

# **PHILIPPINE PORTS AUTHORITY**

**Port Rules and Regulations 2009**

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## **Port Rules and Regulations 2008**

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2008**

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# FOREWORD

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The **PPA Port Rules and Regulations**, a series of books published by the Philippine Ports Authority's Commercial Services Department, is the first printed publication which puts under one cover current port regulations of the Authority.

It answers the call of the national government to simplify and document governmental procedures and provide the necessary information that will enable the public to transact business with the public sector in the easiest and most transparent manner.

However, because of the number of rules and regulations issued by the PPA since its establishment in 1974, it is almost impossible to print all the relevant issuances at one time. Hence, the port rules and regulations are printed in a series of volumes.

This book covers rules and regulations issued in the year 2008.

Other volumes already completed and the years covered by each are:

- Port Rules and Regulations Volume 1 (1991-1992)
- Port Rules and Regulations Volume 2 (1990)
- Port Rules and Regulations Volume 3 (1989)
- Port Rules and Regulations Volume 4 (1993)
- Port Rules and Regulations Volume 5 (1988)
- Port Rules and Regulations Volume 6 (1994)
- Port Rules and Regulations Volume 7 (1986-1987)
- Port Rules and Regulations Volume 8 (1985)
- Port Rules and Regulations Volume 9 (1995)
- Port Rules and Regulations Volume 10 (1996)
- Port Rules and Regulations Volume 11 (1997)
- Port Rules and Regulations Volume 12 (1998)
- Port Rules and Regulations Volume 13 (1999)
- Port Rules and Regulations Volume 14 (2000)
- Port Rules and Regulations 2001
- Port Rules and Regulations 2002
- Port Rules and Regulations 2003
- Port Rules and Regulations 2004
- Port Rules and Regulations 2005
- Port Rules and Regulations 2006
- Port Rules and Regulations 2007

Issuances included in the book are those which are of interest to the port clientelle, specially those that bear on their operations in the ports.

The material is arranged by subject heading and then by the date and number of the issuance.

Whenever possible and space permits, the book includes related issuances from the Office of the President and from other government agencies which have influenced or directed the adoption of certain policies, rules and regulations within the Authority.

At the bottom of some issuances is the effectivity date of the rule and regulation, and the name and date of the newspaper of general circulation where it was published.

A QUICK REFERENCE INDEX is likewise provided so that the reader can find the issuance quickly.

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# **THE PHILIPPINE PORTS AUTHORITY**

The Philippine Ports Authority was created under Presidential Decree No. 505, which was subsequently amended by PD No. 857 in December 1975.

The latter decree, which is referred to as the revised charter of the Philippine Ports Authority, broadened the scope and functions of the PPA to facilitate the implementation of an integrated program for the planning, development, financing, operation and maintenance of ports or port districts for the entire country.

In 1978, the PPA charter was further amended by Executive Order No. 513, granting the PPA police authority, creating the National Ports Advisory Council to strengthen cooperation between the government and the private sector, and empowering the PPA to exact reasonable administrative fines for specific violations of its rules and regulations.

Subsequently, Executive Order No. 159 was issued in 1987 to give the PPA financial autonomy and the responsibility for undertaking all construction projects under its port system.

Various functions such as port administration and project execution previously handled, respectively, by the Bureau of Customs and the Department of Public Works and Highways, were transferred to the PPA.

## **Objectives**

1. Coordinate, streamline, improve and optimize the planning, development, financing, construction, maintenance, and operation of ports, port facilities, port physical plants, and all equipment used in connection with the operation of a port;
2. Ensure the smooth flow of waterborne commerce passing through the country's ports, whether public or private, in the conduct of international and domestic trade;
3. Promote regional development through dispersal of industries and commercial activities throughout the different regions;
4. Foster inter-island seaborne commerce and foreign trade;
5. Redirect and reorganize port administration beyond its specific and traditional functions of harbor development and cargo handling operations to the broader function of total port district development including encouraging the full and efficient utilization of the port's hinterland and tributary areas;
6. Ensure that all income and revenues accruing out of dues, rates and charges for the use of facilities and services provided by the Authority are properly collected and accounted for by the Authority, that all such income and revenues will be adequate to defray the cost of providing the facilities and services (inclusive of operating and maintenance cost, administration and overhead) of the port districts, and to ensure that a reasonable return on the assets employed shall be realized.

## **Functions**

1. Formulate and implement a comprehensive and practicable port development plan for the State in coordination with the National Economic and Development Authority;

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2. Supervise, control, regulate, construct, maintain, operate and provide necessary port facilities and services;
  3. Prescribe rules and regulations, procedures and guidelines for the operation of ports;
  4. License, control, regulate, supervise any construction or structure within the port district;
  5. Provide services, on its own or by contract, within the port district and approaches thereof, including but not limited to berthing, slipping, or docking of any vessel; loading or discharging of vessels; sorting, weighing, measuring, warehousing, or otherwise handling of goods;
  6. Control and administer any foreshore rights or leases which may be vested in the Authority from time to time;
  7. Coordinate with the Bureau of Lands or any other government agency or corporation in the development of any foreshore areas;
  8. Control, regulate and supervise pilotage and the conduct of pilots in any port district;
  9. Provide and assist in training programs for its staff and the staff of port users and operators;
  10. Perform or provide other services necessary to carry out its objectives, including the adoption of necessary measures to remedy congestion in any government port.

### **Management and Organization**

At the policy formulation level, the Philippine Ports Authority is governed by a nine-man Board of Directors. It is chaired by the Secretary of the Department of Transportation and Communications, with the General Manager of the Philippine Ports Authority as Vice-Chairman.

Its members are the Director-General of the National Economic and Development Authority, the Secretaries of the Department of Public Works and Highways, Finance, Trade and Industry, Environment and Natural Resources, the Administrator of the Maritime Industry Authority, and a representative from the private sector.

Policies approved by the Board are implemented by the General Manager as Chief Executive Officer. Helping him are his three Assistant General Managers: Finance and Administration, Operations, and Engineering Services.

Central Office departments supervised by the Assistant General Managers deliver support services to the field or line units.

Frontline services are delivered by five Port District Offices which are semi-autonomous regional offices responsible for the activities of the various Port Management Offices under their jurisdiction.

Port Management Offices serve as base ports for the supervision of public and private ports within their area of operation.

### **Mandate**

By virtue of its charter, the PPA is mandated to implement the State policy of an integrated program for the planning, development, financing, operation and maintenance of ports or port districts for the entire country.

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### ***Vision***

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.

### ***Mission Statement***

“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.”

### ***Priority Objectives***

1. To complete the modernization of at least ten (10) ports by 2010.
2. To improve the delivery of port services.
3. To reduce the clients' costs of transacting business in the ports.
4. To integrate port community development and environmental protection measures in the development and operation of the ports.
5. To provide a viable working environment conducive to improving employee productivity and satisfaction.

### ***Role of Philippine Ports in Economic Development***

An archipelago consisting of 7,107 islands and islets, the Philippines is greatly dependent on water transport for trade and commerce between and among its main islands. It has a long coastline facing the Pacific Ocean to the east and the South China Sea to the west.

The country lies at the heart of Southeast Asia with China to the North, the Indonesian archipelago to the south, the countries of Laos, Vietnam, Cambodia and Thailand to the west and Malaysia to the southwest.

Against this backdrop, the Philippines enviably occupies a highly strategic point and natural hub of economic activity in the region.

Because of the Philippines' geographic configuration, there is heavy reliance on ports to carry on maritime trade.

As vital nodes of the transport chain providing the major interface between land and water transportation, ports bridge production and consumption centers.

Demand for water transport is heavy because it is the cheapest means of moving goods from island to island and from the Philippines to the international markets.

To answer this demand, the government developed the Strong Republic Nautical Highway (SRNH) where ports were streamlined and maintained to cater to the roll-on/roll-off (RORO) system of moving goods and people and thus encourage and enhance inter-island trade and commerce and domestic tourism.

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# **BIDDING**

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**May 07, 2008**

**PPA MEMORANDUM ORDER**  
**NO. 34 - 2008**

**FOR :** **All Bids and Awards Committees (BAC), Technical Working Groups (TWG),  
BAC Secretariats, and Others Concerned**

**SUBJECT :** **Compliance with Government Procurement Manual**

The Government Procurement Policy Board (GPPB) has developed and issued the Government Procurement Manual in order to standardize the procurement process, in effect preventing confusion, ensuring transparency, and enabling procuring entities to conform to the principles that govern all government procurement entities.

In view of this, you are directed to comply with the requirements of the Government Procurement Manual consisting of the following:

1. Guidelines on the Establishment of Procurement Systems and Organizations (Volume 1);
2. Manual of Procedures for the Procurement of Goods and Services (Volume 2);
3. Manual of Procedures for the Procurement of Infrastructure Projects (Volume 3); and,
4. Manual of Procedures for the Procurement of Consulting Services.

It is also directed that coordination with GPPB be regularly made in order to check recent amendments or changes made to the foregoing requirements.

In case of an inconsistency or conflict between the Procurement Manual and R. A. 9184 and/or its IRR-A, the latter shall govern.

For strict compliance.

**(Sgd.) ATTY. OSCAR M. SEVILLA**  
General Manager

# **CARGO HANDLING CHARGES**

January 09, 2008

**PPA Operations Memorandum**

**Circular No. 01 - 2008**

**T O** : ***The Association of International Shipping Lines, Inc.  
International Container Terminal Services, Inc.  
Asian Terminals, Inc.  
The Port District Manager, PDO-Manila/Northern Luzon  
The Port Manager, PMO South Harbor  
The Officer-in-Charge, MICT  
Others Concerned***

**SUBJECT** : ***Adjustment of Conversion Rate Used in the Computation of Vessel Charges  
on Foreign Containerized Cargoes at MICT and South Harbor***

Pursuant to PPA Memorandum Circular (MC) No. 01-2008 (See page 63) as amended by PPA MC No. 02-2008 (See page 64), the conversion rate used in the computation of the vessel tariff on foreign containerized cargoes at MICT and South Harbor was readjusted from Php47.00 to Php43.00 per U.S. Dollar.

Attached is a schedule of the revised cargo handling tariff at MICT and South Harbor incorporating therein the adjusted rates on vessel charges denominated in U.S. Dollar which shall be effective January 18, 2008.

(Sgd.) **BENJAMIN B. CECILIO**  
AGM for Operations

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**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

I. CONTAINERIZED CARGO

A. Vessel Charges (Stevedoring)	<u>Basis</u>	Per PPA MC No. 01-2008 Effective January 18, 2008 <u>In U.S. Dollar (\$1:P43.00)</u>
<u>Non-Self Sustaining Vessel</u>		
1. CY/FCL		
<u>Loaded</u>		
20 footer	/box	US \$ 72.070
40 footer	/box	100.814
<u>Empty</u>		
20 footer	/box	60.581
40 footer	/box	78.047
2. CFS/LCL - Inbound/Outbound		
20 footer	/box	178.535
40 footer	/box	260.186
3. Shifting on Board		
	/box	54.605
4. Shifting via dock/barge/vice versa		
SVD Loaded		
1-4 TEU/bay (or equivalent units)	/box	122.884
Above 4 TEU/bay (or equivalent units) but no more than 15 units/bay	/box	159.744
Above 15 units/bay	/box	207.651
SVD Empty		
1-4 TEU/bay (or equivalent units)	/box	122.884
Above 4 units/bay (or equivalent units)	/box	159.744
5. Foreign Transhipment (without rework)		
20 footer	/box	104.837
40 footer	/box	131.093

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

<u>Self-Sustaining Vessel</u>	<u>Basis</u>	<u>Per PPA MC No. 01-2008 Effective January 18, 2008 In U.S. Dollar (\$1:P43.00)</u>	
1. CY/FCL			
<u>Loaded</u>			
20 footer	/box	US \$	39.767
40 footer	/box		68.419
<u>Empty</u>			
20 footer	/box		28.442
40 footer	/box		45.767
2. CFS/LCL - Inbound/Outbound			
20 footer	/box		145.419
40 footer	/box		226.488
3. Shifting on Board	/box		22.488
4. Shifting via dock/barge/vice versa	/box		58.535
5. Foreign Transhipment (without rework)			
20 footer	/box		46.698
40 footer	/box		73.023
 B. Cargo Charges (Arrastre)			
			<u>Per PPA MC No. 03-2005 Effective 3/19/2006</u>
1. FCL - Import			
20 footer	/box	Php	2,818.00
40 footer	/box		6,466.00
2. FCL - Export			
20 footer	/box		2,301.00
40 footer	/box		5,284.00
2.1 SHUT-OUT Export - an added charge on top of the arrastre (export) charge of:			
Full/Loaded	/box		2,298.00
Empty	/box		1,149.00
3. CFS/LCL - Import and Export shall be charged based on actual weight or measurement of LCL cargoes applying the present general cargo rate.			
 C. Dangerous Cargo - To be charged in accordance with PPA AO No. 02-89 dtd. 8/14/89 and PPAO No. 01-90 dtd. 03/01/90			

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA MC No. 03-2005  
Effective 3/19/2006

II. NON-CONTAINERIZED

A. Vessel Charges (Stevedoring)	<u>Basis</u>		<u>Non-Palletized</u>	<u>Palletized</u>
1. General Cargo				
a) Bagged Cargoes (Cargoes in bags, sacks)	/RT	Php	179.00	70.00
b) Frozen Cargoes				
b.1 Unpacked Fish	/RT		556.00	-
b.2 Fish in Cartons	/RT		371.00	-
c) Others (Cargoes in crates, boxes, cases, drums, etc.)	/RT		77.00	53.00
2. Heavy Lift				
a) 5 - 20 tons	MT		378.00	-
b) Over 20 tons	/MT		461.00	-
3. Steel Products	/MT		61.00	43.00
4. Logs	/1000 Bd. Ft.		162.00	-
5. Lumber	/1000 Bd. Ft.		-	120.00
6. Bulk				
a) Free Flowing	/MT		77.00	-
b) Non-Free Flowing	/MT		84.00	-
7. Shifting within hatch			150% of applicable rates	
8. Shifting from hatch to another or from one hold to dock/pier or barge or vice versa			200% of applicable rates	

NB The above charges shall be exclusive of equipment except for item 6 i.e. Bulk cargoes where clamshell shall be provided.



**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

		Per PPA MC No. 03-2005 Effective 3/19/2006		
<u>Import</u>	<u>Basis</u>	<u>Non-Palletized</u>	<u>Palletized</u>	
B. Cargo Charges (Arrastre)				
1. General Cargo				
a) Bagged Cargoes (cargoes in bags, sacks)	/RT    Php	200.00	89.00	
b) Frozen Cargoes				
b.1 Unpacked Fish	/RT	751.00	-	
b.2 Fish in Cartons	/RT	502.00	-	
c) Others (cargoes in crates, boxes, cases, drums, etc.)	/RT	113.00	89.00	
2. Steel Products	/RT	132.00	106.00	
3. Logs	/1000 Bd. Ft.	172.00	-	
4. Lumber	/1000 Bd. Ft.	-	172.00	
5. Heavy Lift				
5-15 tons	/MT	271.00	-	
Over 15 to 20 tons	/MT	449.00	-	
Over 20 tons	/MT	631.00	-	
6. Bulk Cargo	/MT	113.00	-	
7. Checking Charge (Shipside Delivery)	/RT	13.00	-	
C. Roll-on-Roll-off Charges				
1. Vessel Charges (Stevedoring)	/RT	65.00	-	
2. Cargo Charges (Arrastre)	/RT	113.00	-	
D. Dangerous Cargo	To be charged in accordance with PPA AO No. 02-89 dtd. 8/14/89 and PPA AO No. 01-90 dtd. 03/01/90.			

III. MISCELLANEOUS CHARGES (payable by whoever requested for services)

		Per PPA MC No. 01-2008 Effective January 18, 2008 In U.S. Dollar (\$1:P43.00)		
		<u>Basis</u>		
A. CONTAINERIZED				
1. Lifting and closing of hatch covers, lids and supporting beams (non-self sustaining vessels only)		/hatch	US \$	76.628

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA MC No. 01-2008  
effective January 18, 2008  
In U.S. Dollar (\$1:P43.00)

	<u>Basis</u>			
2. Making fast and letting go lines				
Size of Vessel:				
Less than 10,000 GRT	/vessel	US\$		12.535
10,000 - 20,000 GRT	/vessel			14.326
20,000 - 30,000 GRT	/vessel			17.884
above 30,000 GRT	/vessel			21.465
3. Pier Lighting (night operations - 1800H to 0600H)	/hour			1.535
4. Reefer Charges (Plug in/out)	/box/hour or fraction			
20 footer				1.256
40 footer				2.930

--- Reefer vans for export shall be subject to one (1) hour minimum

Per PPA MC No. 03-2005  
Effective 3/19/2006

--- A minimum of six (6) hours shall be imposed on import reefer vans

20 footer	/box	Php	324.00
40 footer	/box		756.00

Per PPA MC No. 01-2008  
Effective January 18, 2008  
In U.S. Dollar (\$1:P43.00)

5. a. B.O. Turnover Survey	gang/hour	US\$	19.884
b. Shoring/Recouping (Labor Cost Only) Materials, subject to the determination of both parties based on actual usage.	gang/hour		8.558

Per PPA MC No. 03-2005  
Effective 3/19/2006

c. Stripping - FCL	/box	Php	5,972.00
- 100% examination	/box		5,972.00
- Over 10% but below 100% exam	/box		2,988.00
- BOC Spot Checking exam	/box		913.00

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA MC No. 01-2008  
Effective January 18, 2008  
In U.S. Dollar (\$1:P43.00)

	<u>Basis</u>		
6. Equipment Rental (Includes operator)			
a. Shore Crane	/hour or fraction thereof	US\$	103.372
b. Crane - 100 ton mobile crane minimum of twelve (12) container moves	/minimum		390.907

**EQUIPMENT HIRE**

Crane (Mobile) 100 Tons Capacity	/hour	US \$	228.930
Crane 50 Tons Capacity	/hour		93.581
Crane 25 Tons Capacity	/hour		53.442
Crane Container Barge Tango	/hour		32.837
Forklift 20 Tons Capacity	/hour		26.721
Forklift 10 Tons Capacity	/hour		14.744
Forklift 3 Tons Capacity	/hour		10.186
Toploader 25 Tons Capacity	/hour		40.070
Toploader 35 Tons Capacity	/hour		53.442
Shifter/Straddle Carrier 25 Tons Capacity	/hour		53.651
Tractor Head	/hour		14.698
Truck, Stake	/hour		10.186
Chassis with Truck/Tractor			
20 footer	/hour		6.465
40 footer	/hour		12.884

Per PPA MC No. 03-2005  
Effective 3/19/2006

c. Pallets (outside rental)	/box	Php	54.00
7. Transferring/storing of dangerous cargoes at the Dangerous Cargo Area (DCA) - (Per PPA MC 12-2004 for MICT & PPA MC 02-2005 for South Harbor)			
Containerized Dangerous Cargo	/TEU		3,282.00
LCL (non-palletized)	/RT		224.00
LCL (palletized)	/RT		172.00

The charges shall be distinct and in addition to the "premium charges" prescribed under PPA Admin. Order No. 02-89 (Cargo Handling Rate for Dangerous/Obnoxious Cargo).

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA MC No. 01-2008  
Effective January 18, 2008  
In U.S. Dollar (\$1:P43.00)

Penalty Charges

	<u>Basis</u>	US \$	
Stand-by Charges	gang/hour	US \$	25.674
a. Manpower			
Applies to vessel operation when labor is engaged to work but cannot work, when causes are attributable to vessel's fault, under the following conditions:			
a. waiting for vessel to dock;			
b. breakdown of vessel's gear;			
c. waiting for cargo/truck;			
d. men engaged but not put to work.			

Standby time charges due to inclement weather shall not apply except when the cargo owner/ consignee insists on the deployment of a gang or objects to the knocking off of the gang during or impending inclement weather.

b. Shore Crane	/minute		5.581
Equivalent to four (4) Container Lifts per hour or fraction thereof	/hour		111.698

**B. NON-CONTAINERIZED**

Per PPA MC No. 03-2005  
Effective 3/19/2006

1. Making fast & letting go lines			
Size of Vessel:			
Less than 10,000 GRT	/vessel	Php	577.00
10,000 - 20,000 GRT	/vessel		660.00
20,000 - 30,000 GRT	/vessel		826.00
above 30,000 GRT	/vessel		990.00
2. Pier Lighting (night operations -- 1800 H to 0600 H)			
	/hour		66.00
3. a. B.O. Turnover Survey			
	gang/hour		802.00

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

		<u>Basis</u>	Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>
b.	Shoring /Recouping (Labor Cost Only) Materials, subject to the determination of both parties based on actual usage	gang/hour	Php 344.00
4. Equipment Rental (includes operator)			
a. On-Dock			
	Crane (Mobile) 100 Tons Capacity	/hour	9,751.00
	Crane 50 Tons Capacity	/hour	3,986.00
	Crane 25 Tons Capacity	/hour	2,276.00
	Forklift 20 Tons Capacity	/hour	1,138.00
	Forklift 10 Tons Capacity	/hour	625.00
	Forklift 3 Tons Capacity	/hour	433.00
	Toploader 25 Tons Capacity	/hour	1,708.00
	Toploader 35 tons Capacity	/hour	2,276.00
	Shifter/Straddle Carrier 35 Tons Capacity	/hour	2,276.00
	Tractor Head	/hour	625.00
	Truck, Stake	/hour	433.00
b. On-Board			
	Forklift 3 Tons Capacity	/hour	773.00
c. Outside rental of pallets			
		/hour	65.00

Penalty Charges

Standby time charges shall be applied on delays beyond the control of the cargo handling operator, only under the following circumstances:

- a. waiting for vessel to dock;
- b. breakdown of vessel's gear;
- c. waiting for cargo/truck/barges;
- d. non-readiness of the vessel;
- e. gang cancelled by client due to instances other than the above

a)	On-Board	gang/hour	2,764.00
b)	On-Dock	gang/hour	1,996.00

Standby time charges due to inclement weather shall not apply except when the cargo owner/consignee insists on the deployment of a gang or objects to the knocking off of a gang during or impending inclement weather.

