omnibus Sworn Statement

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S S

AFFIDAVIT

I, [Name of authorized representative of Applicant], of legal age, (Civil Status), (Nationality), and residing at (Address of Affiant), after having been duly sworn in accordance with law, do hereby depose and state that

1 *Select one, delete the other*

If a sole proprietorship I am the sole proprietor of (Name of Company) with office address at (address of Company).

If a partnership, corporation, cooperative, or joint venture I am the duly authorized and designated representative of (Name of Company) with office address at (address of Company) (each of the partners of the joint venture must submit separately),

2 *Select one, delete the other*

If a sole proprietorship As the owner and sole proprietor of (Name of Company), I have full power and authority to do execute and perform any and all acts necessary to represent it in the application for accreditation of port service providers pursuant to PPA Administrative Order No 10-2018

If a partnership, corporation, cooperative, or joint venture I am granted full power and authority to do execute and perform any and all acts necessary and/or to represent the (Name of Company) in the application for accreditation of port service providers pursuant to PPA Administrative Order No 10-2018, as shown in the attached *[state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate issued by the corporation or the members of the joint venture)]*.

3 That the (Name of Company), intends to apply for accreditation of port service providers of the Philippine Ports Authority pursuant to PPA Administrative Order No 10-2018, and is not blacklisted and has no terminated/cancelled contracts with PPA,

- 4 That the (Name of Company), must not have any incorporator, organizer, stockholder, member of the board of directors, trustee, officer, or key personnel with a derogatory record with the PPA, any court tribunal, or other quasi-judicial agency, or any other government agency,
- 5 That each of the documents submitted in satisfaction of the documentary requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct,
- 6 That the (Name of Company) shall abide with the existing laws, rules and regulations, such as those issued by the Authority and the Department of Labor and Employment (DOLE), in connection with the implementation of PPA Administrative Order No 10-2018
- 7 That the (Name of Company) has no outstanding accounts with the Philippine Ports Authority,
- 8 That the (Name of Company) must not have any incorporator, organizer, stockholder, member of the board of directors, trustee, officer, or key personnel related within the fourth civil degree of consanguinity or affinity to any member of the board of directors, officer, or any regular employee of the PPA,
- 9 That the (Name of Company) must have been engaged in the port service for no less than two (2) years immediately prior to the application date,
- 10 That the (Name of Company) is authorizing the Authority or its duly authorized representative(s) to verify the statements, documents and information submitted herewith to substantiate our application

The following persons, including telephone numbers and email addresses, may be contacted to provide further information with regard to this application

	NAME	TEL NUMBER	E-MAIL ADDRESS
a	_____	_____	_____
b	_____	_____	_____
c	_____	_____	_____

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of ____, 20__ at _____, Philippines

(Name of Applicant/Authorized Signatory)

Annex D – Compliance Checklist

COMPLIANCE CHECKLIST FOR PPA ACCREDITATION OF PORT SERVICE PROVIDER
PPA Administrative Order No. 10-2018

Name of Port Service Provider _____
 Authorized Representative _____
 Port _____
 PMO _____

Annex	Required Documents	YES	NO
A	Duly accomplished application form		
B	Certificate of No Outstanding Account with PPA		
C	Company and Business Profile, indicating the port service/s offered		
D	Certificate of Registration from DTI/SEC/CDA		
E	Certified True Copy of the Articles of Incorporation and By-laws/Articles of Partnership/Articles of Cooperation		
F	Certified True Copy of the most recent General Information Sheet duly filed with, and received by, the Securities and Exchange Commission/Cooperative Development Authority		
G	Certified True Copy of the most recent Tax Clearance Certificate per Executive Order No. 398, series of 2005		
H	Certified True Copy of the Audited Financial Statements for the past three (3) years immediately preceding the date of application for accreditation as filed with, and received by, the Bureau of Internal Revenue together with corresponding Annual Income Tax Return		
I	Certified True Copy of the Bureau of Internal Revenue Certificate of Registration		
J	Copy of Value-Added Tax or percentage tax return covering the immediately preceding year		
K	Certified True Copy of the Department of Labor and Employment Certificate of Registration		
L	Duly accomplished and notarized Omnibus Sworn Statement		
M	Proof of authorization, i.e., duly notarized Secretary's Certificate issued by the corporation or members of the joint venture		

Submitted by

Reviewed and Certified Correct

 Port Manager

LILIAN T. JAVIER
 Manager, POSD