

# **PHILIPPINE PORTS AUTHORITY**

**Port Rules and Regulations 2013**

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## **Port Rules and Regulations 2013**

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**Port Rules and Regulations  
2013**

Published by the  
Commercial Services Department  
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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 2013.

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

Port Rules and Regulations Volume 1	(1991-1992)	Port Rules and Regulations 2001
Port Rules and Regulations Volume 2	(1990)	Port Rules and Regulations 2002
Port Rules and Regulations Volume 3	(1989)	Port Rules and Regulations 2003
Port Rules and Regulations Volume 4	(1993)	Port Rules and Regulations 2004
Port Rules and Regulations Volume 5	(1988)	Port Rules and Regulations 2005
Port Rules and Regulations Volume 6	(1994)	Port Rules and Regulations 2006
Port Rules and Regulations Volume 7	(1986-1987)	Port Rules and Regulations 2007
Port Rules and Regulations Volume 8	(1985)	Port Rules and Regulations 2008
Port Rules and Regulations Volume 9	(1995)	Port Rules and Regulations 2009
Port Rules and Regulations Volume 10	(1996)	Port Rules and Regulations 2010
Port Rules and Regulations Volume 11	(1997)	Port Rules and Regulations 2011
Port Rules and Regulations Volume 12	(1998)	Port Rules and Regulations 2012
Port Rules and Regulations Volume 13	(1999)	
Port Rules and Regulations Volume 14	(2000)	

Issuances included in the book are those which are of interest to the port clientele, 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.

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### **Functions**

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

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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**

“To establish, develop, regulate, manage and operate a rationalized national port system in support of trade and national development.”

### **Vision**

By 2030, customers doing business in our ports shall experience full and sustained productivity, efficiency, comfort, connectivity, safety and security.

### **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.”

### **Corporate Values**

**Creativity.** Innovation, adaptability.

**Responsibility.** Accountability, taking and managing risks.

**Ethics.** Integrity within moral bounds.

**Sincerity.** Commitment to fulfill mandate.

**Teamwork.** Synergy of working together.

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## **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.

# **ANCILLARY SERVICES**

December 27, 2013

**PPA ADMINISTRATIVE ORDER**  
**NO. 07 - 2013**

**TO :** All District and Port Managers,  
Ancillary Services Operators, Cargo Handling Contractors,  
Shipping Companies, Consignees/Shippers  
And Others Concerned

**SUBJECT :** Simplification of Procedures in the Processing and Issuance  
of Permits to Operate Ancillary Services in the Ports

Pursuant to Section 2 (f), Article II and Section 6-a (ii), (iii), (v), (x), 6-b (xv) Article IV of PD 857, as amended and in line with the PPA's thrust of enhancing its competitiveness in the provision of vital port services, the following guidelines are hereby prescribed amending the Glossary of Terms on Ancillary Services (Annex "A"), Sections 6.2.1 (Annex B) and 6.2.2 (Annex C) of PPA AO No. 08-96 entitled "Regulations for the Registration and/or Grant of Permits for the Operation of Ancillary Services in the Ports".

**1. Application for Permit to Operate (PTO)**

Applications for a permit to operate ancillary service shall be filed with the concerned Port Management Office (PMO) where the applicant intends to operate.

**1.1 For New Application**

The applicant shall accomplish the prescribed PPA Application Form and Customer Registration Form to be submitted together with the following supporting documents:

- 1.1.1 Specific area of operations with sketch
- 1.1.2 Proposed ancillary rates
- 1.1.3 Duly Notarized Omnibus Undertaking

**1.2 For Renewal Application**

The applicant shall file the prescribed Application Form within thirty (30) days before the expiration of the permit together with a duly Notarized Omnibus Undertaking. Failure to file within the prescribed period without justifiable reason constitutes a ground for non-extension of the Permit to Operate (PTO).

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## 2. **Sworn Affidavit of Undertaking**

All ancillary service provider applicants shall execute a duly notarized Omnibus Sworn Statement and shall comply with all the terms and conditions thereof. Otherwise, the permit issued is deemed revoked/cancelled. It shall be the responsibility and accountability of the applicant to comply with all the requirements prescribed by other government agencies in relation to his/her application for a PTO.

## 3. **Classification of Ancillary Services and Fees**

3.1 The Glossary of Terms provided under Annex "A" of PPA Administrative Order No. 08-96 which categorized the ancillary services into Port Ancillary Services I and Port Ancillary Services II shall no longer apply.

3.2 Pending rationalization of the ancillary services fees, the applicable fees to be collected by PPA for the issuance of the PTO to service providers are the following:

Regulatory Fee	-	₱1,500.00
Permit Fee	-	₱ 300.00
VAT		

All other provisions of PPA Administrative Order No. 08-96 remain valid and enforceable.

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

**(Sgd) TOMAS B. CARLOS**  
Officer-in-Charge

Published in the Philippine Star – December 30, 2013  
**Effectivity Date – January 14, 2014**



**APPLICATION FOR PERMIT TO OPERATE  
ANCILLARY SERVICES**

Application No. \_\_\_\_\_  
Date \_\_\_\_\_

APPLICANT PROFILE		
Name of Applicant/Company:		
Name of Authorized Representative (as applicable):		
Office Address:	Tel. no.	
Billing Address:	Tel. no.	
Email Address:	Fax No.	
Tax Identification No. (TIN)	SEC Reg. No.	BDT No.
Business Type:		
Single Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/>		
Nature of Business:		

Please mark (X) on appropriate box       New                       Renewal

TYPE OF ANCILLARY SERVICE(S)	
<input type="checkbox"/> Transport/Trucking Services	<input type="checkbox"/> Vessel Maintenance/Repair Service
<input type="checkbox"/> Security Service	<input type="checkbox"/> Cargo Surveying Service
<input type="checkbox"/> Waste Disposal Service	<input type="checkbox"/> Container Repair
<input type="checkbox"/> Bunkering	<input type="checkbox"/> Cleaning Service
<input type="checkbox"/> Chandling	<input type="checkbox"/> Communication Service
<input type="checkbox"/> Water Supply	<input type="checkbox"/> Fumigation
<input type="checkbox"/> Shops/Stores/Canteen	<input type="checkbox"/> Laundering
<input type="checkbox"/> Lighterage/Barging	<input type="checkbox"/> Parking/Garage
<input type="checkbox"/> Lighterage/Barging	<input type="checkbox"/> Towing/Tugging Service
<input type="checkbox"/> Reproduction Service	<input type="checkbox"/> Weighbridge/Truck Scale
<input type="checkbox"/> Water Taxi	<input type="checkbox"/> Others
Duration: <u>    </u> Days <u>    </u> Months <u>    </u> Years	

VALIDATION FOR PPA USE ONLY			
Permit Fee _____ OR No. _____ Date of Payment _____  Recommending Approval:  _____ Business Development/Marketing Officer  Approved:  _____ Port Manager	<b>Documentary Checklist</b>  <table style="width:100%;"> <tr> <td style="width:50%;"> <b>New</b>  <input type="checkbox"/> Application Form  <input type="checkbox"/> Customer Registration Form  <input type="checkbox"/> Omnibus Undertaking  <input type="checkbox"/> Area of Operation with Sketch             </td> <td style="width:50%;"> <b>Renewal</b>  <input type="checkbox"/> Application Form  <input type="checkbox"/> Omnibus Undertaking             </td> </tr> </table>	<b>New</b> <input type="checkbox"/> Application Form <input type="checkbox"/> Customer Registration Form <input type="checkbox"/> Omnibus Undertaking <input type="checkbox"/> Area of Operation with Sketch	<b>Renewal</b> <input type="checkbox"/> Application Form <input type="checkbox"/> Omnibus Undertaking
<b>New</b> <input type="checkbox"/> Application Form <input type="checkbox"/> Customer Registration Form <input type="checkbox"/> Omnibus Undertaking <input type="checkbox"/> Area of Operation with Sketch	<b>Renewal</b> <input type="checkbox"/> Application Form <input type="checkbox"/> Omnibus Undertaking		



**CUSTOMER REGISTRATION FORM  
(For TRADE ACCOUNT)**

**Reminders:**

1. Asterisks (\*) mandatory fields, full-up.
2. Accomplish one (1) copy per Customer.
3. Submit accomplished Customer Registration Form to MISD Data Conversion Group (Fax# 527-47-49)
4. Attach required supporting documents with this form

\*Action:  [C] Create/ [R] Revise/ [D] Delete

Customer Code: (System Generated) \_\_\_\_\_

**To be filled out by Customer**

**Customer Details**

\* Customer Name: \_\_\_\_\_

\* Short Name: \_\_\_\_\_ \* DTI Registration Number: \_\_\_\_\_

\* Address: \_\_\_\_\_

Postal/Zip Code: \_\_\_\_\_ \* TIN: \_\_\_\_\_

**Communications**

\* Contact Name: \_\_\_\_\_

\* Contact Position: \_\_\_\_\_

\* Telephone 1: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Telephone 2: \_\_\_\_\_ E-mail: \_\_\_\_\_

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

**For PPA Accounting Use Only**

\* PPA Office: \_\_\_\_\_

\* Customer Group: (check groups that apply)

Customer Group	ATC Code		Account Category:
	EWT	CWT	
<input type="checkbox"/> Ancillary Services			Check the appropriate Account type: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Credit w/ RF <input type="checkbox"/> Credit w/o RF <input type="checkbox"/> Centralized RF <input type="checkbox"/> Decentralized RF
<input type="checkbox"/> Cargo Handling			
<input type="checkbox"/> Shipping Lines			
<input type="checkbox"/> Gov't Office			
<input type="checkbox"/> Employee			Payment Terms: <u>C000 – CASH</u>
<input type="checkbox"/> Lessee			Currency Type: <u>PHP – Philippine Peso</u>
<input type="checkbox"/> Utility User			
<input type="checkbox"/> STU			
<input type="checkbox"/> Others			
<u>Prepared By/Date:</u>	<u>Authorized by/Date</u>		<u>Encoded By:</u> <u>Checked By/Date:</u>



# General Instructions

Indicate the Application type/action by marking the appropriate letter on the box provided.

Example: 

C
---

 [C] Create / [R] Revise / [D] Delete

## To be filled out by Customer

1. Indicate the Customer Name in the boxes provided.

Example: Customer Name:

O	C	L	L	I	M	I	T	E	D										
---	---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--

2. Indicate the Customer Short Name in the boxes provided.

Example: Short Name:

O	C	L																	
---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

3. Indicate the Customer DTI Registration No. in the boxes provided.

Example:

DTI Registration No:

1	5	5	6	9	9	0	0	2	1										
---	---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--

4. Indicate the Customer Address in the boxes provided.

Example: Address:

S	U	P	E	R		T	E	R	M	I	N	A	L	,						
P	I	E	R	1	5															

S	O	U	T	H		H	A	R	B	O	R	,		P	O	R				
T	A	R	E	A	,	M	A	N	I	L	A									

5. Indicate the Customer Address ZIP/POSTAL Code in the boxes provided. Check consistency of code w/ address above.

Example: Zip/Postal Code

1	0	1	3																	
---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

6. Country value is pre-supplied.

Example: Country:

P	H	Philippines
---	---	-------------

7. Indicate the Customer TIN in the boxes provided.

Example: TIN

9	1	2	3	5	7	8	6	0	8	6	0	0
---	---	---	---	---	---	---	---	---	---	---	---	---

8. Indicate the Customer Contact Person's Name, Contact Position, Contact Number/s, Fax No and E-mail Address in the boxes/line provided.

Example:

Contact Name:

J	U	A	N	D	E	L	A	C	R	U	Z									
---	---	---	---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--

Contact Position:

A	G	E	N	T																
---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Telephone 1:

0	2	3	0	1	9	2	9	1												
---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--

Telephone 2:

0	9	1	7	4	3	2	5	5	6	6										
---	---	---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--

Fax No.:

0	2	3	0	1	9	2	9	2												
---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--

E-mail: ocl@yahoo.com

9. Indicate Name of the Person who accomplished the form & affix signature and date when the form was accomplished.

Example:

Prepared by: Juan Dela Cruz Date: 01/16/2004

## For PPA Accounting Use Only

1. Indicate the Office name and Customer Group with respective descriptions in the boxes/lines provided.

Example:

PPA Office: **PMO-North Harbor**

- Ancillary Services
- Cargo Handling
- Shipping Lines
- Gov't Office

2. Indicate the ATC Code (Choices for EWT and CWT are the following)

### ATC Code EWT

**WC100 - 5%** - Rentals : Real/personal properties, poles, Satellites and Transmission facilities, billboards used in business which the payor or obligator used in business has not taken or is not taking title or in which has no equity

**WC157 - 2%** - Payments made by Government Offices on Local Purchase of Goods and services from Local/resident suppliers

**WC160 - 2%** - Income payments made by top 10,000 private corporations to their local/resident suppliers of services

### ATC Code CWT

**WC120 - 2%** - Prime Contractors/sub-contractors

**WC157 - 2%** - Payments made by Government Offices on Local Purchase of Goods and services from Local/resident suppliers

**WC160 - 2%** - Income payments made by top 10,000 private corporations to their local/resident suppliers of services

**WV020 - 5%** - VAT withholding on Purchase of Services

3. Account Category is pre-supplies with default value to "Cash".

Example:  Cash

4. Payment Term Code value is pre-supplies with default value to "Cash".

Example: Payment Terms: C0000 - Cash

5. Currency Type value is pre-supplies with default value to "Php Peso"

Example:

Currency Type: Philippine Peso

6. Indicate Names and Dates and affix respective signatures of the persons who provided the information, gave authority to encode, encoded the information and validated the accuracy.

Example:

ALBorbon 01/19/04	RDPineda 01/19/04	SBVItales 01/20/04
Prepared By/Date:	Authorized By/Date:	Authorized By/Date:

RDMedina 01/21/04 Checked By/Date:
--

**OMNIBUS UNDERTAKING  
(SWORN AFFIDAVIT)**

REPUBLIC OF THE PHILIPPINES)  
CITY/MUNICIPALITY OF \_\_\_\_\_) S.S

**AFFIDAVIT**

(Name of Applicant/Port Owner/Operator), of legal age, (Civil Status), (Position/Title), (Name of Company/Address), after having been duly sworn in accordance with law, do hereby depose and state that:

1. I hereby apply for the Authority's issuance of Permit to Operate (PTO) (service/s to be provided) at the Port of \_\_\_\_\_.
2. As an applicant, I have full power and authority to do, execute and perform any and all acts necessary to represent it in seeking from PPA the (type of permit) being applied for.
3. I have complied and secured all the necessary government clearances/permits necessary to operate my business.
4. I hereby authorize your duly authorized official/employee to verify the statements/documents and information submitted herewith, to substantiate my eligibility as an applicant for a PTO.
5. It is understood that I have complied with the requirements of other concerned government agencies prior to the operation of the ancillary service being applied for and I am fully responsible and accountable in complying with said requirements.
6. I hereby acknowledge that I have full knowledge of pertinent laws, regulations covering ancillary service operation.
7. I hereby acknowledge that I have fully read the information supplied in the application and any false or misleading information provided therein shall be a ground for the cancellation of the PTO issued, without prejudice to the filing of appropriate administrative, civil and criminal case against me and/or the company/entity I represent.
8. I hereby hold PPA from all liens, encumbrances and liabilities resulting from non-compliance therewith.
9. I am executing this Omnibus Sworn Statement to attest to the veracity of the foregoing statements in support of the above-cited application.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the City of \_\_\_\_\_, Philippines.

\_\_\_\_\_  
Ancillary Service Operator

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

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

# **CARGO HANDLING CHARGES**

May 20, 2013

PPA MEMORANDUM CIRCULAR  
NO. 04 - 2013

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

**SUBJECT :** 10% Provisional Increase in Cargo Handling (CH) Tariff

Pursuant to PPA BoardCom Resolution No. 2013-1336 dated April 11, 2013, and in consonance with Item 7 of PPA Memorandum Circular No. 11-2007 (*Revised Rules in the Conduct of Public Hearing for Rate Increase*) which states that the General Manager may grant provisional rate increase pending completion of the public hearing and approval by the Board, a ten percent (100%) provisional increase in CH tariff in arrastre and stevedoring services and other cargo handling related charges on foreign and domestic cargoes was approved.

Said interim upward adjustment is a cost recovery measure due to surge in operating costs in the CH industry, such as, labor, power, fuel and repairs and maintenance and considering that the last increase on CH rates was granted in 2008.

The provisional adjustment of 10% in CH rates shall be granted to all cargo handling operators (CHOs) nationwide who have individually petitioned and submitted the required matrix of operating expenses to include the supporting schedules certified and sworn as having been lifted from the audited financial statements and validated by the concerned Port Manager.

Further, the initial evaluation of the CHOs financial condition indicates at least a 10% adjustment. Furthermore, pursuant to Article II, Item 3 (c) of PPA Administrative Order No. 01-2006, an interim across the board cost recovery adjustment maybe granted using the Consumer Price Index (CPI) formula.

The 10% provisional increase does not include RO-RO Terminal Fee. Likewise excluded are the CH rates under Special Take-over Units that are scheduled for bidding.

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The Commercial Services Department shall within (15) days from date of issuance of this Circular make the necessary adjustments in the existing CH tariffs of all qualified CHOs.

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

**(Sgd) ATTY. JUAN C. STA. ANA**  
General Manager

Published in the Philippine Star  
Manila Standard/Today  
**Effectivity Date – June 24, 2013.**

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## **SECRETARY'S CERTIFICATE**

I, *ELSA L. HILARIO*, duly designated Secretary of the Board Committee, as created by the Board of Directors of the Philippine Ports Authority (PPA), and having custody of the Board records of the said committee, do hereby certify:

That during the 258th Meeting of the Board Committee held on 11 April 2013 at the PPA – PDO Southern Mindanao Multi-Purpose Hall, PDO-SOMIN Building, Km 10, Port Area, Sasa, Davao City, the following Resolution was adopted:

*BoardCom Resolution No. **2013-1336***

“ *RESOLVED*, That on motion duly made and seconded, and considering the increase in operating costs of the cargo handling industry such as labor, fuel, power and repair and maintenance of cargo handling equipment which are adversely affected by past and current economic conditions and pursuant to Item 7 of PPA Memorandum Circular No. 11-2007 (Revised Rules in the Conduct of Public Hearing for Rate Increases) which states that the General Manager may grant provisional increase pending completion of the public hearing and approval by the Board, the grant of a ten (10%) percent provisional rate increase in cargo handling tariff to those cargo handling operators (CHOs) who have applied and already complied with PPA requirements, be, as it is hereby approved;

*RESOLVED FURTHER*, That Management be authorized to implement the ten (10%) percent provisional rate increase for the other similarly situated Cargo Handling Operators (CHOs) as they comply with all the said requirements;

*RESOLVED FURTHERMORE*, That the said provisional increase be made effective thirty (30) days after the completion of the required publication of the guidelines covering the said increase in a newspaper of general circulation.”

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 11th day of April 2013, at the above-mentioned address.

**(Sgd) ATTY. ELSA L. HILARIO**  
Corporate Board Secretary

December 02, 2013

**PPA MEMORANDUM CIRCULAR  
NO. 10 - 2013**

**TO :** All Port District Managers  
Port Managers  
Port Users  
Others Concerned

**SUBJECT :** Increase in Storage Charges for Foreign  
Containerized Cargoes

Pursuant to PPA Board Resolution No. 2326 dated July 26, 2013 and the Memorandum from the Office of the President dated November 26, 2013, the increase in Storage Charges for Foreign Containerized Cargoes is hereby approved, which are as follows:

Imported Box	NEW STORAGE CHARGES AFTER THE FREE STORAGE PERIOD OF FIVE (5) DAYS IN PHP (₱)					
	6 <sup>th</sup> -10 <sup>th</sup> day	11 <sup>th</sup> -15 <sup>th</sup> day	16 <sup>th</sup> -20 <sup>th</sup> day	21 <sup>st</sup> -25 <sup>th</sup> day	26 <sup>th</sup> -30 <sup>th</sup> day	31 <sup>st</sup> day and beyond
20 footer	481.30	529.43	577.56	625.69	673.82	721.95
35 footer	842.20	926.42	1,010.64	1,094.86	1,179.08	1,263.30
40 footer	962.60	1,058.86	1,155.12	1,251.38	1,347.64	1,443.90
45 footer	1,082.90	1,191.19	1,299.48	1,407.77	1,516.06	1,624.35

Exported Box	NEW STORAGE CHARGES AFTER THE FSP OF FOUR (4) DAYS IN PHP (₱)						
	5 <sup>th</sup> -6 <sup>th</sup> day	7 <sup>th</sup> -11 <sup>th</sup> day	12 <sup>th</sup> -16 <sup>th</sup> day	17 <sup>th</sup> -21 <sup>st</sup> day	22 <sup>nd</sup> -26 <sup>th</sup> day	27 <sup>th</sup> -31 <sup>st</sup> day	32 <sup>nd</sup> day and beyond
20 footer	60.15	120.30	132.33	144.36	156.39	168.42	180.45
35 footer	105.30	210.60	231.66	252.72	273.78	294.84	315.90
40 footer	120.30	240.60	264.66	288.72	312.78	336.84	360.90
45 footer	134.40	268.80	295.68	322.56	349.44	376.32	403.20

Transshipped Box	NEW STORAGE CHARGES AFTER THE FSP OF FIFTEEN (15) DAYS IN USD (\$)					
	16 <sup>th</sup> -20 <sup>th</sup> day	21 <sup>st</sup> -25 <sup>th</sup> day	26 <sup>th</sup> -30 <sup>th</sup> day	31 <sup>st</sup> -35 <sup>th</sup> day	36 <sup>th</sup> -40 <sup>th</sup> day	41 <sup>st</sup> day and beyond
20 footer	10.94	12.03	13.13	14.22	15.32	16.41
35 footer	19.14	21.05	22.97	24.88	26.80	28.71
40 footer	21.88	24.07	26.26	28.44	30.63	32.82
45 footer	24.44	26.88	29.33	31.77	34.22	36.66

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This Circular shall be published in two (2) national newspapers of general circulation and shall be effective 30 days after its publication.