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA MC No. 03-2005  
Effective 3/19/2006

Extra Labor Services

1. Gang Services

	<u>Basis</u>		
a) On-Dock			
General Cargo Delivery Gang	gang/hour	Php	665.00
B. O. Turn-over Gang	gang/hour		845.00
Utility	gang/hour		872.00
Barge Delivery Operation	gang/hour		1,169.00
Lashing/Unlashing (RO-RO)	gang/hour		592.00
Lashing/Unlashing Gang	gang/hour		1,072.00
Self-Sustained Vessel (Loading/Unloading)	gang/hour		1,958.00
Integrated General Cargoes & Units	gang/hour		2,375.00

Per PPA MC No. 01-2008  
Effective January 18, 2008  
In U.S. Dollar (\$1:P43.00)

b) On-Board			
Regular Gang	gang/hour	US\$	16.628
Big Gang	gang/hour		19.558
Manlighter Gang	gang/hour		11.605
Lashing/Unlashing/Shoring	gang/hour		19.279
Discharging Vessel/Barge Operation/Stripping	gang/hour		36.326

2. Personnel Services

Antigo	/hour	2.000
Batteryman	/hour	2.070
Cabo	/hour	2.070
Cabo B. O.	/hour	2.070
Carpenter	/hour	2.000
Checker Posting B.O.	/hour	2.000
Checker Delivery	/hour	2.140
Checker Posting	/hour	2.140
Checker Receiving	/hour	2.140
Checker Transfer	/hour	2.140
Clerk	/hour	2.000
Cooperer B.O.	/hour	2.000
Deliveryman	/hour	2.000
Electrician	/hour	2.000
Foreman Delivery	/hour	2.140
Foreman Receiving	/hour	2.140
Gatekeeper	/hour	2.233
Gearlockerman	/hour	2.000
Inspector B.O.	/hour	2.140
Inspector Gate	/hour	2.233

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**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

	<u>Basis</u>	Per PPA MC No.01-2008 Effective January 18, 2008 <u>In U.S. Dollar (\$1:P43.00)</u>
Lineman	/hour	US\$ 2.000
Locator	/hour	2.000
Locator Van	/hour	2.000
Mechanic	/hour	2.140
Mechanic Helper	/hour	2.070
Moderno	/hour	1.977
Operator Crane (2)	/hour	2.628
Operator Forklift	/hour	2.000
Operator Gantry Crane	/hour	1.977
Operator Mobile	/hour	2.140
Operator Tractor	/hour	2.233
Reefer Technician	/hour	2.186
Signalman	/hour	2.000
Special Cargoman	/hour	2.000
Supervisor	/hour	2.279
Supervisor B.O.	/hour	2.279
Superintendent	/hour	2.465
Truck Driver	/hour	2.000
Utilityman	/hour	2.000
Welder	/hour	2.000
Winchman	/hour	2.000
Baggage Master	/hour	2.070

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**February 29, 2008**

**PPA MEMORANDUM CIRCULAR**  
**NO. 05 - 2008**

**T O :** ***The Association of International Shipping Lines, Inc. (AISL)***  
***International Container Terminal Services, Inc. (ICTSI)***  
***Asian Terminals, Inc. (ATI)***  
***The Port District Manager, PDO Manila/Northern Luzon***  
***The Port Manager, PMO South Harbor***  
***The Officer-in-Charge, MICT***  
***All Others Concerned***

**SUBJECT :** ***Tariff Rate Increase on Vessel-Related Container Handling Services***  
***at South Harbor and Manila International Container Terminal***

Pursuant to PPA Board Com Resolution No. 2008-1119 (See page 24) approved on 29 February 2008, the vessel-related (stevedoring) tariff on foreign container handling services at South Harbor and Manila International Container Terminal are hereby adjusted as follows:

1st Tranche - 5% increase on the rates that are in effect since 18 January 2008 per PPA Operations Memorandum Circular No. 01-2008, with said increase to take effect thirty (30) days after the publication of this Circular in a newspaper of general circulation,

2nd Tranche - 7% increase effective 01 January 2009 on the rates that are in effect since 18 January 2008 per PPA Operations Memorandum Circular No. 01-2008 (a total of 12% increase over the 18 January 2008 tariff rates); Provided, however that a review by PPA Management shall be conducted prior to the implementation of the 7% increase.

This Memorandum Circular shall take effect thirty (30) days after publication in a newspaper of general circulation.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

Published in the Philippine Star - March 3, 2008  
**Effectivity Date - April 2, 2008**



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**SECRETARY'S CERTIFICATE**

I, *DAVID R. SIMON*, duly designated Corporate Board Secretary of the Philippine Ports Authority (PPA), a government instrumentality attached to the Department of Transportation and Communications, created by virtue of Presidential Decree No. 857, as amended, with principal office at 6th Floor, PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, and having custody of the Board records of the PPA, do hereby certify:

That during the 205th Meeting of the Board Committee held on 29 February 2008 at the Board Room, 6th Floor, PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, the following Resolution was adopted:

*BoardCom Resolution No. 2008-1119*

*“RESOLVED, That on motion duly made and seconded, the request of International Container Terminal Services, Inc. (ICTSI) and Asian Terminals, Inc. (ATI) for a cost recovery on vessel-related cargo handling tariff due to mandated increases in wages as well as increases in the prices of fuel and power and other operating costs, be, as it is hereby approved, at a rate adjustment not exceeding a total of twelve (12%) percent, subject to the following conditions:*

- Five (5%) percent increase on the existing rates that are in effect per PPA Operations Memorandum Circular (OMC) No. 01-2008 to be effective 30 days after publication in a newspaper of general circulation;*
- Seven (7%) percent increase effective 01 January 2009 on the rates that are in effect under PPA OMC No. 01-2008 (not compounded), and subject to further review by the Board before its implementation; and*
- No further adjustment on the Php 43.00 conversion rate as provided under PPA OMC No. 01-2008.”*

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 3rd day of March 2008, at the above-mentioned address.

(Sgd.) **ATTY. DAVID R. SIMON**  
Corporate Board Secretary

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12 March 2008

**PPA OPERATIONS MEMORANDUM**  
**CIRCULAR NO. 04 -2008**

**T O** : **The Port District Manager, PDO-Manila/Northern Luzon**  
**The Port Manager, PMO South Harbor**  
**The Officer-in-Charge, MICT**  
**International Container Terminal Services, Inc. (ICTSI)**  
**Asian Terminals, Inc. (ATI)**  
**Association of International Shipping Lines, Inc. (AISL)**  
**Others Concerned**

**SUBJECT** : **Tariff Rate Increase on Vessel-Related Container Handling Services**  
**at South Harbor and MICT**

Pursuant to PPA Memorandum Circular No. 05-2008\* (See page 23), the vessel-related (stevedoring) tariff on foreign container handling services at South Harbor and MICT was increased as follows:

1st Tranche - 5% increase on the rates that are in effect since 18 January 2008 per PPA Operations Memorandum Circular No. 01-2008 (See page 63), with said increase to take effect thirty (30) days after the publication of this Circular in a newspaper of general circulation,

2nd Tranche - 7% increase effective 01 January 2009 on the rates that are in effect since 18 January 2008 per PPA Operations Memorandum Circular No. 01-2008 (a total of 12% increase over the 18 January 2008 tariff rates); Provided, however that a review shall be conducted prior to the implementation of the 7% increase.

Attached therefore is the revised schedule of cargo handling tariff at MICT and South Harbor incorporating therein the 5% increase on vessel-related (stevedoring) foreign cargo handling services.

(Sgd.) **BENJAMIN B. CECILIO**  
AGM for Operations

\* *PPA MC No. 05-2008 was published*  
*in the Philippine Star on March 3, 2008*

*Effectivity Date: April 2, 2008*

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

I. CONTAINERIZED CARGO

Per PPA AO No. 05-2008  
Effective April 2, 2008  
In U.S. Dollar (\$1:P43.00)

A. Vessel Charges (Stevedoring)

Basis

Non-Self-Sustaining Vessel

1. CY/FCL

Loaded

20 footer	/box	US \$	75.674
40 footer	/box		105.855

Empty

20 footer	/box		63.610
40 footer	/box		81.949

2. CFS/LCL - Inbound/Outbound

20 footer	/box		187.462
40 footer	/box		273.195

3. Shifting on Board

/box		57.335
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4. Shifting via dock/barge/vice versa

SVD Loaded			
1-4 TEU/bay (or equivalent units)	/box		129.028
Above 4 TEU/bay (or equivalent units) but no more than 15 units/bay	/box		167.731
Above 15 units/bay	/box		218.034

SVD Empty			
1-4 TEU/bay (or equivalent units)	/box		129.028
Above 4 units/bay (or equivalent units)	/box		167.731

5. Foreign Transshipment (without rework)

20 footer	/box		110.079
40 footer	/box		137.648

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

<u>Self-Sustaining Vessel</u>	<u>Basis</u>	Per PPA AO No. 05-2008 Effective April 2, 2008 <u>In U.S. Dollar (\$1:P43.00)</u>	
1. CY/FCL			
<u>Loaded</u>			
20 footer	/box	US \$	41.756
40 footer	/box		71.840
<u>Empty</u>			
20 footer	/box		29.864
40 footer	/box		48.055
2. CFS/LCL - Inbound/Outbound			
20 footer	/box		152.690
40 footer	/box		237.812
3. Shifting on Board	/box		23.612
4. Shifting via dock/barge/vice versa	/box		61.462
5. Foreign Transhipment (without rework)			
20 footer	/box		49.033
40 footer	/box		76.674
 B. Cargo Charges (Arrastre)			
			Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>
1. FCL - Import			
20 footer	/box	Php	2,818.00
40 footer	/box		6,466.00
2. FCL - Export			
20 footer	/box		2,301.00
40 footer	/box		5,284.00
2.1 SHUT-OUT Export - an added charge on top of the arrastre (export) charge of:			
Full/Loaded	/box		2,298.00
Empty	/box		1,149.00
3. CFS/LCL - Import and Export shall be charged based on actual weight or measurement of LCL cargoes applying the present general cargo rate.			
 C. Dangerous Cargo			
	To be charged in accordance with PPA AO No. 02-89 dtd. 8/14/89 and PPA AO No. 01-90 dtd. 03/01/90.		

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA MC No. 03-2005  
Effective 3/19/2006

	<u>Basis</u>	<u>Non-Palletized</u>	<u>Palletized</u>
<b>II. <u>NON-CONTAINERIZED</u></b>			
<b>A. Vessel Charges (Stevedoring)</b>			
1. General Cargo			
a) Bagged Cargoes (Cargoes in bags, sacks)	/RT      Php	179.00	70.00
b) Frozen Cargoes			
b.1 Unpacked Fish	/RT	556.00	-
b.2 Fish in Cartons	/RT	371.00	-
c) Others (Cargoes in crates, boxes, cases, drums, etc.)	/RT	77.00	53.00
2. Heavy Lift			
a) 5 - 20 tons	/MT	378.00	-
b) Over 20 tons	/MT	461.00	-
3. Steel Products	/MT	61.00	43.00
4. Logs	/1000 Bd. Ft.	162.00	-
5. Lumber	/1000 Bd. Ft.	-	120.00
6. Bulk			
a) Free Flowing	/MT	77.00	-
b) Non-Free Flowing	/MT	84.00	-
7. Shifting within hatch		150% of applicable rates	
8. Shifting from hatch to another or from one hold to dock/pier or barge or vice versa		200% of applicable rates	

NB The above charges shall be exclusive of equipment except for item 6 i.e. Bulk cargoes where clamshell shall be provided.

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

		Per PPA MC No. 03-2005 Effective 3/19/2006		
		<u>Basis</u>	<u>Non-Palletized</u>	<u>Palletized</u>
B. Cargo Charges (Arrastre)				
<u>Import</u>				
1. General Cargo				
a.	Bagged Cargoes (Cargoes in bags, sacks)	/RT	Php 200.00	89.00
b. Frozen Cargoes				
b.1	Unpacked Fish	/RT	751.00	-
b.2	Fish in Cartons	/RT	502.00	-
c.	Others (Cargoes in crates, boxes, cases, drums, etc.)	/RT	113.00	89.00
2.	Steel Products	/RT	132.00	106.00
3.	Logs	/1000 Bd. Ft.	172.00	-
4.	Lumber	/1000 Bd. Ft.	-	172.00
5. Heavy Lift				
5 - 15 tons		/MT	271.00	-
Over 15 - 20 tons		/MT	449.00	-
Over 20 tons		/MT	631.00	-
6.	Bulk cargo	/MT	113.00	-
7.	Checking Charge (Shipside Delivery)	/RT	13.00	-
C. Roll-on-Roll-off Charges				
1.	Vessel Charges (Stevedoring)	/RT	65.00	-
2.	Cargo Charges (Arrastre)	/RT	113.00	-
D. Dangerous Cargo				
To be charged in accordance with PPA AO No. 02-89 dtd. 8/14/89 and PPA AO No. 01-90 dtd. 03/01/90.				

III. MISCELLANEOUS CHARGES (payable by whoever requested for services)

		Per PPA AO No. 05-2008 Effective April 2, 2008 In U.S. Dollar (\$1:P43.00)		
<u>A. CONTAINERIZED</u>		<u>Basis</u>		
1.	Lifting and closing of hatch covers, lids and supporting beams (non-self sustaining vessels only)	/hatch	US \$	80.459

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

		Per PPA AO No. 05-2008 Effective April 2, 2008 <u>In U.S. Dollar (\$1:P43.00)</u>	
		<u>Basis</u>	
2.	Making fast and letting go lines		
	Size of Vessel:		
	Less than 10,000 GRT	/vessel	US \$ 13.162
	10,000 - 20,000 GRT	/vessel	15.042
	20,000 - 30,000 GRT	/vessel	18.778
	above 30,000 GRT	/vessel	22.538
3	Pier Lighting (night operations --1800H to 0600H)	/hour	1.612
4.	Reefer Charges (Plug in/out)	/box/hour or fraction	
	20 footer		1.319
	40 footer		3.077
	- Reefer vans for export shall be subject to one (1) hour minimum		
			Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>
	- A minimum of six (6) hours shall be imposed on import reefer vans		
	20 footer	/box	Php 324.00
	40 footer	/box	756.00
			Per PPA AO No. 05-2008 Effective April 2, 2008 <u>In U.S. Dollar (\$1:P43.00)</u>
5.	a. B.O. Turnover Survey	gang/hour	US \$ 20.878
	b. Shoring/Recouping (Labor Cost Only)	gang/hour	8.986
	Materials, subject to the determination of both parties based on actual usage.		
			Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>
	c. Stripping - FCL	/box	Php 5,972.00
	- 100% examination	/box	5,972.00
	- Over 10% but below 100% exam	/box	2,988.00
	- BOC Spot Checking exam	/box	913.00
			Per PPA AO No. 05-2008 Effective April 2, 2008 <u>In U.S. Dollar (\$1:P43.00)</u>
6.	Equipment Rental (includes operator)		
	a. Shore Crane	/hour or fraction thereof	US \$ 108.541
	b. Crane - 100 ton mobile crane minimum of twelve (12) container moves	/minimum	410.452

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA AO No. 05-2008  
Effective April 2, 2008  
In U.S. Dollar (\$1:P43.00)

	<u>Basis</u>			
<b>EQUIPMENT HIRE</b>				
Crane (Mobile)	100 Tons Capacity	/hour	US \$	240.377
Crane	50 Tons Capacity	/hour		98.260
Crane	25 Tons Capacity	/hour		56.114
Crane Container Barge	Tango	/hour		34.479
Forklift	20 Tons Capacity	/hour		28.057
Forklift	10 Tons Capacity	/hour		15.481
Forklift	3 Tons Capacity	/hour		10.695
Toploader	25 Tons Capacity	/hour		42.073
Toploader	35 Tons Capacity	/hour		56.114
Shifter/Straddle Carrier	25 tons Capacity	/hour		56.334
Tractor Head		/hour		15.433
Truck, Stake		/hour		10.695
Chassis with Truck/Tractor				
20 footer		/hour		6.788
40 footer		/hour		13.528

Per PPA MC No. 03-2005  
Effective 3/19/2006

c. Pallets (outside rental)	/box		Php	54.00
<b>7. Transferring/storing of dangerous cargoes at the Dangerous Cargo Area (DCA) - (Per PPA MC 12-2004 for MICT &amp; PPA MC 02-2005 for South Harbor)</b>				
Containerized Dangerous Cargo		/TEU		3,282.00
LCL (non-palletized)		/RT		224.00
LCL (palletized)		/RT		172.00

The charges shall be distinct and in addition to the "premium charges" prescribed under PPA Admin. Order No. 02-89 (Cargo Handling Rate for Dangerous/Obnoxious Cargoes).

Per PPA AO No. 05-2008  
Effective April 2, 2008  
In U.S. Dollar (\$1:P43.00)

Penalty Charges

Stand-by Charges		gang/hour	US\$	26.958
a. Manpower				
Applies to vessel operation when labor is engaged to work but cannot work, when causes are attributable to vessel's fault, under the ff. conditions:				



**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA AO No. 05-2008  
Effective April 2, 2008  
In U.S. Dollar (\$1:P43.00)

- Basis
- a. waiting for vessel to dock;
  - b. breakdown of vessel's gear;
  - c. waiting for cargo/truck;
  - d. men engaged but not put to work

Standby time charges due to inclement weather shall not apply except when the cargo owner/consignee insists on the deployment of a gang or objects to the knocking off of the gang during or impending inclement weather.

b. Shore Crane Equivalent to four (4) Container Lifts per hour or fraction thereof	/minute  /hour	US \$	5.860  117.283
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Per PPA MC No. 03-2005  
Effective 3/19/2006

**B. NON-CONTAINERIZED**

1. Making fast & letting go lines			
Size of Vessel:			
Less than 10,000 GRT	/vessel	Php	577.00
10,000 - 20,000 GRT	/vessel		660.00
20,000 - 30,000 GRT	/vessel		826.00
above 30,000 GRT	/vessel		990.00
2. Pier Lighting (night operations - 1800H to 0600H)			
	/hour		66.00
3. a. B.O. Turnover Survey			
	gang/hour		802.00
b. Shoring/Recouping (Labor Cost Only)			
	gang/hour		344.00
Materials, subject to the determination of both parties based on actual usage.			
4. Equipment Rental (includes operator)			
a. On-Dock			
Crane (Mobile) 100 Tons Capacity	/hour		9,751.00
Crane 50 Tons Capacity	/hour		3,986.00
Crane 25 Tons Capacity	/hour		2,276.00
Forklift 20 Tons Capacity	/hour		1,138.00
Forklift 10 Tons Capacity	/hour		625.00
Forklift 3 Tons Capacity	/hour		433.00
Toploader 25 Tons Capacity	/hour		1,708.00
Toploader 35 Tons Capacity	/hour		2,276.00

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

			<u>Basis</u>	Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>	
Shifter/Straddle Carrier	35 Tons Capacity	/hour	Php	2,276.00	
Tractor Head		/hour		625.00	
Truck, Stake		/hour		433.00	
b. On-Board Forklift	3 Tons Capacity	/hour		773.00	
c. Outside rental of pallets		/hour		65.00	

Penalty Charges

Standby time charges shall be applied on delays beyond the control of the cargo handling operator, only under the following circumstances:

- a. waiting for vessel to dock;
- b. breakdown of vessel's gear;
- c. waiting for cargo/truck/barges;
- d. non-readiness of the vessel;
- e. gang cancelled by client due to instances other than the above:

a) On-Board	gang/hour	2,764.00
b) On-Dock	gang/hour	1,996.00

Standby time charges due to inclement weather shall not apply except when the cargo owner/consignee insists on the deployment of a gang or objects to the knocking off of a gang during or impending inclement weather.

