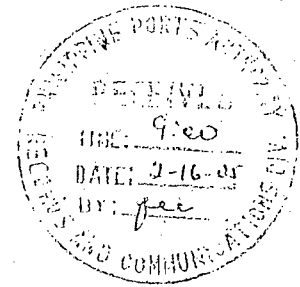


FEB 14 2005

PPA ADMINISTRATIVE ORDER
NO. 01 - 2005



TO : All PDO/PMO Managers
Cargo Handling Contractors and Others Concerned

SUBJECT : Cargo Handling Rate for Dangerous Cargoes with Multiple
Dangerous Cargo Labels

In reference to PPA Administrative Order No. 02-89 entitled "Cargo Handling Rate for Dangerous/Obnoxious Cargoes", it is hereby clarified that dangerous cargo with multiple hazards/risks (i.e. principal risk plus subsidiary risk/s) shall be charged on the basis of its principal risk. For this purpose, the following are hereby issued for the guidance of and compliance by all concerned:

1. In instances where the container or package of the dangerous cargo bears multiple dangerous cargo labels, indicating that the cargo possesses multiple hazards/classifications, only the principal risk shall be considered in the computation of the premium.
 - 1.1 In accordance with international standards, dangerous cargo label or placard is diamond shaped, with symbol of the property on top and the United Nation (UN) code number at the bottom. It is placed on all sides of the container van or package. The principal risk and the subsidiary risk/s are distinguished through the labels/placards. The principal risk is represented by a label/placard with property symbol and UN number on it; while the subsidiary risks' labels/placards have symbols but without the UN code numbers.
 - 1.2 As an example, BROMINE CHLORIDE, as per the International Maritime Dangerous Goods (IMDG) Code, is Class 2.3 dangerous cargo which is POISONOUS GAS (principal risk). It has subsidiary risks or other properties that of being CORROSIVE (Class 8) and OXIDIZING SUBSTANCE (Class 5.1). Labeling or placarding of this particular cargo must be such that one label/placard must bear the symbol of POISONOUS GAS on top and the number 2.3 at the bottom, symbolizing the principal risk. The other two labels/placards must bear the respective symbols of the CORROSIVE and OXIDIZING SUBSTANCE but no numbers must appear at the bottom, symbolizing the subsidiary risks.

VISITON

MISSION

By 2010, PPA shall have met the international standards in port facilities and services in at least ten (10) ports in support of national development.

We commit to provide reliable and responsive services in our ports, sustain development of our port communities and the environment, and be a model corporate agency of the government.

2. Should there be inconsistency on the declaration in the shipping manifest with that of the labels/placards pasted on the container/package, the labels/placards shall be considered.
3. Any cargo declared or classified as regular cargo at the port of origin and/or in its shipping manifest shall be subject to premium in accordance with PPA AO No. 02-89 when said cargo is in the PPA list of dangerous cargoes or its container or packaging physically contains a dangerous cargo label or multiple labels.
4. Any problem that may arise in the classification of dangerous cargoes with multiple hazards shall be brought to the attention of the Port Manager of the PMO concerned through the Safety Staff.

This shall take effect fifteen (15) days after its publication in a newspaper of general circulation.



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General Manager

agent for the delivery required to deliver any cargo to the consignee or consignees thereof, or his or their nominees, until all charges and disbursement with respect thereto have been paid in cash or certified checks.

- j) **Out-turn Reports.** - The CH Operator shall within fifteen (15) days after the discharge of the last package or container from any vessel entering the port within the CH Operator's area of operations, furnish and deliver to the vessel's agent, the Collector of Customs (in case of foreign cargoes) and the Port Manager concerned one (1) copy each of the out-turn report of the vessel's manifest, detailing package or container on manifest not landed. The CH Operator shall also list in said out-turn report all unmanifested packages/containers.

- k) **Unclaimed and Undelivered Cargoes: Transfer.** - The CH Operator shall submit monthly to the Authority within the first seven (7) days of each succeeding month a list of all unclaimed and undelivered cargo which remain in the piers for a period of more than thirty (30) days after the last package or container from the carrying vessel has been discharged and to transfer, upon request, to a designated place within the port zone such cargo or container together with such other cargo or container if any, which have been abandoned or confiscated by the proper government authority, and the CH Operator shall take and require from them or their representatives to whom delivery is made, a receipt of said cargo or container showing the condition of the same upon delivery and also an acknowledgment by notation thereon of the charges and

liens of the CH Operator, and the subjection of said cargo thereto. Upon delivery of said cargo or container to the proper government authority, the responsibility of the CH Operator shall thereupon cease with regard to any loss, shortage or damage to the said cargo or any part or parcel thereof that may thereafter come or happen thereto.