This amends/supersedes PPA Memorandum Circular No. 07-94 as far as Storage Charges for Foreign Containerized Cargoes is concerned.

For compliance.

**(Sgd) JUAN C. STA. ANA**  
General Manager

Published in the following newspapers:  
Philippine Star  
Manila Standard/Today  
**Effectivity Date – January 2, 2014**

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## **SECRETARY'S CERTIFICATE**

I, *ELSA L. HILARIO*, 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 the 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 395th Regular meeting of the Board of Directors of the Philippine Ports Authority held on 26 July 2013 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. **2326***

“RESOLVED, That on motion duly made and seconded, Ex-Com Resolution Nos. 201301337 to 2013-1341, as adopted during the 261st Meeting of the Executive Committee held on 26 July 2013, hereto attached and incorporated by reference, be, as they are hereby confirmed.”

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 26th day of July 2013, at the above-mentioned address.

**(Sgd) ATTY. ELSA L. HILARIO**  
Corporate Board Secretary



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December 11, 2013

**PPA MEMORANDUM CIRCULAR**  
**NO. 12 - 2013**

**TO :** The Port District Manager – PDO Southern Luzon  
The Port Manager – PMO Batangas  
Port of Batangas Cargo Handling Operator  
All Port Users  
Others Concerned

**SUBJECT :** Clarification of Cargo Handling Charges on Empty Containers at Batangas Container Terminal, Port of Batangas, Phase II

To avert possible confusion as regards the assessment on empty containers which pass through the Batangas Container Terminal (BCT), Port of Batangas-Phase II, the following clarification is hereby issued for the guidance of all concerned.

The existing schedule of cargo handling rates for import and export cargoes passing through the BCT does not contain any rate for arrastre services on empty containers.

No arrastre\* fees, therefore, shall be charged on empty containers, whether these are considered part of vessels gears or as export or import cargoes.

In view of the handling services rendered on empty containers, stevedoring\*\* fees shall be charged for such handling services as contained in the schedule of cargo handling tariff at BCT, Port of Batangas, Phase II.

For guidance and compliance.

**(Sgd) JUAN C. STA. ANA**  
General Manager

\* cargo charge as reflected in the BCT tariff

\*\* vessel charge as indicated in the BCT tariff

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December 11, 2013

**PPA MEMORANDUM CIRCULAR**

**NO. 13 - 2013**

**TO :** All Port District Managers  
Port Managers  
Shipping Lines  
Cargo Owners  
Others Concerned

**SUBJECT :** Clarification of PPA Memorandum Circular No. 22-2004  
Entitled “Assessment of Wharfage on Empty Containers of  
Shipping Lines Engaged in Foreign and Domestic Trade”

PPA Memorandum Circular (MC) No. 22-2004 dated July 12, 2004 was issued amending the guidelines on the treatment of empty containers in foreign and domestic trade. This circular was clarified per Memorandum dated September 21, 2004 by the AGM for Operations.

There, however, still some issues raised as regards the assessment and granting of exemption of Wharfage for empty containers.

To address the concerns, the following further clarifications are hereby issued, as follows:

**I General Principle**

Empty containers (Domestic or Foreign) shall not be charged Wharfage (import, export, domestic, as the case may be), provided such empty containers are owned by the carrying vessel.)

**II Treatment of Foreign Empty Containers**

A. Subject to Import Wharfage

1. Empty containers imported into the country, manifested as commercial cargoes, not owned by the carrying vessel and transported to other domestic ports.
2. Foreign-owned containers once emptied which exceed the period for conditional entry as declared by the Bureau of Customs (BOC).
3. Foreign empty containers that are not owned by the carrying vessel but owned by companies in the business of container leasing, cargo forwarding or logistics.

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B. Not Subject to Import Wharfage

1. Foreign empty containers owned by the carrying vessel.
2. Foreign-owned containers once emptied and do not exceed the period for conditional entry as set by the BOC.
3. Foreign empty containers brought into the Philippines and/or transhipped to other domestic ports thru the vessel owner for use in the exportation of Philippine products. *(To ensure that foreign empty containers brought in the country are the same containers to be used in the exportation of Philippine products, the shipping lines shall present to the PMO concerned the Special Permit to Load or Loading List which contain the numbers of the containers for validation purposes.)*
4. Foreign emptied containers, resulting from the stripping of its contents.
5. Foreign empty leased containers carried or employed by the vessel owner provided that these are manifested either as:
  - o Having shipped by and consigned to the same shipping line; and
  - o Having no commercial value.
6. Foreign empty containers not owned by the carrying vessel but carrying vessel has a co-loading arrangement with another shipping line.

C. Subject to Export Wharfage

1. Empty containers bound for other countries manifested as commercial cargo and not owned by the carrying vessel.

D. Not Subject to Export Wharfage

1. Empty containers bound for other countries and owned by the carrying vessel.

**III Treatment of Domestic Empty Containers**

A. Subject to Domestic Wharfage

1. Domestic empty containers not owned by the carrying vessel but by the companies in the business of container leasing, cargo forwarding or logistics.
2. Domestic empty containers used in coastwise trade and owned by shipping line other than the carrying vessel-owner.

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B. Not Subject to Domestic Wharfage

1. Domestic empty containers owned by the carrying vessel.
2. Foreign empty containers requiring transport to another Philippine port in order to load export cargo via domestic vessel. *(To ensure that the same foreign empty containers are to be used for loading export cargoes, the shipping lines shall present to the PMO concerned the Special Permit to Load or Loading List which contain the numbers of empty containers for validation purposes).*
3. Empty containers resulting from stripping of its imported contents consequently used for export of domestic cargoes.

**IV Repealing Clause**

This Circular amends PPA MC No. 22-2004 and repeals or modifies all other PPA issuances in conflict or inconsistent herewith.

**V Effectivity Clause**

This Circular shall take effect 15 days from its publication in newspaper of general circulation.

**(Sgd) JUAN C. STA. ANA**  
General Manager

Published in the Manila Standard/Today  
**Effectivity Date – January 1, 2014**

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December 27, 2013

**PPA MEMORANDUM CIRCULAR**  
**NO. 15 - 2013**

**TO :** The Port District Manager, PDO-Manila/Northern Luzon  
The Port Manager, PMO North Harbor  
Manila North Harbor Port, Inc. (MNHPI)  
Cargo Owners/Brokers/Shipping Lines  
and Other Port Users Concerned

**SUBJECT :** Cranage Rates at the Manila North Harbor

Pursuant to Board Resolution No. 2336, the request of the Manila North Harbor Port, Inc. for approval of the carnage rates for Manila North Harbor is hereby approved, as follows:

<b>Container Size</b>	<b>Basis</b>	<b>Loaded</b>	<b>Empty</b>
20 footer and below	Per Box	Php 1,288.00	Php 1,083.00
Above 20 footer	Per Box	1,802.00	1,396.00

Any vessel that berth at the designated container berths of Pier 16-Marine Slipway area shall use the MNHPI container quay will cranes.

The above rates shall be effective 30 days after publication of this Circular in a national newspaper of general circulation.

**(Sgd) TOMAS B. CARLOS**  
Officer-In-Charge

Published in the Philippine Star – December 29, 2013  
**Effectivity Date – January 28, 2014**

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**SECRETARY'S CERTIFICATE**

I, *ELSA L. HILARIO*, 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 the 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 397th Regular meeting of the Board of Directors of the Philippine Ports Authority held on 19 November 2013 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. 2336*

“RESOLVED, upon motion duly made and seconded, and upon recommendation of the Hearing Panel created pursuant to PPA Special Order No. 178-2013, that the request of Manila North Harbour Port, Inc. per its letter dated January 2, 2013, for approval of the crantage rates for Manila North Harbor, be, as it is hereby approved, as follows:

<i>Container Size</i>	<i>Basis</i>	<i>Loaded</i>	<i>Empty</i>
<i>20 footer and below</i>	<i>Per Box</i>	<i>Php 1,288.00</i>	<i>Php 1,083.00</i>
<i>Above 20 footer</i>	<i>Per Box</i>	<i>Php 1,802.00</i>	<i>Php 1,396.00</i>

to be effective thirty (30) days after its publication in a newspaper of general circulation;

*RESOLVED FURTHER*, that any vessel that will berth at the designated container berths of Pier 16-Marine Slipway Area shall use the MNHPI container quay cranes.”

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 19th day of November 2013, at the above-mentioned address.

**(Sgd) ATTY. ELSA L. HILARIO**  
Corporate Board Secretary

# **CARGO HANDLING OPERATIONS**

April 11, 2013

**PPA OPERATIONS MEMORANDUM ORDER**  
**NO. 01 - 2013**

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

**FROM :** The AGM for Operations

**SUBJECT :** Clarificatory Guidelines on the Manpower Management  
of Cargo Handling (CH) Service Providers at PPA Ports  
(Not allowing Outsourcing)

Consistent with the policy of the Authority that only one (1) CH Service Provider shall be allowed to engage in arrastre/stevedoring services in the same port to ensure effective supervision, control and management thereof and administration of the premises of CH operations thereat, the following clarificatory guidelines are hereby issued:

1. No business company or enterprise shall perform work as a stevedore or arrastre contractor within the premises of the Authority unless in possession of a permit or contract duly issued by the Authority.
2. The CH Service Provider shall only be under one (1) management or administration, whereby it shall have only one (1) operational setup and only one (1) book of accounts where all the financial transactions of the organization such as billings, collections, disbursements, etc. shall be recorded. No subcontracting of the services and such other process with similar or allied effect shall be allowed since this would defeat the concept of one (1) management for the entire organization.
3. The CH Service Provider binds itself to pay promptly, as they fall due, the wages and salaries of all workers and employees, without the intervention whatsoever of any third party.
4. The CH Service Provider binds itself to have available at all times sufficient manpower or labor force necessary to carry out and perform any and/or all of the CH services covered by the permit or contract. In no case, shall loading or unloading of cargoes be delayed due to unavailability of gang workers at any given time except under meritorious circumstances.
5. The CH Service Provider shall maintain a twenty-four (24) hour work schedule on a two (2) or three (3) shift basis. Said working schedule shall take into account the schedule of arrival and departure of vessels in the port. In ports where accredited labor unions are present, the CH Operator shall install appropriate coordination with the union to ascertain that all requests for deployment of workers by ship owners or representatives shall be met at least two (2) hours before the prescribed start of shift.

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6. All regular, contractual, and/or casual employees shall be covered by the Portworkers Retirement and Separation Fund (PRSF) and other benefits pursuant to pertinent provisions of PPA Administrative Order No. 01-2006, as amended.

Exceptional cases will be allowed as may be authorized by Management with the submission of the following requirements:

1. Prior approval by PPA for the CH Operator to sub-contract certain services such as cement unloading and bagging that the regular port workers decline to render.
2. Waiver executed by the CHO's labor union
3. Approval of such by the National Union of Portworkers of the Philippines (NUPP) and the Trade Union Congress of the Philippines (TUCP).
4. Official notification to the Local Office of the Department of Labor and Employment.

In view of the foregoing, the PMO concerned as an authorized representative of the Authority must exert every effort to ensure that the employer-employee relationship exists between the CH Operator and its portworkers both to serve and promote the interest of the port's clients while providing fair and equitable consideration and accommodation of the welfare and interest of the port labor.

**(Sgd.) RAUL T. SANTOS**



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May 22, 2013

**PPA OPERATIONS MEMORANDUM ORDER**  
**NO. 02 - 2013**

**TO :** All Port District Managers  
Port Managers  
Cargo Handling Operators  
Service Contractors  
Others Concerned

**SUBJECT :** Clarificatory Guidelines on the Areas/Facilities Leased By  
Cargo Handling Operators

Further to pertinent provisions of PPA Administrative Order No. 22-95, otherwise known as Revised Guidelines on Real Estate Management, and in order to provide guidelines on areas leased by cargo handling operators, the following clarifications are hereby issued:

**1. Scope**

This Order covers port areas/facilities leased by the PMOs authorized cargo handling operators (CHO) utilized for purposes other than for cargo handling operation. (N.B. Excluded from said OMO are areas leased by Passenger Terminal Building operators/contractors)

**2. Clarifications**

- 2.1 Areas occupied by cargo handling operators covered by permit/s to occupy and/or contract of lease for purposes other than for cargo handling operation shall be imposed rental charges in accordance with the rental provisions of PPA AO 22-95.
- 2.2 The contract of lease to be issued to cargo handling operators shall not exceed the term of cargo handling permit/contract as stipulated under Section 9.1.1, Article IV of PPA AO 22-95.
- 2.3 Cargo handling operators, who infuse additional capital investments and/or highly specialized machineries and equipments on the leased premises to cater to port clients special requirements/needs and not covered by the existing cargo handling contract, shall not be collected government share.
- 2.4 However, CHO's who have nil investments on their leased premises shall continue to be covered by a permit to operate ancillary services for its business operation inside the port and shall pay corresponding ancillary fees as stipulated under Section 3 of PPA AO 08-96 (Regulations for the Registration and/or Grant of Permits for the Operation of Ancillary Services in the Ports).

For guidance and compliance.

**(Sgd) RAUL T. SANTOS**  
Assistant General Manager  
for Operations

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July 23, 2013

**PPA OPERATIONS MEMORANDUM ORDER**

**NO. 04 - 2013**

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

**SUBJECT :** Crane Productivity Determination at South Harbor and  
the Manila International Container Terminal (MICT)

PPA Memorandum Circular No. 13-2011 was issued to implement the 17% upward adjustment in the vessel-related charges for foreign container handling services at South Harbor and MICT. To ensure the proper implementation of the rate adjustment and the new crane productivity rate, clarification as to conditions and factors which would reasonably dictate the exclusions and/or deductibles for the crane productivity determination, agreed upon among AISL, ATI and ICTSI, this Order is hereby issued.

**1. SCOPE**

This Order shall cover the methodology on arriving at crane productivity rate at the South Harbor and MICT.

**2. OBJECTIVES**

- 2.1 To properly implement the new crane productivity rate by ATI and ICTSI, as agreed upon among ATI, ICTSI and AISL.
- 2.2 To identify the conditions and factors in the productivity calculation.
- 2.3 To ensure accuracy in the preparation of the Vessel Performance Report and Crane Log Report (VPRCLR) by the terminal operators.

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### 3. **DEFINITION OF TERMS**

For purposes of this Order, the following terms shall be construed to mean as indicated:

- 3.1 **Berth window** refers to the time allocated by agreement to specific line at which an incoming vessel moors to her berth.
- 3.2 **Crane Productivity** refers to the total number of moves per net crane hour.
- 3.3 **Deductibles** from Crane Productivity computation refer to crane time and/or applicable moves covering delays that shall be deducted from productivity calculations.
- 3.4 **Exclusions** are factors the occurrence of which (singularly or otherwise) excludes the affected vessel from applying Item 4.1 of this Order.
- 3.5 **Lashing materials** are used for securing the cargo against tipping, horizontal movements and bouncing.
- 3.6 **Stacking cones** are materials used for stacking containers together.
- 3.7 **Stowage Plan** refers to a diagram showing each type of container and its location in each hold between deck compartments.
- 3.8 **Twist lock** refers to receptacle used for locking a container into place on container ship.
- 3.9 **Vessel stability** refers to the tendency of a floating vessel to return to its original upright position of equilibrium after being tipped by forces of wind, sea, cargo and vessel tank condition.

### 4. **GUIDELINES**

#### 4.1 **Productivity Rate**

The 17% rate adjustment in vessel-related charges at South Harbor and MICT, split in two (2) tranches, i.e. 6% effective November 18, 2011 and 11% on May 18, 2012, is conditioned on a new productivity rate of 24.00 moves net per crane hour.

#### 4.2 **Documentation**

The following documentary requirements shall be submitted:

- 4.2.1 A discharge list shall be submitted not later than 12 hours before vessel arrival from foreign port and six hours from any local port. However, amendments, if any, shall be accepted by the terminal operator as long as these are submitted in writing before the Loading Closing Time (LCT).
- 4.2.2 The stowage plan/loading sequence shall be submitted not later than two (2) hours after LCT. To record compliance, the terminal operators shall initial and time stamp the stowage plan/loading sequence. Loading sequence for containers exempted from the LCT may, however, be submitted six (6) hours before Estimated Time of Completion (ETC).

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- 4.2.3 The VPRCLR accomplished by the terminal operator shall be attached to the bills sent to the vessel operator. This VPRCLR or the Ship's Working Log (SWL) in the case of ATI shall be signed by both the terminal operator's and the line's representatives before these are attached to the bills.

### **4.3 Factors to Consider in Crane Productivity Calculation**

#### **4.3.1 Exclusions**

The following list provides any single factor which when present shall mean that the vessel shall be excluded from the crane productivity requirement and shall be assessed and billed by the terminal operator according to the new adjusted vessel tariff:

- 4.3.1.1 Late submission of discharge list and/or amendments to discharge list pursuant to Item 4.2.1 hereof;
- 4.3.1.2 Delay of submission of stowage plan/loading sequence pursuant to Item 4.2.2 hereof;
  - 4.3.1.2.1 In cases where the shipping line requests an extension or a special LCT and the number of late containers is five (5) or more.
  - 4.3.1.2.2 In cases of late payments or when the shipping line requests accommodation for specific container/s outside the prescribed LCT. If by agreement, between the shipping lines and terminal operators, that the late payment or accommodation has no effect on crane productivity, the vessel shall be subject to the productivity requirements.
  - 4.3.1.2.3 When the shipping line requests for additional containers (either laden or empty) to be handled after LCT or after submission/confirmation of the load plan and any requests for re-planning after the first plan has been approved by the shipping line.
- 4.3.1.3 Late submission of, or erroneous discharge/load list, stowage plan and other cases of this nature. However, if it is proven that it has no material effect on crane productivity, the vessel will not be excluded.
- 4.3.1.4 All domestic vessels using quay cranes shall be included in the preparation of the VPRCLR but shall be excluded in the productivity requirement.

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- 4.3.1.5 When Manila is declared by PAG-ASA under typhoon or tropical storm signal No. 2 or No. 3, the vessel being worked within the duration of said signals shall be excluded from the productivity commitment.
  - 4.3.1.6 In cases where government agencies declare/cause a stoppage or delays work and in case of force majeure; Provided, the causes or reasons for stoppage, delay or force majeure is specified in the VPRCLR.
  - 4.3.1.7 Any incident related to vessel equipment or facilities upon reaching three (3) or more cases shall constitute an exclusion if proven to have material effect on crane productivity and/or safety.
  - 4.3.1.8 When the vessel has non-standard cell guides (by design) or when there are more than three (3) cases of damaged cell guides in one voyage.
  - 4.3.1.9 When there are more than three (3) cases in one voyage of stacking cones and twist locks that are found to be damaged, defective, substandard, manual and mixed, or if there is such shortage.
  - 4.3.1.10 Vessels arriving off-berth-window

#### **4.3.2 Deductibles**

The list hereunder provides the conditions which when present shall be deducted from crane productivity computation:

- 4.3.2.1 For power failures (MERALCO or other retail electricity suppliers)/Crane Power Tripping issues that are not caused by Terminal Operators, the actual time lost shall be deducted from the productivity computation. This has to be reported to shipping lines and supported by documentation.
- 4.3.2.2 Since Out-of-Gauge (OOG) and break bulk cargoes result in low productivity, the actual time spent and moves shall be deducted from the productivity computation.
- 4.3.2.3 In a bay with more than six (6) inverted containers, excluding reefers, the actual time lost and moves for the whole bay shall be deducted from the productivity computation.
- 4.3.2.4 For all vessel-related or vessel-owned gears or equipment that impacts on productivity, the actual time spent and moves shall be deducted from the productivity computation.
- 4.3.2.5 Since damaged cell guides result in low productivity, the actual time lost and moves in three (3) cases or less (with documentation) in one voyage shall be deducted from the productivity computation unless the terminal operator caused the cell damage.