Extra Labor Services

1. Gang Services

a) On-Dock		
General Cargo Delivery Gang	gang/hour	665.00
B.O. Turn-over Gang	gang/hour	845.00
Utility	gang/hour	872.00
Barge Delivery Operation	gang/hour	1,169.00
Lashing/Unlashing (RO-RO)	gang/hour	592.00
Lashing/Unlashing Gang	gang/hour	1,072.00
Self-Sustained Vessel (Loading/Unloading)	gang/hour	1,958.00
Integrated General Cargoes & Units	gang/hour	2,375.00

**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

Per PPA AO No. 05-2008  
Effective April 2, 2008  
In U.S. Dollar (\$1:P43.00)

	<u>Basis</u>		
b) On-Board			
Regular Gang	gang/hour	US \$	17.459
Big Gang	gang/hour		20.536
Manlighter Gang	gang/hour		12.185
Lashing/Unlashing/Shoring	gang/hour		20.243
Discharging Vessel/Barge Operation/Stripping	gang/hour		38.142
2. Personnel Services			
Antigo	/hour		2.100
Batteryman	/hour		2.173
Cabo	/hour		2.173
Cabo B.O.	/hour		2.173
Carpenter	/hour		2.100
Checker Posting B.O.	/hour		2.100
Checker Delivery	/hour		2.247
Checker Posting	/hour		2.247
Checker Receiving	/hour		2.247
Checker Transfer	/hour		2.247
Clerk	/hour		2.100
Cooperer B.O.	/hour		2.100
Deliveryman	/hour		2.100
Electrician	/hour		2.100
Foreman Delivery	/hour		2.247
Foreman Receiving	/hour		2.247
Gatekeeper	/hour		2.345
Gearlockerman	/hour		2.100
Inspector B.O.	/hour		2.247
Inspector Gate	/hour		2.345
Lineman	/hour		2.100
Locator	/hour		2.100
Locator Van	/hour		2.100
Mechanic	/hour		2.247
Mechanic Helper	/hour		2.174
Moderno	/hour		2.076
Operator Crane (2)	/hour		2.759
Operator Forklift	/hour		2.100
Operator Gantry Crane	/hour		2.076
Operator Mobile	/hour		2.247
Operator Tractor	/hour		2.345
Reefer Technician	/hour		2.295

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**PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR**

	<u>Basis</u>	Per PPAO No. 05-2008 Effective April 2, 2008 <u>In U.S. Dollar (\$1:P43.00)</u>	
Signalman	/hour	US \$	2.100
Special Cargoman	/hour		2.100
Supervisor	/hour		2.393
Supervisor B.O.	/hour		2.393
Superintendent	/hour		2.588
Truck Driver	/hour		2.100
Utilityman	/hour		2.100
Welder	/hour		2.100
Winchman	/hour		2.100
Baggage Master	/hour		2.174

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**August 05, 2008**

**PPA MEMORANDUM CIRCULAR**  
**NO. 08 - 2008**

**TO :** **All Port District Managers**  
**Port Managers**  
**Cargo Handling Operators**  
**Shipping Companies and Agents**  
**Cargo Shippers/Consignees**  
**Others Concerned**

**SUBJECT :** **Cost-Recovery Adjustment in Cargo Handling (CH) Tariff**

Pursuant to PPA BoardCom Resolution No. 2008-1145 (See page 37) dated July 28, 2008, a fifteen percent (15%) cost-recovery adjustment in CH tariff in arrastre and stevedoring services on foreign and domestic cargoes was approved.

Said upward adjustment is a cost recovery measure due to the surge in operations costs in the CH industry such as but not limited to fuel and lubricants, salaries, spare parts and utilities and considering that the last increase on CH rates was granted in 2005. The cost-recovery adjustment in CH rates covers all cargo handling operators (CHOs) nationwide except the CHOs at the Manila South Harbor and Manila International Container Terminal.

The Commercial Services Department shall within fifteen (15) days from date of issuance of this Circular, make the necessary adjustments in the existing CH tariffs of all CHOs except at the South Harbor and MICT.

This Circular shall take effect thirty (30) days after the completion of its publication in at least two (2) newspapers of general circulation.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

Published in the following newspapers:

Philippine Star - August 8, 2008  
Manila Standard

**Effectivity Date - September 7, 2008**

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**SECRETARY'S CERTIFICATE**

I, *DAVID R. SIMON*, duly designated Corporate Board Secretary of the Philippine Ports Authority (PPA), a government instrumentality attached to the Department of Transportation and Communications, created by virtue of Presidential Decree No. 857, as amended, with principal office at 6th Floor, PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, and having custody of the Board records of the PPA, do hereby certify:

That during the 210th Meeting of the Board Committee held on 25 July 2008 at the Board Room, 6th Floor, PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, the following Resolution was adopted:

*BoardCom Resolution No. 2008-1145*

*“RESOLVED, That on motion duly made and seconded, and considering the increase in operations costs in the cargo handling industry such as but not limited to fuel and lubricants, salaries, spare parts and utilities and the fact that the last increase on cargo handling rates was given in 2005, the urgent request of Philippine Chamber of Arrastre and Stevedoring Operators (PCASO) for the cost-recovery adjustment or a provisional increase of 15% in cargo handling tariff in arrastre and stevedoring services on foreign and domestic cargoes for all cargo handling operators nationwide, except the cargo handling operators at the Manila South Harbor and the Manila International Container Terminal, be, as it is hereby approved;*

*RESOLVED FURTHER, That the effectivity of said cost-recovery adjustment or provisional increase be made effective thirty (30) days after the completion of the required publication in a newspaper of general circulation.”*

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 28th day of July 2008, at the above-mentioned address.

(Sgd.) **ATTY. DAVID R. SIMON**  
Corporate Board Secretary

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**November 26, 2008**

**PPA MEMORANDUM CIRCULAR**  
**NO. 10 - 2008**

**TO :** **All Port District Managers**  
**Port Managers**  
**Cargo Handling Operators**  
**Shipping Companies and Agents**  
**Cargo Shippers/Consignees**  
**Others Concerned**

**SUBJECT :** **Inclusion of the RORO Terminal Operations for RORO Cargoes/Vessels**  
**in the 15% Cost-Recovery Adjustment Under PPA Memorandum Circular**  
**No. 08-2008**

Pursuant to BoardCom Resolution No. 2008-1158 (See page 39) dated 21 November 2008, the request of Bicol Terminal Arrastre Operators Association to include RORO Terminal Operations for RORO cargoes/vessels in the recent provisioned 15% cost-recovery adjustment granted to all authorized cargo handling operators nationwide under BoardCom Resolution No. 2008-1145 is hereby approved.

Further, said BoardCom Resolution amends PPA Memorandum Circular No. 08-2008 (See page 36) to include the RORO terminal operators in the 15% provisional cost-recovery adjustment.

This Circular shall take effect thirty (30) days after the completion of its publication in at least two (2) newspapers of general circulation.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

Published in the following newspapers:

Philippine Star  
Manila Standard - November 27, 2008

**Effectivity Date - December 27, 2008**

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SECRETARY'S CERTIFICATE

I, *DAVID R. SIMON*, duly designated Corporate Board Secretary of the Philippine Ports Authority (PPA), a government instrumentality attached to the Department of Transportation and Communications, created by virtue of Presidential Decree No. 857, as amended, with principal office at 6th Floor, PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, and having custody of the Board records of the PPA, do hereby certify:

That during the 214th Meeting of the Board Committee held on 20 November 2008 at the Board Room, 6th Floor, PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, the following Resolution was adopted:

*BoardCom Resolution No. 2008-1158*

*“RESOLVED, That on motion duly made and seconded, and acting on the request of Bicol Terminal Arrastre Operators Association, Inc. (BTAOAI) to include RORO terminal services/operations for RORO cargoes/vessels in the recent provisional 15% cost-recovery adjustment granted to all cargo handling operators nationwide under BoardCom Resolution No. 2008-1145, be, as it is hereby approved;*

*RESOLVED FURTHER, That PPA Memorandum Circular No. 08-2008, be, as it is hereby amended, to include RORO terminal/services/operations in the 15% provisional cost-recovery adjustment, as follows, to wit:*

<i>Vehicle Type</i>	<i>Description</i>	<i>RRTF (With 15% Cost-Recovery Adjustment) (Php)</i>	<i>E-VAT (12%) (Php)</i>	<i>RRTF (Inclusive of E-VAT) (Php)</i>
1	<i>Motorcycle, Tricycle, Scooter</i>	58.00	7.00	65.00
2	<i>Car, Minivan, SUV, AUV, Owner, Jeep, PUJ not more than 16 pax</i>	115.00	14.00	129.00
3	<i>Light Delivery Truck, Van, Pickup Truck, PUJ more than 16 pax</i>	230.00	28.00	258.00
4	<i>Stake truck, heavy delivery truck, passenger/tourist bus, prime mover, tractor head with or without trailer/ chassis, 10-wheeler</i>	460.00	56.00	515.00



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*RESOLVED FURTHERMORE, That the effectivity of said provisional cost-recovery adjustment be made thirty (30) days after the completion of its publication in a newspaper of general circulation.”*

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 21st day of November 2008, at the above-mentioned address.

(Sgd.) **ATTY. DAVID R. SIMON**  
Corporate Board Secretary

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November 28, 2008

**PPA MEMORANDUM CIRCULAR**

**NO. 11 - 2008**

**T O :** *The Association of International Shipping Lines, Inc. (AISL)*  
*International/Container Terminal Services, Inc. (ICTSI)*  
*Asian Terminals, Inc. (ATI)*  
*The Port District Manager, PDO Manila/Northern Luzon*  
*The Port Manager, PMO South Harbor*  
*The Officer-in-Charge, MICT*  
*All Others Concerned*

**SUBJECT :** *Second Tranche Increase on Vessel-Related Container Handling Services at South Harbor and Manila International Container Terminal (MICT)*

Pursuant to PPA BoardCom Resolution No. 2008-1119 (See page 24) dated March 3, 2008, a twelve (12%) percent rate adjustment to be implemented in two (2) tranches was approved on the vessel-related (stevedoring) tariff on foreign container handling services at South Harbor and MICT, as follows:

- 1st Tranche - 5% increase in 2008, and
- 2nd Tranche - 7% increase effective 01 January 2009 subject to review of PPA Management.

Considering the spiraling effect of the global financial crisis, the second tranche adjustment of seven (7%) percent is found to be in order.

This Memorandum Circular shall take effect thirty (30) days after publication in newspaper of general circulation.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

Published in the Philippine Star - December 2, 2008  
**Effectivity Date - January 1, 2009**

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December 5, 2008

**PPA OPERATIONS MEMORANDUM**  
**CIRCULAR NO. 09 - 2008**

**TO :** *The Port District Manager, PDO Manila/Northern Luzon*  
*The Port Manager, PMO South Harbor*  
*The Officer-in-Charge, MICT*  
*International Container Terminal Services, Inc. (ICTSI)*  
*Asian Terminals, Inc. (ATI)*  
*Association of International Shipping Lines, Inc. (AISL)*  
*Others Concerned*

**SUBJECT :** *Second Tranche Increase on Vessel-Related Container Handling Services at South Harbor and MICT*

Pursuant to PPA Memorandum Circular No. 11-2008\* dated November 28, 2008, the second tranche adjustment of seven (7%) percent increase for the vessel-related (stevedoring) tariff on foreign container handling (CH) services at South Harbor and MICT was approved to be implemented effective January 1, 2009.

Attached is the revised schedule of CH tariff at the said ports for guidance.

(Sgd.) **LEOPOLDO F. BUNGUBUNG**  
AGM for Operations

\* PPA MC No. 11-2008 was published  
in the Philippine Star on Dec. 2, 2008

*Effectivity Date: January 1, 2009*

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November 28, 2008

**PPA MEMORANDUM CIRCULAR**

**NO. 11 - 2008**

**T O :** **The Association of International Shipping Lines, Inc. (AISL)**  
**International Container Terminal Services, Inc. (ICTSI)**  
**Asian Terminals, Inc. (ATI)**  
**The Port District Manager, PDO Manila/Northern Luzon**  
**The Port Manager, PMO South Harbor**  
**The Officer-in-Charge, MICT**  
**All Others Concerned**

**SUBJECT :** **Second Tranche Increase on Vessel-Related Container Handling Services at South Harbor and Manila International Container Terminal (MICT)**

Pursuant to PPA BoardCom Resolution No. 2008-1119 (See page 24) dated March 3, 2008, a twelve (12%) percent rate adjustment to be implemented in two (2) tranches was approved on the vessel-related (stevedoring) tariff on foreign container handling services at South Harbor and MICT, as follows:

- 1st Tranche - 5% increase in 2008, and
- 2nd Tranche - 7% increase effective 01 January 2009 subject to review of PPA Management.

Considering the spiraling effect of the global financial crises, the second tranche adjustment of seven (7%) percent is found to be in order.

This Memorandum Circular shall take effect thirty (30) days after publication in newspaper of general circulation.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

Published in the Philippine Star - December 2, 2008  
**Effectivity Date - January 1, 2009**

PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR

Per PPA MC No. 11-2008  
Effective January 01, 2009  
In U.S. Dollar (\$1:P43.00)

I. CONTAINERIZED CARGO

A. Vessel Charges (Stevedoring)

Non-Self Sustaining Vessel

1. CY/FCL

Loaded

	Basis	US \$	
20 footer	/box		80.718
40 footer	/box		112.912

Empty

20 footer	/box		67.851
40 footer	/box		87.413

2. CFS/LCL - Inbound/Outbound

20 footer	/box		199.959
40 footer	/box		291.408

3. Shifting on Board

	/box		61.158
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4. Shifting via dock/barge/vice versa

SVD Loaded

1-4 TEU/bay (or equivalent units)	/box		137.630
Above 4 TEU/bay (or equivalent units) but no more than 15 units/bay	/box		178.913
Above 15 units/bay	/box		232.569

SVD Empty

1-4 TEU/bay (or equivalent units)	/box		137.630
Above 4 units/bay (or equivalent units)	/box		178.913

5. Foreign Transshipment (without rework)

20 footer	/box		117.417
40 footer	/box		146.824

PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR

<u>Self-Sustaining Vessel</u>	<u>Basis</u>	Per PPA MC No. 11-2008 Effective January 01, 2009 <u>In U.S. Dollar (\$1:P43.00)</u>	
1. CY/FCL			
<u>Loaded</u>			
20 footer	/box	US \$	44.539
40 footer	/box		76.629
<u>Empty</u>			
20 footer	/box		31.855
40 footer	/box		51.259
2. CFS/LCL - Inbound/Outbound			
20 footer	/box		162.869
40 footer	/box		253.667
3. Shifting on Board	/box		25.187
4. Shifting via dock/barge/vice versa	/box		65.559
5. Foreign Transhipment (without rework)			
20 footer	/box		52.302
40 footer	/box		81.786
 B. Cargo Charges (Arrastre)			Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>
1. FCL - Import			
20 footer	/box	Php	2,818.00
40 footer	/box		6,466.00
2. FCL - Export			
20 footer	/box		2,301.00
40 footer	/box		5,284.00
2.1 SHUT-OUT Export - an added charge on top of the arrastre (export) charge of:			
Full/Loaded	/box		2,298.00
Empty	/box		1,149.00
3. CFS/LCL - Import and Export shall be charged based on actual weight or measurement of LCL cargoes applying the present general cargo rate.			
 C. Dangerous Cargo			To be charged in accordance with PPA AO No. 02-89 dtd. 8/14/89 and PPA AO No. 01-90 dtd. 03/01/90

PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR

Per PPA MC No. 03-2005  
Effective 3/19/2006

	<u>Basis</u>		<u>Non-Palletized</u>	<u>Palletized</u>
<b>II. <u>NON-CONTAINERIZED</u></b>				
A. Vessel Charges (Stevedoring)				
1. General Cargo				
a) Bagged Cargoes (Cargoes in bags, sacks)	/RT	Php	179.00	70.00
b) Frozen Cargoes				
b.1 Unpacked Fish	/RT		556.00	-
b.2 Fish in Cartons	/RT		371.00	-
c) Others (Cargoes in crates, boxes, cases, drums, etc.)	/RT		77.00	53.00
2. Heavy Lift				
a) 5 - 20 tons	/MT		378.00	-
b) Over 20 tons	/MT		461.00	-
3. Steel Products	/MT		61.00	43.00
4. Logs	/1000 Bd. Ft.		162.00	-
5. Lumber	/1000 Bd. Ft.		-	120.00
6. Bulk				
a) Free Flowing	/MT		77.00	-
b) Non-Free Flowing	/MT		84.00	-
7. Shifting within hatch			150% of applicable rates	
8. Shifting from hatch to another or from one hold to dock/pier or barge or vice versa			200% of applicable rates	
NB The above charges shall be exclusive of equipment except for Item 6 i.e. Bulk cargoes where clamshell shall be provided.				

PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR

		Per PPA MC No. 03-2005 Effective 3/19/2006		
		<u>Basis</u>	<u>Non-Palletized</u>	<u>Palletized</u>
B. Cargo Charges (Arrastre)				
<u>Import</u>				
1.	General Cargo			
a.	Bagged Cargoes (cargoes in bags, sacks)	/RT	Php 200.00	89.00
b.	Frozen Cargoes			
b.1	Unpacked Fish	/RT	751.00	-
b.2	Fish in Cartons	/RT	502.00	-
c.	Others (cargoes in crates, boxes, cases, drums, etc.)	/RT	113.00	89.00
2.	Steel Products	/RT	132.00	106.00
3.	Logs	/1000 Bd. Ft.	172.00	-
4.	Lumber	/1000 Bd. Ft.	-	172.00
5.	Heavy Lift			
	5 - 15 tons	/MT	271.00	-
	Over 15 to 20 tons	/MT	449.00	-
	Over 20 tons	/MT	631.00	-
6.	Bulk Cargo	/MT	113.00	-
7.	Checking Charge (Shipside Delivery)	/RT	13.00	-
C. Roll-on-Roll-off Charges				
1.	Vessel Charges (Stevedoring)	/RT	65.00	-
2.	Cargo Charges (arrastre)	/RT	113.00	-
D. Dangerous Cargo		To be charged in accordance with PPA AO No. 02-89 dtd. 8/14/89 and PPA AO No. 01-90 dtd. 03/01/90		

III. MISCELLANEOUS CHARGES (payable by whoever requested for services)

		Per PPA MC No. 11-2008 Effective January 01, 2009 In U.S. Dollar (\$1:P43.00)		
		<u>Basis</u>		
A. <u>CONTAINERIZED</u>				
1.	Lifting and closing of hatch covers, lids and supporting beams (non-self sustaining vessels only)	/hatch	US \$	85.823



PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR

		Per PPA MC No. 11-2008 Effective January 01, 2009 <u>In U.S. Dollar (\$1:P43.00)</u>	
2.	Making fast and letting go lines	<u>Basis</u>	
	Size of Vessel:		
	Less than 10,000 GRT	/vessel	US \$ 14.039
	10,000 - 20,000 GRT	/vessel	16.045
	20,000 - 30,000 GRT	/vessel	20.030
	Above 30,000 GRT	/vessel	24.041
3.	Pier Lighting (night operations - 1800H to 0600H)	/hour	1.719
4.	Reefer Charges (Plug in/out)	/box/hour or fraction	
	20 footer		1.407
	40 footer		3.282
	- Reefer vans for export shall be subject to one (1) hour minimum		
			Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>
	- A minimum of six (6) hours shall be imposed on import reefer vans		
	20 footer	/box	Php 324.00
	40 footer	/box	756.00
			Per PPA MC No. 11-2008 Effective January 01, 2009 <u>In U.S. Dollar (\$1:P43.00)</u>
5.	a. B.O. Turnover Survey	gang/hour	US \$ 22.270
	b. Shoring/Recouping (Labor Cost Only) Materials, subject to the determination of both parties based on actual usage.	gang/hour	9.585
			Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>
	c. Stripping - FCL	/box	Php 5,972.00
	- 100% examination	/box	5,972.00
	- Over 10% but below 100% exam	/box	2,988.00
	- BOC Spot Checking exam	/box	913.00
			Per PPA MC No. 11-2008 Effective January 01, 2009 <u>In U.S. Dollar (\$1:P43.00)</u>
6.	Equipment Rental (includes operator)		
	a. Shore Crane	/hour or fraction thereof	US \$ 115.777
	b. Crane -100 ton mobile crane minimum of twelve (12) container moves	/minimum	437.816

PORT OF MANILA  
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AND SOUTH HARBOR

Per PPA MC No. 11-2008  
Effective January 01, 2009  
In U.S. Dollar (\$1:P43.00)

	<u>Basis</u>			
<b>EQUIPMENT HIRE</b>				
Crane (Mobile)      100 Tons Capacity	/hour	US \$		256.402
Crane                    50 Tons Capacity	/hour			104.811
Crane                    25 Tons Capacity	/hour			59.855
Crane Container Barge Tango	/hour			36.777
Forklift                20 Ton Capacity	/hour			29.928
Forklift                10 Ton Capacity	/hour			16.513
Forklift                3 Ton Capacity	/hour			11.408
Toploader             25 Ton Capacity	/hour			44.878
Toploader             35 Ton Capacity	/hour			59.855
Shifter/Straddle Carrier    25 Ton Capacity	/hour			60.089
Tractor Head	/hour			16.462
Truck, Stake	/hour			11.408
Chassis with Truck/Tractor				
20 footer	/hour			7.241
40 footer	/hour			14.430

Per PPA MC No. 03-2005  
Effective 3/19/2006

c. Pallets (outside rental)	/box	Php		54.00
 7. Transferring/storing of dangerous cargoes at the Dangerous Cargo Area (DCA) - (Per PPA MC 12-2004 for MICT & PPA MC 02-2005 for South Harbor)				
Containerized Dangerous Cargo	/TEU			3,282.00
LCL (non-palletized)	/RT			224.00
LCL (palletized)	/RT			172.00

The charges shall be distinct and in addition to the "premium charges" prescribed under PPA Admin. Order No. 02-89 (Cargo Handling Rate for Dangerous/Obnoxious Cargoes).