l) **Dangerous and Obnoxious Cargoes.**

- 1) **General Restriction** - No person shall cause any dangerous cargo to be imported or exported and no vessel shall cause to be loaded or discharged or transported any dangerous goods within the limits of any port, except in accordance with the permission or direction of the Authority in addition to whatever regulations or requirements imposed by other appropriate agencies of the government.
- 2) **Declaration of Dangerous Goods**
 - (a) No dangerous goods shall be brought into any port unless such goods are properly documented, marked, packed, labeled in accordance with the IMDG Code.
 - (b) Such certificate or declaration shall indicate the correct technical name and identity of the goods, the United Nations (UN) Number, and the class to which it belongs under the appropriate classification.
 - (c) For the purpose of this section, the phrase "limited quantity", when used in relation to a dangerous chemical, shall have the

same meaning as that ascribed to it in the Intergovernmental Maritime Consultative Organization (IMCO) Classification or the Blue Book.

3) Handling and Storage of Dangerous Cargoes

(a) Documentary Requirements

- (1) Authority to handle inflammable liquid and dangerous cargoes, together with preliminary manifest and cargo stowage plan, duly approved by the Philippine Coast Guard (PCG) (suggested Form II-a).
- (2) Letter request and permit for handling of dangerous cargoes duly approved by the Authority (suggested Forms II-b and II-c).
- (3) Dangerous Cargo List to be submitted to the Authority for information (suggested Form II-d).
- (4) Inward or Outward Foreign Manifest to be submitted to the Authority, BOC and PCG for information or statistical purpose and assessment of port charges.
- (5) Inward or Outward Domestic Manifest to be submitted to the

Authority for information or statistical purposes and assessment of port charges.

(c) General Handling Precautions or Requirements

The general requirements for the handling and storage of each class of dangerous cargoes as classified under the IMDG Code are provided for in the Dockwork Safety and Health Standards, which is made part of this Order by reference. In addition, the following guidelines shall be observed:

- (1) Only highly qualified personnel who possess the necessary education, training and or experience are employed in the handling of dangerous cargoes in order to prevent damage or destruction of property or injury or loss of life.
- (2) A responsible person is appointed by the CH Operator to supervise the handling of dangerous substances who is aware of the hazards involved and the steps to be taken in case of an emergency.
- (3) Dockworkers or stevedores required to handle dangerous cargoes shall be adequately provided with appro-

appropriate personal protective or safety equipment or devices, which among others, shall necessarily include the following:

Gloves

Portable Water Pumps

Safety Helmets

Fire Extinguishers

Coveralls or Protective Suit

Water or Sand Drums

Boots or Suitable Footwear

Explosion Proof Lamps

Breathing Apparatus

Overhead Tank

Tight Fitting Goggles

Stand Pipes

- (4) Conspicuous notices prohibiting smoking or loitering shall be posted at places where smoking would constitute a hazard or where it poses danger to life of persons.
- (5) Fire fighting equipment shall be ready for immediate use.
- (6) While dangerous goods are being handled, precautions shall be taken to prevent unauthorized access to handling area.
- (7) The Port Management Office (PMO) shall ensure that dangerous goods entering the port have been duly certified or declared by the shipper of the goods as being properly classified, packaged, marked and labelled so as to comply with the appropriate national or international standards applicable to the relevant mode of transport.
- (8) Dangerous cargoes shall be unloaded first and loaded last, independently of other cargoes.
- (9) No defective package or container with dangerous cargoes inside shall be landed or accepted for loading to vessels or any port except upon permission of the Authority under such conditions as it deems proper to impose.
- (10) In the event containers of dangerous substances are broken or damaged while they are being loaded or discharged, they shall be isolated immediately.

and effective steps shall be taken.

- (11) In case of emergency or in order to insure the safety of the port or vessel therein, the Authority may destroy or otherwise dispose of any dangerous goods after due notice to the owners or consignees thereof and their failure to remove the same within the time specified, and the Authority shall not be liable for payment or compensation thereof.
- (12) If anything occurs during the handling of dangerous cargoes, the Safety Officer shall be immediately informed of such incident that occurs within the port area and which might endanger the safety of personnel and, the person having charge of handling shall immediately cause the operation to be stopped if it is safe to do so and prevent its resumption until adequate measures have been taken.
- (13) Dangerous cargoes shall be stowed safely and appropriately according to their respective IMCO classification. Incompatible goods shall be segregated from one

another for a minimum distance of two (2) meters (e.g. peroxides from permanganate, sugar from smelly cargoes). Materials that can react with each other shall be stored in separate areas (e.g. ammonium nitrate and sodium nitrite).