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- 4.3.2.5.1 For stacking cones and twist locks that are found to be damaged, defective, substandard, manual and mixed, or if there is such a shortage, the actual time lost and moves will be deducted from the productivity computation provided this is fully documented.
- 4.3.2.5.2 Actual time lost and moves due to vessel's defective/insufficient lashing materials shall be deducted from the productivity computation provided these are reported to the shipping line representative or vessel's command by the terminal operator.
- 4.3.2.6 Hatch covers are billed as moves which shall be included in the productivity computation. For hatch covers not handled by the shore crane i.e. McGregor type, the actual time lost for opening/closing the hatches shall be deducted from the productivity computation. Provided, however, that anything in excess of five (5) minutes, in handling hatch covers by quay crane, shall form part of the computation of crane productivity.
- 4.3.2.7 If there are a small number of containers (not more than six) in a hatch, the time spent on them shall be deducted from the productivity computation.
- 4.3.2.8 For stripping/stuffing on board vessel, the actual time spent and moves shall be deducted from the productivity computation.
- 4.3.2.9 The time spent for booming up/down of crane per pilot's instruction at South Harbor and meal breaks which adversely affect productivity at South Harbor and MICT shall be deducted from the productivity calculation.
- 4.3.2.10 The actual time spent for moving/shifting and securing the ship's crane shall be deducted from the productivity computation.
- 4.3.2.11 In cases where shipping lines request for Seguido, the time will be deducted but the moves remain from the productivity computation if the request is later than three (3) hours before the shift or it is the initiative of the terminal operator. If the request comes from the shipping line three (3) hours before the start of the next shift (0700 & 1900), the productivity requirement remains.
- 4.3.2.12 In cases where vessel trimming/listing issues are caused by crew's resistance to pump ballast water in and out while at berth, the time lost due to such problems and moves shall be deducted from the productivity calculation provided this is reported to the shipping line representative or vessel's command by the terminal operator, provided further, that when the stability/trimming issue is due to ship's design, the subject vessel shall be excluded from the crane productivity computation.
- 4.3.2.13 All above-stated exclusions and deductions from the productivity computation shall be indicated in the VPRCLR.

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**4.5 Billings**

Upon effectivity of this Order, all billings of the terminal operators to the shipping lines shall be adjusted accordingly in accordance with the foregoing deductibles and/or exclusions and if the required productivity level per Item 4.1 is not achieved as further clarified in the succeeding provisions of this Order, the 17% upward adjustment in vessel-related charges, implemented in two (2) tranches (6% effective November 18, 2011 and 11% effective May 18, 2012) shall not apply.

**4.6 Computation**

The crane productivity shall be computed in accordance with the attached formula marked "A".

**4.7 Statute of Limitations**

The time allotted to raise dispute is 48 hours which shall be reckoned from time of vessel departure, excluding Sundays and Holidays. The terminal operator on the other hand shall respond to the shipping line within the same period. Otherwise, if no response is received from the terminal operators, the same shall be construed that a dispute is valid and the billing shall be adjusted accordingly.

**5. REPEALING CLAUSE**

This Order revokes PPA Operations Memorandum Order Nos. 05-2001, 03-2002 and 01-2005. All other orders, circulars, rules and regulations, guidelines, memoranda or provisions inconsistent herewith are hereby amended accordingly.

**6. EFFECTIVITY**

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

**(Sgd.) RAUL T. SANTOS**

AGM for Operations

Published in the Manila Standard/Today - July 26, 2013

**Effectivity Date - August 10, 2013**

**Crane Productivity Formula**

$$\text{Crane Productivity Per Hour} = \frac{\text{Net Moves}}{\text{Net Crane Hours}}$$

**Definitions:**

Crane Productivity Per Hour - Refers to the total number of moves per net crane hour which should not be less than 24.00 upon effectivity of this Order. The productivity calculation presented in the VPRCLR shall be rounded-off to two (2) decimal places.

Net Moves - Refers to the total number of moves from/onto a container vessel less eligible deductible moves.

Total Crane Gross Hours - Refers to the total number of hours of all cranes utilized to complete the handling of total moves of a container vessel less the deductible factors enumerated under Item 4.3.2 of this Order.

**Illustration****Assumptions:**

1. Total containers handled = 92 containers
2. Total Crane Gross Hours = 5 hours
3. Six (6) inverted containers in a bay of 20 containers
4. Total number of crane gross service hours spent on "error" = 2 hours

**Computation:**

$$\text{Crane Productivity Per Hour} = \frac{\text{Net Moves}}{\text{Total Crane Gross Hrs.} - \text{Deductibles Crane Hours}}$$

$$\begin{aligned} \text{Crane Productivity Per Hour} &= \frac{92-20}{5-2} \\ &= \frac{72 \text{ Moves}}{3 \text{ hours}} \\ &= 24.00 \text{ moves/net crane hour} \end{aligned}$$



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December 13, 2013

**PPA MEMORANDUM CIRCULAR**

**NO. 14 - 2013**

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

**SUBJECT :** Documentation and Procedures in the Entry/Withdrawal  
of Cargoes at Government Ports

In line with the Authority's commitment to pursue simplified processes for permits and clearances reiterating the pertinent provisions of PPA Administrative Order No. 13-77 dated 02 September 1977, entitled "General Port Regulations of the Philippine Ports Authority," attached herewith as Annex A are the Simplified Procedures and Documentary Requirements for the Entry and Withdrawal of Cargoes at Government Ports as guidance for all port users.

In addition, the PPA has implemented the following initiatives to facilitate speedy and efficient transactions inside the ports:

1. Implementation of Billing and Collection System as a module of PPA's Port Operations Management System (POMS) which eliminates the manual preparation of computation sheets for wharfage collections and allows automatic generation of PPA Official Receipt (PPA-OR);
2. Promotion of the Port Integrated Clearance Office (PICO) in PPA Ports wherein regulatory agencies and business entities are housed in one location for the convenience of the transacting port users;
3. Application of Cash Revolving Fund to allow regular transacting entities to deposit with PPA an amount where wharfage charges due them may be deducted immediately without going through manual billing and collection procedures;.

To ensure compliance with this Circular, all PDOs/PMOs are hereby instructed to submit an initial report on the problems encountered, if any, two (2) weeks after its effectivity.

For immediate compliance.

**(Sgd.) JUAN C. STA. ANA**  
General Manager

Encl: Annex A

**SIMPLIFIED PROCEDURE AND DOCUMENTARY REQUIREMENTS  
FOR THE ENTRY/WITHDRAWAL OF CARGOES  
AT GOVERNMENT PORTS**

Simplified Procedure	Documents Required by PPA
<p><b>A. Entry of Cargoes – Domestic</b></p> <ol style="list-style-type: none"> <li>1. Gate Guard inspects cargo and documents e.g. pro-forma Bill of Lading (PBL) issued by the shipping lines, before allowing cargo to enter inside the terminal.</li> <li>2. Upon entry, cargo is then subjected to weighing or presented to the admeasurer for measurement.</li> <li>3. Shipper proceeds to the shipping company for payment of freight charges.</li> <li>4. Shipping company collects freight charges and issues Bill of Lading (BL) which replaces the PBL.</li> <li>5. CHO collects cargo handling charges and issues CHO-OR.</li> <li>6. PPA-Cashier collects wharfage charges based on BL and issues PPA-OR.</li> <li>7. PPA-Terminal Operations Officer (PPA-TOO) stamps <b>"OK for Loading"</b> on the BL.</li> <li>8. CHO handles cargo in the designated temporary storage facility for loading on the vessel.</li> </ol>	<ol style="list-style-type: none"> <li>1. Bill of Lading (BL)</li> <li>2. Cargo Handling Operator – Official Receipt</li> </ol>
<p><b>B. Entry of Cargoes – Foreign</b></p> <ol style="list-style-type: none"> <li>1. Shipper declares cargo to the BOC for payment of taxes and duties. Cargo Declaration issued shall contain information on the measurement and value of the cargo.</li> <li>2. Shipper proceeds to the shipping company for payment of freight Charges.</li> <li>3. Shipping company collects freight charges and issues BL.</li> <li>4. Gate Guard inspects cargo and documents before allowing entry of cargo inside the terminal</li> <li>5. CHO collects cargo handling charges and issues CHO-OR.</li> </ol>	<ol style="list-style-type: none"> <li>1. Bill of Lading (BL)</li> <li>2. Cargo Handling Operator – Official Receipt</li> </ol>

Simplified Procedure	Documents Required by PPA
<ol style="list-style-type: none"> <li>6. PPA-Cashier collects wharfage charges based on BL, issues PPA-OR.</li> <li>7. PPA-TOO stamps “<b>OK for Loading</b>” on the BL.</li> <li>8. CHO handles cargo in the designated temporary storage facility for loading on the vessel.</li> </ol>	
<p><b>C. Withdrawal of Cargoes – Domestic</b></p> <ol style="list-style-type: none"> <li>1. Consignee presents BL to the cargo handling operator (CHO) and pays corresponding cargo handling charges.</li> <li>2. CHO issues CHO-OR and Gate Pass (GP)</li> <li>3. PPA-Cashier then collects wharfage charges based on BL, issues PPA-OR and stamps “<b>OK for Release</b>” on the GP.</li> <li>4. Gate Guard inspects cargo and transaction documents for proof of payment of cargo charges. Cargo is then released from the port.</li> </ol>	<ol style="list-style-type: none"> <li>1. Bill of Lading (BL)</li> <li>2. Cargo Handling Operator – Official Receipt</li> </ol>
<p><b>D. Withdrawal of Cargoes - Foreign</b></p> <ol style="list-style-type: none"> <li>1. Consignee/Broker pays import taxes and dues.</li> <li>2. Consignee/Broker presents BL to the CHO and pays corresponding cargo handling charges.</li> <li>3. CHO issues CHO-OR and Gate Pass (GP).</li> <li>4. PPA-Cashier then collects wharfage charges based on BL, issues PPA-OR and stamps “<b>OK for Release</b>” on the GP.</li> <li>5. Gate Guard inspects cargo and transaction documents as proof of payment of cargo charges. Cargo is then released from the port.</li> </ol>	<ol style="list-style-type: none"> <li>1. Bill of Lading (BL)</li> <li>2. Cargo Handling Operator – Official Receipt</li> </ol>

Simplified Procedure	Documents Required by PPA
<p><b>E. Entry of RORO Cargoes under Road RO-RO Terminal System (RRTS)</b></p> <ol style="list-style-type: none"> <li>1. RORO Vehicle Owner/Driver proceeds to Shipping Lines for payment of Lane Meter Vehicle Fee.</li> <li>2. RORO Vehicle Owner/Driver proceeds to PPA for payment of RORO Terminal Fee based on Vehicle Type.</li> <li>3. Upon payment and presentation of proof of payment, Gate Guard allows entry of RORO Vehicle inside the terminal for marshalling and loading onto the RORO vessel.</li> </ol>	<ol style="list-style-type: none"> <li>1. Shipping Line Lane Meter Official Receipt</li> </ol>
<p><b>F. Withdrawal of RORO Cargoes under RRTS</b></p> <ol style="list-style-type: none"> <li>1. Upon discharge from the RORO Vessel, the RORO Vehicle is immediately allowed release from the port.</li> </ol>	None

# PARKING

January 7, 2013

**PPA MEMORANDUM CIRCULAR**

NO. 01 - 2013

**TO :** The Port District Manager, PDO Manila/Northern Luzon  
The Port Manager, PMO South Harbor  
Asian Terminals, Inc.  
Port Users and All Others Concerned

**SUBJECT :** Prescribed Parking Fees at the Baggage Terminal Area (BTA), South Harbor

This authorizes Asian Terminals, Inc. to impose the following fees, inclusive of Value Added Tax (VAT) at the BTA:

<b>Regular Rate</b>	
First two (2) hours	Php 35.00
Succeeding hours	15.00
Lost Ticket	150.00
<b>Special Rate</b>	
A special rate of Php 35.00 shall be charged for vehicles of personnel from the Philippine Coast Guard (PCG), Bureau of Customs (BOC) and the Philippine Ports Authority (PPA) from 0600H-1800H, after which the regular parking rates shall apply.	

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

(Sgd.) **JUAN C. STA. ANA**  
General Manager

Published in the following newspapers:  
Manila/Standard Today  
Philippine Star  
**Effectivity Date – February 16, 2013**

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# **PILOTAGE**

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**March 04, 2013**

**MEMORANDUM**

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

**FROM :** The AGM for Operations

**SUBJECT :** Submission of Additional Harbor Pilot Documents

In order to ensure efficient rendition of pilotage services and to ensure the competency of the harbor pilots performing such services, please require all member-pilots of the harbor pilots' associations under your jurisdiction to submit Certificates of Disclosure of Limitations of their licenses as contained in the following documents:

1. Master Mariner License (PRC)
2. Harbor Pilots License (MARINA)
3. Filipino Seafarers' Registry of Certificate
4. STCW Certificate(s) (PRC) & (DOLE)
5. Qualification Document Certificate (MARINA)

Moreover, Harbor Pilot Applicants under the pilotage district of your jurisdiction should also be required to submit the aforementioned documents.

For compliance.

**(Sgd) RAUL T. SANTOS**

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September 16, 2013

**PPA MEMORANDUM ORDER**

**NO. 22 - 2013**

**TO :** All Port District Managers, Port Managers  
Pilots' Association, Shipping Companies  
Others Concerned

**SUBJECT :** Rationalized Pilotage Fees for Foreign Vessels  
and Agreed Charges for Other Services

Pursuant to the Memorandum of Agreement (MOA) entered into by and among the United Harbor Pilots' Association of the Philippines (UHPAP), Association of International Shipping Lines (AISL) and the Philippine Ship Agents Association (PSAA) on May 24, 2013, and in accordance with the provisions under PPA Operations Memorandum Order No. 05-2010, the negotiated rationalized pilotage fees for foreign vessels is hereby approved, as follows:

<b>GROSS TONNAGE</b>	<b>RATIONALIZED RATES</b>
Up to 5000	\$ 110.00
5,001 to 10,000	\$ 170.00
10,001 to 15,000	\$ 218.00
15,001 to 20,000	\$ 285.00
20,001 to 30,000	\$ 335.00
30,001 to 40,000	\$ 479.17
40,001 to 60,000	\$ 555.83
60,001 to 80,000	\$ 616.00
80,001 to 100,000	\$ 690.87
100,001 to 120,000	\$ 746.67
120,001 to 130,000	\$ 802.67
130,001 to 140,000	\$ 858.67
Over 140,000 GRT	\$ 0.05 for every excess tonnage

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Likewise, approved for implementation are the following:

- Inland transportation will be charged Php55.00 per kilometer;
- Berths/terminals within a 10 kilometer radius from the base port will not be charged.
- In excess of 10 kilometer radius, computation of inland transportation charges will begin from the base port up to the berth/terminal and back;
- In ports, where sea and air transportations are involved, actual cost as stated in fare tickets shall be charged in addition to inland transportation cost;
- Board and lodging, if incurred, shall be paid by the agent/shipping line.

Further, no other charges will be charged to shipping lines, except for those fees which were already resolved by the concerned parties and concurred by the Authority.

Furthermore, it is stressed that the required pilotage services and prescribed number of moves per pilotage district must be strictly adhered and erring pilots shall be meted penalties pursuant to PPA AO No. 03-1985 and other regulations that may be issued thereafter.

The Port Managers are enjoined to be accessible at any given time to respond to calls for assistance from the shipping lines and pilots.

This Order shall take effect 30 days after publication in national newspaper of general circulation.

**(Sgd.) JUAN C. STA. ANA**  
General Manager

Published in the Philippine Star - September 18, 2013  
**Effectivity Date - October 18, 2013**



# PORT OPERATIONS

August 14, 2013

**PPA ADMINISTRATIVE ORDER**

NO. 01 - 2013

**TO :** All Port District Managers, Port Managers, Port Police Division Managers/ Station Commanders, TMO Division Managers/Officers-in-Charge, Cargo Handlers, Shipping Lines/Agents, Customs Brokers, Shippers, Truckers/ Haulers/Forwarders and Other Port Users Concerned

**SUBJECT :** Simplified Documentary Requirements for the Processing and Issuance of PPA Vehicle Stickers and Port User’s ID/Pass

Pursuant to the pertinent provisions of Anti-Red Tape Act, and in line with the simplification of processes adopted by this Authority, PPA Administrative Order No. 04-2009 dated June 26, 2009 with the subject “Revised Pass Control System and Access Regulations,” is hereby amended to read as follows:

**Section V. Specific Guidelines**

**1. Annual Port User’s ID/Pass**

This is in the form of an identification card with the following description and/or information:

- ID size of 3 inches x 4 inches....

**2. Administrative Fees**

The rounding off to nearest peso of the prescribed fees to be collected pursuant to PPA Administrative Order 02-2011, which are intended to defray the actual cost of the stickers and Identification cards, processing, enforcement, and administration of pass control system and access regulations, shall be maintained as follows:

Type of Passes	Admin Fee (PPA)	12% EVAT (BIR)	Total Fee (Inclusive of EVAT)
Temporary Port User’s ID/ Pass	Php 5.36	Php 0.64	Php 6.00
Temporary Vehicle Pass	10.71	1.29	12.00
Annual Port User’s ID/Pass	50.00	6.00	56.00
Annual Vehicle Sticker/Pass (Non-Cargo/light vehicle)	75.00	9.00	84.00
Annual Vehicle Sticker/Pass (Cargo vehicle/truck)	100.00	12.00	112.00

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### 3. Processing and Issuance of Vehicle Sticker/Pass

#### 3.3 Supporting Documents

- a. Non-cargo/light vehicle for private use
  - PPA Permit to Operate, as appropriate
  - Photocopy of LTO Certificate of Registration and Official Receipt
- b. Non-cargo/light vehicle for commercial use
  - Permit to Operate
  - Sworn Certificate of Assumption of Responsibility/  
Master List of Transport Units duly notarized
- c. Cargo vehicle/truck for private use
  - PPA Permit to Operate, as appropriate
  - Sworn Certificate of Assumption of Responsibility/  
Master List of Transport Units duly notarized
  - Photocopy LTO Certification of Registration and Official Receipt
- d. Cargo vehicle/truck for commercial use
  - Permit to Operate
  - Sworn Certificate of Assumption of Responsibility/  
Master List of Transport Units duly notarized
- e. Annual Port User's ID/Pass
  - Duly accomplished application form
  - PPA Permit to Operate, as appropriate
  - Sworn Certificate of Employer and Master List of Employees  
duly notarized
  - Two (2) 1-1/2 x 1-1/2 pictures
- f. Temporary Port User's ID/Pass
  - Any acceptable identification card such as Company ID, Driver's  
License, COMELEC Voter's ID, Senior Citizen's ID, Postal ID,  
etc.

All other provisions of PPA Administrative Order No. 04-2009 remain valid.

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

**(Sgd.) JUAN C. STA. ANA**  
General Manager

Published in the Philippine Star - August 30, 2013  
**Effectivity Date - September 14, 2013**

**AFFIDAVIT OF ASSUMPTION OF RESPONSIBILITY  
AND MASTERLIST OF EMPLOYEES**

I, \_\_\_\_\_ in my capacity as \_\_\_\_\_  
 \_\_\_\_\_ with office address at \_\_\_\_\_  
 \_\_\_\_\_do hereby declare under oath that the  
 name/s appearing in the herein master list is/are my bonafide employee/s.

	NAME	POSITION/DESIGNATION	SIGNATURE
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____
11.	_____	_____	_____
12.	_____	_____	_____

That the above named employees are duly authorized to transact business for and in my behalf at \_\_\_\_\_ and that I bind myself and assume responsibility for whatever damages said employee/s may cause while transacting or doing business in the port.

That the above-named employees have security clearances issued by appropriate agencies of the government and that they will not pose a threat or security risk to the port facilities and other port users.

That this affidavit is executed in connection with our application for **PPA ANNUAL Port User's Pass** subject to existing **Port Rules and Regulations**.

**IN WITNESS WHEREOF**, I have hereunto affixed my signature this \_\_\_\_\_ Day of \_\_\_\_\_  
 at \_\_\_\_\_ Philippines.