Per PPA MC No. 11-2008  
Effective January 01, 2009  
In U.S. Dollar (\$1:P43.00)

Penalty Charges

Stand-by Charges	gang/hour	US \$		28.755
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- a. Manpower  
Applies to vessel operation when labor is engaged to work but cannot work, when causes are attributable to vessel's fault, under the ff conditions:

PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
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Per PPA MC No. 11-2008  
Effective January 01, 2009  
In U.S. Dollar (\$1:P43.00)

- Basis
- a. waiting for vessel to dock;
  - b. breakdown of vessel's gear;
  - c. waiting for cargo/truck;
  - d. men engaged but not put to work

Standby time charges due to inclement weather shall not apply except when the cargo owner/consignee insists on the deployment of a gang or objects to the knocking off of the gang during or impending inclement weather.

b. Shore Crane Equivalent to four (4) Container Lifts per hour or fraction thereof	/minute  /hour	US \$	6.251  125.102
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Per PPA MC No. 03-2005  
Effective 3/19/2006

**B. NON-CONTAINERIZED**

1. Making fast & letting go lines			
Size of Vessel:			
Less than 10,000 GRT	/vessel	Php	577.00
10,000 - 20,000 GRT	/vessel		660.00
20,000 - 30,000 GRT	/vessel		826.00
above 30,000 GRT	/vessel		990.00
2. Pier Lighting (night operations - 1800H to 0600H)			
	/hour		66.00
3. a. B.O. Turnover Survey			
	gang/hour		802.00
b. Shoring/Recouping (Labor Cost Only)			
	gang/hour		344.00
Material, subject to the determination of both parties based on actual usage.			
4. Equipment Rental (includes operator)			
a. On-Dock			
Crane (Mobile)	100 Tons Capacity	/hour	9,751.00
Crane	50 Tons Capacity	/hour	3,986.00
Crane	25 Tons Capacity	/hour	2,276.00
Forklift	20 Tons Capacity	/hour	1,138.00

PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR

Per PPA MC No. 03-2005  
Effective 3/19/2006

	<u>Basis</u>		
Forklift 10 Tons Capacity	/hour	Php	625.00
Forklift 3 Tons Capacity	/hour		433.00
Toploader 25 Tons Capacity	/hour		1,708.00
Toploader 35 Tons Capacity	/hour		2,276.00
Shifter/Straddle Carrier 35 Tons Capacity	/hour		2,276.00
Tractor Head	/hour		625.00
Truck, Stake	/hour		433.00
b. On-Board			
Forklift 3 Tons Capacity	/hour		773.00
c. Outside rental of pallets			
	/hour		65.00

Penalty Charges

Standby time charges shall be applied on delays beyond the control of the cargo handling operator, only under the following circumstances:

- a. waiting for vessel to dock;
- b. breakdown of vessel's gear;
- c. waiting for cargo/truck/barges;
- d. non-readiness of the vessel;
- e. gang cancelled by client due to instances other than the above

a) On-Board	gang/hour	2,764.00
b) On-Dock	gang/hour	1,996.00

Standby time charges due to inclement weather shall not apply except when the cargo owner/consignee insists on the deployment of a gang or objects to the knocking off of a gang during or impending inclement weather.

Extra Labor Services

1. Gang Services

a) On-Dock		
General Cargo Delivery Gang	gang/hour	665.00
B.O. Turn-over Gang	gang/hour	845.00
Utility	gang/hour	872.00
Barge Delivery Operation	gang/hour	1,169.00
Lashing/Unlashing (RO-RO)	gang/hour	592.00

PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR

	<u>Basis</u>		Per PPA MC No. 03-2005 <u>Effective 3/19/2006</u>
Lashing/Unlashing Gang	gang/hour	Php	1,072.00
Self-Sustained Vessel (Loading/Unloading)	gang/hour		1,958.00
Integrated General Cargoes & Units	gang/hour		2,375.00
			Per PPA MC No. 11-2008 Effective January 01, 2009 <u>In U.S. Dollar (\$1:P43.00)</u>
B) On-Board			
Regular Gang	gang/hour	US \$	18.623
Big Gang	gang/hour		21.905
Manlighter Gang	gang/hour		12.998
Lashing/Unlashing/Shoring	gang/hour		21.592
Discharging Vessel/Barge Operation/ Stripping	gang/hour		40.685
2. Personnel Services			
Antigo	/hour		2.240
Batteryman	/hour		2.318
Cabo	/hour		2.318
Cabo B.O.	/hour		2.318
Carpenter	/hour		2.240
Checker Posting B.O.	/hour		2.240
Checker Delivery	/hour		2.397
Checker Posting	/hour		2.397
Checker Receiving	/hour		2.397
Checker Transfer	/hour		2.397
Clerk	/hour		2.240
Cooperer B.O.	/hour		2.240
Deliveryman	/hour		2.240
Electrician	/hour		2.240
Foreman Delivery	/hour		2.397
Foreman Receiving	/hour		2.397
Gatekeeper	/hour		2.501
Gearlockerman	/hour		2.240
Inspector B.O.	/hour		2.397
Inspector Gate	/hour		2.501
Lineman	/hour		2.240
Locator	/hour		2.240
Locator Van	/hour		2.240
Mechanic	/hour		2.397
Mechanic Helper	/hour		2.318

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PORT OF MANILA  
SCHEDULE OF CARGO HANDLING TARIFF AT  
MANILA INTERNATIONAL CONTAINER TERMINAL  
AND SOUTH HARBOR

Per PPA MC No. 11-2008  
Effective January 01, 2009  
In U.S. Dollar (\$1:P43.00)

	<u>Basis</u>		
Moderno	/hour	US \$	2.214
Operator Crane (2)	/hour		2.943
Operator Forklift	/hour		2.240
Operator Gantry Crane	/hour		2.214
Operator Mobile	/hour		2.397
Operator Tractor	/hour		2.501
Reefer Technician	/hour		2.448
Signalman	/hour		2.240
Special Cargoman	/hour		2.240
Supervisor	/hour		2.552
Supervisor B.O.	/hour		2.552
Superintendent	/hour		2.761
Truck Driver	/hour		2.240
Utilityman	/hour		2.240
Welder	/hour		2.240
Winchman	/hour		2.240
Baggage Master	/hour		2.318

ATI-ICTSI 01-2009 as of 12-09-2008

# **CARGO HANDLING OPERATIONS**

*April 04, 2008*

**PPA MEMORANDUM ORDER**

**NO. 25 - 2008**

**SUBJECT : Creation of PPA -Negros Oriental Port Services (PPA-NOPS)**

In the exercise of the inherent function of the Authority to directly provide and operate cargo handling and related services as prescribed by Presidential Decree No. 857, as amended, and upon order from higher authority, there is hereby created the PPA-Negros Oriental Port Services (PPA-NOPS).

The PPA-NOPS shall, henceforth, provide and operate the arrastre, stevedoring and related services at the Port of Dumaguete, with powers, functions and duties as are or may be necessary to enable it to carry out its purposes, subject to the following guidelines:

1. Ensure the continuous and uninterrupted delivery of vital cargo handling services in a more efficient manner.
2. Utilize the present labor force of the incumbent cargo handling operator under the same terms and conditions prevailing at the time of the effectivity of this Order and observe all labor laws, rules and regulations.
3. Collect at existing rates and amounts, such charges for services rendered.
4. Disburse funds to finance the necessary expenses of operations in accordance with the system prescribed by the Authority.
5. Conduct inventory of cargoes received and still in the custody of the operator as of takeover date.
6. Conduct inventory of cargo handling equipment, gears, tools and other property of the operator.
7. Conduct inventory of cargo records and claims.
8. Conduct inventory of unused forms and supplies which can be used for the takeover.
9. Conduct inventory of office and field personnel.
10. Submit monthly operational and financial reports to the AGM for Operations.

The management, supervision and control of the PPA-NOPS shall be under the Port Manager of PMO Dumaguete to be complemented by the PPA officials and employees as the General Manager, Port District Manager, or Port Manager may hereafter designate.

This Order takes effect immediately and shall be valid and effective for a period of one (1) month from the date of issuance hereof, after which the cargo handling services at said port shall be turned-over to the cargo handling operator concerned.

For guidance.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

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*July 03, 2008*

**PPA MEMORANDUM CIRCULAR**

**NO. 07 - 2008**

**TO :** *Port District Managers  
Port Managers  
Terminal Supervisors  
All Concerned*

**SUBJECT :** *Compliance with Regulations on Safe Handling, Storage and Transport of Dangerous Goods in Ports*

In the aftermath of the sinking of the vessel M/V "Princess of the Stars" which carried dangerous cargoes on board, there is a need to reiterate strict enforcement of PPA regulations on dangerous goods and to adopt additional measures that will ensure not only the general safety of the facilities, structure and persons within the port premises but also the protection of the marine environment, as follows:

1. The following PPA regulations must be at all times strictly complied with:
  - 1.1 PPA Administrative Order No. 08-97 (See Port Rules and Regulations Vol. 11 page 18) entitled "Code of Safe Handling, Storage and Transport of Dangerous Cargoes in Ports".
  - 1.2 PPA Memorandum Circular No. 28-85 (See Port Rules and Regulations Vol. 8 page 87) entitled "Guidelines on the Handling and Storage of Dangerous Cargoes".
  - 1.3 Dockworker Safety and Health Standards, particularly Art. XVII, Section 2-D.
2. Compliance with other regulations not mentioned above also relating to the handling, storage and transport of dangerous cargoes in ports must be strictly complied with. Whenever necessary, reference to the IMDG Code shall be made.
3. For better understanding and proper enforcement of the above-cited regulations, all Port Managers shall see to it that all port and terminal operations personnel under their jurisdiction are provided with copies of the said issuances, including the IMDG Code. Port Managers shall also ensure that all concerned personnel are immediately reoriented on these regulations.
4. All PMO and TMO Operations personnel shall ensure strict compliance by authorized cargo handling operators, shipping companies, agents and cargo shipper or consignees with the above-cited regulations.
5. Additional measures shall be adopted to effectively detect, monitor and control the entry of dangerous cargoes in the port particularly those not reported or declared by the shipper or consignee.
6. All PMOs are directed to submit to the General Manager, through the AGM for Operations, a monthly report on dangerous goods handled, stored and transported through the ports under their jurisdiction.

This Memorandum Circular takes effect immediately.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager



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October 02, 2008

**PPA MEMORANDUM ORDER**

**NO. 78 - 2008**

**SUBJECT : Creating the PPA-Surigao Port Services (PPA-SPS)**

To ensure the peaceful and continuous operations of the cargo handling services at the Port of Surigao in Surigao City and in the exercise of the inherent functions of the Authority to directly provide and operate cargo handling and other related services as prescribed by Presidential Decree No. 857, there is hereby created the PPA-Surigao Port Services (PPA-SPS).

The PPA-SPS shall, henceforth provide and operate the cargo handling and portorage services at the Port of Surigao, with powers, functions and duties as are or may be necessary to enable it to carry out its purposes subject to the following undertakings:

1. Ensure the continuous and uninterrupted delivery of vital cargo handling and portorage services in a more efficient manner.
2. Utilize the present labor force under the same terms and conditions prevailing at the time of the effectivity of this Order and observe all labor laws, rules and regulations.
3. Collect existing rates and amounts, such charges for services rendered.
4. Disburse funds to finance the necessary expenses of operations in accordance with the systems prescribed by the Authority.
5. Conduct inventory of cargoes received and still in the custody of the operator as of takeover date.
6. Conduct inventory of cargo handling equipment, gears, tools and other property of the operator.
7. Conduct inventory of cargo records and claims.
8. Conduct inventory of unused forms and supplies which can be used for the takeover.
9. Conduct inventory of office and field personnel.

The management and supervision and control of the PPA-SPS shall be under the Port Manager of PMO Surigao to be complemented by the PPA officials and employees as the General Manager may hereafter designate.

This Order takes effect immediately and shall remain in force unless otherwise revoked or shortened as circumstances may warrant, provided however, that when there is no more need for such Special Takover Unit (STU), the cargo handling services shall be turned over to the winning bidder of the public bidding to be conducted for cargo handling services at subject port.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

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# **CONTRACTS**

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*January 24, 2008*

**MEMORANDUM**

**FOR** : ***All Responsibility Center Heads  
All Others Concerned***

**FROM** : ***The AGM for Finance and Administration***

**SUBJECT** : ***Requirements to Implement Any Price Adjustment in Security Services,  
Manpower Outsourcing, Janitorial and Other Similar Contracts***

The Legal Services Department has issued an opinion regarding the need for the issuance of Supplemental Contract/Agreement in cases where the contracted price is allowed to be adjusted at a ***no loss-no gain*** basis to the entity and the contractor, such as when increases in salaries are legislated or mandated by Wage Orders after the date of bidding. The LSD memo which is self-explanatory is herewith attached for the guidance of all concerned.

Relative to this, all requests for funds to cover contract price adjustments must be supported with the draft Supplemental Agreements, preferably endorsed by the recommending PPA official. As in the main contract, a Certification of Availability of Funds (CAF) must be attached to the Supplemental Contract before the same is approved/signed by the parties concerned.

Please be guided accordingly.

(Sgd.) **AIDA P. DIZON**

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January 8, 2008

MEMORANDUM

FOR : The Assistant General Manager  
Finance and Administration

FROM : The Manager  
Legal Services Department

SUBJECT : Query on Contract Price Adjustment on Security  
and Other Contractual Services

This refers to your request for legal opinion whether an issuance of Supplemental Contract is necessary before any contract price adjustment that may be allowed by PPA arising from mandated wage orders is implemented. It is stated that under Section 61.1 of the Implementing Rules and Regulations of Republic Act No. 9184 otherwise known as the Government Procurement Reform Act it is pertinently provided that xxx "all bid prices shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation, except under extraordinary circumstances and upon prior approval of the GPPB." It is also stated that under Section 17.7.4 of the same IRR it is also provided that "contract price adjustment' on a no loss-no gain to contracting parties is allowed for the cost of awarded contracts affected by new applicable laws, ordinances, regulations or other acts of Government promulgated after date of bidding.

In this connection, please be informed that financial transactions and operations of any government agency are mandated to be governed by certain fundamental principles. One such principle is that "Claims against government funds shall be supported with completed documentation" (Section 4, Presidential Decree No. 1445, otherwise known as the Government Auditing Code of the Philippines). There are certain requirements to be complied with for all classes of public disbursements under existing rules and regulations. These are spelled out under Section 168 of the Government Accounting and Auditing Manual (GAAM), viz:

"Sec. 168. Basic requirements applicable to all classes of disbursements. The following basic requirements shall be complied with:

- a. Certificate of Availability of Funds
- b. Approval of claim or expenditure by head of office or his duly authorized representative
- c. Documents to establish validity of claim - Submission of documents and other evidence to establish validity and correctness of the claim for payment
- d. Conformity of the expenditure to existing laws and regulations
- e. Proper accounting treatment

The execution of the Supplemental Agreement on security and other contractual services is one of the documentations necessary to establish validity and correctness of claim against public funds. Said agreement states with certainty the terms and conditions of the main contract being varied by the parties. It must be noted that in the birth or generation of an obligation, there is always a concurrence between the law which establishes or recognizes it and an act or condition upon which the obligation is based or predicted. The main contract we have with service contractor is based on fixed prices pursuant to Section 61.1 of the IRR of RA 9184. There is a prohibition therein to adjust the consideration of the contract. If the consideration which is fixed not only by the parties themselves but the procurement law itself is not varied by a subsequent agreement by the parties, then the basis for the payment of the contractor concerned would be that provided in the main contract.

Moreover, the bid documents in the procurement of goods specifically the General Conditions of the Contract specifically provides that no variation in or modification of the contract shall be made except by written amendment signed by the parties, thus:

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“27. Contract Amendment

27.1 Subject to applicable laws, no variation in or modification of the terms of the Contract shall be made except by written amendment signed by the parties.”

Obligations arising from contracts are governed primarily by the agreement of the contracting parties. This is deductible from Art. 1159 of the Civil Code which declares that such obligations have the force of law between the contracting parties and should be complied with in good faith. The parties ought to document the new consideration which was brought about by the action of the government. This is to satisfy the requirement of the contract and that of existing law, rules and regulations including that on public disbursements. While contract price may be adjusted on account of law or wage order, the implementation thereof is not automatic in the government. Complete documentation is needed. This is true even if the adjustment is with respect to salaries of its employees legislative fiat notwithstanding. Certain guidelines need to be passed, notices of adjustment prepared, computation of back salaries undertaken, availability of funds secured. With more reason that complete documentation is needed in case of contracts of services where the disbursement is in favor of a private party.

It is recalled that we have already laid down the legal basis, i.e., the issuance of a wage order, for the adjustment of the claim of the contractors. The complete documentation including that of the Supplemental Agreement should be taken cared of by the Office of the AGM for Operations, through the Port Police Department, which is the security contract administrator pursuant to PPA Memorandum Circular No. 05-2003, thus:

“18.1 Subject to the oversight functions of higher authorities, the AGM for Operations, through the Port Police Department, shall be the contract administrator and shall perform the following duties from the time the contract is awarded until the same is closed, thus:

xxx xxx

18.1.2 Monitor the performance of and compliance with the terms and conditions of the contract by the security contractor.

xxx xxx

18.1.6 Review claims or requests for wage increase, wage differentials or contract rate adjustments filed by security agency contractor.”

Requests for contract price adjustment/s on security and other contractual services on account of mandated wage increase may no longer be referred to us provided that the following documents support the payment thereof, to wit:

1. Certificate of Availability of Funds;
2. Wage Order duly certified by the issuing agency;
3. Supplemental Agreement duly executed by the parties;
4. Proof/s of payment of the mandated wage as certified by the Responsibility Center concerned.

Attached is a pro-forma Supplemental Agreement on the adjustment of contract price on account of mandated wage increase.

For your information and guidance.

(Sgd.) **DAVID R. SIMON**

Encl.: as stated

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SUPPLEMENTAL AGREEMENT TO THE SECURITY SERVICES CONTRACT  
FOR THE PORT DISTRICT OF \_\_\_\_\_

**KNOW ALL MEN BY THESE PRESENTS:**

This Supplemental Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2008, in Manila, Philippines, by and between:

**PHILIPPINE PORTS AUTHORITY**, a government instrumentality, created under Presidential Decree No. 857, as amended, with principal office at PPA Building, A. Bonifacio Drive, Port Area, represented herein by its General Manager, ATTY. OSCAR M. SEVILLA, and hereinafter referred to as the "PPA";

-and-

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office at \_\_\_\_\_, represented herein by its duly authorized \_\_\_\_\_ (Chairman, President, General Manager) \_\_\_\_\_ (Name of the representative), and hereinafter referred to as the "AGENCY".

**WITNESSETH:**

WHEREAS, the AUTHORITY and the AGENCY executed a contract for Security Services for the Port District of \_\_\_\_\_ on \_\_\_\_\_ which was acknowledged before \_\_\_\_\_, a Notary Public for and in the City of \_\_\_\_\_, copy of which is hereto attached as Annex "A" and made an integral part hereof; hereinafter referred to as original contract;

WHEREAS, under Republic Act No. 9184 otherwise known as the Government Procurement Reform Act and its Implementing Rules and Regulations (IRR) particularly Rule 61.1 provides that "all bid prices shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation;

WHEREAS, it is also provided under Section 17.7.4 of the same IRR that "in cases where the cost of the awarded contract is affected by any applicable new laws, ordinances, regulations or other acts of Government promulgated after the date of bidding, a contract price adjustment shall be made or appropriate relief shall be applied on a no-loss no gain basis, provided that it is not covered by the contract provisions on price adjustment."

WHEREAS, Wage Order No. \_\_\_\_\_ was issued by the Regional Wage of \_\_\_\_\_, ordering the adjustment of the minimum wage of workers in non-agricultural sector by \_\_\_\_\_ (Php \_\_\_\_\_), certified copy of which is hereto attached as Annex "B" and made integral part hereof;

WHEREAS, the herein parties agreed under paragraph \_\_\_\_\_ of the original contract that for and in consideration of the services of the guards, PPA agrees to pay the agency a monthly compensation fee at the rate of \_\_\_\_\_ (\_\_\_\_\_), Philippine Currency, per guard who renders eight hours duty daily, including Sundays and Legal Holidays;

WHEREAS, the herein parties hereby agree to adjust the monthly compensation fee provided under the original contract from \_\_\_\_\_ to \_\_\_\_\_ conform with Wage Order No. \_\_\_\_\_;

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NOW, THEREFORE, for and in consideration of the foregoing premises, the parties hereto have agreed, as they hereby agree, to enter into mutual covenants and stipulations hereinafter provided, to wit:

1. The consideration of the original contract shall be amended by adjusting the monthly compensation fee from \_\_\_\_\_ (PHP \_\_\_\_\_), Philippine Currency to \_\_\_\_\_ (Php \_\_\_\_\_), Philippine Currency; per guard who renders eight hours duty daily, including Sundays and Legal Holidays;
2. Additional performance bond corresponding to the adjusted fee shall be posted by the AGENCY within five (5) days from execution of this Supplemental Agreement;
3. Other conditions of the original contract not inconsistent with this Supplemental Agreement shall remain valid and subsisting.

IN WITNESS WHEREOF, the parties have hereunto affixed their signature this \_\_\_\_\_ day of \_\_\_\_\_, 2008 in \_\_\_\_\_, Philippines.

PHILIPPINE PORTS AUTHORITY  
(PPA)

By:

ATTY. OSCAR M. SEVILLA

\_\_\_\_\_  
(AGENCY)

By:

Signed in the presence of:

\_\_\_\_\_

\_\_\_\_\_

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**ACKNOWLEDGMENT**

**REPUBLIC OF THE PHILIPPINES)**  
**CITY OF \_\_\_\_\_) S.S.**

BEFORE ME, a Notary Public for and in the City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2008, personally appeared the following:

	<b>NAME</b>	<b>CTC NO.</b>	<b>DATE</b>	<b>PLACE</b>
1.	Oscar M. Sevilla			
2.	_____			

known to me and to me known to be the same persons who executed the foregoing instrument as:

	<b>POSITION</b>	<b>COMPANY</b>	<b>CTC NO.</b>	<b>DATE</b>	<b>PLACE</b>
1.	General Manager	PPA			
2.	_____				

and they acknowledged to me that the same is their own free act and deed as well as the free and voluntary act and deed of the corporation they represent.

The foregoing Instrument is a Supplemental Agreement consisting of \_\_\_\_\_ pages, including this page on which this acknowledgement is written, signed by the parties and their instrumental witnesses on each and every page thereof.

**IN WITNESS WHEREOF**, I have hereunto affixed my hand and notarial seal on these presents place and on the date first above written.