- (14) If practicable, dangerous cargoes shall be stacked or stored or transferred immediately for storage in a properly designated Dangerous Cargo Area. However, if such facilities cannot be made available, said cargoes should be handled, as much as possible, on a direct delivery or withdrawal or direct loading to vessel basis.
- (15) No dangerous cargo shall be transferred to any place inside the harbor limits or any port without the written permission from the Authority and other authorized government agencies concerned.
- (16) Containers with dangerous cargoes shall be inspected from time to time while in storage.
- (17) As a general rule, chemicals and smelly, poisonous or toxic

cargoes shall be stowed separately from other cargoes, especially foodstuffs to avoid contamination.

(18) Liquefied gases inside cylinders, regardless of whether full or empty shall be palletized before entry or exit from the port zone to minimize the unsafe practice of rolling and/or dropping these containers during handling operations.

(19) Compressed gases shall never be stored near highly inflammable substances.

(20) Dangerous cargoes that can cause spontaneous combustion when in contact with other cargoes shall be stored farthest from the rest (e.g. sulfuric acid with synthetic fertilizers or water, sodium, metal and water, combustible materials with petroleum products aggravated by poor ventilation.

(c) Safety Officer - The CH Operator shall, in accordance with the provisions of the "Dockwork Safety and Health Standards" which is made part of this Order by reference, designate a Safety

Officer who shall possess the necessary education, training and or experience required by law in the handling and disposal of dangerous and obnoxious cargo together with a pool of equally qualified men to handle any emergency or accident arising from the handling of such dangerous and obnoxious cargo.

(d) Objectionable Cargo - The Authority and the CH Operator may prohibit the landing of, or refuse to accept any cargo which in its opinion may imperil the safety of persons or property in port or damage any part of the premises of the port, or adversely affect the safety of any cargo in the custody of the Authority.

(e) Contamination of other Cargo

(1) If a cargo deteriorates as to contaminate other cargo, the Authority reserves the right to require the complete removal thereof from the transit shed or warehouse within the premises of the Authority within twenty-four (24) hours after notice is given to the cargo owner or consignee, or agent of either, and after payment of lawful revenues and other charges due thereon.

- (2) If the notice given in paragraph (1) above is not complied with, the Authority shall have the option to remove the cargo from the warehouse or transit shed to the open storage, sell by public auction, destroy or otherwise dispose of such goods in such manner it may deem proper if domestic cargo, and in coordination with the BOC if import or export cargo. The Authority shall not be liable to pay any compensation for any goods so dealt with.

(f) Removal of Offensive Cargo

- (1) The Authority may, after giving at least twelve (12) hours notice to owner or consignee of goods which are of offensive nature landed in the premises and without permission of the Authority, order its removal and or its destruction if it deems urgently necessary in the public interest, without incurring any liability therefore and without prejudice to any liability incurred by such owner or consignee. If the owner cannot be found, mere publication in the

bulletin board for one (1) day is enough.

- (2) The expense incurred for the removal, destruction of, or other necessary action on goods treated in paragraph (a) above shall be borne by the consignee or owner of the cargo.
- (3) The term "offensive" cargo as used in this Section shall include, among others, any cargo, whether solid or liquid, which is obnoxious, corrosive, inflammable or poses danger to life or property.

- (g) Firearms and Explosives - All cases containing firearms, ammunitions or explosives shall be clearly marked for identification and at least twenty-four (24) hours before arrival of the carrying vessel, a written notice shall be given to the Authority at the port of discharge. The notice shall contain full particulars of the cargo and shall be accompanied by the required permit or authority for its importations and discharge from proper authorities.

- (h) Code of Safe Handling, Storage and Transport of Dangerous Cargoes in Ports - To ensure the general safety of the ports,

containment of cargoes, safety of all persons in or near the port premises and the protection of the environment, this Code which is made part of this Order by reference, shall apply to the entry, movement and presence of dangerous cargoes in ports.

m) Broken Goods.

- 1) Goods which are broken or damaged shall be removed from the Authority's premises at least within fourteen (14) days from the date of landing and after due notice to their owners or consignees and if the same is not removed, it may be disposed of by the Authority solely if domestic cargo, and in coordination with the BOC if import or export cargo. The Authority shall not be liable for any claim therefor. The owner of the broken cargo shall be liable to pay the Authority for the expenses incurred in disposing such broken cargo.

n) Animals or Livestock Cargoes.

- 1) No animals shall be landed or brought into the port or premises of the Authority, except for direct delivery or shipment and the owner shall be entirely responsible for the animals and their actions.
- 2) If any stray animal is found within the Authority's premises, the same may be dealt with at the discretion of the Authority.

o) Safe Use of Port Facilities.