\_\_\_\_\_  
**Affiant/Applicant**

**SUBSCRIBED AND SWORN TO BEFORE ME**, this \_\_\_\_\_ day of \_\_\_\_\_, the herein  
 affiant exhibiting his Community Tax Certificate No. \_\_\_\_\_ issued at \_\_\_\_\_Philippines  
 on \_\_\_\_\_, \_\_\_\_\_.

**NOTARY PUBLIC**

Doc. No. \_\_\_\_\_  
 Page No. \_\_\_\_\_  
 Book No. \_\_\_\_\_  
 Series of 201 \_\_\_\_\_.

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**AFFIDAVIT OF ASSUMPTION OF RESPONSIBILITY  
MASTER LIST OF TRANSPORT UNITS**

I, \_\_\_\_\_ (name), of legal age, single / married and with postal address at \_\_\_\_\_ after having duly sworn to in accordance with law do hereby depose and state that:

1. I am the \_\_\_\_\_ (state position in the company) of \_\_\_\_\_ (name of company).
2. That \_\_\_\_\_ (name of company) is a legitimate port user engaged in \_\_\_\_\_ (services) at the port of \_\_\_\_\_;
3. That said company/firm owns & operates the following transportation / trucking units which had been issued valid registration, clearance, and permits and for which I assume responsibility for their legitimate, safe and secure operations:

	TYPE	MAKE	PLATE NO.
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____

4. That this Affidavit is being executed in support of our application for the issuance of PPA Cargo Vehicle Pass / Sticker for Calendar Year \_\_\_\_\_.

\_\_\_\_\_  
Affiant

**SUBSCRIBED AND SWORN** to before me this \_\_\_\_\_ day of 201\_\_\_\_\_, the herein affiant exhibiting his Community Tax Certificate No. \_\_\_\_\_ issued at \_\_\_\_\_ on \_\_\_\_\_, 201 \_\_\_\_\_.

**NOTARY PUBLIC**

Doc. No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Series of 201 \_\_\_\_\_

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**APPLICATION FOR PPA ANNUAL PORT USER'S PASS**  
**BIO DATA OF INDIVIDUAL EMPLOYEE FOR:** \_\_\_\_\_  
Name of Company

NAME: \_\_\_\_\_  
  (LAST)  (FIRST)  (MIDDLE)

DATE & PLACE OF BIRTH: \_\_\_\_\_

CITY ADDRESS: \_\_\_\_\_

PROVINCIAL ADDRESS: \_\_\_\_\_

PARENT'S NAME: \_\_\_\_\_  
  (FATHER)  (MOTHER)

EDUCATIONAL ATTAINMENT: \_\_\_\_\_

NATIONALITY: \_\_\_\_\_ SEX: \_\_\_\_\_ MARITAL STATUS: \_\_\_\_\_

HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_ HAIR: \_\_\_\_\_ COMPLEXION: \_\_\_\_\_

SCARS & MARKS: \_\_\_\_\_

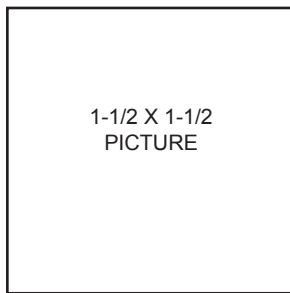
EMPLOYER: \_\_\_\_\_

ADDRESS & TEL. No.: \_\_\_\_\_

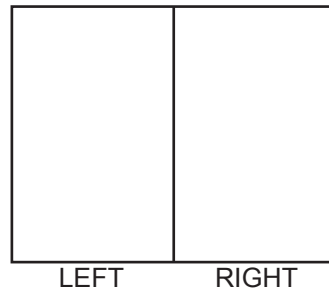
DESIGNATION: \_\_\_\_\_ DATE EMPLOYED: \_\_\_\_\_

CTC NO.: \_\_\_\_\_ PLACE & DATE OF ISSUANCE: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF APPLICANT



THUMBMARK



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December 17, 2013

**PPA ADMINISTRATIVE ORDER**

**NO. 06 - 2013**

**TO :** All Port District Managers, Port Managers  
Port Users and Others Concerned

**SUBJECT :** Amendment to PPA Administrative Order No. 05-2007  
*(Revised Guidelines on the Transfer of the Management of PPA Ports to  
Local Government Units (LGUs) and Government Corporations (GCs)*

In keeping with its mandate of port development pursuant to Presidential Decree no. 857, as amended, whereby PPA is expected to implement port development projects to serve the public interest regardless of financial viability, and at the same time pursue its corporate duty to generate sufficient revenue to sustain its operations, PPA Administrative Order No. 05-2007, otherwise known as “*Revised Guidelines on the Transfer of the Management of PPA Ports To Local Government Units (LGUs) and Government Corporations (GCs)*,” is hereby amended and modified as follows:

**Section 1. Port Development by PPA**

PPA shall continue to undertake any required port development, including capital dredging works and major civil works in ports covered by a Memorandum of Agreement (MOA) with LGU or GC, subject to the following conditions:

- 1.1. Availability of PPA funds and resources appropriated for said purpose;
- 1.2. Port development plans submitted by LGU or GC have been favourably recommended by the PDO and PMO holding jurisdiction over the port and approved integrated into the PPA Plans and Programs;
- 1.3. Port development project is located within the delineated port zone and is intended for provision of vessel, cargo and passenger related services;
- 1.4. LGU or GC has faithfully complied with all of its responsibilities as stipulated in the MOA, including port upkeep, repair and maintenance.

**Section 2. Quarterly Supervision Fee**

- 2.1. The Supervision Fee to be remitted by the LGU or GC to PPA shall be equivalent to fifty percent (50%) of the port revenues generated.

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- 2.2. Remittance of Supervision Fee shall be quarterly, on the tenth (10th) day of the first month of the following quarter.
  - 2.3. Monthly report of revenues collected shall be submitted by the LGU to the PMO, with copies of the corresponding Official Receipts issued.

### **Section 3. Third Party CH Operator**

- 3.1. Cargo handling and related services contracted out to third parties by the LGU or GC shall have a term not to exceed the stipulated period of the MOA between PPA and LGU or GC. Provided, that the LGU or GC shall secure the prior approval of Authority, in any and all cases that CH or related services are contracted out to a third party. The contract between the LGU or GC and its subcontractor shall be in such form and terms acceptable to the Authority.
- 3.2. The chosen operator through a Sanggunian Resolution shall comply with the documentary requirements of the Authority as provided under applicable PPA regulations, before the corresponding Permit-To-Operate (PTO) is issued by PPA.
- 3.3. The choice of an operator at a port which is constructed and maintained out of national fund and local fund of a city or a municipality shall be exercised by the Authority in line with the provisions of Section 40 of Presidential Decree No. 857, though the former may recommend the operator to the latter, subject to existing pertinent regulations.

### **Section 4. LGU/GC Obligation**

- 4.1. The LGU or GC shall hold PPA free from any and all liens and/or encumbrances arising from loans and other agreements entered into by the LGU or GC, which shall be held solely responsible whether or not the proceeds thereof were used for port development and similar investments.
- 4.2. The LGU or GC shall be responsible for the upkeep, repair and maintenance of the port, including maintenance dredging works.

### **Section 5. Pro-forma MOA**

The PDO Transition Committee described under Section 12 of PPA AO No. 05-2007 shall submit, among others, as a requirement for the turn-over of ports to LGU or GC a draft MOA in accordance with the format attached to this Order as Annex "A".

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**Section 6. Audit of Ports Transferred to LGU or GC**

The prescribed Performance Evaluation Review For Renewal of MOA (PERFORM), herewith attached as Annex “B”, and its subsequent amendments shall be adopted in the conduct of periodic performance audit on the administration and operations of ports transferred to LGU or GC.

**Section 7. Applicability Clause**

Any of the rules and regulations issued or promulgated by the Authority not covered by this Order but are deemed necessary by the Authority to be pertinent in ensuring the effective development, management and operations of ports transferred to LGUs or GCs, including proper collection or supervision fee, shall be applied and implemented accordingly.

**Section 8. Separability Clause**

If any section or part of this Order is declared unconstitutional or invalid by a competent authority, the declared invalid section or part thereof shall not affect the other sections or parts to which such declaration of nullity does not apply nor relate.

**Section 9. Repealing Clause**

This Order amends/modifies pertinent provisions of PPA Administrative Order No. 05-2007. Likewise, all other PPA policies, rules and regulations, or parts thereof inconsistent herewith, are deemed repealed and modified accordingly.

**Section 10. Effectivity**

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

**(Sgd.) JUAN C. STA. ANA**

General Manager

Published in the Philippine Star - December 20, 2013

**Effectivity Date - January 3, 2014**



**MEMORANDUM OF AGREEMENT FOR THE TRANSFER OF MANAGEMENT,  
OPERATION AND MAINTENANCE OF THE PORT OF \_\_\_\_\_, \_\_\_\_\_**

**KNOW ALL MEN BY THESE PRESENTS:**

This **MEMORANDUM OF AGREEMENT**, entered by and between:

The **PHILIPPINE PORTS AUTHORITY**, a government-owned and controlled corporation created under Presidential Decree No. 857, as amended, with principal office at PPA Corporate Center Building, A Bonifacio Drive, Intramuros, Manila, represented herein by its General Manager, **ATTY. JUAN C. STA ANA**, duly authorized for the purpose by BoardCom Resolution No. 2007-1094 and confirmed by Board Resolution No. 2109 both dated on 31 July 2007, a copy of which are hereto attached and made an integral part hereof as Annexes "A" and "A-1" and hereinafter referred to as the "**AUTHORITY**";

-and-

The **LOCAL GOVERNMENT OF \_\_\_\_\_**, a political subdivision of the government of the Republic of the Philippines established pursuant to law, represented herein by its Municipal/City Mayor, \_\_\_\_\_, duly authorized for the purpose by virtue of Resolution No. \_\_\_\_\_ of the \_\_\_\_\_, a copy of which is hereto attached and made an integral part hereof as Annex "B" and hereinafter referred to as the "**LGU - \_\_\_\_\_**."

WITNESSETH:

WHEREAS, the **AUTHORITY** is vested with the statutory duty to implement an integrated program for the planning, development, financing and operation of ports for the entire country and to exercise all rights, powers and functions concerning port facilities, port operations and port works pursuant to the provisions of P.D. 857, as amended, otherwise known as the Revised Charter of the Philippine Ports Authority;

Whereas, under Section 6 of its Revised Charter, the **AUTHORITY** is empowered to provide services within the Port District, whether on its own, by contract or otherwise, and therefore may enter into an agreement with the **LGU - \_\_\_\_\_** for the management, operation and maintenance of the Port of \_\_\_\_\_;

WHEREAS, the **LGU - \_\_\_\_\_** has manifested to the **AUTHORITY** its desire to undertake the management, operation and maintenance of the Port of \_\_\_\_\_ and the **AUTHORITY** is willing to grant the **LGU - \_\_\_\_\_** the privilege to manage, operate and maintain the same;

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NOW, THEREFORE, for and in consideration of the foregoing premises, the **AUTHORITY** hereby grants unto the **LGU** - \_\_\_\_\_ and the latter hereby accepts the sole and exclusive responsibility to manage operate and maintain the Port of \_\_\_\_\_, in accordance with the following terms and conditions to wit;

Section 1. **Area of Management, Operation and Maintenance** – This Agreement covers the Port of \_\_\_\_\_ located at \_\_\_\_\_ and more particularly described and delineated in Annex “C”. hereto attached and made an integral part hereof.

Anchorage areas fronting the port, and those other areas delineated by the **AUTHORITY** not within the area herein described shall remain under the exclusive jurisdiction of the **AUTHORITY**.

Section 2. **Port Revenues** – The **LGU** - \_\_\_\_\_ shall be allowed to collect domestic and foreign port charges, cargo handling and other port related fees, including rental and concessionaire fees, prescribed by the **AUTHORITY** for the use of the port and for services rendered thereat, through the Municipal Treasurer who shall be deputized by the **AUTHORITY**. All said revenues of the port shall accrue to the **LGU** - \_\_\_\_\_ which shall issue official receipt therefor.

Section 3. **Quarterly Supervision Fee** – For the training, guidance and supervision by the **AUTHORITY** in the management, operation of the port, and for the **LGU** - \_\_\_\_\_ to contribute in the development of the port, the **LGU** - \_\_\_\_\_ shall remit to the **AUTHORITY** the Supervision Fee equivalent to fifty percent (50%) of port revenues generated on or before the tenth (10th) day of the first month of the following quarter.

Section 4. **Interest and Penalty** – Failure to remit the Quarterly Supervision Fee accruing to the **AUTHORITY** under the preceding Section shall render the **LGU** - \_\_\_\_\_ liable to the payment of interest on the amount due at the rate of one percent (1%) for every month of delay and additional penalty charges of two (2%) percent per month.

Section 5. **Performance Bond** – To ensure timely payment of the Quarterly Supervision Fee and faithful compliance with all the terms and conditions of this Agreement, **LGU** - \_\_\_\_\_ shall post a Performance Bond in the amount of ONE HUNDRED THOUSAND (Php 100,000.00) PESOS to be secured from Government Service Insurance System (GSIS)

Section 6. **Separate Operating Unit** – The **LGU** - \_\_\_\_\_ shall by an appropriate council action create a separate unit or department which will manage, operate and maintain the day-to-day affairs of the Port of \_\_\_\_\_. Said unit or department shall have its own organizational set-up and separate book of accounts from **LGU** - \_\_\_\_\_.

Section 7. **Upkeep, Repair and Maintenance** – At all times during the effectivity of this Memorandum of Agreement, the **LGU** - \_\_\_\_\_ shall maintain and repair, at its own expense and account, all structures within said area referred to in Section 1 hereof in clean and good working condition and in accordance with the accepted standards, including the conduct of maintenance dredging works.

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For the conduct of capital dredging works necessary to ensure safe passage and berthing of vessels at the Port of \_\_\_\_\_ during the term of this Agreement, including major civil works such as repair of mooring structures and replacement of rubber dock fenders, the **LGU** - \_\_\_\_\_ shall formally request the **AUTHORITY** through the PPA Port Management Office (PMO) holding jurisdiction over the port, together with the written justification, for the said undertaking. The PMO shall immediately inspect the validity of the request and make the necessary recommendations to PPA Head Office.

Section 8. **Reports** – The **LGU** - \_\_\_\_\_ shall submit to the **AUTHORITY** a monthly report on revenues collected with the corresponding copies of official receipt issued.

Further, the **LGU** - \_\_\_\_\_ shall furnish the **AUTHORITY** detailed reports of the movement of cargoes and vessels at the premises, safety and security of the port, equipment inventory and productivity, and other reports in such form and frequency that the **AUTHORITY** may prescribe.

Section 9. **Insurance** – The **LGU** - \_\_\_\_\_ shall within thirty (30) calendar days from the effectivity of this Agreement insure the facilities, structures and other properties in the premises covered by this Agreement and secure said insurance from the Government Service Insurance System (GSIS) and furnish the **AUTHORITY** with a copy of the corresponding Insurance Policy thereof. The **AUTHORITY** shall be named beneficiary of such insurance with the obligation to apply the proceeds thereof exclusively for the repair, restoration or replacement of the properties or premises damaged or lost.

Section 10. **Taxes and Other Impositions** – The **LGU** - \_\_\_\_\_ shall, at its own expense and without reimbursement from the **AUTHORITY**, pay all taxes, fees, charges and other impositions which may be levied by the local or national government, its agencies or political subdivisions upon the premises and improvement thereof covered by this Agreement.

Section 11. **Utilities** – The **LGU** - \_\_\_\_\_ shall be responsible for the payment of all water, light, fuel, garbage collection and disposal, electric power, gas, telephone and other utilities used within the area referred to in Section 1 hereof.

Section 12. **Minimum Cargo Handling Equipment/Gear** – The **LGU** - \_\_\_\_\_ shall provide and maintain the sufficient cargo handling, safety and related equipment/gear necessary for the efficient operation of the port as prescribed by the **AUTHORITY**. The same shall be subject to review and inspection by the **AUTHORITY** and the **LGU** - \_\_\_\_\_ - shall commit to replace such equipment which are found to be inefficient and uneconomical to operate and maintain, and procure additional equipment to meet the exigencies of port services.

Section 13. **Existing Agreements** – All existing agreements entered into by the **AUTHORITY** in the port shall be respected by the **LGU** - \_\_\_\_\_ for the duration thereof.

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Section 14. **Port Development** – The **LGU** - \_\_\_\_\_ through a Sanggunian Resolution, may propose port development projects to the **AUTHORITY** for inclusion in the development plans of the Port of \_\_\_\_\_. All development plans shall have prior approval and shall be implemented by PPA which shall conform with the overall master plan for all the ports nationwide.

Section 15. **Rates and Charges** – The rates and charges collectible by the **LGU** - \_\_\_\_\_ from the port users and for services it provides shall be those prescribed by the **AUTHORITY**. The same shall be subject to adjustment in accordance with the price policy and rate setting mechanism adopted by the **AUTHORITY** and the laws and regulations promulgated by the government. No other new charges, fees or dues of any kind or nature shall be collected by **LGU** - \_\_\_\_\_ in any passenger, cargo or vessel or the use of the port facilities thereat.

Section 16. **Permit to Operate (PTO) Cargo Handling and Other Port Related Services** – The cargo handling and other port related services contracted out to third parties by the **LGU** - \_\_\_\_\_ shall have a term not to exceed the stipulated term of this Agreement. Provided, that the third party service provider chosen by the **LGU** - \_\_\_\_\_ through a Sanggunian Resolution shall secure the corresponding PTO from the **AUTHORITY** after complying with the documentary requirements thereof as provided under applicable regulation of the **AUTHORITY**.

Section 17. **Grounds for Suspension, Cancellation or Termination of Agreement and Damages** – The **AUTHORITY** may, without prejudice to other remedies against the **LGU** - \_\_\_\_\_, extrajudicially suspend, cancel or terminate this Agreement on any of the following grounds:

- a. Failure of the **LGU** - \_\_\_\_\_ to account and/or remit to the **AUTHORITY** its Quarterly Supervision Fee in accordance with Section 3 hereof;
- b. Failure of the **LGU** - \_\_\_\_\_ to undertake the repairs and maintenance of the areas and structures subject to this Agreement;
- c. Change of control arising from the sale, assignment, transfer or other disposition of the **LGU** - \_\_\_\_\_ interests in this Agreement.
- d. If the **LGU** - \_\_\_\_\_ through any of its officials or employees, by taking advantage of their free access to the port premises and vessels calling at the port, engage in or knowingly fails to take action to prevent the commission of smuggling and other illegal activities.
- e. Refusal of the **LGU** - \_\_\_\_\_ to make available to the **AUTHORITY**, the Commission on Audit or other government agencies exercising visitorial powers, its books of accounts and records pertaining to the management and operations of the subject port;
- f. Refusal of the **LGU** - \_\_\_\_\_ to allow the **AUTHORITY** from inspecting facilities, structures and equipments of the port, or any portion thereof;

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- g. Any violation that may be directly or indirectly imputable to or committed by third parties to whom the **LGU** - \_\_\_\_\_ may have contracted out of this Agreement;
  - h. Imposition/collection by **LGU** - \_\_\_\_\_ of rates, fees, charges other than those prescribed/authorized by the **AUTHORITY**;
  - i. Non-issuance of Official Receipt by the LGU's duly authorized collecting official/s for revenues or payments received for the use of the port and/or services rendered thereat;
  - j. Violation of the DILG Memorandum Circular No. 2006-70, dated 26 June 2006, re-issued/updated under DILG MC No. 2001-151 dated 12 October 2011, requiring that the LGUs shall refrain from enforcing any existing or future ordinance authorizing the levy of fees and taxes on inter-province transport of goods, regulatory fees from passengers in local ports, and other additional taxes, fees or changes in any form upon transporting goods and passengers; and,
  - k. Violation or non-performance of the other terms and conditions of this Agreement.

Section 18. **Notice of Violation** – The **AUTHORITY** shall inform the **LGU** - \_\_\_\_\_ in writing of any violation of the terms of this Agreement or its failure to perform any of its commitment or undertaking specified in the agreement, giving the latter reasonable time from receipt of notice within which to correct or rectify the infraction thus committed. In the event the **LGU** - \_\_\_\_\_ fails to make such rectification to the satisfaction of the **AUTHORITY**, the latter may proceed to cancel or terminate the Agreement.

Section 19. **Ownership** - The premises and structures existing thereon which is the subject of this Agreement shall remain to be under the ownership of the **AUTHORITY**. Likewise, improvements introduced by the **LGU** - \_\_\_\_\_ shall belong to the **AUTHORITY** without obligation on the part of the latter to reimburse the former for the cost thereof.