**NOTARY PUBLIC**

Doc. No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of 2008

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# **PORT CHARGES**

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*January 02, 2008*

**PPA MEMORANDUM CIRCULAR**

**NO. 01 - 2008**

**TO :** *The Association of International Shipping Lines, Inc.  
International Container Terminal Services, Inc.  
Asian Terminals, Inc.  
The Port District Manager, PDO Manila/Northern Luzon  
The Port Manager, PMO South Harbor  
The OIC, MICT  
All Others Concerned*

**SUBJECT :** *U.S. Dollar-Denominated Vessel Charges Against Foreign  
Containers/Containerized Cargoes Handled at South Harbor  
(SH) and Manila International Container Terminal (MICT)*

PPA Memorandum Circular No. 09-2007 (See Port Rules and Regulations 2007, page 73) temporarily adjusted the conversion rate of US Dollar vessel tariffs at the MICT and South Harbor from Php53.50 to Php47.00.

In view however of the rapid appreciation of the Philippine Peso against the US Dollar and in order to minimize the adverse impact on the vessel revenue of the Port of Manila International Terminal Operators, the conversion rate used in the computation of the vessel tariff shall be adjusted to Php43.00 per US Dollar.

The same conditions prescribed under PPA Administrative Order No. 02-2006 (See Port Rules and Regulations 2006, page 82) in the conversion of rates shall continue to be observed.

This Circular shall take effect immediately.

For compliance.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager



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January 07, 2008

**PPA MEMORANDUM CIRCULAR**  
**NO. 02 - 2008**

**TO :** *The Association of International Shipping Lines, Inc.*  
*International Container Terminal Services, Inc.*  
*Asian Terminals, Inc.*  
*The Port District Manager, PDO Manila/Northern Luzon*  
*The Port Manager, PMO South Harbor*  
*The OIC, MICT*  
*All Others Concerned*

**SUBJECT :** *Erratum on the PPA MC No. 01-2008: US Dollar Denominated Vessel Charges Against Foreign Containers/Containerized Cargoes Handled at South Harbor (SH) and Manila International Container Terminal (MICT)*

The following correction is hereby issued for the guidance of all concerned.

The last paragraph of PPA Memorandum Circular No. 01-2008 (See page 63) should read as follows:

“This Circular shall take effect on January 18, 2008, fifteen (15) days after its publication in two (2) newspapers of general circulation.”

For compliance.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

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May 20, 2008

**MEMORANDUM**

**FOR** : **All Port District Managers  
Port Managers**

**SUBJECT** : **CY 2008 Rates in Domestic Port Charges (Usage Fee and Wharfage)**

PPA Memorandum Circular (MC) No. 17-2006 (See Port Rules and Regulations 2006, page 69) resumes the suspended phased increase in domestic port charges.

Under the said MC, the previously approved increase in rates for 2003, 2004, and 2005 was directed to be implemented in 2007, 2008 and 2009, respectively.

For the guidance of all concerned, therefore, it is hereby reiterated that for CY 2008 in particular, the following increase in rates shall be followed for implementation:

<b>Domestic Port Charge</b>		<b>Jan. 1, 2008</b>
A.	Domestic Dockage Fee (Usage Fee) at a Government Port	
-	6 to 100 GRT per calendar day or fraction thereof	P72.00
-	Over 100 GRT per GRT per calendar day or fraction thereof	0.70

A1. *Domestic vessels calling at officially registered private ports shall be charged at one-half (1/2) of the Domestic Dockage Fee at a government port.*

A2. *Registered bay and river trade vessels shall also be charged one-half (1/2) of the required Domestic Dockage Fee but in no case less than or more than the following charges for a calendar day or fraction thereof:*

	<b>Jan. 1, 2008</b>
Not less than	P 72.00
Not more than	360.00

A3. *Lay-up Fee for domestic vessels shall be one-half (1/2) of the applicable Domestic Dockage Fee.*

<b>B. Domestic Wharfage Fee</b>	<b>Jan. 1, 2008</b>
B1. Non-Containerized Cargoes	
- Cargoes in sacks/bags/bulk/uncrated live animals/steel products/logs and lumber/heavy lift Per Metric Ton	P 7.00
- Others Per revenue ton	6.00
- Minimum Charge	12.00
10' box or shorter	52.00
20' Box	105.00
35' Box	131.00
40' Box	157.00
45' Box	184.00

B3. *Domestic cargoes, whether containerized or not, that are loaded/discharged at anchor without using any government wharf or at officially registered private ports shall be charged one-half (1/2) of the usual Domestic Wharfage Fee.*

(Sgd.) **EMMA L. SUSARA**  
 Officer-in-Charge  
 Operations Office

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December 08, 2008

**MEMORANDUM**

**FOR** : **All Port District Managers  
Port Managers**

**FROM** : **The AGM for Operations**

**SUBJECT** : **CY 2009 Rates in Domestic Port Charges (Usage Fee and Wharfage)**

PPA Memorandum (MC) No. 17-2006 (See Port Rules and Regulations 2006 page 69) resumes the suspended phased increase in domestic port charges.

Under the said MC, the previously approved increase in rates for 2003, 2004, and 2005 was directed to be implemented in 2007, 2008 and 2009, respectively.

For the guidance of all concerned, therefore, it is hereby reiterated that for CY 2009 in particular, the following increase in rates shall be followed for implementation:

<b>Domestic Port Charge</b>	<b>Jan. 1, 2009</b>
A. Domestic Dockage Fee (Usage Fee) at a Government Port	
- 6 to 100 GRT per calendar day or fraction thereof	P82.00
- Over 100 GRT per GRT per calendar day or fraction thereof	0.80

- A1. *Domestic vessels calling at officially registered private ports shall be charged at one-half (1/2) of the Domestic Dockage Fee at a government port.*
- A2. *Registered bay and river trade vessels shall also be charged one-half (1/2) of the required Domestic Dockage Fee but in no case less than or more than the following charges for a calendar day or fraction thereof:*

	<b>Jan. 1, 2009</b>
Not less than	P 82.00
Not more than	413.00

- A3. *Lay-up Fee for domestic vessels shall be one-half (1/2) of the applicable Domestic Dockage Fee.*

<b>B. Domestic Wharfage Fee</b>	<b>Jan. 1, 2009</b>
B1. Non-Containerized Cargoes	
- Cargoes in sacks/bags/bulk/uncrated live animals/steel products/logs and lumber/heavy lift	
Per Metric Ton	P 9.00
- Others	
Per revenue ton	7.00
- Minimum Charge	15.00
B2. Containerized Cargoes	
10' box or shorter	63.00
20' Box	126.00
35' Box	157.00
40' Box	189.00
45' Box	221.00

B3. *Domestic cargoes, whether containerized or not, that are loaded/discharged at anchor without using any government wharf or at officially registered private ports shall be charged one-half (1/2) of the usual Domestic Wharfage Fee.*

(Sgd.) **LEOPOLDO F. BUNGUBUNG**  
AGM for Operations

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December 9, 2008

**PPA OPERATIONS MEMORANDUM**  
**CIRCULAR NO. 10 - 2008**

**TO :** All Port District Managers  
Port Managers  
Cargo Handling Contractors  
Shipping Lines  
Cargo and Vehicle Owners  
Others Concerned

**SUBJECT :** 15% Cost-Recovery Adjustment of the RO-RO Terminal Fee (RRTF)  
for Strong Republic Nautical Highway (SRNH)

Pursuant to PPA Memorandum Circular No. 10-2008\* dated November 26, 2008, the fifteen (15%) percent cost-recovery adjustment in RRTF on RORO cargoes/vessels was approved to be implemented effective December 27, 2008. The following RRTF ceiling rates to be used in the SRNH Ferry Ports as prescribed under PPA Memorandum Circular No. 17-2003 (See Port Rules and Regulations 2003 page 166) are hereby adjusted, as follows:

<b>Vehicle Type</b>	<b>Description</b>	<b>RRTF (With 15% Cost- Recovery Adjustment) (Php)</b>	<b>E-VAT (12%) ( Php)</b>	<b>Terminal Fee (Php)</b>
1	Motorcycle, Tricycle, Scooter	58.00	7.00	65.00
2	Car, Minivan, SUV, AUV, Owner, Jeep, PUJ not more than 16 pax	115.00	14.00	129.00
3	Light Delivery Truck, Van, Pick-up Truck, PUJ more than 16 pax	230.00	28.00	258.00
4	Stake truck, heavy delivery truck, passenger/tourist bus, prime mover, tractor head with or without trailer/chassis, 10-wheeler	460.00	56.00	516.00

This Circular amends PPA Memorandum Circular No. 17-2003.

(Sgd.) **LEOPOLDO F. BUNGUBUNG**  
AGM for Operations

\* Published in Phil. Star and Manila Standard on  
November 27, 2008  
Effectivity: December 27, 2008

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**November 26, 2008**

**PPA MEMORANDUM CIRCULAR  
NO. 10 - 2008**

**TO :** **All Port District Managers  
Port Managers  
Cargo Handling Operators  
Shipping Companies and Agents  
Cargo Shippers/Consignees  
Others Concerned**

**SUBJECT :** **Inclusion of the RORO Terminal Operations for RORO Cargoes/Vessels  
in the 15% Cost-Recovery Adjustment Under PPA Memorandum Circular  
No. 08-2008**

Pursuant to BoardCom Resolution No. 2008-1158 (See page 39) dated 21 November 2008, the request of Bicol Terminal Arrastre Operators Association to include RORO Terminal Operations for RORO cargoes/vessels in the recent provisioned 15% cost-recovery adjustment granted to all authorized cargo handling operators nationwide under BoardCom Resolution No. 2008-1145 (See page 37) is hereby approved.

Further, said BoardCom Resolution amends PPA Memorandum Circular No. 08-2008 (See page 36) to include the RORO terminal operators in the 15% provisional cost-recovery adjustment.

This Circular shall take effect thirty (30) days after the completion of its publication in at least two (2) newspapers of general circulation.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

Published in the following newspapers:

Philippine Star - November 27, 2008  
Manila Standard

**Effectivity Date - December 27, 2008**

# **PORT OPERATIONS**

**May 15, 2008**

**PMOB Memorandum Circular**

**No. 06 - 2008**

**TO :** *All Shipping Companies  
Shippers/Consignees  
and All Others Concerned*

**SUBJECT :** *Notice of Resumption of Operation of the Port of Cawit  
in Boac, Marinduque*

Notice is hereby given that the Port of Cawit in Boac, Marinduque is now open for port operations and had resumed servicing our clients since April 12, 2008.

All shipping lines and shippers/consignees of cargoes who intend to transact business at the Port of Cawit are advised to coordinate with the Division Manager, Luzviminda Dela Cruz at the Office of PPA, Port of Balanacan in Brgy. Balanacan, Mogpog, Marinduque.

This order takes effect immediately and shall remain in force until otherwise revoked.

(Sgd.) **ALEX T. CRUZ**  
Port Manager

CC: AGMO  
PDO-SL



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*June 19, 2008*

**MEMORANDUM**

**TO** : *All PMO Managers*

**FROM** : *The AGM for Operations*

**SUBJECT** : *Seaway Bill as Acceptable Document in Lieu of Bill of Lading*

All PMOs and other PPA units concerned are hereby directed to accept Seaway Bill duly issued by shipping lines/vessel owners/operators in lieu or the absence of Bill of Lading, provided that said Seaway Bill contains all the information requirements of PPA for the PROMPT and other purposes. It shall be understood, however, that the Bill of Lading shall remain as the main basis of cargo information which PPA may accept for its operational and computerized system's use.

This memorandum effectively amends pertinent portion of PPA Memorandum Order No. 23-2007 (See Port Rules and Regulations 2007 page 38), particularly Section 2.2 thereof.

For immediate and strict compliance.

(Sgd.) **BENJAMIN B. CECILIO**

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# PROCUREMENT

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January 24, 2008

**MEMORANDUM**

**FOR** : **PDO Managers  
Port Managers  
BAC Chairpersons  
All Concerned**

**FROM** : **The Manager, MISD**

**SUBJECT** : **Request for Posting of Invitation to Apply for Eligibility  
And To Bid (IAEB) at the PPA Website and G-EPS**

In accordance with RA 9184, otherwise known as the Government Procurement Reform Act, this Office recommends the following to ensure prompt, efficient and accurate postings at the PPA and G-EPS Websites:

**1. Posting at the PPA Website:**

A soft copy of memo-request and project-details must be e-mailed to the Manager, MISD and the PPA Website Administrator at the addresses [beth@ppa.com.ph](mailto:beth@ppa.com.ph) and [SysAd@ppa.com.ph](mailto:SysAd@ppa.com.ph) or [ppaweb.admin@gmail.com](mailto:ppaweb.admin@gmail.com) **at least** two (2) working days before the posting dates of the advertisements at the Website (Please indicate the duration of web posting, e.g.: September 15-25, 2007). There is no need to send hard copy of the request for posting. An email shall be sent back to confirm receipt of the request.

A Certification that the IAEB was posted the PPA Website shall be issued to PDO/PMO/RC concerned upon request.

**2. Posting at PhilGeps Website**

Except for the Head Office BAC, posting at the G-EPS Website shall be the responsibility of the PDO/PMO/RC concerned thru the Bids and Awards Committee (BAC) since the website is accessible via the Internet at <https://www.philgeps.net/GEPS/default.aspx>. Registration may be done online or at the local DBM office. Posting at PhilGeps may also be requested at the Procurement Unit of your Offices.

For your reference/appropriate action.

(Sgd.) **ELIZABETH C. FOLLOSCO**

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January 24, 2008

**MEMORANDUM**

**T O** : **All Responsibility Center Heads**  
- **Head Office**  
- **Port District Office**  
- **Port Management Office**

**F R O M** : **The Assistant General Manager for  
Finance and Administration**

**SUBJECT** : **DOTC Memorandum Circular No. 2007-115 Dated November 23, 2007**

We are providing you a copy of DOTC Memorandum Circular No. 2007-115 dated November 23, 2007 with reference to OP Executive Order No. 662-A regarding **“Amending Executive Order No. 662, series of 2007 Entitled “Enhancing Transparency Measure Under Republic Act No. 9184 and Creating the Procurement Transparency Group”**.

For your information and dissemination.

(Sgd.) **AIDA P. DIZON**

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Republic of the Philippines  
**DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS**

**November 23, 2007**

**MEMORANDUM CIRCULAR: 2007-115**

**For:**                *Undersecretaries*  
                         *Assistant Secretaries*  
                         *Heads of Sectoral Offices/Attached Agencies*  
   *and Corporations*  
                         *Head Executive Assistant*  
                         *Service Directors*  
                         *RMC Chairmen*  
                         *Division Chiefs*  
                         *This Department*

For your information and dissemination, transmitted herewith is:

<b>NATURE</b>	<b>DATE</b>	<b>SUBJECT</b>
OP-Executive Order No. <b><u>662-A</u></b>	November 15, 2007	<b>“AMENDING EXECUTIVE ORDER NO. 662, SERIES OF 2007 ENTITLED “ENHANCING TRANSPARENCY MEASURE UNDER REPUBLIC ACT NO. 9184 AND CREATING THE PROCUREMENT TRANSPARENCY GROUP.”</b>

(Sgd.) **ROWENA S. QUIOGUE**  
Director III  
Administrative Service

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**MALACAÑANG**  
**Manila**

**BY THE PRESIDENT OF THE PHILIPPINES**

**EXECUTIVE ORDER No. 662-A**

**AMENDING EXECUTIVE ORDER NO. 662, SERIES OF 2007 ENTITLED "ENHANCING TRANSPARENCY MEASURES UNDER REPUBLIC ACT NO. 9184 AND CREATING THE PROCUREMENT TRANSPARENCY GROUP"**

**WHEREAS**, Executive Order (E.O.) No. 662 entitled Enhancing Transparency Measures under Republic Act No. 9184 and Creating the Procurement Transparency Group was issued last September 20, 2007;

**WHEREAS**, there is an urgent need to amend E.O. No. 662 in order to encourage greater involvement of civil society organizations in the Procurement Transparency Group created thereunder, as well as to affirm their deep sense of volunteerism;

**WHEREAS**, positive action, founded on the principles of transparency and full disclosure, is called for to enlighten the general public on procurement activities perceived to be anomalous or problematic;

**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.** The last paragraph of Section 1 of E.O. 662, s. 2007 is hereby amended to read as follows:

"The GPPB shall cause to be maintained in the appropriate government website a database of proposed and concluded public sector contracts regardless of amount involved."

**SECTION 2.** Sections 3, 5 and 6 of E. O. No. 662, S. 2007, are likewise hereby amended to read as follows:

**"SECTION 3.** Procurement Transparency Group. There is hereby created a PROCUREMENT TRANSPARENCY GROUP, headed by the GPPB and with the following agencies and non-government organizations as members:

- a) Presidential Anti-Graft Commission;
- b) National Economic and Development Authority;
- c) Department of Justice;
- d) Department of Budget and Management;
- e) Department of the Interior and Local Government;
- f) Five (5) NGOs/CSOs duly designated by the network of CSOs involved in training procurement observers and/or procurement reforms.

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**“SECTION 5.** The Group shall evaluate, comment on, record and monitor procurement activities of NGAs, GOCCs, GFIs, SUCs and LGUs based on mode of procurement, amount of budget, volume, susceptibility to problems or anomalies and importance of the project to the developmental objectives of the country. For this purpose, the Group shall:

- 5.1 Strategically deploy trained observers to the BACs of NGAs, GOCCs, GFIs, SUCs and LGUs, which are in charge for the procurement of these identified projects;
- 5.2 Call the attention of agency heads on potential non-compliance with R. A. 9184 and its IRR-A;
- 5.3 Discuss and address issues and concerns gathered from the procurement monitoring activities of observers;
- 5.4 Based on its findings, recommend measures to the GPPB that will enhance transparency and streamline the procurement process;
- 5.5 Furnish copies of its recommendations and findings to the GPPB, the Office of the President, the Office of the Executive Secretary, heads of agencies concerned and such other agencies or offices as the Group may determine;
- 5.6 Perform such other functions needed to further enhance its monitoring capability and accountability.”

**“SECTION 6.** All NGAs, GOCCs, GFIs, SUCs and LGUs, through their BACs, are directed to cooperate and extend assistance to the deployed observers and the Group.

“In furtherance of the objectives of this Executive Order, all NGAs, GOCCs, GFIs, SUCs and LGUs are hereby directed to make available on a timely basis to the Group, and the general public, all procurement related information, except those which are legally and judicially restricted.”

**SECTION 3.** All executive issuances or portions thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

**SECTION 4.** This Executive Order shall take effect immediately.

**Done** in the City of Manila, this **15th** day of November, in the year of Our Lord, Two Thousand and Seven.

(Sgd.) **GLORIA M. ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**  
Executive Secretary

# **REAL ESTATE MANAGEMENT**

*August 13, 2008*

**PPA MEMORANDUM ORDER**  
**NO. 67 - 2008**

**TO :** *The Port District Manager, PDO-Manila/Northern Luzon*  
*The Port Manager, PMO- North Harbor*

**SUBJECT :** *Uniform Rental Rate for Manila North Harbor*

PPA Board Resolution No. 2151(See page 79) issued on 25 July 2008 approved for implementation an P80.00/sq. m./mo. uniform rental rate for the Manila North Harbor.

Said uniform rental rate, using the PLSA compromise rate is applicable to all real estate areas of North Harbor, including Slip 0. A different rental rate shall be imposed for improvements or buildings leased from PPA.

All arrearages of lessees or tenants concerned will have to be settled with PMO North Harbor.

The interim rent rate shall take effect thirty (30) days after publication in a newspaper of general circulation and shall be valid for one (1) year.

The PMO North Harbor Manager is hereby directed to issue the corresponding occupancy permit/s containing said published rate for lessee's conforme.

For immediate compliance.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

Published in the Philippine Star - August 21, 2008

**Effectivity Date - September 20, 2008**

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**SECRETARY'S CERTIFICATE**

I, *DAVID R. SIMON*, duly designated Corporate Board Secretary of the Philippine Ports Authority (PPA), a government instrumentality attached to the Department of Transportation and Communications, created by virtue of Presidential Decree No. 857, as amended, with principal office at PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, and having custody of the Board records of the PPA, do hereby certify:

That, during the 345th Regular Meeting of the Board of Directors of the Philippine Ports Authority held on 25 July 2008 at the Board Room, 6th Floor PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, the following Resolution was adopted:

**RESOLUTION NO. 2151**

*“RESOLVED, That on motion duly made and seconded, BoardCom Resolution Nos. 2008-1140 to 2008-1145, as adopted during the 210th Meeting of the Board Committee, held on 25 July 2008, hereto attached and incorporated by reference, be, as they are hereby confirmed.”*

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 28th day of July 2008, at the above-mentioned address.

(Sgd.) **ATTY. DAVID R. SIMON**  
Corporate Board Secretary



# **SAFETY AND SECURITY**

January 14, 2008

**MEMORANDUM ORDER**  
**NO. 04 - 2008**

**T O** : ***The Port District Managers***  
***The Port Managers and***  
***All Others Concerned***

**SUBJECT** : ***Establishment of Emergency Responding Team***

Pursuant to DOTC Special Order No. 2007-141 entitled "Establishment of Emergency Responding Team" and in furtherance to PPA Special Order No. 860-2003 entitled "Creation of Disaster Management Teams and Sub teams", all Port District Offices and Port Management Offices are hereby directed to establish/and or activate their respective Disaster Management Teams and Sub teams and perform the additional duties and responsibilities during calamities as follows:

1. To extend assistance to affected passengers and other people in the port by providing resources with the end in view of alleviating the plight of those affected by calamities i.e. floods, typhoons, earthquakes, etc;
2. To be visible and their presence and location must be known to the public by announcing it thru the media and by putting up a prepared banner and placard placed in conspicuous and strategic area;
3. To assign a spokesperson who will be able to respond to media queries;
4. To continuously and closely coordinate with all agencies, port users and organizations responding to emergencies or involved in disaster management system; and
5. To render feedback report to the General Manager as frequently as possible.