To protect the deterioration of existing port facilities and allow the safe use of such facilities, the specific guidelines are hereby prescribed:

1) Containers

- (a) As a rule, the port shall not be utilized as empty container depot.
- (b) The entry of containers inside the ports for loading or positioning purposes shall be done forty-eight (48) hours prior to actual loading on board the carrying vessels.
- (c) All containers should immediately be brought out of the pier premises after discharge from the carrying vessels.
- (d) The working apron shall be limited to temporary marshalling. Stacking of containers (empty or full) shall be allowed only during loading and unloading operations, and shall be limited to the apron's design and load capacity.
- (e) Containers may be stacked at back-up areas, one or two high depending on the load limits of the open storage area and the container load.
- (f) Whenever possible, entry and exit gates shall be designated at the ports to regulate, weigh and check the entry and exit of cargoes and containers.

REPEALED

APRIL 24, 2006

OFFICIAL GAZETTE

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|---|---|
| 41) Memorandum Circular No. 07-92
March 24, 1992 | Guidelines on Portage
Operations and Rates
Determination in Philippine
Ports |
| 42) Memorandum Circular No. 18-91
April 30, 1991 | Supplemental Guidelines to
Administrative Order No.
03-90 dated May 14, 1990
re: Implementing Guidelines
on the CH Contract System |
| 43) Memorandum Circular No. 51-90
November 21, 1990 | Extension of Tenure of CH
Contracts Pursuant to Board
Resolution No. 1010 |
| 44) Memorandum Circular No. 47-90
October 30, 1990 | Revised Contract Terms for
CH Services in Government
Ports |
| 45) Memorandum Circular No. 41-90
September 24, 1990 | Amendments to Guidelines in
the Evaluation of Application
for Renewal of CH Contracts |
| 46) Memorandum Circular No. 13-89
April 11, 1989 | Posting of Performance Bonds
by CH Operators/Contractors
from the General Insurance
Fund of GSIS |
| 47) Memorandum Circular No. 37-88
November 24, 1988 | Clarification Guidelines in the
Granting of CH Permits Relative
to Operations at the Anchorage |
| 48) Memorandum Circular No. 35-88
November 25, 1988 | Contract Terms for Various
Government Ports |
| 49) Memorandum Circular No. 32-88
October 13, 1988 | Supplemental Guidelines in the
Evaluation of Application for
Renewal Contracts or Permits
to Operate CH and Other
Related Services in Ports |
| 50) Memorandum Circular No. 08-88
February 8, 1988 | Policies on the Cargo Handling
Contract System |
| 51) Memorandum Circular No. 30-85
August 16, 1985 | Clarification on Fertilizer to
be Considered as Dangerous
Cargo |
| 52) Memorandum Circular No. 28-85
July 15, 1985 | Guidelines on the Handling and
Storage of Dangerous Cargoes |

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List of PPA Regulations
and Issuances on CH
Operations (Repealed by
this Order)
Page 6 of 9 Pages

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|---|---|
| 53) Memorandum Circular No. 47-85
December 27, 1985 | Clarification on the Proper Application of Sec. 113 (Integration of CH Services) of PPA Admin. Order No. 13-77 entitled "General Port Regulations of the Philippine Authority" and Par. 2.3 (Area of CH Operations for Private Ports) of PPA Memorandum Circular No. 36-83, Re: Policy on Private Sector Participation In Port Development" |
| 54) Memorandum Circular No. 27-85
July 19, 1985 | Clarification of the Choice of CH Operators at City/Municipal Port Under Sec. III Art. X of PPA Administrative Order No. 13-77 Dated September 2, 1977 |
| 55) Memorandum Circular No. 09-84
July 15, 1985 | Guidelines on Maneuvering of Trailers and Cranes/Winches |
| 56) Memorandum Circular No. 27-82
September 22, 1982 | Clarificatory Guidelines in the Proper Handling of Bagged Cereals and Other Grain Products |
| 57) Memorandum Circular No. 06-81
April 22, 1981 | Clarifying the Term "ISO Container" |
| 58) Memorandum Circular No. 22-79
May 27, 1979 | Revised Guidelines on the Processing of Applications for Arrastre/Stevedoring Permits |
| c) <u>PPA Memorandum Orders Numbered</u> | |
| 59) Memorandum Order No. 25-2002
July 3, 2002 | Regulations on the Proper Marking and Labeling of Dangerous Cargoes |
| 60) Memorandum Order No. 05-2002
February 4, 2002 | Strict Implementation of the Annual Reporting System (ARS) for CH Operators |
| 61) Memorandum Order No. 08-2001
March 30, 2001 | Suspension of All CH Bidding & Awards as Well as Publications Relative to Invitations to Prequalify and to Bid for Various CH Services |