Further, the **LGU** - \_\_\_\_\_ shall hold the **AUTHORITY** free from any and all liens and/or encumbrances arising from loans and other agreements entered into by the **LGU** - \_\_\_\_\_, which shall be held solely responsible whether or not the proceeds thereof were used for port development and similar investments.

Section 20. **Takeover by the AUTHORITY** – The **AUTHORITY** shall have the right to immediately takeover the operations at the Port of \_\_\_\_\_, including all equipment and structures thereof, if any, in the following instances:

- a. In case of emergency such as strike, lockout, stoppage of work and other causes of similar nature which continue without let-up for over a week with the **LGU** - \_\_\_\_\_ showing no capability to resolve it;

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- b. In case of violation of any of the terms and conditions of this Agreement or the **AUTHORITY's** rules and regulations;
  - c. In case of suspension, cancellation or termination of the Agreement;
  - d. When so directed by a court of law; and
  - e. In such other cases when the **AUTHORITY** deems that the takeover is warranted in order to protect and/or promote public interest.

Section 21. **Compliance with Government Rules and Regulations** – The **LGU** - \_\_\_\_\_ shall, during the term of this Agreement, strictly comply with the pertinent provisions of PPA Administrative Order No. 05-2007, as amended, and all other applicable laws, policies, guidelines, rules and regulations which are now existing or may hereafter be promulgated by the government or by the **AUTHORITY**. All such policies, guidelines, rules and regulations and all applicable laws, shall be read into and made integral part of its Agreement.

Section 22. **Visitorial Powers** – The **LGU** - \_\_\_\_\_ shall make available at all times during office hours, for inspection, examination and audit by the **AUTHORITY**, the Commission on Audit or other government agencies exercising visitorial powers, all books of accounts and records pertaining to the management and operation of the Port of \_\_\_\_\_, including all facilities, structures and equipment thereof.

Provided that the authority to inspect, examine and audit shall be exercised by the officials concerned pursuant to and within the limits of the duties and functions vested upon their respective offices by expressed provision of law.

Section 23. **Settlement of Disputes** – The parties hereby agrees to submit all disputes arising from the interpretation or implementation of any provisions of this Agreement to arbitration proceedings as provided for under Republic Act No. 9285, otherwise known as the Alternative Dispute Resolution Act of 2004.

Section 24. **Venue of Any Court Action** – The venue of any court action arising from this Agreement involving any clause, matter or thing whatsoever herein contained, or the rights, duties and liabilities of any part thereof, shall be the proper court in the City of Manila. However, nothing herein contained shall preclude the **AUTHORITY** from exercising its rights under any of the pertinent provisions of this Agreement.

Section 25. **Amendatory Clause** – Subject to the approval of both the **LGU** - \_\_\_\_\_ and the **AUTHORITY** at anytime during effectivity of this Agreement, any of the parties may propose amendment/s to conform with the provisions of pertinent laws, rules and regulations on the matter.

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Section 26. **Terms and Effectivity** – This Agreement shall become effective upon execution hereof by the duly authorized representatives of the parties, and shall remain in full force and effect for a period of **three (3) years**, renewable for another term at the option of the **AUTHORITY**, under such terms and conditions as the parties may agree, unless sooner modified, cancelled or terminated in accordance with the pertinent provisions hereof.

IN WITNESS WHEREOF, the parties hereto have signed this Memorandum of Agreement on \_\_\_\_\_ day of \_\_\_\_\_ 2013.

**PHILIPPINE PORTS AUTHORITY**  
By:

**LOCAL GOVERNMENT OF**

\_\_\_\_\_  
By:

**JUAN C. STA ANA**  
General Manager

\_\_\_\_\_  
Municipal/City Mayor

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 \_\_\_\_\_, Philippines, this \_\_\_\_\_  
day of \_\_\_\_\_ 2013, personally appeared the following:

<b>NAME</b>	<b>COMPETENT EVIDENCE OF IDENTITY</b>
JUAN C. STA ANA	Passport ID No. XX 1094612 issued on May 5, 2008 at Manila Philippines
_____	_____

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

<b>POSITION</b>	<b>COMPANY</b>	<b>CTC NO.</b>	<b>DATE AND PLACE ISSUED</b>
General Manager	Philippine Ports Authority	_____	_____
Mayor	_____	_____	_____

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

The foregoing instrument is a Memorandum of Agreement for the Administration of the Port of \_\_\_\_\_ consisting of \_\_\_\_\_ (\_\_\_\_\_) pages, including this page on which this acknowledgment is written, signed by the parties and their instrumental witnesses on each and every page hereof.

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

**NOTARY PUBLIC**

Doc. No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Series of 2013



**Performance Evaluation Review For Renewal of MOA (PERFORM)  
for the Management and Operation of Ports Transferred to Local Government  
Units (LGUs) or Government Corporations (GCs)**

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1. **Objectives**

- a. To establish a performance rating system for LGUs and GCs for managing and operating PPA Ports devolved under PPAA.O. 05-2007.
- b. To enhance efficiency, safety and economy of the management and operation of cargo handling/ related services.
- c. To rationalize the grounds for the renewal of MOA with LGU/GC.

2. **Guidelines**

In the implementation of these Guidelines, the following shall be complied with:

- a. Any of the grounds hereunder specified shall be considered as grave violation and constitute sufficient cause in which the PPA may, without prejudice to other remedies against LGU/GC, extra-judicially cancel or terminate the MOA;
  1. Failure of the LGU/GC to account and/or remit to the PPA the Supervision Fee due in accordance with the MOA.
  2. Failure of the LGU/GC to undertake the repairs and/or maintenance of the port, structures and facilities covered by the MOA, including maintenance dredging works.
  3. Change of control arising from the sale, assignment, transfer or other disposition of the interests of the LGU/GC in the MOA, without prior approval from PPA.
  4. If the LGU/GC through any of its officials or employees, by taking advantage of their free access to the port premises and vessels calling at the port, engage in or knowingly fails to take action to prevent the commission of smuggling and other illegal activities.
  5. Refusal of the LGU/GC to make available to the PPA or the Commission on Audit (COA), its books of accounts and records pertaining to the management, operations and maintenance of the subject port.
  6. Imposition and/or collection of fees, dues or charges other than those allowed or authorized by PPA in the subject port.



7. Violation of the DILG Memorandum Circular No. 2006-70, dated 26 June 2006, re-issued/updated under DILG MC No, 2001-151 dated 12 October 2011, subsequent amendments thereto or other laws which will hereafter be promulgated, requiring that the LGUs shall refrain from enforcing any existing or future ordinances authorizing the levy of fees or charges in any form upon transporting goods and passengers.
  8. Violation or non-performance of other terms and conditions of the MOA and PPA Administrative Order No. 05-2007, as amended.
  9. Any violation that may be directly or indirectly imputable to or committed by third parties to whom the LGU/GC may have contracted out the MOA.
  10. Failure of the LGU/GC to post prescribed performance bond within one (1) month after execution of the MOA or renew the same within one (1) month upon expiration of said bond.
- b. The Internal Control Department (ICD) and/or Internal Control Staff (ICS), the Offices primarily responsible for conducting the audit, shall proceed with the performance evaluation of the LGU/GC even when the latter has committed any of the foregoing grave violations. However, no corresponding adjectival rating shall be provided by the ICD/ICS and said violations and other findings shall be qualitatively stated in the audit report.
  - c. Only when there is no violation of any of the grave offenses that the LGU/GC shall be rated accordingly using the simplified PASS/FAIL performance evaluation method of PERFORM.
  - d. For purposes of rating, a point is earned for every audit item passed and an adjectival rating shall correspond to the total points earned by the LGU/GC.
  - e. When the LGU/GC's performance is rated below "Satisfactory", cancellation/termination of its MOA shall be initiated subject to the implementation of the provision on Notice of Violation in MOA.
3. **Sanctions**
- a. For the LGU/GC whose MOA has been cancelled/terminated, the management and operation of the port subject of the MOA shall thereafter be taken over by PPA.
  - b. For the LGU/GC which earned a performance rating below "Satisfactory" in its most recent audit report prior to the application for the renewal of MOA, said renewal shall not be granted by PPA.

The foregoing sanctions shall be without prejudice to any civil and/or criminal liabilities that may be filed with and adjudicated by a court of competent jurisdiction.



4. **PERFORM**

I. **ORGANIZATION AND MANAGEMENT**

Audit Item	PASS	FAIL
<p><b>A. Submission to Supervision and/or Overseeing by Authority</b></p> <p>LGU/GC submits to supervision, inspection and/or overseeing its port operations and financial transactions by the Authority.</p>		
<p><b>B. LGU/GC Port Management Unit</b></p> <p>LGU/GC's organizational structure for port management provides adequate administrative and fiscal control over port resources/properties as well as in the conduct of port operations.</p>		
<p><b>C. Training of Port Personnel</b></p> <p>LGU/GC submits to PPA, training programs for its portworkers, which shall contain, among others, port related courses, schedule, venue and the agency/outfit (government or private) that will conduct the training. Such training programs shall be in coordination with the PPA Training Center (PPATC).</p>		
<p><b>D. Labor Management</b></p> <p>1. Compliant to age requirement</p> <p>LGU/GC or its Cargo Handling (CH) Contractor shall not hire portworkers below 18 years of age.</p>		
<p>2. Equal Earning Opportunity/Labor Rotation</p> <p>Portworkers rotated in a manner that everyone is given equal earning opportunity. The total working hours in a month shall be fairly distributed among labor pool.</p>		
<p>3. Maintenance of Payroll</p> <p>Payroll of personnel/portworkers contains complete information as to the period, rate, number of hours/days worked, amount of gross pay, deduction, net pay and signature.</p>		

Audit Item	PASS	FAIL
<p>4. Payment of Salaries/Minimum Wages</p> <p>Portworkers are paid directly in accordance with existing laws on wages, overtime rates, night differential premium and others.</p>		
<p>5. Social Security</p> <p>Portworkers possess SSS ID. Contributions for insurance/retirement premiums, Medicare and ECC and loan payments to SSS shall be fully remitted in accordance with the prescribed schedule.</p>		
<p>6. Maintenance of Portworkers' Retirement &amp; Separation Fund</p> <p>LGU/GC maintains a Trust Fund for the benefit of portworkers who resign/retire or have been retrenched or whose services have been terminated due to changes in cargo handling contractors.</p>		
<p><b>E. Medical Attendance</b></p> <p>LGU/GC provides free medical attendance to its portworkers in accordance with Article XII of the Dockwork Safety and Health Standards (DSHS)</p>		

**II. OPERATIONS**

Audit Item	PASS	FAIL
<p><b>A. Cargo Handling System</b></p> <p>1. Cargo Handling Method</p> <p>LGU/GC or its CH contractor, adopts the most expedient and safest method and/or style of handling diversified cargoes</p>		
<p>2. Cargo Location System/Plan</p> <p>LGU/GC or its CH contractor, has in place an effective cargo location system and performs systematic consolidation and segregation of cargoes within 24 hours after discharge.</p>		

Audit Item	PASS	FAIL
<p>3. Storage/Stacking/Piling of Cargoes</p> <p>LGU/GC or its CH contractor, has adopted method(s) in handling materials/cargoes and in storing/stacking the same in accordance with the provisions of Article XIV of DSHS.</p>		
<p><b>B. Processing and Documentation</b></p> <p>1. Processing</p> <p>LGU/GC or its CH contractor, upon receipt of complete documents, processes the same to the satisfaction of port users and release the said cargo within one (1) hour.</p>		
<p><b>C. Records of Shipcalls, Labor Productivity and Cargoes Handled</b></p> <p>LGU/GC or its CH contractor maintains a complete record of shipcalls per type of vessel; destination and frequency; labor productivity by type of operation; and, cargo tonnage handled by type of cargoes, e.g. bulk, breakbulk, containerized.</p>		
<p><b>D. Reports</b></p> <p>LGU/GC submits to PPA detailed reports of the movement of cargoes and vessels at the port, safety and security of the port premises, equipment inventory and productivity, and other reports in such form and frequency that the PPA may prescribe.</p>		
<p><b>E. Safety</b></p> <p>1. Safety Program and Officer</p> <p>LGU/GC employs a Safety Officers and formulates a Safety Program which is fully implemented.</p>		
<p>2. First Aid Boxes/Drinking Water Facilities</p> <p>LGU/GC makes available at strategic areas sufficient number of suitable and adequately stocked first aid boxes and drinking water facilities for common use.</p>		
<p>3. Safety Signs/Slogans</p> <p>LGU/GC posts in strategic locations adequate safety signs/slogans in all workplaces.</p>		

Audit Item	PASS	FAIL
<p>4. Protective Devices/Safety Gears</p> <p>LGU/GC provides its portworkers with safety gloves, hard hats and safety shoes and in no case shall said workers be allowed to work without them.</p>		
<p>5. Fire Fighting Drills</p> <p>Fire fighting drills were held at least once a year or as often as necessary by the Fire Brigade of the LGU/GC where other Port users were involved. Thereafter, a fire drill report was submitted to PPA.</p>		
<p>6. Accident/Incident Report</p> <p>LGU/GC Submits to the Authority all work accidents and occupational illnesses resulting from port operations and/or condition of employment</p>		
<p><b>F. Cleanliness, Orderliness and Environmental Protection</b></p> <p>LGU/GC ensures the cleanliness of all facilities and areas within the port zone and adopts measures for protection of environment such as proper waste disposal and segregation.</p>		
<p><b>G. Security</b></p> <p>LGU/GC engages the services of duly licensed security personnel to safeguard its offices, equipment and cargoes while under its custody.</p>		

### III. FINANCE

Audit Item	PASS	FAIL
<p><b>A. Bookkeeping</b></p> <p>LGU/GC maintains a separate Book of Accounts for the management and operation of the port which is registered, adequate and recorded properly.</p>		

Audit Item	PASS	FAIL
<b>B. Accountable Forms</b>  Bills of Charges, invoices and official receipts were printed, pre-numbered and registered with the BIR.		
<b>C. Authorized Cargo Handling Tariff</b>  All cargoes handled, received and placed under the custody of the LGU/GC shall be billed the corresponding arrastre, stevedoring or other service charges using rates duly approved by the PPA.		
<b>D. Classification and Segregation of Charges/VAT in the Bills/Invoices/ORs</b>  The nature of charges, corresponding rates and VAT shall be specifically indicated in the bill.		
<b>E. Financial Reports Including Annual Reports</b>  All remittances shall be accompanied by a monthly report of gross income duly certified by the LGU/GC.		

**SUMMARY:**

AREA	TOTAL POINTS	POINTS EARNED	ADJECTIVAL RATING
I. Organization and Management	10		
II. Operations	15		
III. Finance	5		
<b>TOTAL</b>	<b>30</b>		

<b>Rating</b> 30 27-29 26 Below 26	<b>Adjectival Rating</b> Outstanding Very Satisfactory Satisfactory Unsatisfactory
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# **PORT SAFETY AND SECURITY**

February 12, 2013

PPA MEMORANDUM CIRCULAR  
NO. 02 - 2013

**TO :** All PPA Officials/Employees  
And Others Concerned

**SUBJECT :** Port Safety, Health and Environmental Management System  
(PSHEMS) Project at the Port of Cagayan de Oro

Pursuant to the Memorandum of Agreement entered into by PPA with the German International Cooperation (GIZ) and the Partnerships in Environmental Management for the Seas of East Asia (PEMSEA), the PSHEMS is hereby established at the Port of Cagayan de Oro in accordance with the PSHEMS Code.

The Safety, Health and Environmental (SHE) Policy Statement, as follows, is hereby adopted, made known and should be understood within PPA, as required by the PSHEMS Code, ISO 9001, 14001 and OSHAS 18001 Standards:

***“It is the policy of the Port Management Office of Cagayan de Oro to continually improve the containerized cargo handling activities in the port to prevent accidents and pollution, protect the well-being of its employees and stakeholders, reduce the environmental impact from port activities, conserve the natural resources and comply with all the applicable international, national, statutory and regulatory requirements.”***

All concerned PPA officials and employees are hereby enjoined to implement and maintain the SHE Policy within the defined scope of PSHEMS at the Port of Cagayan de Oro.

**(Sgd.) JUAN C. STA. ANA**  
General Manager



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July 16, 2013

**PPA OPERATIONS MEMORANDUM ORDER**  
**NO. 03 - 2013**

**SUBJECT: Authorization**

In the exigency and interest of the service, any of the following personnel is hereby authorized to issue and sign certification in connection with the testing of packaging in compliance with the provisions of the International Maritime Dangerous Goods (IMDG) Code of the International Maritime Organization (IMO):

1. ROBERTO C. AQUINO - Department Manager, POSD
2. RUBY C. FOLLOSCO - Acting Division Manager, Safety and Environmental Management Division – POSD
3. NOLI T. VILLANUEVA - Sr. Safety Specialist, SEMD-POSD

This Order shall take effect immediately and shall remain in force unless earlier amended or otherwise revoked.

**(Sgd.) RAUL T. SANTOS**  
Assistant General Manager for Operations

cc : The General Manager

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December 27, 2013

**PPA MEMORANDUM ORDER**

**NO. 37 - 2013**

**TO : All Concerned**  
**SUBJECT : Critical Incident Management**

**1. Purpose and Scope**

In furtherance to PPA Memorandum Circular No. 24-91, date 17 May 1991, this Memorandum Order establishes the concepts, policies and general procedures for handling man-made critical incidents or crisis situations that are likely to happen in the port such as the following:

1.1. Civil Disturbance:

- Violent Labor Strike
- Riots/Tumult
- Disorderly Demonstration

1.2. Terrorists' Activities/Criminal Activities:

- Bombing
- Arson
- Assassination/liquidation
- Kidnapping
- Hijacking
- Hostage Taking

1.3. Attacks/raids on government installation and vital facilities

1.4. Other incidents that may lead to crisis.

**2. Organization and Command and Control Arrangements:**

The effective implementation of robust command, control and communications arrangements is crucial to the successful response to a critical incident. These arrangements should be built upon systems where they have proved effective.

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## 2.1. PMO/Local Response

This set of guidelines assumes that a response to a critical incident will be delivered primarily by the Port Management Office and that national resources will be provided by the Port District Office and PPA Head Office to support the local response delivery.

## 2.2. Coordination of the Response

It is essential that the Unit responsible for coordinating the counter-measures for man-made critical incidents is agreed in advance. As most of these incidents amount to crimes, the coordination role will normally lie with the Port Police. Coordination will be achieved by bringing together all the agencies involved in the response at both the strategic, and tactical levels.

## 2.3. Levels of Command and Duties and Functions:

The Port Management Office (PMO) shall organize a command and control structure of the local response to critical incidents with the following three clearly defined levels of command:

### 2.3.1. Strategic Command – The strategic command is the level of command that is responsible for:

- Setting the policy/strategy for dealing with the incident
- Providing resources to the tactical commander (e.g. personnel, equipment, finance, etc.)
- Planning for future actions
- Liaison with the PDO, H.O. and the central government.
- Port Managers shall act as Strategic Commanders in the command and control structure.
- Terminal Managers of Terminal Management Offices (TMOs) and Heads of Responsibility Centers which are geographically separated from the Port Management Office (PMO) or Head Office shall be the Strategic Commander at the TMO/Responsibility Center.

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2.3.2. Operational Command – The operational command is the level of command that is responsible for:

- Devising and implementing a plan to deal with the incident, within the policy set by the Strategic command;
- Tactical decision making
- Management of the scene
- Planning and coordination of tasks
- Allocating other available resources to tactical commanders
- Coordinating the response to the emergency
- The Operational Commander shall be designated by the Strategic Commander/Port Manager

2.3.3. Tactical Command – Tactical Command is the level of command that is responsible for command and management of resources, and execution of plans or strategies necessary to carry out a specific task or role.

Initial response and tactical engagement or operations which are under the control of PPA personnel or officers must be rendered as soon as possible in accordance with PPA's commitments on **response time** for various types of incidents.

Tactical Commanders shall be designated by the Strategic Commander/Port Manager.