For compliance.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

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**May 08, 2008**

**MEMORANDUM**

**TO** : **All PDO/PMO Managers**  
**FROM** : **The AGM for Operations**  
**SUBJECT** : **Implementation of MC 001-2007**

This has reference to the attached 29 April 2008 letter from the Maritime Industry Authority (MARINA) regarding their request for assistance in implementing Memorandum Circular No. 001-2008 entitled "Rules to Implement Double-Hull Requirements under MARPOL 73/78, as amended, on Oil Tankers Operating in Domestic Waters".

In this regard, you are hereby requested to extend all necessary assistance to MARINA by checking/verifying the vessel's safety certificate as to whether they are permitted to carry heavy grade oil prior to departure for their intended voyage.

(Sgd.) **BENJAMIN B. CECILIO**

Attachment: A/S

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REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS

**MARITIME INDUSTRY AUTHORITY**

29 April 2008

**Atty. OSCAR M. SEVILLA**  
General Manager  
**PHILIPPINE PORTS AUTHORITY**  
Marsman Building, South Harbor,  
Manila

Gentlemen:

Please be informed that the Maritime Industry Authority (MARINA) will be implementing **MC 2007-001, (Rules to Implement Double-Hull Requirement under MARPOL 73/78, Annex I, as Amended, on Oil Tankers Operating in Domestic Waters)** starting **01 May 2008**.

In order to ensure proper and orderly implementation of the said MC, MARINA has adopted an interim measure whereby **only vessels whose safety certificates have been properly marked or stamped by MARINA shall be allowed to carry heavy grade oil, as defined.**

May we therefore request assistance from your good Office by way of checking/verifying their vessel's safety certificates whether they are permitted to carry heavy grade oil before they are cleared or allowed to depart for their intended voyage. We have already notified all concerned or affected operators about this measure.

We enclosed a specimen safety certificate and copy of the MARINA Flag State Administration Advisory (FSAA) No. 2008-07 for your reference.

Thank you for usual assistance and cooperation.

Very truly yours,

(Sgd.) **VICENTE T. SUAZO, JR.**  
Administrator

C.C. MSO file  
FO file

Republic of the Philippines  
Department of Transportation and Communications  
**MARITIME INDUSTRY AUTHORITY**

**CARGO SHIP SAFETY EQUIPMENT CERTIFICATE**

Issued under the provisions of the  
PHILIPPINE MERCHANT MARINE RULES AND REGULATIONS (PMMRR), 1997  
and its subsequent amendments, and the relevant international maritime Conventions relating thereto.

## Information of Ship:

Name of Ship:	Official Number:	Port of Registry:	Date of Built (Keel Laid):	Category of Operation (Reg. 1/5.4):
Shipowner/Company	IMO Number:	Gross Tonnage:	Kilowatt:	Class/Type (Reg. 1/5.4):
Business Address:	Call Sign:	Net Tonnage:	Engine Make:	LOA/Hull:

## THIS IS TO CERTIFY:

1. That the ship has been inspected in accordance with the requirements of Regulation II/2 of the PMMRR '97 and its subsequent amendments, and relevant international maritime Conventions.
2. That the inspection showed that at the time of inspection:
  - 2.1 the ship complied with the requirements of the PMMRR '97 and its subsequent amendments and relevant international maritime Conventions as regards fire safety systems and appliances and fire control plans;
  - 2.2 the life-saving appliances and the equipment of the lifeboats, liferafts and rescue boats were provided in accordance with the requirements of the PMMRR '97 and its subsequent amendments, and the relevant international maritime Conventions;
  - 2.3 the ship was provided with a line-throwing appliance and radio installations used in life-saving appliances in accordance with the requirements of the PMMRR '97 and its subsequent amendments, and the relevant international maritime Conventions;
  - 2.4 the ship complied with the requirements of the PMMRR '97 and its subsequent amendments, and the relevant international maritime Conventions as regards shipborne navigational equipment, means of embarkation for pilots and nautical publications;
  - 2.5 the ship was provided with lights, shapes, means of making sound signals and distress signals, in accordance with the requirements of the PMMRR '97 and its subsequent amendments, and the relevant international maritime Conventions and the International Regulations for Preventing Collisions at Sea in force; and
  - 2.6 in all other respects the ship complied with the relevant requirements of the PMMRR '97 and its subsequent amendments, and the relevant international maritime Conventions.
3. That an Exemption Certificate has/has not been issued.

This certificate is valid until \_\_\_\_\_ subject to the annual inspections in accordance with the requirements of Regulation II/2 of the PMMRR 1997 and its subsequent amendments, and the relevant international maritime Conventions.

Issued by the Authority of the Government of the Philippines under my hand and seal at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

Attested by:

**VICENTE T. SUAZO, JR.**  
Administrator

**ROBERTO C. ARCEO, CESO V**  
Director, Maritime Safety Office

(Seal of Stamp of the Issuing Authority)

Paid Under  
O. R. No. : \_\_\_\_\_  
Amount : \_\_\_\_\_  
Date : \_\_\_\_\_

Republic of the Philippines  
 Department of Transportation and Communications  
**MARITIME INDUSTRY AUTHORITY**

**CARGO SHIP SAFETY CONSTRUCTION CERTIFICATE**

Issued under the provisions of the  
 PHILIPPINE MERCHANT MARINE RULES AND REGULATIONS (PMMRR), 1997  
 and its subsequent amendments, and the relevant international maritime Conventions relating thereto.

Information of Ship:

Name of Ship:	Official Number:	Port of Registry:	Date of Built (Keel Laid):	Category of Operation (Reg. 1/5.4):
Shipowner/Company	IMO Number:	Gross Tonnage:	Kilowatt:	Class/Type (Reg. 1/5.4):
Business Address:	Call Sign:	Net Tonnage:	Engine Make:	LOA/Hull:

PERMITTED TO CARRY HEAVY GRADE OIL (BLACK PRODUCTS)  
 VICENTE T. SUAZO, JR.  
 Administrator  
 VALID UNTIL:

THIS IS TO CERTIFY:

1. That the ship has been inspected in accordance with the requirements of Regulation 11/2 of the PMMRR, 1997 and its subsequent amendments, and relevant international maritime Conventions.
2. That the inspection showed that at the time of inspection, the condition of the structure, machinery and equipment as defined in the above regulation was satisfactory and the ship complied with the requirements of the PMMRR, 1997 and its subsequent amendments, and the relevant international maritime Conventions.
3. That the last inspection of the outside ship's bottom took place on \_\_\_\_\_.
4. That an Exemption Certificate has/has not been issued.

This certificate is valid until \_\_\_\_\_ subject to the annual inspections in accordance with the requirements of Regulation 11/2 of the PMMRR, 1997 and its subsequent amendments, and the relevant international maritime Conventions.

Issued by the Authority of the Government of the Philippines under my hand and seal at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

For the Administrator:

**VICENTE T. SUAZO, JR.**

(Seal of Stamp of the Issuing Authority)

Paid Under  
 O. R. No. : \_\_\_\_\_  
 Amount : \_\_\_\_\_  
 Date : \_\_\_\_\_

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**FLAG STATE ADVISORY NO. 2008-07**  
**Series of 2008**

TO : ALL SHIPPING COMPANIES, ALL MARINA REGIONAL DIRECTORS AND ALL CONCERNED

SUBJECT : EXTENSION OF OPERATION FOR SOME SINGLE HULL TANKERS/BARGES; PENALTY FOR NON-COMPLIANCE; MEMORANDUM CIRCULAR NO. 2007-001

DATE : 23 April 2008

Be informed that in the 180th MARINA BOARD MEETING of 21 April 2008, the Board adopted a resolution allowing the continued operations of single hull tankers/barges carrying heavy grade oil products belonging to owners/operators under the following conditions and/or requirements beyond 30 April 2008 but only up to 31 December 2008:

1. those who have undertaken conversions of their tankers/barges into double hull tankers/barges, or
2. those who have ordered new constructions of double hull tankers/barges, or

Provided, that in all of the above, the corresponding conversions of the tankers/barges, orders for the new constructions or the purchase or importation of the tankers were all duly approved by the MARINA prior to 21 April 2008 but for reasons beyond the control of the concerned owners/operators, the same cannot be delivered on or before 30 April 2008.

The Board had also resolved that the shipowner/operator or charterer shall post a five million (Php 5,000,000.00) cash bond for every single hull tanker/barge that may be allowed to carry heavy grade oil beyond 30 April 2008, and if applicable the shipowner/operator shall also submit a guarantee from its client accompanied by a Board Resolution.

Further, the Board resolved to limit the aforementioned extension on a three (3) months basis only, subject to further renewal as may be deemed meritorious and warranted by circumstances taking into consideration the extent or progress of compliance with the requirements of Memorandum Circular No. 2007-001 by the concerned applicant/shipowner or operator.

Lastly, the Board had also resolved to reduce the imposable penalty of fifty thousand pesos (Php 50,000.00) under Memorandum Circular No. 2007-001 to twenty-five thousand pesos (Php 25,000.00) per day for every single hull tanker/barge that may be granted an extension to carry heavy grade oil beyond 30 April 2008. The total amount of the reduced penalty for the entire period of extension applied for shall be paid prior to the grant of any extension to any qualified shipowner/operator.

In the light of the foregoing MARINA Board Resolution, interested or concerned shipowners/operators are advised to file the necessary application or request with the MARINA, attaching proofs of compliance with the conditions/requirements above mentioned such as, but not limited to conversion or vessel plans approved by the MARINA before 21 April 2008. Likewise, the MARINA shall issue additional guidelines to implement this aforementioned resolutions.

Single hull tankers/barges unable to comply with the foregoing conditions/requirements shall no longer be allowed to carry heavy grade oil or black products beyond 30 April 2008, and their corresponding Safety Certificates and authority to operate shall be for the carriage of white products only, if authorized.

(Sgd.) **VICENTE T. SUAZO, JR.**  
Administrator

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**September 23, 2008**

**MEMORANDUM**

**T O** : **All Concerned Responsibility Center Heads**  
- **Head Office**  
- **Port District Offices**  
- **Port Management Offices**

**F R O M** : **The Assistant General Manager**  
**Engineering Office**

**SUBJECT** : **Philippine Coast Guard (PCG) Memo Circular No. 01-2006 Dated 16 June 2006**

Attached is a copy of the Philippine Coast Guard (PCG) Memorandum Circular No. 01-2006 dated 16 June 2006 (copy attached) prescribing the procedures and policies for the proper dumping of wastes and other harmful matters into the Philippine waters.

The Memo Circular provides guidance in the planning, design and implementation of Port Infrastructure Projects including dredging works.

For guidance and compliance.

(Sgd.) **CLARO V. MARANAN**

**Cc: AGMO; A/GM-CASP**

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**TANGGAPAN NG KOMANDANTE**  
(OFFICE OF THE COMMANDANT)  
**PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS**  
(Headquarters Philippine Coast Guard)  
139 25th Street, Port Area, Manila

16 June 2006

MEMORANDUM CIRCULAR  
NUMBER 01-2006

**RULE PROHIBITING THE DUMPING AND DISCHARGING OF WASTES  
AND OTHER HARMFUL MATTERS**

**1. AUTHORITY:**

- a. Executive Order No. 291
- b. Presidential Decree No. 5173 and amendments thereto
- c. Presidential Decree Nos. 600 and 979
- d. Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters at Sea, 1972

**2. PURPOSE:**

To prescribe the procedures and policies for the proper dumping of wastes and other harmful matters into Philippine waters in order to prevent pollution which may create hazards to human health, marine life and other resources, damage amenities or interfere with other legitimate uses of the sea.

**3. SCOPE:**

This Memo Circular shall apply to oil companies, refineries, terminals, depots, ships, tankers, oil barges, dredgers, oil and gas explorers, power plants, shipyards and other establishments wherein marine pollution originates in these sources such as dumping and discharging through the rivers, estuaries, outfalls and pipelines of waste and other matter within the territorial jurisdiction and exclusive economic zone of the Philippines.

**4. DEFINITION OF TERMS:**

**a. Dumping -**

- (1) Any deliberate disposal of wastes or other matter from vessels, aircraft, platforms or other man-made structures on any body of Philippine waters; or
- (2) The disposal of waste or other matter directly arising from or related to the exploration, exploitation and associated off-shore processing of sea-bed mineral resources.
- (3) Unintentional disposal of wastes covered in the preceding paragraphs which could have been controlled or prevented.

**b. Vessel -** any watercraft or other artificial contrivance, used or capable of being used, as a means of transportation on water.

**c. Aircraft -** any airborne craft of any type

**d. Discharge -** the spilling, leaking, pumping, pouring out, emitting, emptying, or dumping of substances except effluents from mills or industrial or manufacturing plants of any kind.

**e. Refuse -** discharged substances such as garbage, wastes, wood residue, sand lime, cinder ashes, offal, night soil, tar, dye stuffs, acid chemicals and substances other than sewage and industrial waste that may cause pollution.



- 
- 
- f. Waste Disposal** - the use of water for the disposal of sewage, industrial waste or other waste either before or after treatment.
- g. Sewage** -
- (1) Drainage and other wastes from any form of toilets, urinals, and waste contaminated (wc) scuppers;
  - (2) Drainage from medical premises (dispensary, sick bay, etc.) via wash basins, wash tubs and scuppers located in such premises;
  - (3) Drainage from spaces containing living animals; or
  - (4) Other waste waters mixed with the drainage defined above.
- h. Harmful substances** - substances which if introduced into any body of water, is likely to create hazards to human health, and marine life, damage amenities or interfere with other legitimate uses of the sea.
- i. Special Area** - a water area which for recognized technical reasons in relation to its oceanographical and ecological condition and to the strategic importance is deemed subject to special control.
- j. Special Permit** - permission granted by duly authorized personnel of the PCG for the authorized discharge or dumping of waste or other matter into the sea or any body of water subject to specified conditions.
- k. General Permit** - permit granted by other government agencies in coordination with the PCG for the authorized discharge or dumping of wastes or other matter into the sea or any body of water, subject to prescribed and specified conditions.

**5. POLICIES:**

**a. Prohibitions:**

- (1) It shall be unlawful for any person to discharge, dump, permit the discharge of noxious, gaseous and liquid substances, waste and other matter in or out from company refineries, terminals, depots, oil companies, ships, tankers, barges, dredges, oil and gas explorers, power plants and shipyards, and other establishments into or upon territorial and inland navigable water of the Philippines.
- (2) The permit shall allow the dumping of waste or other matter in whatever form or condition, subject to the terms and conditions set forth herein, and provided further that:
  - (a) The dumping of waste or other matter listed in Annex I is prohibited;
  - (b) The dumping of waste or other matter listed in Annex II requires Special Attention (Annex VI);
- (3) Prohibitions in the preceding paragraph shall not apply whenever it is necessary to secure the safety of human life or vessels, tankers, oil barges, dredges, platforms or other man-made structures at sea, in cases of *force majeure*, or in any case where there is real, actual and imminent danger to human life or those mentioned above, provided that dumping appears to be the only way of averting the threat and there is great probability that the damage caused by reason thereof is less than could have otherwise occurred.
- (4) Regulatory Requirements:
  - (a) Disposal of wastes shall be subject to evaluation and other requirements as may be determined by the PCG and other government agencies:
  - (b) The dumping of harmful substances or wastes containing substances listed in Annex II and Annex III shall be allowed by a permit issued by the Commander, Marine Environmental Protection Command or the appropriate District Commander or his authorized representative, as the case may be or his duly authorized representative.
  - (c) Concerned parties shall initiate measures to protect the marine environment against pollution caused by:
    - (1) Hydrocarbons, including oil and their wastes;

- 
- 
- (2) Other noxious or hazardous matter transported by vessels for purposes other than dumping;
  - (3) Wastes generated in the course of operations of vessels, aircraft, platform and other man-made structures at sea;
  - (4) Radioactive pollutants from all sources, including vessels;
  - (5) Agents of chemical and biological warfare; and
  - (6) Wastes or other matter directly arising from, or related to the exploration, exploitation and associated offshore processing of sea-bed mineral resources.

**6. PROCEDURE FOR REQUESTS:**

- a. Requests for dumping shall be forwarded by the requesting party to the respective Coast Guard District (Attn: MEPO) one (1) week prior to the scheduled date for approval of the District Commander or his authorized representative.
- b. Disposal shall be done specifically in accordance with the general and special permits, and only in the area designated by the PCG based on the following coordinates:

**CGD NCR - Central Luzon**

Lat - 14 deg 20.0' N, Long - 120 deg. 00.0' E  
or  
25 NM SW of Luzon Point

**CGD Central-Eastern Visayas**

Lat - 8 deg 57.0' N, Long - 122 deg 31.0' E  
or  
25 NM SW of Siation Pt. Negros Occidental

**CGD Southwestern Mindanao**

Lat - 7 deg 26.0' N, Long - 121 deg 28.0' E  
or  
25 NM West of Batorampon, Zamboanga del Norte

**CGD Palawan**

Lat - 9 deg 26.0' N, Long - 119 deg 06.0' E  
or  
25 NM SE of Puerto Princesa

**CGD Southern Tagalog**

Lat - 13 deg 25.0' N, Long - 119 deg 50.0' E  
or  
25 NM SW of Lubang Island

**CGD Western Visayas**

Lat 10 deg 07.0' N, Long 121 deg 36.0' E  
or  
25 NM SW of Naso Point, Iloilo

**CGD Northern Luzon**

Lat - 16 deg 50.0' N, Long - 119 deg 54.0' E  
or  
25 NM SW of San Fernando, La Union

**CGD Southeastern Mindanao**

Lat - 6 deg 03.0' N, Long 126 deg 32.0' E  
or  
25 NM Cape San Agustin, Davao del Sur

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**7. RESPONSIBILITIES:**

**a. Commander, Coast Guard District:**

- (1) Issue Special Permit to requesting party prior to, and for, the dumping of matter listed in Annex II;
- (2) Provide escort/security to accompany the requesting party;
- (3) Supervise the dumping operations thru appropriate action officer and shall coordinate all activities at the scene;
- (4) Submit After Dumping Operation Report to Commander, Marine Environmental Protection Command with a copy thereof furnished to CPCG (Attn: CG-9); and
- (5) He shall designate an Investigation and Adjudication Officer who shall decide administrative cases against violators of this Circular.

**b. Commander, Marine Environmental Protection Command**

- (1) Provide escort/security/supervision as requested by Coast Guard District Commanders;
- (2) Assist Coast Guard District on technical matters and coordination with other agencies;
- (3) Monitor dumping operations; and
- (4) Conduct inspection, surveillance and apprehension of persons and entities causing marine pollution.

**c. AC of S, CG-9:**

- (1) Monitor and record all dumping operations conducted; and
- (2) Keep records of the nature and quantities of all matters permitted to be dumped and the location, time and method of dumping.

**8. FEES:**

Supervision/assistance on dumping of waste and other matter - P1,500.

**9. PENALTY CLAUSE:**

Violation of any of the provisions under Para 5 of this Memo Circular shall be subject to an administrative fine of no less than P5,000.00 but not more than P10,000.00 for every day during which such violation or default continues by the Coast Guard District concerned.

**10. REPEALING CLAUSE:**

Memorandum Circular No. 02-2001 dated 14 June 2001 is hereby repealed.

**11. EFFECTIVITY:**

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

(Sgd.) **ARTHUR N. GOSINGAN**  
VADM PCG  
Commandant , PCG

*Note: Published in the Official Gazette on 06 November 2006*

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**ANNEX I**

**LIST OF SUBSTANCES OR MATERIALS  
THAT ARE PROHIBITED FOR DUMPING**

1. Organohalogen compounds
2. Mercury and mercury compounds
3. Cadmium and cadmium compounds
4. Persistent plastics and other persistent synthetic materials for example, netting and ropes, which may float or may remain in suspension in the sea in such a manner as to interfere materially with fishing, navigation, or other legitimate uses of the sea.
5. High-level radioactive wastes or other high level radioactive matter, defined on public health, biological, or other grounds, by the competent international body in this field, at present the International Atomic Energy Agency, as unsuitable for dumping at sea
6. Materials in whatever form (eg. Solids, liquids, semi-liquids, gases or in a living state) produced for biological and chemical warfare
7. The preceding paragraphs of this Appendix do not apply to substances which are rapidly rendered harmless by physical, chemical, or biological processes in the sea, provided they do not:
  - a. Make edible marine organisms unpalatable; or
  - b. Endanger human health or that of domestic animals.

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**ANNEX II**

**LIST OF SUBSTANCES AND MATERIALS REQUIRING  
SPECIAL ATTENTION**

A. Wastes containing significant amount of the matters listed below:

- Arsenic
- Lead and their compound
- Copper
- Zinc
- Organosilicon compounds
- Oyanides
- Fluorides
- Pesticides and their by-products

B. In the issue of permits for the dumping of large quantities of acids and alkalis, consideration shall be given to the possible presence of such wastes of the substances listed in Paragraph A and of the following additional substances:

- Beryllium
- Chromium and their compounds
- Nickel
- Vanadium

C. Containers, scrap metal, and other bulky wastes that may sink to the bottom of the sea which may present a serious obstacle to fishing or navigation.

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### **ANNEX III**

#### ***Provisions to be considered in establishing criteria governing the issuance of permits for the dumping of matter:***

##### A - Characteristics and composition of the matter

1. Total amount and average composition of matter dumped (e.g. per year)
2. Form, e.g. solid, liquid, gaseous
3. Properties: physical, chemical and biological materials or sediments
4. Toxicity
5. Persistence: physical, chemical and biological
6. Accumulation and bio-transformation in biological materials and sediments
7. Susceptibility to physical, chemical and biochemical changes and interaction in the aquatic environment with other dissolved organic and inorganic materials
8. Probability of production of taints or other changes reducing marketability of resources (fish, shellfish, etc.)

##### B - Characteristics of dumping site and method of deposit

1. Location (e.g. coordinates of the dumping area, depth and distance from the coast), location in relation to other areas (e.g. amenity areas, spawning, nursery and fishing areas and exploitable resources).
2. Rate of disposal for specific period (e.g. quantity per day, per week, per month)
3. Method of packaging and containment, if any
4. Initial dilution achieved by proposed method of release
5. Dispersal characteristics (e.g. effects of currents, tides and wind on horizontal transport and vertical mixing)
6. Water characteristics (e.g. temperature, PH, salinity, stratification, oxygen indices of pollution-dissolved oxygen demand (DO), chemical oxygen demand (COD), biochemical oxygen demand (BOD)-nitrogen present in organic and mineral for including ammonia, suspended matter, other nutrients and productivity)
7. Bottom characteristics (e.g. topography, geochemical and geological characteristics and biological productivity)
8. Existence and effects of other dumping which have been made in the dumping area (e.g. heavy metal background reading and organic carbon content)
9. In issuing a permit for dumping, contracting parties shall consider whether scientific basis exists for assessing the consequences of such dumping as outlined in this Annex, taking into account seasonal variations.

##### C - General considerations and conditions

1. Possible effects on amenities (e.g. Presence of floating or stranded material, turbidity, objectionable odor, discoloration and foaming)
2. Possible effects on marine life, fish and shellfish culture, fish stocks and fisheries, seaweed harvesting and culture
3. Possible effects on other uses of the sea (e.g. impairment water quality for industrial use, underwater corrosion obstructions, interference with fishing or navigation through deposit of waste or solid objects on sea floor and protection of areas of special importance for scientific or conservation purposes)
4. The practical availability of alternative land-based methods of treatment, disposal or elimination, or of treatment to render the matter less harmful for dumping at sea

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**ANNEX IV**

**RULES OF PROCEDURE BEFORE THE INVESTIGATION AND ADJUDICATION  
OFFICER FOR MARINE ENVIRONMENT PROTECTION AND POLLUTION CASES**

**SECTION 1. - Title** - These rules to be known as the Rules of Procedure shall govern the procedure before the Investigation and Adjudication Officers (IAO) of the Philippine Coast Guard.

**SECTION 2. - Applicability** - These rules shall apply to all marine environment protection and pollution cases brought before the IAO.

**SECTION 3. - Construction** - These rules shall be liberally construed in order to promote public interest and to assist the parties in obtaining just, speedy and inexpensive determination of action or proceedings. Formal requirements shall not affect the intrinsic validity of the proceedings, provided that the information and facts alleged therein are clearly indicated for the judicious disposition of the case.

**SECTION 4. - Nature of Proceedings** - Consistent with the requirements of due process, proceedings before the IAO shall be summary in nature and need not necessarily adhere to or follow the technical rules of evidence obtaining in courts of law. The Rules of Court shall not apply in said proceedings, except in a suppletory character and whenever applicable.

**SECTION 5. - Jurisdiction** - The IAO shall investigate and adjudicate violations of existing marine environment protection and pollution laws, rules and regulations. Provided, however, that the Commandant, PCG may allow the transfer of venue of the investigation from one district to another when he deems this course of action to be more expeditious, advantageous and in the interest of justice. Provided, finally that the IAO designated for Headquarters Marine Environmental Protection Command, and such other major units of the Philippine Coast Guard shall take cognizance of marine environment protection and pollution cases with international character or as the Commandant, PCG may deem appropriate.

**SECTION 6. - Investigation, How Initiated** - Administrative investigation may be commenced by:

- a. The Command, motu proprio;
- b. Sworn complaint of any person;
- c. Inspection/Apprehension Report accomplished by the Philippine Navy or Philippine Coast Guard units; and
- d. By filing of marine protest.

Summons and/or complaints shall be served personally upon the parties. If the receipt of the summons and/or complaint is refused, service shall be made by tendering it to him. When the parties cannot be personally served with summons, service shall be made by registered mail or by publication as the case may be.

**SECTION 8. - Time to Submit Evidence** - The parties and their witnesses shall be notified in writing of the scheduled investigation at least five (5) days before the date thereof, specifying the time and place of investigation. Provided that within five (5) days from receipt of notice the parties shall submit evidence before the IOA. Provided further that the service of an Inspection/Apprehension Report (IAR) shall be sufficient to require the respondent to submit evidence within ten (10) days before the IAO.

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**SECTION 9. - Conduct of Investigation** - In any investigation that commenced pursuant to Section 7, hereof, the parties shall be given the opportunity to present their case or defense by way of submitting affidavits and other supporting evidence on the date, time and place of investigation specified in the notice or within ten (10) days after receipt of an Investigation/ Apprehension Report (IAR). Affidavits submitted by the parties shall constitute their direct testimonies. After the reglementary period has been prescribed, IAO can take action on the basis of the evidence on record.

**SECTION 10. - Clarificatory Questions** - When in the discretion of the IAO there are matters that need to be clarified, he may set the administrative case for hearing. Clarificatory questions raised by any of the parties shall be submitted to the IAO who shall propound the questions to the witnesses.

**SECTION 11. - Expert Witnesses** - Government expert witnesses, such as doctors of medicine, handwriting experts, and chemist, among others, need not be summoned to testify on their reports, which shall be accepted at their face value and upon their official certification.

**SECTION 12. - Appearance and Admission of Violation** - On or before the date of investigation, the respondent may admit the charge(s) to the IAO. This admission shall be made on record. Thereafter, a Report shall immediately be made stating the admissions and recommending the imposition of the appropriate administrative sanctions and the case shall be considered terminated.

**SECTION 13. - Decision/Judgment** - After due investigation, the IAO shall render a decision not later than thirty (30) days from the time it is submitted for decision. The parties shall be notified of the decision by personal service or registered mail as the case may be.

**SECTION 14. - Finality of Decision and Appeal** - Decisions of the IAO shall be final and executory within fifteen (15) days from receipt of a copy thereof, unless appealed to the proper reviewing authority.

**SECTION 15. - How Appeal is Taken** - Appeal maybe taken by serving upon the IAO and/or filing with the office of the Commandant, PCG a Notice of Appeal within 30 days upon finality of decision thereof.

**SECTION 16. - Contents of Notice of Appeal** - A Notice of Appeal shall specify and designate errors of the judgment or decision, or part there of appealed from. The IAO, shall, upon receipt of a Notice of Appeal and perfection thereof, transmit the record to the Commandant, PCG.

**SECTION 17. - Appeal By One of Several Respondents** - When there are several respondents in a case, any one or all of them may appeal, but any respondent who does not join the appeal shall not be prejudiced thereby, except when there is manifest error in the appealed decision.

**SECTION 18. - Withdrawal of Appeal** - Notwithstanding the perfection of the appeal, the Commandant, PCG may allow the same at any time before the appeal is finally resolved by the Commandant in which case the appealed decision shall stand as though no appeal had been taken.



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**SECTION 19. - Decision on Appeal Cases** - The Commandant, PCG shall decide the appealed case on the basis of the entire record of the investigation before the IAO. The parties shall be notified of the decision by personal service or by registered mail as the case may be.

**SECTION 20. - Repealing Clause** - The Rules of Procedure Governing the IAO for Marine Environmental Protection and Pollution Cases which form part of Annex III of HPCG Memorandum Circular No. 03-94 (dated 16 August 1994) is hereby repealed.

**SECTION 21. - Effectivity Clause** - These rules shall take effect upon the effectivity of HPCG Memorandum Circular 01-2006. They shall govern all cases which are filed subsequent to the effectivity of these rules and pending cases, after they take effect, except to the extent that in the opinion of the Commandant, PCG, their application would not be feasible or would work injustice, in which event the former procedure shall apply.

Philippine Coast Guard  
**MARINE ENVIRONMENTAL PROTECTION COMMAND**  
 Farola Compound, Binondo  
 Manila

**APPLICATION FORM FOR SPECIAL PERMIT TO DUMP/DISCHARGE  
 WASTE &/OR OTHER MATTER  
 (Vessels)**

Name of Vessel:		Address & Tel. No.	
Kind of License and No.:	Issued at:	Issued on:	
		Expires on:	
CSFL/SCSFL:	CSFL/SCSFL No.:	Issued on:	
Cert. of Inspection/Special Permit No.:	Issued at:	Issued on:	
		Expires on:	
Gross Tonnage:		Net Tonnage:	
Owner/Operator/Master:		Address:	
<i>Marine Pollution Equipment Materials</i>		<i>Documents/Papers &amp; Articles</i>	
<input type="checkbox"/> Reception Facility <input type="checkbox"/> Oil Spill Booms <input type="checkbox"/> Oil Skimmer <input type="checkbox"/> Oil Water Separator <input type="checkbox"/> Sorbent Materials		<input type="checkbox"/> Deck Logbook <input type="checkbox"/> Engineering Log <input type="checkbox"/> BellBook <input type="checkbox"/> Navigation Chart <input type="checkbox"/> Course Recorder Chart <input type="checkbox"/> Navigation Workbook <input type="checkbox"/> Compass Deviation Cards <input type="checkbox"/> Gyro-Records <input type="checkbox"/> Stowage Plans <input type="checkbox"/> Records of Draft <input type="checkbox"/> Aids to Mariners <input type="checkbox"/> Night Order Books <input type="checkbox"/> Radio Logs <input type="checkbox"/> Crew/Passengers Lists <input type="checkbox"/> Other Official Logs/Articles:  <div style="text-align: center;">_____</div>	

<b>Particulars of Request</b>	
Date and Time of Dumping:	Requested Dumping Site:
Type of Waste/Matter:	Form of Waste/Matter: <input type="radio"/> Solid <input type="radio"/> Liquid <input type="radio"/> Semi-Liquid <input type="radio"/> Gaseous
Properties of Waste/Matter: <input type="radio"/> Physical <input type="radio"/> Chemical <input type="radio"/> Biological Materials <input type="radio"/> Sediments	Persistence of Waste/Matter: <input type="radio"/> Physical <input type="radio"/> Chemical <input type="radio"/> Biological
Total Quantity of Waste/Matter (in metric tons):	Method of Packaging:
Method of Release/Discharge:	
<b>Certification</b>	
<p>The undersigned hereby certifies [a] that the contents of this application form is correct to the best of my/our knowledge; and [b] that I/we bind myself/ourselves to comply with existing regulations in connection with our request.</p>	
<p>_____</p> <p>Owner/Operator/Master/ Representative</p>	
<p>_____</p> <p>Date</p>	
<b>DO NOT WRITE BELOW FOR AUTHORIZED PCG PERSONNEL ONLY</b>	
Form Control No.:	Date of Application:
Recommendation: <input type="radio"/> Approved <input type="radio"/> Disapproved <input type="radio"/> Reason(s) <input type="radio"/> Hazardous to human health, marine life and other resources <input type="radio"/> May damage amenities or interfere with other legitimate uses of the sea <input type="radio"/> Not in accordance with Annexes of MC No. _____ <input type="radio"/> Outside designated coordinates <input type="radio"/> Others	Name and signature of District Commander/ Authorized Representative:

Philippine Coast Guard  
**MARINE ENVIRONMENTAL PROTECTION COMMAND**  
 Farola Compound, Binondo  
 Manila

**APPLICATION FORM FOR SPECIAL PERMIT TO DUMP/DISCHARGE  
 WASTE &/OR OTHER MATTER**  
 (Land Based)

Name of Establishment:		Address & Tel. No.:	
<b>Business Permit No.</b>	Issuing Authority:		Issued On:
	Issued At:		Expires On:
<b>Environmental Compliance Certificate No.</b>	Issued On:		Expires On:
Owner/Operator/Manager:		Address:	
Safety Environment Officer:		Address:	
<i>Marine Pollution Equipment Materials</i>		<i>Documents/Papers &amp; Articles</i>	
<input type="checkbox"/> Reception Facility <input type="checkbox"/> Oil Spill Booms <input type="checkbox"/> Oil Skimmer <input type="checkbox"/> Oil Water Separator <input type="checkbox"/> Sorbent Materials			
<b>Particulars of Request</b>			
Date and Time of Dumping:		Requested Dumping Site:	
Type of Waste/Matter:		Form of Waste/Matter: <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Semi-Liquid <input type="checkbox"/> Gaseous	
Properties of Waste/Matter: <input type="checkbox"/> Physical <input type="checkbox"/> Chemical <input type="checkbox"/> Biological Materials <input type="checkbox"/> Sediments		Persistence of Waste/Matter: <input type="checkbox"/> Physical <input type="checkbox"/> Chemical <input type="checkbox"/> Biological	
Total Quantity of Waste/Matter (in metric tons):		Method of Packaging:	
Method of Release/Discharge:			

**Certification**

The undersigned hereby certifies [a] that the contents of this application form is correct to the best of my/our knowledge; and [b] that I/we bind myself/ourselves to comply with existing regulations in connection with our request.

\_\_\_\_\_  
Owner/Operator/Master/  
Representative

\_\_\_\_\_  
Date

**DO NOT WRITE BELOW  
FOR AUTHORIZED PCG PERSONNEL ONLY**

Form Control No.:

Date of Application:

Recommendation:

- Approve
- Disapprove

Reason(s)

- Hazardous to human health, marine life and other resources
- May damage amenities or interfere with other legitimate uses of the sea
- Not in accordance with Annexes of MC No. 02-2001
- Outside designated coordinates
- Others

Name and Signature of District Commander/  
Authorized Representative

Philippine Coast Guard  
**MARINE ENVIRONMENTAL PROTECTION COMMAND**  
 Farola Compound, Binondo  
 Manila

**SPECIAL PERMIT TO DUMP/DISCHARGE  
 WASTE &/OR OTHER MATTER**  
*(Land Based)*

Name of Establishment:		Address & Tel. No.:	
<b>Business Permit No.</b>	Issuing Authority		Issued On:
	Issued At:		Expires On:
<b>Environmental Compliance Certificate No.</b>	Issued On:		Expires On:
Owner/Operator/Manager:		Address:	
Safety Environment Officer:		Address:	
<b>Terms and Conditions</b>			
Date and Time of Dumping:		Requested Dumping Site:	
Type of Waste/Matter:		Form of Waste/Matter: <input type="checkbox"/> Solid <input type="checkbox"/> Semi-Liquid <input type="checkbox"/> Liquid <input type="checkbox"/> Gaseous	
Properties of Waste/Matter: <input type="checkbox"/> Physical <input type="checkbox"/> Chemical <input type="checkbox"/> Biological materials <input type="checkbox"/> Sediments		Persistence of Waste/Matter: <input type="checkbox"/> Physical <input type="checkbox"/> Chemical <input type="checkbox"/> Biological	
Total Quantity of Waste/Matter (in metric tons):		Method of Packaging:	
Method of Release/Discharge:			
<b><i>IMPORTANT: This Special Permit is non-transferable and is subject to Grantee's compliance with HPCG Memorandum Circular No. 02-2001 dtd. 14 June 2001 and existing regulations. Any violation of the terms and conditions set forth above shall constitute sufficient ground for the automatic revocation of the privilege to dump/discharge waste and/or other matter, without prejudice to the imposition of appropriate sanctions.</i></b>			
SPECIAL PERMIT NO.:		Issued on:	Expires on:
Issued At:	Name and signature of District Commander/Authorized Representative		

Philippine Coast Guard  
**MARINE ENVIRONMENTAL PROTECTION COMMAND**  
 Farola Compound, Binondo  
 Manila

**SPECIAL PERMIT TO DUMP/DISCHARGE  
 WASTE &/OR OTHER MATTER**  
*(Vessels)*

Name of Vessel:			Address & Tel. No:		
Kind of License and No.:	Issued at:	Issued on:			
		Expires on:			
CSFL/SCSFL:	CSFL/SCSFL No.:		Issued on:		
Cert. of Inspection/Special Permit No.:	Issued at:	Issued on:			
		Expires on:			
Gross Tonnage:			Net Tonnage:		
Owner/Operator/Master:			Address and Tel. No.:		
<b>Terms and Conditions</b>					
Date and Time of Dumping:			Requested Dumping Site:		
Type of Waste/Matter:			Form of Waste/Matter: <input type="checkbox"/> Solid <input type="checkbox"/> Semi-Liquid <input type="checkbox"/> Liquid <input type="checkbox"/> Gaseous		
Properties of Waste/Matter: <input type="checkbox"/> Physical <input type="checkbox"/> Chemical <input type="checkbox"/> Biological materials <input type="checkbox"/> Sediments			Persistence of Waste/Matter: <input type="checkbox"/> Physical <input type="checkbox"/> Chemical <input type="checkbox"/> Biological		
Total Quantity of Waste/Matter (in metric tons):			Method of Packaging:		
Method of Release/Discharge:					
<b><i>IMPORTANT: This Special Permit is non-transferable and is subject to Grantee's compliance with HPCG Memorandum Circular No. 02-2001 dtd. 14 June 2001 and existing regulations. Any violation of the terms and conditions set forth above shall constitute sufficient ground for the automatic revocation of the privilege to dump/discharge waste and/or other matter, without prejudice to the imposition of appropriate sanctions.</i></b>					
SPECIAL PERMIT NO.:		Issued on:		Expires on:	
Issued At:		Name and signature of District Commander/ Authorized Representative:			

# TAXATION

May 06, 2008

PPA Finance Memorandum Order  
Number 03 - 2008

**TO :** *The Port District Manager/Port Manager/RCs Concerned*

**SUBJECT :** *Guidelines on the Treatment of the Collection and Applicable Tax of Cargo Handling Charges Shared by PPA and the Cargo Handling Operator/Service Provider*

1. Authority

- 1.1. Presidential Decree 857 Sec. 6 (iii)
- 1.2. Republic Act No. 9337
- 1.3. Revenue Regulations No. 16-2005
- 1.4. Revenue Regulations No. 02-98

2. Coverage

This Memorandum Order covers collection of cargo handling charges shared by the Philippine Ports Authority and the Cargo Handling Operator/Service Provider.

3. Rationale

- 3.1 Collection of cargo handling charges is directly affected by the implementation of tax laws particularly Value Added Tax (VAT) and Withholding Tax on Income-Expanded Withholding Tax (EWT), hence treatment of collection-sharing should always consider the tax factor.
- 3.2 The VAT law provides a built-in check and balance system whereby the sale of a taxpayer is counter-checked by the purchase/s of the other taxpayer/s thru the BIR reports namely: BIR RELIEF-Summary List of Sales and Summary List of Purchases of BIR Form No. 2550 M and 2550 Q.

4. Collection Schemes

Collection of cargo handling charges in the port shared by the Philippine Ports Authority (PPA) and the Cargo Handling Operators (CHOs) may be undertaken in either of the following schemes:

4.1 Direct Collection Scheme

- 4.1.1 PPA and CHO collect their respective share of the cargo handling charges;
- 4.1.2 PPA and CHO issue their respective Official Receipt; and





4.1.3 Cargo Owner Co., if an authorized Withholding Agent, deducts 2% EWT from the PPA share and 2% EWT from the CHO share and issues the Certificate of Taxes Withheld-EWT (BIR Form 2307) in the name of PPA for the PPA share and another Certificate of Taxes Withheld-EWT (BIR Form 2307) in the name of CHO for its own share.

4.2 Remittance Scheme

4.2.1 CHO collects the whole cargo handling charges and treats it as revenue in its books of accounts;

4.2.2 CHO issues its own Official Receipt for the whole amount;

4.2.3 Cargo Owner Co., if an authorized Withholding Agent, deducts 2% EWT and issues BIR Form 2307 under the name of CHO;

4.2.4 CHO treats the PPA Share as an ordinary expense and remits to PPA; and

4.2.5 CHO, if an authorized Withholding Agent, deducts 2% EWT and issues BIR Form 2307 to PPA.

5. Illustrative Sample

Cargo Handling Charges	P 10,000.00	
12% VAT		1,200.00
2% Expanded Withholding Tax		(200.00)

5.1 Direct Collection Scheme

Cargo Owner Company TIN 101	Cargo Handling Operator/Service Provider TIN 102	PPA TIN 103																																																								
Cargo Owner Co. pays to CHO (CHO % Share)  Expense 7,000.00 12% VAT (Input) 840.00 2% EWT (140.00)	CHO collects and issues O. R. for its own share  Revenue 7,000.00 12% VAT (Output) 840.00 2% EWT (140.00)																																																									
Cargo Owner Co. pays to PPA (PPA % Share)  Expense 3,000.00 12% VAT (Input) 360.00 2% EWT (60.00)		PPA collects and issues O. R. for its own share  Revenue 3,000.00 12% VAT (Output) 360.00 2% EWT (60.00)																																																								
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5.2 Remittance Scheme

Cargo Owner Company TIN 101	Cargo Handling Operator/Service Provider TIN 102	PPA TIN 103
Cargo Owner Co. pays to CHO  Expense 10,000.00 12% VAT (Input) 1,200.00 2% EWT (200.00)	CHO collects the whole amount and treats it as revenue  Revenue 10,000.00 12% VAT 1,200.00 2% EWT (200.00)	
<u>BIR Reports</u>  <b>BIR RELIEF - Summary List of Purchases (BIR Form 2550M)</b> TIN Name Purchases 12% VAT  TIN 102 CHO 10,000.00 1,200.00  <b>BIR Form 1601-E</b> TIN Name Tax Base 2% EWT  TIN 102 CHO 10,000.00 200.00	<u>BIR Reports</u>  <b>BIR RELIEF - Summary List of Sales (BIR Form 2550M)</b> TIN Name Sales 12% VAT  TIN 101 Cargo Owner Co. 10,000.00 1,200.00  <b>BIR Form 1702Q</b> TIN Name Tax Base 2% EWT  TIN 101 Cargo Owner Co. 10,000.00 200.00	
	CHO remits PPA Share and treats it as expense  Expense 3,000.00 12% VAT 360.00 2% EWT (60.00)	PPA collects and issues Official Receipt  Revenue 3,000.00 12% VAT 360.00 2% EWT (60.00)
	<u>BIR Reports</u>  <b>BIR RELIEF- Summary List of Purchases (BIR Form 2550 M)</b> TIN Name Tax Base 2% EWT TIN 103 PPA 3,000.00 360.00  <b>BIR Form 1601-E</b> TIN Name Tax Base 2% EWT TIN 103 PPA 3,000.00 60.00	<u>BIR Reports</u>  <b>BIR RELIEF - Summary List of Sales (BIR Form 2550 M)</b> TIN Name Sales 12% VAT TIN 102 CHO 3,000.00 360.00  <b>BIR Form 1702Q</b> TIN Name Tax Base 2% EWT TIN 102 CHO 3,000.00 60.00

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**6. Certificate of Creditable Tax Withheld at Source/BIR Form 2307**

- 6.1 The Certificate of Creditable Withholding Tax Withheld at Source (BIR Form 2307) shall be required from the Cargo Handling Operators/Service Providers/Cargo Owners upon issuance of Official Receipt to evidence the amount of expanded withholding tax deducted.
- 6.2 All BIR Form 2307 (Certificate of Creditable Tax Withheld at Source) shall be submitted by the PDO/PMO to Treasury Department together with the Summary Alphabetical List of Withholding Agents of Income Payments Subjected to Withholding Tax at Source (SAWT) not later than the 25th day after End of Quarter.