### 3. On Scene Management

3.1. Actions of the first responder/officer at the scene:

3.1.1. The role of the first emergency service personnel or first responder who arrives the scene is not to become involved immediately in rescue work, but to assess the situation and inform the Operations Center of the situation. His role can be summarized as to:

- S – Survey
- A – Assess
- D – Disseminate and remain in radio contact



3.1.2. In guiding the officers as to the type of information to include in the situation report to the Operations Center, the following mnemonics may be used:

- C – Casualties (Many or few)
- H – Hazards (Present or potential)
- A – Access (Routes available, blocked)
- L – Location (Exact location, with grid references if possible)
- E – Emergency Services (which ones are present or needed)
- T – Type (Confirm the type of incident that has occurred)

3.2. Role of first Supervisor/Initial Police Incident Commander at the scene:

3.2.1. On arrival at the scene, the first supervisor shall set up and attend the Forward Control Post for their service and get a briefing. He shall:

- Take command of their services' resources at the scene
- Ensure that a log has been started
- Ensure that all relevant information has been fed back to Operations Center
- Liaise with the representatives of the other services present
- Try to keep everyone informed of what is happening

3.2.2. When trying to establish priorities in the confusion of the early stages of critical incident, it will be useful to remember the following:

- S – Safety (of the public and emergency services)
- I – Information (obtain good quality information)
- C – Contain (the situation and stop it escalating)
- K – Keep everyone informed (above and below)

3.3. Command Posts:

3.3.1. Forward Command Post (FCP)

- The Forward Command Post will normally be the first control point to be set up and will be close to the incident. It will usually consist of the first vehicles from each emergency services. They will be sited close together to facilitate liaison and coordination between the services at the scene.
- The FCP will be sited in a safe location. It will be identified preferably by a flashing "blue light" on the vehicle and will control the deployment of the first resources arriving at the scene and will feed reports back to the emergency services control room.



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### 3.3.2. Incident Command Post (ICP) or On-scene Command Post (OSCP)

- As more resources arrive at the scene, the ICP/OSCP shall be set up. It could be in a building designed for the role, in a building taken over for the purpose near the scene, or in a mobile facility.
- As may be necessary, each emergency service shall provide its own ICP, which shall be sited close together. The role of the FCP may then be downgraded or removed altogether.
- The Incident Command Post needs robust communications in order to function effectively, hence communications operators and support staff are required.

### 3.4. Cordons:

There are normally two (2) cordons established around a scene, an inner and an outer cordon.

#### 3.4.1. Inner Cordon

- This is the first to be established. It shall be close around the incident site to provide safety for the emergency service personnel working at the incident site and to keep the public and media away from the scene.
- The inner cordon is normally manned by the Police or Fire Service, but it could be provided by the military in exceptional circumstances. A cordon commander must be appointed to oversee the effective operation of the cordon.
- Only personnel with a task to perform at the scene shall be allowed within the inner cordon. There should be one entry point in the cordon and everyone passing through that point should be logged in and out.

#### 3.4.2. Outer Cordon

- Outer cordon is established later than the inner cordon as more resources become available and is usually some distance back from the scene itself. Its purpose is to create a sterile area in which the emergency service responders can operate.
- The same rules regarding cordon entry apply. A cordon commander must be designated to oversee the effective operation of the cordon.

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### 3.4.3. Traffic Cordon

- In some cases it is necessary to establish a traffic diversion scheme out beyond the Outer Cordon area. This is done to ease the access to the site by emergency service vehicles attending the scene from outside the area. An experienced police traffic division supervisor should be appointed as cordon commander.

### 3.5. Rendezvous Points (RVP's)

3.5.1. Rendezvous Points are designated areas to which incoming emergency service resources are directed before being deployed to the scene so that they can be briefed and allocated their tasks.

3.5.2. In the first stages of an incident, this will be the FCP but later there should be an inner and outer designated RVP. The RVP will need to have:

- Parking for vehicles
- Facility for refreshments
- Space or facility for briefing personnel

3.5.3. A commander must be designated to oversee the effective operation of the RVP.

### 3.6. Casualty Handling:

#### 3.6.1. Triage Point

The Ambulance Service and any on-scene medics will establish a triage point. This acts as a point to which all casualties will be taken so that their injuries can be assessed and their priority for treatment categorized. This can be within the inner cordon, or between the inner and outer cordon.

#### 3.6.2. Casualty Clearing Station (CCS)

This is established in a building or temporary structure within the outer cordon and is where casualties are taken to be given initial treatment and stabilized before transport to hospital.

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### 3.6.3. Ambulance Loading Point

Closely linked to the CCS, this is the place where ambulances are brought and the casualties are loaded and directed to the chosen hospital. The ambulance incident officer nominates the hospitals which will receive casualties and the ambulance loading officer notes which casualties are actually sent to which hospital.

## 4. Operations Center

Port Managers, and the Terminal Managers of TMOs and Heads of Responsibility Centers which are geographically separated from the PMO or Head Office shall designate an Operations Center which shall be manned twenty-four hours a day, seven days a week (24/7). The Operations Center shall:

- 4.1. Receive calls, reports or information concerning unusual incidents/events or request for assistance that have to be acted upon by PPA, and immediately relay the same information to concerned PPA units or officers for a timely and appropriate action.
- 4.2. Provide assistance to First Responders and other operational commands in seeking and coordinating assistance from other government units or support groups.
- 4.3. Record and submit to the Port Manager/Head of Responsibility Center written Report (refer to the Annexes for the report format) of unusual incidents. The report must include, among other particulars, the nature or type of the incident, the persons involved, response or action taken by PPA personnel, and the timeline of the response/action to determine whether the action of the first responders and those involved in tactical operations or engagement is timely and efficient.
- 4.4. The Operations Center may also be designated at the Public Assistance and Complaints Desk (PACD) in relation to the requirements of and compliance with the Anti-Red Tape Act (ARTA) of 2007.
- 4.5. The Operations Center shall be properly identified and shall be accessible to the port users and the public.
- 4.6. It shall be equipped with adequate communications equipment and must be able to give assistance or information such as: departure/arrival of vessels, PPA rules and regulations, names and contact details of PPA and other government officials, shipping lines, cargo-handling operators, ancillary services providers, names and telephone numbers of nearby hospitals, and fire stations, weather bulletin and other important announcements or information that will be useful to the public.
- 4.7. The Head of the Operations Center shall be the Port Manager/RC Head.



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**5. Assistance from Local Government Units and/or Philippine National Police**

- 5.1. Assistance from the Local Government Unit (LGU), the Philippine National Police, and other government agencies shall always be considered in the resolution of a critical incident.
- 5.2. As may be necessary, the Head of the Local Government Unit or a responsible official of the local PNP may take over the management of a critical incident. In this case, PPA may relinquish control of the strategic and operational command and perform only specific functions or tasks in the tactical level as may be determined by the LGU/PNP Strategic or Operational Commander.

This Memorandum order takes effect immediately.

**(Sgd.) TOMAS B. CARLOS**

Officer-In-Charge

Annexes:        Job Descriptions  
                  Operations Center Daily Report Form

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## JOB DESCRIPTION

Title: INITIAL POLICE INCIDENT COMMANDER

Responsible To: Head, Operations Center

Responsible For: All personnel engaged on the incident until relieved by designated senior officer

Job Purpose: To manage the initial police response to the incident and coordinate the response of other emergency services; initial front line control of the incident.

### Tasks

1. Attend the scene of the incident and:
  - Ascertain the type and scale of the incident.
  - Identify and declare RV point.
2. Post a supervisor to command the RV Point, and ensure:
  - It is sufficiently staffed.
  - A log of personnel, arrival time and posting is maintained.
3. Form an initial cordon to contain, evacuate or isolate as necessary (consider appointment of Cordon Commanders).
4. Arrange for retention of any witnesses, i.e. persons from the premises or in the vicinity.
5. When armed inner cordon formed, arrange formation of outer cordon, ensuring:
  - No person passes through without permission from OIC Forward Command Post (FCP) or, if not yet present, yourself.
  - Officers do not give information concerning the incident to members of the public/media.
  - All media enquiries are directed to the Force Press Liaison Officer.
  - Urgent consideration is given to evacuation of the public from the immediate vicinity if applicable (circumstances may dictate this is not the safest option).
6. Inform Senior Officers.
7. Commence arrangement of traffic diversions – appoint a traffic supervisor as Traffic Commander.

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8. Identify and establish a Forward Control Point which should be set up:
- Adjacent to the scene between the inner outer cordons.
  - Out of sight of any terrorist.
  - Away from potential hazards.
  - In a secure location.
  - Upwind of the incident.
9. In the case of a siege try to delay any request/demand from the terrorists pending arrival of a more senior officer. Make a record of anything the terrorists say but do not promise anything.

Remember:

- Safety of personnel and public is paramount.
- No physical approach should be made to any terrorists present.
- Avoid personnel becoming hostages.
- Maintain constant radio contact.
- Ensure chronological log of events is commenced.
- All personnel to note everything they see or hear.
- When sufficient resources are available initial containment to be replaced by an inner cordon.

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## JOB DESCRIPTION

Title: STRATEGIC COMMANDER

Responsible To: Immediate Superior Officer (PM, PDM, AGM, GM)

Responsible For: All personnel engaged on the support of the policy/strategic process.

Job Purpose: The Strategic Commander has overall responsibility for the resolution of the incident.

### Tasks

1. Set and communicate the strategy to resolve the incident.
2. Establish and communicate a command structure.
3. Determine the composition of and chair the Strategic Co-ordinating Group (SCG)
4. Cause the Strategic Co-ordination Center (SCC) to be opened.
5. Liaise with the Government Liaison Officer as appropriate.
6. Ensure appropriate reception arrangements are in place for supporting resources/assets.
7. Ensure Force logistics are realigned to support resolution of incident.
8. Ensure that community issues and the longer term 'consequential' matters are figured-into decision making and that those who can assist are informed/involved as appropriate.
9. Review all policy decisions and strategies to date and ensure that all relevant agencies and central departments are informed.
10. Establish a staffing support team.
11. Ensure:
  - Intelligence Cell call-out procedures activated.
  - Major incident room operational.
12. Liaise with Intelligence Commander regarding intelligence requirement.
13. Devise media strategy in conjunction with Strategic Press Office paying particular attention to community reassurance.

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## JOB DESCRIPTION

Title: OPERATIONAL COMMANDER

Responsible To: Strategic Commander

Responsible For: All personnel engaged tactically or operationally in the incident.

Job Purpose: The Operational Commander is responsible for the co-ordination of the multi-agency effort to enact the agreed strategy.

### Tasks

1. Provide leadership and co-ordination at the scene where appropriate.
2. Manage the tactical commanders.
3. Liaise with the specialists to produce contingency plans and options including:
  - Rules of Engagement
  - CASEVAC

If a siege situation:

  - Release of hostage.
  - Escape of one or more hostages.
  - Shots fired from (or at) the stronghold.
  - Break out of one or more terrorists from the stronghold.
  - Unheralded surrender.
  - Negotiated surrender.
  - Killing of hostages
  - Emergency Response
  - Deliberate Action
4. Liaise with FCP Manage to designate, if necessary
  - PNP/Military Holding Area.
  - Medical Reception Area.
  - Hostage Reception Area.

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5. Appoint three PNP/Military Liaison Officers:
    - One at SCC.
    - One at PNP/Military Holding Area for liaison purposes.
    - One to take charge of security at PNP/Military Holding Area.
  6. If appropriate inform the senior Traffic Officer that governmental and police/military assistance has been requested and task to pre-plan reception arrangements.
  7. Draw up Rules of Engagement for police personnel:
    - OIC Tactical of Engagement for police personnel.
    - Rules to be communicated to FCP Manager as soon as practicable to enable thorough briefing of all firearms personnel.
  8. Establish that the following have been implemented:

By Initial Incident Commander:

    - Inner and Outer Cordons.
    - Rendezvous Point.
    - Forward Control Room.

By Duty Officer, Operations Center:

    - Chief Officers informed.
    - Mobile Police Station and other mobile facilities being delivered.
    - All designated command personnel informed and en route to their posts.
    - Logistics Team functioning.
    - Job descriptions conveyed to the incident.
    - Communications system in place and functioning.
  9. Ensure all designated command personnel are aware of their responsibilities and in possession of Job Descriptions/Briefing Notes.
  10. Review arrangements for:
    - Setting up of FCP
    - Setting up of Inner Cordon
    - Setting up of Outer Cordon in liaison with OICs, FCP SCC
    - Setting up of RV Point
    - Setting up of Military Holding Area

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## JOB DESCRIPTION

Title: INNER CORDON COMMANDER

Responsible To: Operational Commander

Responsible For: All personnel staffing the inner cordon

Job Purpose: Effective containment of the incident and dealing with any incidents arising from the stronghold. Collection and swift transmission of all intelligence from the stronghold.

### Tasks

1. Upon notification, attend RV Point and:
  - Liaise with OIC RV Point and obtain briefing on current situation.
  - Establish inner cordon radio channel.
2. Liaise with FCP regarding:
  - Current deployment of officers on initial cordon.
  - Replacement of unarmed officers at earliest opportunity.
  - Protective equipment required.
  - System for passing on intelligence to the Intelligence Cell liaison officer.
3. Brief inner cordon personnel on current situation, ensuring that personnel are aware of the functions and responsibilities of the inner cordon and the Rules of Engagement.
4. Appoint a Safety Officer to control all movements with a running log to be kept.
5. Establish close liaison with PNP/military personnel.
6. If any of the hostages are released or escape, arrange for them to be taken to the Hostage Reception Centre (HRC).
7. Liaise with FCP Manager following deployment to ensure:
  - All inner cordon postings are plotted and logged.
  - All changes are notified.

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## JOB DESCRIPTION

Title: OUTER CORDON COMMANDER

Responsible To: Operational Commander

Responsible For: All personnel staffing the outer cordon

Job Purpose: To ensure all unauthorized traffic and personnel, including the press, are kept well away from the inner cordon and proper account is kept of all entering and leaving

### Tasks

1. Report to RV Point, obtain briefing from:
  - Operational Commander, or
  - Senior officer present.
  
2. Arrange formation of outer cordon if not already formed and ensure:
  - Access/egress points for personnel and vehicles through cordon are designated and staffed.
  - Officers staffing cordon are fully briefed including any pass system in operation.
  - Only authorized personnel are allowed to pass through.
  - No information is given to unauthorized persons.
  - Media enquiries are directed to the designated Public Information/Press Officer.
  - Personnel deployed are alert during conversations as:
    - Media representatives may be in possession of long-range microphones
    - The person being spoken to may overhear radio transmission.



**Philippine Ports Authority**  
PMO/TMO \_\_\_\_\_

**Operations Center Daily Report**  
(Time/Day/Month/Year) to (Time/Day/Month/Year)

Time/Date	Nature of Incidents/ Public Assistance	Person (s) Involved	PPA Action/ Response	Responder (s)	Time Consumed

Remarks/Additional Information:

Submitted By:

\_\_\_\_\_ Name of Duty Officer

Distribution:

- ( ) General Manager
- ( ) AGM for Operations
- ( ) Port District Manager
- ( ) Port Manager
- ( ) Terminal Manager

# **PRIVATE PORT OPERATIONS**

May 30, 2013

**PPA MEMORANDUM CIRCULAR  
NO. 05 - 2013**

**TO :** All Port District Managers, Port Managers  
Private Port Owners/Operators  
Others Concerned

**SUBJECT :** Clarificatory Guidelines for Processing Expired Private Non-Commercial Port Permits

Pursuant to Presidential Decree 857, as amended and PPA Administrative Order No. 06-95, and in order to ease up procedures in doing business and ensure competitiveness in the delivery of vital port services, the following clarificatory guidelines are hereby issued :

1. Applications for renewal of expired Certificate of Registration/Permit to Operate (COR/PTO) (Temporary/ Non-Commercial)/Special Operating Permit (SOP) shall be granted a five (5) year automatic renewal permit specifically those:
  - CORs/SOPs (temporary/non-commercial) effective January 1, 2013 up to December 31, 2013; and
  - Valid CORs (temporary/non-commercial) which have been renewed for less than five (5) years shall be automatically extended with effectivity of up to a maximum of five (5) years.

Henceforth, all renewals will now be given a maximum five (5) years effectivity.

2. Pending the approval of the simplified procedures for granting Certificates of Registration/Permits to Operate, the 5-year automatic renewal permit is given on the premise that private port owner/operator has substantially complied with the checklist of documentary requirements. Further, said five (5) year renewal permit is subject to the submission of the DENR-approved foreshore lease contract or provisionary foreshore lease permit or official receipt of the annual occupancy fee on or before the first month of every year during the validity of said permit.
3. This Circular takes effect immediately.

**(Sgd.) JUAN C. STA. ANA**  
General Manager

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September 05, 2013

**PPA ADMINISTRATIVE ORDER**

**NO. 03 - 2013**

**TO :** All Port District Managers  
Port Managers  
Private Port Owners/Operators  
Others Concerned

**SUBJECT :** Simplification of Procedures in the Issuance of Private Port Permits

Pursuant to the provision of Section 6 (a)(iii), and Section 26 of PD 857, as amended and in order to ease up procedures in doing business with PPA as well as enhance competitiveness in the provision of vital port services, the following provisions under Article II, Sections 5, 6 and 7 of PPA AO 06-95 are hereby amended/modified as follows:

**A. Application for Private Port Permits**

Application/s for private port permits shall be filed with the concerned Port Management Office where the proposed facility is/will be located.

**A.1 New Application**

The applicant must file a formal request for clearance to develop prior to commencing of private port construction/operation.

Thereafter, upon approval of the clearance to develop, the applicant shall file the corresponding application for permit to construct and/or permit to operate.

**A.2 Renewal Application**

Applications for renewal shall be filed within thirty (30) days prior to the expiration of the private port certificate of registration/permit to operate.

**A.3** If application is filed after said filing period, a surcharge of P1,000.00/day shall be imposed.

**B. Registration Requirements**

Private port application/s shall be filed in the form prescribed by the Authority. All accomplished application forms shall be accompanied by the following documents:

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B.1 Clearance to Develop

- Unified Application Form specifying exact location of the foreshore area, area size in sq.m., intended use/purpose, proposed structure to be put-up and estimated cost of improvements with Summary of Project Scope, Description and Vicinity Map as attachments
- Duly Notarized Omnibus Undertaking (Sworn Affidavit)

B.2 Permit to Construct

- Unified Application Form with Working Drawings/Building Plans signed by a Licensed Civil Engineer, as attachments
- Duly Notarized Omnibus Undertaking (Sworn Affidavit)

B.3 Certificate of Registration/Permit to Operate (COR/PTO)

- Unified Application Form
- Duly Notarized Omnibus Undertaking (Sworn Affidavit)

**C. Filing Fee and/Issuance of Permits**

C.1 After submitting the duly accomplished application form together with the sworn affidavit of undertaking, the applicant shall pay the corresponding filing fee either at the PMO Finance Officer or at the Head Office-Treasury Department.

C.2 The corresponding private port permit shall be issued to proponent by Operations Office/ Commercial Services Department, copy furnished the concerned PDO/PMO.

**D. Sworn Affidavit of Undertaking**

All private port applicants shall execute a duly notarized Omnibus Sworn Statement and shall comply with the terms thereof otherwise the permit issued maybe revoked/cancelled. The private port applicant shall be fully responsible and accountable to all requirements prescribed by other government agencies.

**E. Penalty Clause**

Any false or misleading information supplied, or false or misleading document to support the application, or inconsistent to the terms and conditions of the permit issued, shall be a ground for the appropriate criminal, civil and/or administrative action against the registered/accredited private port owner/operator.

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**F. Repealing Clause**

All PPA orders, rules and regulations or issuances inconsistent herewith are hereby deemed modified, amended or otherwise revoked accordingly.

**G. Effectivity**

This Order shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation and a copy filed with the University of the Philippines Law Center.

**(Sgd.) JUAN C. STA. ANA**

General Manager

Published in the following newspapers:

Philippine Star

Manila Standard/Today

**Effectivity Date - September 24, 2013**



Tracking No. \_\_\_\_\_

## APPLICATION FOR CLEARANCE TO DEVELOP

### APPLICANT PROFILE

Name of Applicant/Company:

Name of Authorized Representative:

Address 1 (Office Address):

Telephone Number 1:

Address 2 (Billing Address):

Telephone Number 1:

E-Mail Address:

Fax Number:

Tax Identification Number (TIN)

SEC Registration Number

BDT No.

Business Type:

Single Proprietorship

Partnership

Corporation

Nature of Business:

### PRIVATE PORT PROFILE

Port Facility/Structure to be Put-Up:

Wharf

Pier

Others

Estimated Cost of Improvements to be Put-Up:

Intended use/purpose:

Location/Site of Private Port:

Barangay \_\_\_\_\_ Municipality/City of \_\_\_\_\_

Foreshore Lease Contract No.

Area size (in sq.m)

TCT No. (Back-Up Area)

Environmental Compliance Certificate (ECC) No.