**7. Repealing Clause**

This Finance Memorandum Order repeals or amends all Finance Memorandum Orders, Circulars, rules and regulations, policies, guidelines or memoranda inconsistent herewith.

**8. Effectivity**

This Finance Memorandum Order takes effect immediately.

(Sgd.) **AIDA P. DIZON**  
Assistant General Manager for Finance

# **VESSEL OPERATIONS**

*April 02, 2008*

## **MEMORANDUM**

**TO :** *All Port District Managers and Port Managers  
All Concerned*

**SUBJECT :** *Priority of Vessels Carrying Rice*

In support of the existing efforts of the government to address the impending rice problem, you are hereby directed to extend the following assistance to all vessels carrying rice:

1. Priority in docking and berthing at PPA ports;
2. Priority in the loading and unloading of their cargoes;
3. Facilitation in the movement of their cargoes through PPA ports; and,
4. Provision of all other related assistance.

You are also directed to coordinate with all Cargo Handling Operators (CHOs) and Pilots operating within your jurisdiction to ensure that the foregoing measures are strictly adopted and implemented.

This Order shall take effect immediately.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

cc: Sec., DOTC

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**July 28, 2008**

**PPA ADMINISTRATIVE ORDER**

**NO. 01 - 2008**

**TO :** **Port District Manager, PDO-Southern Luzon**  
**Port Manager, PMO Batangas**  
**Shipping Lines/Agents and Others Concerned**

**SUBJECT :** **Guidelines Implementing the Vessel Traffic Management System**  
**at the Port of Batangas**

**1. AUTHORITY**

- 1.1 Section 6 a (iii) of Presidential Decree No. 857, as amended, otherwise known as the Revised Charter of the Philippine Ports Authority
- 1.2 International Convention on Safety of Life at Sea (SOLAS)
- 1.3 International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS)
- 1.4 International Ship and Port Facility Security (ISPS) Code

**2. OBJECTIVES**

- 2.1 To enhance vessel traffic service of waterways;
- 2.2 To ensure safety of navigation of vessels;
- 2.3 To safeguard the security of vessels, facilities, individuals and their properties;
- 2.4 To protect the marine environment of surrounding waters; and,
- 2.5 To provide user of the Vessel Traffic Management System timely information and necessary assistance within the VTMS covered area.

**3. APPLICABILITY**

This Order shall apply to all vessels approaching, entering, departing, navigating, operating or anchoring/ mooring at the Batangas and Balayan Bays, and Verde Island Passage.

**4. DEFINITIONS**

For purposes of this Order, the terms used herein shall mean or be understood to mean, as follows:

- 4.1 Anchorage Areas/Grounds - the designated areas with sufficient depth of water where vessels may anchor or may ride at anchor.
- 4.2 Authority - Philippine Ports Authority.
- 4.3 Verde Island - a triangular shape island located between the south of Luzon (Matoco, Batangas) and north of Mindoro (northeast of Puerto Galera), and it is about 3.5 miles from the north coast.

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- 4.4 Verde Island Passage - the passage situated on the north and south sides of Verde Island where west and east bound vessels pass through.
  - 4.5 Batangas Bay - the body of water which is about 9.69 miles (8.1 nautical miles) wide, and it is located between Cazador Point and Matoco Point.
  - 4.6 Balayan Bay - a large bay between Cape Santiago and Bagalangit Point and the entrance of which has a width of about 14 miles (12 nautical miles).
  - 4.7 Pilot's Boarding Station (PBS) - an area that serves as point of meeting and boarding vessels entering port requiring pilotage service and the point of unboarding pilot for departing vessels.
  - 4.8 Traffic Separation Scheme (TSS) - a routeing system established by the Philippine Coast Guard in 1993 for vessels navigating along the north and south passes of Verde Island. The north pass had been designated for exclusive use of west bound vessels while the south pass for east bound vessels.
  - 4.9 VTMS - Vessel Traffic Management System
  - 4.10 VTMSCC - Vessel Traffic Management System Control Center.
  - 4.11 VTMS Covered Area - those sectors in Batangas and Balayan Bays and their approaches, Verde Island Passage that are within the range of the radar tracking system and visible to the radar monitor.

5. DESCRIPTION AND LOCATION

5.1 VTMSCC and Radar Stations (Chart 1)

	<u>LATITUDE</u>	<u>LONGITUDE</u>
VTMSCC (PPA New Administration Bldg.)	13° 45' 51"	121° 03' 01"
Radar Station 1 (Phase 2 Batangas Port)	13° 45' 24"	121° 02' 32"
Radar Station 2 (Matoco)	13° 37' 45"	121° 03' 25"
Radar Station 3 (Escarceo Point, Perto Galera)	13° 31' 22"	120° 59' 26"
Radar Station 4 (Tingloy, Maricaban Island)	13° 39' 41"	120° 52' 29"

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5.2 Traffic Separation Scheme (Chart 2)

5.2.1 Traffic Separation Line

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 34' 36" N	120° 54' 18" E
13° 34' 30" N	121° 02' 30" E
13° 33' 01" N	121° 05' 48" E
13° 32' 54" N	121° 13' 41" E
13° 30' 18" N	121° 16' 24" E

5.2.2 South Boundary

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 32' 42" N	120° 54' 18" E
13° 32' 36" N	121° 00' 06" E
13° 28' 54" N	121° 03' 06" E
13° 30' 18" N	121° 12' 06" E
13° 28' 18" N	121° 14' 18" E

5.2.3 North Boundary

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 36' 48" N	120° 54' 18" E
13° 36' 48" N	121° 05' 18" E
13° 35' 18" N	121° 15' 30" E
13° 32' 30" N	121° 18' 36" E

5.3 Batangas Bay Pilot's Boarding Station (Chart 3)

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 44' 30" N	121° 01' 12" E



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5.4 Lay-up Areas at Batangas Bay (Chart 3)

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 46' 24" N	120° 58' 18" E
13° 46' 06" N	120° 58' 24" E
13° 45' 48" N	120° 58' 00" E
13° 45' 00" N	120° 57' 54" E

5.5 Anchorage Grounds and Fairway at Batangas Bay per PPA Memorandum Circular Nos. 11-96 and 32-99 (Chart 3)

5.5.1 Anchorage Area "A" bounded by the following coordinates:

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 44.20' N	121° 02.70' E
13° 43.90' N	121° 02.12' E
13° 44.65' N	121° 02.45' E
13° 44.35' N	121° 01.88' E

5.5.2 South Portion of Anchorage Area "B" bounded by the following coordinates:

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 44.58' N	121° 01.75' E
13° 44.88' N	121° 02.32' E
13° 44.65' N	121° 02.45' E
13° 44.35' N	121° 01.88' E

5.5.3 Anchorage Area "C" bounded by the following coordinates:

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 45.10' N	121° 02.21' E
13° 44.80' N	121° 01.63' E
13° 45.55' N	121° 01.95' E
13° 45.25' N	121° 01.38' E

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5.5.4 Anchorage Area "D" bounded by the following coordinates:

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 45.55' N	121° 01.95' E
13° 45.25' N	121° 01.38' E
13° 46.00' N	121° 01.70' E
13° 45.70' N	121° 01.13' E

5.5.5 Fairway (North of Anchorage Area "B") for Vessels Calling at Phases 1 and 2, Batangas Port bounded by the following coordinates:

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 45.10' N	121° 02.21' E
13° 44.88' N	121° 02.32' E
13° 44.80' N	121° 01.63' E
13° 44.58' N	121° 01.75' E

5.5.6 Fairway Traffic Separation Line

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 44.69' N	121° 01.69' E
13° 44.95' N	121° 02.27' E

5.6 Balayan Bay Pilot's Boarding Station (Chart 4)

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 53' 54.72" N	120° 47' 05.10" E

5.7 Balayan Bay Anchorage Areas (Chart 4)

5.7.1 Anchorage "A"

<u>LATITUDE</u>	<u>LONGITUDE</u>
13° 55' 17.52" N	120° 47' 11.10" E

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13° 55' 17.52" N	120° 45' 53.10" E
13° 54' 30.72" N	120° 47' 11.10" E
13° 54' 30.72" N	120° 45' 53.10" E
13° 55' 17.52" N	120° 45' 53.10" E
13° 55' 42.72" N	120° 44' 11.10" E
13° 54' 30.72" N	120° 45' 53.10" E
13° 54' 30.72" N	120° 44' 11.10" E

6. TRAFFIC SEPARATION SCHEME

6.1 All vessels navigating Verde Island Passage, including its approaches, shall observe the rules of International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) and other regulations, local and international, with respect to collision prevention.

6.2 All vessels shall comply with the Traffic Separation Scheme, as follows:

6.2.1 East bound vessels passing through Verde Island Passage shall take the south pass while west bound vessels shall take the north pass.

6.2.2 Vessels leaving Batangas or Balayan Bays and proceeding to Port of Calapan or east direction shall take the south pass of Verde Island.

6.2.3 Vessels leaving Port of Calapan and proceeding to Port of Batangas or west direction, shall take the north pass.

6.5 A vessel crossing a traffic lane shall, to the extent possible, maintain a course that is perpendicular to the direction of the flow of traffic in the traffic lane.

6.6 When two (2) vessels are at risk of collision, the vessel that is not navigating in the traffic separation lane shall give way to the vessel navigating in the traffic lane.

7. LANGUAGE

All reports shall be made either in Pilipino or English language.

8. TIME

Time to be used shall be the local mean time.

9. CONTACT NAME AND CHANNEL OF VTMSCC AND BATANGAS HARBOR PILOTS' CHANNELS

Contact name: VTMS BATANGAS  
 VTMSCC: Channel 16  
 Batangas Harbor Pilots' Channels: 69

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## 10. REPORTING PROCEDURE

### 10.1 Approaching Balayan or Batangas Bay

Vessels approaching Batangas or Balayan Bay from all points of the west, north and east directions, intending to call at the PMO-Batangas or its port terminals shall, when 5 nautical miles off the said Bays, report to the VTMSCC on Channel 16 and through the Automatic Identification System (AIS), contents of the report shall be:

- Vessel's name and call sign or IMO Identification Number
- Vessel's position
- Last port of call
- Vessel's course and speed
- Vessel's destination
- General description of dangerous cargoes on board, if any
- Vessel's type
- Vessel's Draft
- No. of crew and passengers

### 10.2 Prior to Entering or Joining the Traffic Separation Scheme (TSS)

When vessels are 3 nautical miles to the TSS line or to the first point of the TSS line (i.e. 13° 34' 36" N, 120° 54' 18" E or 13° 30' 18" N, 121° 16' 24" E) regardless whether said vessels are entering or departing from the port, report shall be made containing the following information:

- Vessel's name
- Time
- Vessel's position and speed

### 10.3 Shifting of Berth

10.3.1 Whenever there is a shift of berth (e.g. from lay-up area, anchorage grounds or pier/wharf to another berth) as authorized by the Authority, the vessel, before departing from her present position and after docking, mooring or anchoring at her new berth, shall report to the VTMSCC the following:

- Vessel's name
- Time undocked (last line cast or anchor up) from previous position/berth
- Time docked (first line made fast/anchored time) to her new berth/position
- Name of the Harbor Pilot on board

10.3.2 No vessel shall move to another berth without the authority from the VTMSCC.

### 10.4 Departing from PMO-Batangas or Its Terminal

10.4.1 When departing from the port, the vessel shall report the following:

- Vessel's name
- Time
- Name of Harbor Pilot

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When leaving the Pilot's Boarding Station, contents of the report shall be:

- Vessel's name
- Time
- Location

10.5 Cruising or Navigating Only Within Batangas Bay or Balayan Bay

10.5.1 Vessels cruising or navigating only within Batangas Bay or Balayan Bay shall make a report to the VTMSCC on the following situation and positions:

- When departing from the port
- Thirty (30) minutes after departure and
- Upon anchoring or mooring at the next port of call

10.5.2 Contents of each report shall include the vessel's name and time.

10.6 Emergency Situations

10.6.1 A vessel in the VTMS Covered Areas shall report to the VTMSCC as soon as possible:

- Any emergency or unusual event such as fire, collision, grounding, pollution, suspicion of piracy and other similar incidents.
- Any condition on the vessel that may impair its navigation, reduce its capabilities or affect the safety of other vessels due to defective propulsion, defective steering, inoperative navigation running lights, unusual handling, impaired maneuverability, inoperative whistle or horn, navigation equipment and other similar conditions.
- Any towing vessel when unable to control or can control only with difficulty.
- Any other unusual condition which restricts or prohibits total compliance with the requirements of the VTMS.
- Poor visibility.

10.6.2 The vessel making a report of emergency situations, as mentioned in Section 10.6.1, shall give its vessel's name, call sign and the name and position of the person making the report.

10.6.3 Any vessel may deviate from any provisions of this Order to the extent necessary to avoid endangering persons, property or the environment. When an emergency arises and it becomes necessary to deviate from any provisions of this Order for reasons of safety, the vessel shall report or cause to be reported the deviation to the VTMSCC as soon as possible.

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## 11. OTHER REQUIREMENTS

All vessels shall:

- 11.1 Observe and obey all International Rules of the Road and the Traffic Separation Scheme;
- 11.2 Comply with all the measures of safe navigation and prudent seamanship while operating within the VTMS Covered Areas;
- 11.3 Monitor VTMS VHF channels at all times;
- 11.4 Contact VTMSCC to obtain information, seek assistance or report emergencies; and
- 11.5 Observe measures or advice given by the VTMSCC.

## 12. PASSING THROUGH (INNOCENSE PASSAGE)

Vessels passing through the VTMS Covered Area particularly the Verde Island Passage but will not dock at the Port of Batangas or enter the Batangas and Balayan Bays shall also be required to report to VTMSCC, contents of the report shall be:

Vessel's name  
Vessel's call sign  
Destination

## 13. RADIO WATCH

All vessels navigating, anchoring, berthing, or operating in the VTMS covered areas shall, at all times, keep radio watch on channel 16 and shall respond promptly when their attention is called.

## 14. PROHIBITED TO ANCHOR

No vessel shall turn circle and cast anchor in north and south passes of Verde Island Passage, fairways or in any other non-anchoring areas unless in case of emergency.

## 15. SPEED LIMIT

All vessels entering/departing and cruising Batangas and Balayan Bays and their approaches, and Verde Island Passage shall observe the safe speed. When vessels are navigating, anchoring or berthing within the harbor limits, the speed limit shall not exceed five (5) knots.

## 16. ROLE OF THE VTMSCC

The VTMSCC shall:

- Safeguard the security and safety of vessels, facilities, individuals and their properties;
- Provide timely information and necessary assistance to all vessels; and
- Coordinate with agencies concerned and private companies in the protection of the marine environment, search and rescue operations and during emergencies.

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17. ENVIRONMENTAL PROTECTION

All vessels are required to protect the marine environment and shall dispose of the vessel's generated wastes at the reception facilities ashore as provided for in PPA Administrative Order No. 02-2003 entitled "Implementing Guidelines on MARPOL 73/78 Requirement for Shore Reception Facilities".

18. VESSEL TRAFFIC SERVICE (VTS) FEE

18.1 For vessels, including tugs, with the following ranges of GRT shall be charged VTS Fees, as follows:

<i>Ranges of Vessels' GRT</i>	<i>Rate per Vessel (Php)</i>
Up to 1,000	250.00
1,001 to 10,000 GRT	500.00
Over 10,000 GRT	1,000.00

18.2 For tugs, outriggers, motorized bancas and wooden hulls (batel) operating the Puerto Galera routes and in nearby areas, the rate is PHP 150.00 per day.

18.3 Vessels with or rendering multiple calls or services within the Batangas and Balayan Bay areas will be charged a maximum of two (2) calls/day.

18.4 For fastcrafts, the rate is PHP 150.00/call for a maximum of two (2) calls per day.

18.5 No VTS fee shall be charged on barges towed by tugs, rigged boats and fishing vessels passing through the VTMS covered area.

18.6 For tugs, passenger ferries and other domestic vessels, billing shall be on a monthly basis.

18.7 For foreign vessels, payments shall be made prior to vessel's departure.

19. PENALTY PROVISION

19.1 Non-compliance by any vessel with any of the provisions of this Order shall subject said vessel to the following penalties:

First Offense	-	P10,000.00
Second Offense	-	P20,000.00
Third Offense	-	P50,000.00

19.2 Further, the imposition of the P50,000.00 penalty for 3rd offense shall be without prejudice to the vessel's denial of berth services and/or refusal of cargo handling services, during its subsequent calls, including the recommendation for the cancellation of the domestic vessel's franchise by concerned government agency.

19.3 Furthermore, failure of the vessel to comply with the provisions contained in Sections 6 and 10.4 of this Order shall subject the vessel to the above-mentioned penalties upon her return.

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19.4 The above sanctions shall be in addition to the penalties prescribed under Section 43 of P.D. 857, as amended.

20. EFFECTIVITY

This Order shall take effect fifteen (15) days after publication in newspapers of general circulation.

(Sgd.) **ATTY. OSCAR M. SEVILLA**  
General Manager

Published in the Philippine Star - July 31, 2008

***Effectivity Date - August 15, 2008***



## **OTHER ISSUANCES**

*June 03, 2008*

**MEMORANDUM**

**TO** : *All RC Heads*

**FROM** : *The General Manager*

**SUBJECT** : *Official Definition of the SRNH Routes*

Pursuant to the instruction of President Gloria Macapagal Arroyo, there shall only be three major routes comprising the Strong Republic Nautical Highway (SRNH), namely, Western Nautical Highway, Central Nautical Highway and Eastern Nautical Highway. All other routes and nodes shall be considered as lateral links among the three (3) nautical highways. This clarification is being issued to avoid confusion.

For compliance.

(Sgd.) **ATTY. OSCAR M. SEVILLA**

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**September 11, 2008**

**MEMORANDUM**

**FOR** : **All Responsibility Center Heads**

**FROM** : **The Manager**  
**Human Resource Management Department**

**SUBJECT** : **Office of the President Memorandum Circular No. 162 Re: Guidelines on Matters Pertaining to North Borneo (Sabah)**

Attached for information and dissemination is Memorandum Circular No. 162 of the Office of the President regarding the prescribed guidelines on matters pertaining to North Borneo (Sabah).

(Sgd.) **ADELAIDA C. HERNANDEZ**

Encl: As stated

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MALACAÑANG  
MANILA

**MEMORANDUM CIRCULAR NO. 162**

**GUIDELINES ON MATTERS PERTAINING TO NORTH BORNEO (SABAH)**

**WHEREAS**, by virtue of Article 1 of the 1987 Philippine Constitution on National Territory, the Philippines has historical and legal right over certain parts of North Borneo (Sabah);

**WHEREAS**, it is in the national interest to safeguard the country's historical and legal right in North Borneo (Sabah);

**WHEREAS**, the Philippines believes in the peaceful resolution of disputes with neighboring countries as provided under the same Constitution, which expressly states that the Philippines adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations;

**WHEREAS**, there is a need for guidelines with regard to activities, acts or statements in relation to North Borneo (Sabah) for the protection of the said rights;

**WHEREFORE**, the following guidelines are hereby prescribed:

**Section 1.** No Department, agency, or instrumentality of the Philippine Government shall make any act or statement expressing or implying, directly or indirectly, any recognition of a foreign state's sovereignty over North Borneo (Sabah) or non-recognition of Philippine title or historical and legal rights to the same.

**Section 2.** Any official activity, act or statement relating to North Borneo (Sabah) or which may have bearing on the Philippine claim to said territory shall be carried out only with the clearance of or after consultations with the Department of Foreign Affairs.

**Section 3.** Reference to North Borneo (Sabah) in official documents should not include its being part of a larger national/federal territory. These documents include, but are not limited to, the following: Philippine passports, agreement, agreed minutes, joint communiqués, record of discussions, and similar documents.

**Section 4.** Philippine government officials visiting North Borneo (Sabah) shall provide the DFA with a report on their travel thereto.

This Circular shall take effect immediately.

DONE in the City of Manila, this 20th day of August in the year of our Lord, Two Thousand and Eight.

By authority of the President:

(Sgd.) **EDUARDO R. ERMITA**  
Executive Secretary

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