Duration/Term of Permit: No. of Mos. \_\_\_\_ No. of Yrs. \_\_\_\_

### DOCUMENTARY CHECKLIST

[Put (✓) submitted, (x) is not available]

Basic Requirements:

Unified Application Form specifying the exact location of the foreshore area, area size in sq. m., intended use/purpose, proposed structure to be put-up and estimated cost of improvements with Summary of Project Scope, Description and Vicinity Map as attachments

Duly Notarized Omnibus Undertaking (Sworn Affidavit)

### VALIDATION FOR PPA USE ONLY

Filing Fee

Date of Filing: \_\_\_\_\_

O.R. No. \_\_\_\_\_

Received by:

\_\_\_\_\_  
Printed Name and Signature

Remarks:

Status as of \_\_\_\_\_

Approved

Denied

Pending



Tracking No. \_\_\_\_\_

## APPLICATION FOR PERMIT TO CONSTRUCT

### APPLICANT PROFILE

Name of Applicant/Company:	
Name of Authorized Representative:	
Address	Telephone Number:
Location of the Proposed Facility	Fax Number:
Tax Identification Number (TIN)	E-mail Address:
Type of Application: <input type="checkbox"/> New	<input type="checkbox"/> Additional
Nature of Business:	

### CONSTRUCTION PROFILE

Type/Description of Port Facility/Structure to be Put-Up:	
Estimated Cost of Improvements to be Put-Up:	
Construction Date	Expected Completion Date

#### DOCUMENTARY CHECKLIST

[Put (✓) if submitted, (x) is not available]

#### VALIDATION

For PDO Engineering Division's Use Only  
(To be accomplished by person/s who signed/sealed/recommended plans/specifications approval)

<p>Basic Requirements:</p> <p><input type="checkbox"/> Unified Application Form with Working Drawings/Building Plans signed by Licensed Civil Engineer, as attachments</p> <p><input type="checkbox"/> Duly Notarized Omnibus Undertaking (Sworn Affidavit)</p>	Civil Engineer	Civil Engineer
	PRC Reg. No.	PRC Reg. No.
	Division/Section	Division/Section
	PTR No.	PTR No.
	Date Issued	Date Issued
	Signature	Signature
	TIN	TIN
	Permit to Construct Fee: _____	
	Date Paid: _____ O.R. No. _____	
	<p>Received by:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Manager, Engineering Division</p>	
<p>Approved by:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Port District Manager</p>		
<p>Status as of _____</p> <p style="text-align: center;"> <input type="checkbox"/> Approved    <input type="checkbox"/> Denied    <input type="checkbox"/> Pending         </p>		



Tracking No. \_\_\_\_\_

**APPLICATION FOR CERTIFICATE OF REGISTRATION/PERMIT TO OPERATE**

**APPLICANT PROFILE**

Name of Applicant/Company:

Name of Authorized Representative:

Address 1 (Office Address):

Telephone Number 1:

Address 2 (Billing Address):

Telephone Number 1:

E-Mail Address:

Fax Number:

Tax Identification Number (TIN)

SEC Registration Number

BDT No.

Business Type:

Single Proprietorship

Partnership

Corporation

Nature of Business:

**PRIVATE PORT PROFILE**

Port Facility/Structure to be Put-Up:

Wharf

Pier

Others

Draft: \_\_\_\_\_ Date Constructed: \_\_\_\_\_ No. & Type: \_\_\_\_\_

Dimensions:

Utilization:

Location/Site of Private Port: Barangay \_\_\_\_\_ Municipality/City of \_\_\_\_\_

Foreshore Lease Contract No.

TCT No. (Back-Up Area)

Area size (in sq.m.)

Duration/Term of Permit: No. of Mos. \_\_\_\_ No. of Yrs. \_\_\_\_

Outstanding Obligation with PPA, if any:

Permit to Construct, O.R. No. (if applicable)

**DOCUMENTARY CHECKLIST**

[Put (✓) if submitted, (x) is not available]

**VALIDATION FOR PPA USE ONLY**

Basic Requirements:

Unified Application Form

Duly Notarized Omnibus Undertaking (Sworn Affidavit)

Filing Fee

Certification Fee

O.R. No. \_\_\_\_\_

O.R. No. \_\_\_\_\_

Date of Payment \_\_\_\_\_

Date of Payment \_\_\_\_\_

Type of Application:  New

Renewal

Received by:

\_\_\_\_\_  
Printed Name and Signature

Remarks:

Status as of \_\_\_\_\_

Approved

Denied

Pending



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**OMNIBUS UNDERTAKING  
(SWORN AFFIDAVIT)**

REPUBLIC OF THE PHILIPPINES)  
CITY/MUNICIPALITY OF \_\_\_\_\_) S.S.

**A F F I D A V I T**

(Name of Applicant/Port Owner/Operator), of legal age, (Civil Status), (Position/Title, Name of Company/Address), after having been duly sworn in accordance with law, do hereby depose and state that;

1. I hereby apply for the Authority's issuance of (type of Private Port Application) to be located at (Address of the Proposed Port Site).
2. As port applicant/port owner/operator/duly authorized representative of the company, I have full power and authority to do, execute and perform any and all acts necessary to represent it in seeking from PPA the corresponding (type of private port permit) being applied for.
3. I have complied and secured all the necessary government clearances/permits necessary to operate my business.
4. I hereby authorize your duly authorized official/employee to verify the statements/documents and information submitted herewith, to substantiate my eligibility as an applicant for a private port permit.
5. It is understood that I have complied with the requirements of other concerned government agencies prior to the operation of the private port and I am fully responsible and accountable in complying with said requirements.
6. I hereby acknowledge that I have full knowledge of pertinent law, regulation covering private port operation.
7. I hereby acknowledge that I have fully read the information supplied in the application and any false or misleading information provided therein shall be a ground for the cancellation of the clearance to develop, permit to construct and certificate of registration/permit to operate issued, without prejudice to the filing of appropriate administrative, civil and criminal against me and/or the company/entity I represent.
8. I hereby hold PPA from all liens, encumbrances and liabilities resulting from non-compliance therewith.
9. I am executing this Omnibus Sworn Statement to attest to the veracity of the foregoing statements in support of the above-cited application.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the City of \_\_\_\_\_, Philippines.

\_\_\_\_\_  
Private Port Owner/Operator

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

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

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## **E R R A T U M**

An error was inadvertently omitted in the publication of PPA Administrative Order No. 03-2013, Simplification of Procedures in the Issuance of Private Port Permits, in the Manila Standard and Philippine Star on September 09, 2013. In view thereof, the corresponding correction is hereby issued for the guidance for all concerned.

Item 8 of the Sworn Affidavit (Omnibus Undertaking):

**ERROR** : I hereby hold PPA from all liens, encumbrances and liabilities resulting from non-compliance therewith.

**AS CORRECTED** : I hereby hold PPA free from all liens, encumbrances and liabilities resulting from non-compliance therewith.

**(Sgd.) RAUL T. SANTOS**  
Assistant General Manager  
for Operations

Published in the following newspapers:

Philippine Star  
Manila Standard/Today

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December 02, 2013

**PPA ADMINISTRATIVE ORDER  
NO. 05 - 2013**

**TO :** All Port District Managers  
Port Managers  
Private Port Owners/Operators  
Others Concerned

**SUBJECT :** Amendment to PPA Administrative Order NO. 06-95  
Re Courses of Action on Expired Foreshore Lease  
Contract/Permits

**1. AUTHORITY**

Section 6(a) (iii)(vi) of PD 857, as amended  
PPA Administrative Order No. 06-95, Article III, Sections 13 and 14  
ExCom Resolution No. 2013-1343  
Board Resolution No. 2329

**2. OBJECTIVE**

To allow, as an interim measure, non-commercial private ports whose Foreshore Lease Contract (FLC) has expired after the lapse of fifty (50) years [two (2) – 25 years] to be registered and continue operating notwithstanding the absence of foreshore lease, pending resolution of the issue on the appropriate agency to whom the port improvements on the foreshore area shall revert to.

**3. COVERAGE**

This Order shall govern the registration of private non-commercial port operating permits whose foreshore lease contracts can no longer be renewed.

**4. AMENDMENTS**

In order to ensure that there is no disruption in the operation of said private non-commercial port, the subject owner/operator:

- 4.1 May apply with PPA for the issuance of the corresponding operating permit.
- 4.2 Shall continue to be charged fifty percent (50%) port charges on vessels that call and cargoes loaded/unloaded thereat.
- 4.3 Shall deposit under escrow account in a bank, the rental/s if any on the subject port assets/ related facilities/structures.

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**5. REPEALING CLAUSE**

All existing issuances, rules and regulations or any portions which are inconsistent under this Order are hereby repealed or modified accordingly.

**6. EFFECTIVITY**

This Order takes effect immediately.

**(Sgd.) JUAN C. STA. ANA**  
General Manager

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**SECRETARY'S CERTIFICATE**

I, *ELSA L. HILARIO*, 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 the 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 396th Regular meeting of the Board of Directors of the Philippine Ports Authority held on 30 September 2013 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. 2329*

*“RESOLVED, That on motion duly made and seconded, Ex-Com Resolution Nos. 2013-1343 to 2013-1345, as adopted during the 262nd Meeting of the Executive Committee held on 25 September 2013, hereto attached and incorporated by reference, be, as they are hereby confirmed.”*

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 30th day of September 2013, at the above-mentioned address.

**(Sgd.) ATTY. ELSA L. HILARIO**  
Corporate Board Secretary

# **REAL ESTATE MANAGEMENT**

May 21, 2013

PPA MEMORANDUM CIRCULAR  
NO. 03 - 2013

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

**FROM :** The General Manager

**SUBJECT :** Clarificatory Guidelines Re Proper Implementation of Section 10.6, Article IV of PPA AO No. 22-95 (Revised Guidelines on Real Estate Management) on the Granting of Preferential Rental Rate to Government Occupied Areas at the Ports

For the proper implementation of Section 10.6, Article IV of PPA AO No. 22-95 concerning the granting of preferential rental rate to government occupied areas at the ports, the following clarifications are hereby issued for compliance by all concerned:

1. The preferential rental rates indicated under AO 22-95, Article IV, Section 10.6 provides for reduced rental charges at 3% per annum of the appraised value of the original land and 1% per annum for the appraised value of improvement and to be extended to government agency/ies occupying port real estate in connection with the performance of their functions inside the ports as required by law.
2. The P1.00/sq.m./year or P1.00/year token fee imposed on various government agencies are supposed to cover land lease only. (Board Res. 1515 Explanatory Memo on Rent Rate of Areas Applied by Bureau of Customs.)
3. On the other hand, lease of building improvements such as: office buildings, warehouses, etc. owned by PPA shall be based on the latest property appraisal as provided under item 1.
4. Permanent improvements introduced by government lessees on its area/s shall become the property of the PPA upon expiration of the lease contract agreement.
5. Buildings or the permanent structures constructed inside the port by the government lessees shall not be subleased to other commercial users.

This Circular takes effect immediately.

**(Sgd.) JUAN C. STA. ANA**

# REVENUE COLLECTION

January 30, 2013

PPA Finance Memorandum Order  
NO. 01 - 2013

**TO :** All Port District Managers  
All Port Managers  
Manager, Treasury Department  
Manager, Controllership Department  
All Others Concerned

**SUBJECT :** Compliance to Section 237 of Republic Act No. 8424

## 1. Authority

This Memo Order is issued to implement Section 237 of Republic Act No. 8424, otherwise known as the National Internal Revenue Code of the Philippines, which reads as follows:

**“Issuance of Receipts or Sales or Commercial Invoices.** – All persons subject to an internal revenue tax shall, for each sale or transfer of merchandise or for services rendered valued at Twenty-five pesos (P25.00) or more, issue duly registered receipts or sales or commercial invoices, prepared at least in duplicate, showing the date, transaction, quantity, unit cost and description of merchandise or nature of service. Provided, however, that in the case of sales, receipts or transfers in the amount of One Hundred pesos (P100.00) or more, or regardless of the amount, where the sale or transfer is made by a person liable to value-added tax to another person also liable to value-added tax, or where receipt is issued to cover payment made as rentals, commissions, compensation or fees, receipts or invoices shall be issued which shall show the name, business style, if any, and address of the purchaser, customer or client. Provided, further, That where the purchaser is a VAT-registered person, in addition to the information herein required, the invoice or receipt shall further show the Taxpayer Identification Number (TIN) of the purchaser.

The original of each receipt or invoice shall be issued to the purchaser, customer or client at the time of the transaction is effected, who if engaged in business or in the exercise of profession, shall keep and preserve the same in his place of business for a period of three (3) years from the close of the taxable year in which such invoice or receipt was issued while duplicate shall be kept and preserved by the issuer, also in his place of business, for a like period.”

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## 2. Mechanics

- 2.1. In compliance with the mandate of the above-cited law which requires the purchaser (Philippine Ports Authority) to keep and preserve the duly registered receipts issued by the seller of goods and services, involving a sales amount of P25.00 or more, an Official Receipt shall be required from the following:
  - 2.1.1. Supplier of goods, such as furniture, fixtures and equipment, supplies, newspaper and magazines, food and other goods and merchandise
  - 2.1.2. Supplier of service, such as:
    - 2.1.2.1. Construction services
    - 2.1.2.2. Security services
    - 2.1.2.3. Janitorial services
    - 2.1.2.4. Consultancy services
    - 2.1.2.5. Professional services
    - 2.1.2.6. Agent services
    - 2.1.2.7. Leasing/rental services
    - 2.1.2.8. Catering services
    - 2.1.2.9. All other services
- 2.2. The Official Receipt shall indicate the name Philippine Ports Authority, business style, address and TIN, date, nature of transaction, quantity, unit cost, amount, VAT, EWT (as applicable), and description of merchandise or nature of service.
- 2.3. A purchase transaction not covered by Official Receipt, as mandated in the above-cited law, shall be disallowed by BIR upon audit, hence, the Official Receipt shall be preserved for a period of three (3) years to be presented to BIR during its tax audit.

## 3. Effectivity

This Memorandum Order shall take effect immediately.

**(Sgd.) DAVID R. SIMON**  
Assistant General Manager  
Finance, Legal and Administration



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August 13, 2013

**PPA MEMORANDUM CIRCULAR**

NO. 07 - 2013

**TO :** The Port District Managers  
The Port Managers  
The RC Heads Concerned  
All Shipping Lines/Shippers/Consignees  
All Cargo Handling Operators  
And All Other Port Users Concerned

**SUBJECT :** Amended Guidelines on Centralized  
Revolving Fund Payments Scheme

**1. Authority**

Section 6.a) (iii) Presidential Decree No. 857

**2. Rationale**

As a general rule, the Authority collects its fees and charges on a "Cash and Carry Basis". The exception to the cash and carry rule is the maintenance of a REVOLVING FUND (RF) to address the concerns of port users in the payment of fees and charges, such as, to facilitate the clearance of cargoes and vessel; to avoid incurrence of late charges and/or penalties; and to avoid the risks in carrying/handling substantial amount of cash; among others.

**3. Coverage**

These guidelines shall cover the privilege granted to the oil companies for the centralized payment of their domestic shipments PPA-wide by maintaining a Centralized Revolving Fund in the PPA Head Office.

RF customers with Decentralized Revolving Fund shall be governed by a separate Memorandum Circular.

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#### **4. General Policies**

- 4.1 The Centralized RF facility is open to the oil companies for payment of their invoices/billings for domestic wharfage charges.
- 4.2 RF Customers availing of the Centralized RF facility shall be required to maintain with PPA-Head Office a minimum cash deposit equivalent to its average 30-day transaction volume.
- 4.3 The RF shall be replenished twice a month on the 15th and end of the month or when the RF balance reaches 20% of the required minimum deposit.
- 4.4 The system will not create an RF invoice if the RF balance is below the 20% threshold. In this case, the RF customer will be automatically treated as Cash Basis Customer where transactions shall be required to be paid in cash.
- 4.5 The RF privileges shall be restored only when replenishment is made and the minimum required balance is met.

#### **5. Registration of the Centralized RF Account**

- 5.1 A customer availing of the centralized RF facility shall accomplish a "Customer Registration Form (CRF)" (Annex A) and shall choose or indicate Centralized RF Facility.
- 5.2 The RF Customer availing of the Centralized RF facility shall be assigned only one Debtor Code and shall maintain only one RF account PPA-wide.
- 5.3 The duly accomplished registration form shall be submitted to Head Office-Treasury Department for approval.
- 5.4 The approved CRF indicating the Centralized RF Customer's Debtor code shall be sent by HO-Treasury to the RF customer and copy to the servicing PMOs.

#### **6. Detailed Systems and Procedures**

Oil shipments loaded at the private oil refineries and for unloading to the different private oil depots and/or government ports nationwide shall be handled as follows:

##### **6.1. Preparation and Handling of the Wharfage Clearance Certificate (WCC)**

- 6.1.1. The official WCC form (Annex B) shall be accomplished and signed by the Oil Company for each shipment, in five copies as follows:
  - Original - Copy for Oil Company
  - Duplicate - Copy for Port of Unloading - Finance
  - TriPLICATE - Copy for Port of Unloading - Operations
  - Quadruplicate - Copy for Port of Loading - Finance
  - Quintuplicate - Copy for Port of Loading - Operations

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If there are two or more Ports of Unloading, the form for “Copy for Port of Unloading” shall be reproduced correspondingly. The reproduced copies shall likewise be accomplished and signed.

- 6.1.2 The Port of loading shall countersign the WCC and ensure the following:
- that the estimated volume to be loaded and unloaded separately to each PMO/ PTO and the exact location of the oil depot where the shipment will be unloaded are clearly indicated.
  - that the WCC are properly and legibly numbered using the following numbering sequence.

Example for PMO Batangas (3200) as Port of Loading

Oracle OU Code – Year – Sequential Number

3200 – 2013 – 0001

- 6.1.3. The WCC shall serve as the authority for the PMO to grant clearance to the vessel after loading/unloading the oil cargo.
- 6.1.4 The original WCC copy together with “Copies for Port of Unloading” shall be given to the authorized representative of the Oil Company for presentation to the Port/s of Unloading.
- 6.1.5 The Port of Unloading shall retain the WCC copy to support the grant of vessel clearance. This shall be forwarded to their Operations Section and Finance Section.
- 6.1.6 The Port/s of Loading and Port/s of Unloading shall not raise an RF Invoice upon loading/unloading of the oil shipment.

## **6.2 Preparation of Schedule of Wharfage Dues Based on Actual Shipments**

- 6.2.1 The Port/s of Loading shall submit to HO-Treasury the Wharfage Summary Report every 15th and end of the month.
- 6.2.2 HO-Treasury shall secure the Summary of Wharfage Fees and Stockpoints Actual Receipt in Metric Ton from the Oil Companies, which is based on the Surveyor’s Report, every 15th and end of the month. The actual volume of oil loaded and unloaded is determined by an Independent Surveyor.
- 6.2.3 HO-Treasury shall evaluate and reconcile the reports submitted by the Loading Ports and the Oil Companies and thereafter prepare the Schedule of Wharfage Dues on Actual Shipments per Oil Company, per Vessel, per Voyage.

## **6.3 Recognition of Revenue and Accounting of RF transactions**

- 6.3.1 HO-Treasury Department shall distribute the final revenue earned by the loading and unloading ports based on the actual shipments charged against the Centralized RF Account.

- 
- 6.3.2 HO-Treasury Department and all Operating Units concerned shall follow the procedures defined in PPA Finance Memorandum Order No. 06 – 2013 entitled “Guidelines in Accounting for Transactions Chargeable to Centralized Revolving Fund for Oil Companies” issued for the proper recording of receipt of revolving fund, creation of RF invoice and application of RF using AFMS.

#### **6.4 Replenishment of the Revolving Fund**

- 6.4.1 The Centralized RF Customer shall make a replenishment of its RF at HO-Treasury Department thru check payment or a deposit to the PPA-HO bank account, at least twice a month on the 15th and end of the month or if the RF balance reaches 20% of the required minimum balance.
- 6.4.2. For easier monitoring and reconciliation, the amount of the replenishment shall be equivalent to the total of the transactions covered by the consecutively issued 15-day batch of WCCs.

#### **6.5 Monitoring and Reconciliation of RF Balance**

- 6.5.1. HO-Treasury shall periodically perform the following:
- verify and reconcile the RF balances of the Centralized RF Customer to ensure that it complies with the minimum maintaining balance
  - generate the “RF Summary by RF Customer” or the “Listing of RF Transactions” by OU and RF Customer for monitoring and reconciliation purposes.
- 6.5.2 Issue notification to all operating units on RF Customer whose transactions must be treated on a cash basis due to suspension of their privileges as RF Customer for non-compliance with the maintaining balance.

### **7. Listing of Ports/Oil Facilities Owned/Used by Oil Companies**

- 7.1 For proper guidance of the Ports of Loading and Unloading, an updated listing of the port facilities and pipeline owned/used by the oil companies and the corresponding percentage of imposable wharfage due shall be provided by Head Office-Commercial Services Department (CSD) to Treasury Department semi-annually and whenever there are changes in the listing.
- 7.2 Oil facilities which are in process for renewal of registration and the corresponding imposable wharfage due shall likewise be included.
- 7.3 The listing shall serve as the official guide for Treasury Department and the PMOs in the computation of charges based on the applicable rate of wharfage due.
- 7.4 The oil facilities which are not included in the listing shall be charged 100% wharfage due.

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**8. Repealing Clause**

This Memorandum Circular amends PPA Memorandum Circular No. 03-2010 and all orders, rules and regulations and other issuances inconsistent herewith are hereby repealed.

**9. Effectivity**

This Memorandum Circular takes effect 30 days after publication in a newspaper of general circulation.

For strict compliance.

**(Sgd.) JUAN C. STA. ANA**

General Manager

Published in the Philippine Star – September 6, 2013

**Effectivity Date – October 6, 2013**



**ANNEX "A"**

**CUSTOMER REGISTRATION FORM**  
(For TRADE ACCOUNT)

**Reminders:**

1. Please see reverse for the general instructions on how to fill out the form
2. Asterisks (\*) mandatory fields, fill-up
3. Shaded items, no need to fill-up
4. Accomplish one (1) copy per Customer.
5. Submit accomplished Customer Registration Form to Accounting Processor (for HO and PDO) or \_\_\_\_\_ (for PMO)
6. Attach required supporting documents with this form.

\* Action:  [C] Create / [R] Revise / [D] Delete

Customer Code:  
(System Generated) \_\_\_\_\_

**To be filled out by Customer**

Customer Details

\*1. Customer Name: \_\_\_\_\_  
\_\_\_\_\_

\*2. Short Name: \_\_\_\_\_ \*3. DTI Registration Number: \_\_\_\_\_

\*4. Address: \_\_\_\_\_  
\_\_\_\_\_

\*5. Postal/Zip Code: \_\_\_\_\_ 6. Country:  P  H Philippines

\*7. TIN: \_\_\_\_\_

**8. Communications**

\*Contact Name: \_\_\_\_\_

\*Contact Position: \_\_\_\_\_

\*Telephone 1: \_\_\_\_\_ \*Fax No.: \_\_\_\_\_

\*Telephone 2: \_\_\_\_\_ E-mail: \_\_\_\_\_

9. Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

**For PPA Accounting Use Only**

\*1. PPA Office: \_\_\_\_\_

\* Customer Group (check groups that apply)

Ancillary Services  Cargo Handling Operator  Port Users  Lessee  Special Takeover Unit  Government  Others

2. Surcharge Indicator:  Yes  No 6. Bank Guarantee:  Yes  No

3. Surcharge Code: INT – 12% PENALTIES – 25% 7. Tax Code: 01- Output VAT

4. E-Port:  Yes  No 8. Control Account: 8-71-600-Receivable – Trade

5. Account Category:  Cash  Credit/ With Revolving fund 9. Payment Terms: C000 – CASH

Centralized RF 10. Currency Type: PHP– Philippine Peso  
 Decentralized RF

11. <u>Prepared By/Date:</u>	<u>Authorized By/Date:</u>	<u>Encoded By/Date:</u>	<u>Checked By/Date:</u>
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# General Instructions

Indicate the Application type/action by marking the appropriate letter on the box provided.

Example: 

C
---

 [C] Create / [R] Revise / [D] Delete

## To be filled out by Customer

1. Indicate the Customer Name in the boxes provided.

Example: Customer Name:  

O	C	L		L	I	M	I	T	E	D										
---	---	---	--	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--

2. Indicate the Customer Short Name in the boxes provided.  
 Example: Short Name: 

O	C	L																		
---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

3. Indicate the Customer DTI Registration No. in the boxes provided.

Example: DTI Registration No: 

1	5	5	6	9	9	0	0	2	1
---	---	---	---	---	---	---	---	---	---

4. Indicate the Customer Address in the boxes provided.

Example: Address:  

S	U	P	E	R		T	E	R	M	I	N	A	L	,						
P	I	E	R	1	5															

S	O	U	T	H		H	A	R	B	O	R	,		P	O	R	T				
A	R	E	A	,		M	A	N	I	L	A										

5. Indicate the Customer Address ZIP/POSTAL Code in the boxes provided. Check consistency of code w/ address above.

Example: Zip/Postal Code 

1	0	1	3
---	---	---	---

6. Country value is pre-supplied.

Example: Country: 

P	H
---	---

Philippines

7. Indicate the Customer TIN in the boxes provided.

Example: TIN 

9	1	2	3	5	7	8	6	0	8	6	0
---	---	---	---	---	---	---	---	---	---	---	---

8. Indicate the Customer Contact Person's Name, Contact Position, Contact Number/s, Fax No and E-mail Address in the boxes/line provided.

Example:  
 Contact Name:  

J	U	A	N		D	E	L	A		C	R	U	Z							
---	---	---	---	--	---	---	---	---	--	---	---	---	---	--	--	--	--	--	--	--

Contact Position:  

A	G	E	N	T																
---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Telephone 1: 

0	2	3	0	1	9	2	9	1												
---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--

Telephone 2: 

0	9	1	7	4	3	2	5	5	6	6										
---	---	---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--

Fax No.: 

0	2	3	0	1	9	2	9	2												
---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--

E-mail: ocl@yahoo.com

9. Indicate Name of the Person who accomplished the form & affix signature and date when the form was accomplished.

Example:  
 Prepared by: Juan Dela Cruz Date: 01/16/2004

## For PPA Accounting Use Only

1. Indicate the Office Code and Customer Group with respective descriptions in the boxes/lines provided.

Example:  
 PPA Office: PMO-North Harbor  
 Customer Group: 

P	0	0	0
---	---	---	---

Port Users

2. Surcharge indicator is pre-supplied with default value to "Yes".  
 Example:  Yes

3. Surcharge Code is pre-supplied with default value, if surcharge indicator is "Yes".  
 Example: Surcharge Code: 12% - Int 25% - Penalty

4. E-Port is pre-supplied with default value to "No"  
 Example:  No

5. Account Category is pre-supplied with default value to "Cash".  
 Example:  Cash

(Indicate if decentralized or centralized RF customer.)

6. Bank Guarantee is pre-supplied with default value to "No".  
 Example:  No

7. Tax Code value is pre-supplied.

Example: Tax Code: 01-Output VAT

8. Control Account value is pre-supplied

Example: Control Account 8-71-600 Receivables Trade/Business

9. Payment Term Code value is pre-supplied with default value to "Cash."

Example: Payment Terms: C000 - Cash

10. Currency Type value is pre-supplied with default to "Php Peso."

Example:  
 Currency Type: Philippine Peso

11. Indicate Names and Dates and affix respective signatures of the persons who provided the information, gave authority to encode, encoded the information and validated the accuracy.

Example:

ALBorbon 01/19/04 <u>Prepared By/Date:</u>	RDPineda 01/19/04 <u>Authorized By/Date:</u>	SBVitalis 01/20/04 <u>Authorized By/Date:</u>
RDMedina 01/21/04 <u>Checked By/Date:</u>		

CUSTOMER PROFILE/CLASS/GROUP

<input type="checkbox"/>	ANCILLARY SERVICES	<input type="checkbox"/>	LESSEE
<input type="checkbox"/>	CARGO HANDLING OPERATIONS	<input type="checkbox"/>	SHIPPING LINE / AGENT
<input type="checkbox"/>	EMPLOYEES	<input type="checkbox"/>	SPECIAL TAKE OVER UNIT
<input type="checkbox"/>	GOVERNMENT OFFICE	<input type="checkbox"/>	UTILITY USERS
<input type="checkbox"/>	OTHER		

CUSTOMER INDUSTRY TYPE

CODE	DESCRIPTION	CODE	DESCRIPTION
<input type="checkbox"/>	B0 BANKING SERVICE	<input type="checkbox"/>	NO NON-REGULAR EMPLOYEE
<input type="checkbox"/>	B1 BROKERAGE SERVICE	<input type="checkbox"/>	O0 OTHER GOVERNMENT SERVICES
<input type="checkbox"/>	B2 BUNKERING	<input type="checkbox"/>	P0 PARLING / GARAGE SERVICES
<input type="checkbox"/>	C0 CANTEEN/RESTAURANT SERVICE/ FOOD SERVICES/ CHANDLING	<input type="checkbox"/>	P1 PASSENGER TERMINAL SERVICES
<input type="checkbox"/>	C1 CARGO CHECKING	<input type="checkbox"/>	P2 PHARMACEUTICAL SERVICES
<input type="checkbox"/>	C2 CARGO CONSOLIDATION / FORWARDING SERVICES	<input type="checkbox"/>	P3 PHOTO SHOPS
<input type="checkbox"/>	C3 CARGO HANDLING SERVICE	<input type="checkbox"/>	P4 PILOTAGE
<input type="checkbox"/>	C4 CARGO SURVEYING	<input type="checkbox"/>	P5 PORT TERMINAL OPERATORS
<input type="checkbox"/>	C5 COMMUNICATION / POSTAL SERVICES	<input type="checkbox"/>	P6 PORTERAGE SERVICES
<input type="checkbox"/>	C6 CONTAINER TARD / CONTAINER FREIGHT STATION	<input type="checkbox"/>	P7 POWER BARGE
<input type="checkbox"/>	C7 CURIO SHOP / STORE	<input type="checkbox"/>	P8 PRINT MEDIA PUBLICATION
<input type="checkbox"/>	D0 DREDGING SERVICE	<input type="checkbox"/>	PUBLIC SECTOR COMPANIES
<input type="checkbox"/>	E0 EQUIPMENT / APPLIANCE HIRE / RENTAL	<input type="checkbox"/>	R0 REGULAR EMPLOYEE
<input type="checkbox"/>	F0 FUMIGATION	<input type="checkbox"/>	R1 REPRODUCTION SERVICES
<input type="checkbox"/>	G0 GASOLINE / FUEL STATION	<input type="checkbox"/>	S0 SECURITY & DETECTIVE SERVICE
<input type="checkbox"/>	I0 ID LAMINATION	<input type="checkbox"/>	S1 SHIPPING AGENT SERVICES
<input type="checkbox"/>	I1 IMPORT / EXPORT	<input type="checkbox"/>	S2 SHIPPING CHANDLING / CLEANING SERVICES
<input type="checkbox"/>	I2 INDUSTRIAL AND MARINE SERVICES	<input type="checkbox"/>	S3 SHIPPING SERVICES
<input type="checkbox"/>	I3 INSURANCE	<input type="checkbox"/>	T0 TOURS & TRAVEL
<input type="checkbox"/>	J0 JOB ORDER - EMPLOYEE	<input type="checkbox"/>	T1 TOWING / TUGGING SERVICE
<input type="checkbox"/>	L0 LAUNDERING SERVICE	<input type="checkbox"/>	T2 TRUCKING / HAULING SERVICES
<input type="checkbox"/>	L1 LIGHTERAGE/ BARGING OPERATION	<input type="checkbox"/>	V0 VESSEL MAINTENANCE
<input type="checkbox"/>	L2 LODGING INNS/ HOSTEL	<input type="checkbox"/>	W0 WAREHOUSE SERVICES
<input type="checkbox"/>	M0 MACHINERY SHOP	<input type="checkbox"/>	W1 WATER DIPOSAL SERVICE / OIL SLUDGE
<input type="checkbox"/>	M1 MANPOWER/MANNING SERVICES	<input type="checkbox"/>	W2 WATER SUPPLIERS / WATERING SERVICES
<input type="checkbox"/>	M2 MANUFACTURING / PROCESSING INDUSTRIES	<input type="checkbox"/>	W3 WATER TAXI
<input type="checkbox"/>	M3 MARINE HAULER OF PETROLEUM PRODUCTS/ OTHER	<input type="checkbox"/>	W4 WEIGHBRIDGE / TRUCK SCALE OPERATION
<input type="checkbox"/>	M4 MARITIME RELATED SERVICES	<input type="checkbox"/>	Z0 OTHERS
<input type="checkbox"/>	M5 MARITIME SURVEYING		



**WCC No. 3200-2013-0001**  
**Date April 12, 2013**

**ESTIMATED VOLUME LOADED:**

Loading PMO	Oil Refinery	Vessel & Voyage No.	Estimated Volume Loaded

**ESTIMATED VOLUME UNLOADED:**

Unloading PMO	Oil Refinery	Vessel & Voyage No.	Estimated Volume Unloaded
Total			

**CERTIFIED CORRECT:**

\_\_\_\_\_  
 Printed Name & Signature  
 Terminal Operation Officer  
 Port of Loading

\_\_\_\_\_  
 Name of Oil Company  
 By:

\_\_\_\_\_  
 Printed Name & Signature  
 Authorized Representative

NOTE: The WCC form for "Copy for Port of Unloading" may be reproduced corresponding to the number of ports of unloading. The reproduced copy/copies shall likewise be duly accomplished and signed accordingly.

- Copy for oil Company
- Copy for Port Unloading-Finance
- Copy for Port Unloading-Operations
- Copy for Port of Loading-Finance
- Copy for Port of Loading-Operations

# **SPECIAL TAKEOVER UNIT**

November 15, 2013

## **PPA MEMORANDUM ORDER**

**NO. 32 - 2013**

**SUBJECT : Creating the PPA-Tacloban Port Services  
(PPA-TPS)**

In view of the devastation brought about by typhoon Yolanda which adversely affected the port operations at the Port of Tacloban, specifically the cargo handling operation, and in the exercise of the inherent functions of the Authority to directly provide and operate cargo handling and related services as prescribed by Presidential Decree No. 857, there is hereby created PPA Tacloban Port Services (PPA-TPS).

The PPA-TPS shall, henceforth, provide and operate the cargo handling services at the Port of Tacloban, Tacloban City, 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 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. Disburse funds to finance the necessary expenses of operations in accordance with the system prescribed by the Authority.
4. Conduct inventory of cargoes received and still in the custody of the operator as of takeover date.
5. Conduct inventory of cargo handling equipment, gears, tools and other property of the operator.
6. Conduct inventory of cargo records and claims.
7. Conduct inventory of unused forms and supplies which can be used for the takeover.
8. Conduct inventory of office and field personnel.
9. Submit monthly operational and financial reports to the AGM for Operations.

The management, supervision and control of PPA-TPS shall be under the Port Manager of PMO Tacloban to be complemented by PPA Officials and employees as the General Manager, Port District Manager, or Port 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 Takeover Unit (STU), the cargo handling operations shall be turned over to the private sector.

For guidance.

**(Sgd.) JUAN C. STA. ANA**  
General Manager

# **VESSEL OPERATIONS**

March 11, 2013

PPA OPERATIONS MEMORANDUM CIRCULAR  
NO. 04 - 2013

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

**SUBJECT :** Discontinuance of Submission of Bill of Lading as a Documentary  
Requirement in the Entrance/Departure Clearance Procedures  
of Quality Management System – Vessel Entrance and Clearance  
(QMS-VEC) Procedure Manual

Pursuant to the implementation of PPA MC No. 13-2002 entitled “Reduction of Documentary Requirements for Arrival and Departure Clearance for Domestic and Foreign Vessels,” the submission of the Bill of Lading as one of the requirements for the Entrance and Departure Clearance is hereby discontinued.

For ports which have been ISO-certified under the QMS-VEC Program, the Port Manager/PMO Management Representatives concerned are hereby directed to make necessary revisions in their QMS-VEC Procedure Manuals under the Entrance Formalities Procedures regarding the deletion of the Bill of Lading as one of the requirements to be submitted by the shipping agent.

For compliance.

**(Sgd.) RAUL T. SANTOS**  
Assistant General Manager  
for Operations

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December 10, 2013

**PPA MEMORANDUM CIRCULAR**  
**NO. 11 - 2013**

**TO :** All District Managers, Port Managers  
Ship Owners/Operators/Agents  
Others Concerned

**SUBJECT :** Reiteration of Simplified Requirements for Vessel Entrance and  
Departure Clearances Prescribed in PPA Memorandum Circular  
No. 13-2002

Pursuant to PPA Board Resolution No. 2335 dated 19 November 2013, the documentary requirements for vessel entrance and departure clearances prescribed under PPA Memorandum Circular No. 13-2002 entitled "Reduction of Documentary Requirements for Arrival and Departure Clearance for Domestic and Foreign Vessels" have been retained. This is in consideration that the same are already the barest minimum requirements.

In view of the foregoing, it is hereby reiterated that the following documents shall be required to be submitted or presented to the PMO or TMO personnel concerned upon application for arrival and departure clearance of domestic and foreign vessels:

**1. Domestic Vessels:**

**1.1 For Arrival Clearance**

- a. Duly signed Inward Coasting Manifest
- b. Roll Book
- c. Passenger Manifest
- d. Dangerous Cargo Manifest (when applicable)
- e. Application for Berth/Anchorage

**1.2 For Departure Clearance**

- a. Duly signed Outward Coasting Manifest
- b. Roll Book
- c. Passenger Manifest
- d. Official Receipt/s of Payments of Port Charges

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**2. Foreign vessels:**

2.1 For Arrival Clearance

- a. Inward Foreign Manifest
- b. Dangerous Cargo Manifest (when applicable)
- c. Passenger Manifest (when applicable)
- d. Application for Berth/Anchorage

2.2 For Departure Clearance:

- a. Outward Foreign Manifest
- b. Passenger Manifest (when applicable)
- c. Official Receipt/s of Payment of Port Charges

All other provisions of PPA Memorandum Circular No. 13-2002 shall remain valid and enforceable.

For compliance.

**(Sgd.) JUAN C. STA. ANA**  
**General Manager**

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**SECRETARY'S CERTIFICATE**

I, ELSA L. HILARIO, 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 the 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 397th Regular meeting of the Board of Directors of the Philippine Ports Authority held on 19 November 2013 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. 2335**

*“RESOLVED, That on motion duly made and seconded, Ex-Com Resolution Nos. 2013-1347 to 2013-1352, as adopted during the 263rd Meeting of the Executive Committee held on 25 October 2013 and Ex-Com Resolution Nos. 2013-1354 to 2013-1365, as adopted during the 264th Meeting of the Executive Committee held on 19 November 2013, hereto attached and incorporated by reference, be, as they are hereby confirmed.”*

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 19th day of November 2013, at the above-mentioned address.

**(Sgd.) ATTY. ELSA L. HILARIO**  
Corporate Board Secretary

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September 04, 2013

**PPA ADMINISTRATIVE ORDER  
NO. 02 - 2013**

**TO :** Manila North Harbour Port, Inc. (MNHPI)  
Philippine Liners Shipping Association, Inc. (PLSAI)  
Manila Bay Harbor Pilots' Partnership (MBHPP)  
All Domestic Shipping Lines/Companies and Others Concerned

**SUBJECT :** Guidelines on the Management and Allocation of Berths at Manila North Harbor

**1. AUTHORITY**

- 1.1 Sections 6-a (v) and 26 of Presidential Decree 857, "Revised Charter of the Philippine Ports Authority"
- 1.2 PPA Administrative Order No. 13-77, "General Port Regulations of the Philippine Ports Authority"
- 1.3 PPA Administrative Order No. 04-83, "Guidelines in the Issuance of Berthing Permit and Related Berthing Instructions to Vessels Engaged in Coastwise Trade"
- 1.4 PPA Memorandum Circular No. 11-96, "Designation of Anchorage Grounds at PMO Baseports"
- 1.5 PPA Memorandum Circular No. 14-2012, "Designation of Additional Anchorage Areas at the Manila North Harbor"
- 1.6 Section 4.02, Article IV of the Contract for the Development, Management, Operation and Maintenance of the Manila North Harbor entered into by the Philippine Ports Authority (PPA) and Manila North Harbour Port Inc. (MNHPI) on 19 November 2009
- 1.7 PPA Memorandum Circular No. 19-96, "Revised Guidelines and Standard Operating Procedures in the Port During Inclement Weather"
- 1.8 PPA AO 03-06 Guidelines Implementing the Vessel Traffic Management System at the Port District of Manila

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## **2. SCOPE**

These guidelines shall apply to all vessels calling at Manila North Harbor, the project area subject of the Contract between PPA and MNHPI. Specifically, this shall govern the management and allocation of berths at Isla Puting Bato, Piers 2 to 16, Marine Slipway and the anchorage areas of North Harbor.

## **3. OBJECTIVES**

- 3.1 To establish the responsibility of MNHPI and PPA in undertaking berth management inside Manila North Harbor;
- 3.2 To prescribe guidelines on the allocation of berths and movement of vessels at Manila North Harbor to ensure that the berths are efficiently utilized;
- 3.3 To prevent damage to the port facility and the vessels berthed thereat.

## **4. GUIDELINES**

- 4.1 As a general rule, the common-user and the “first come-first served” policies in determining the berthing priorities of vessels shall be followed. This may, however, be modified to accommodate the vessels stated in Section 6 hereof.
- 4.2 The management and allocation of berths and shifting of vessels inside Manila North Harbor and at the inner breakwater shall be the responsibility of MNHPI pursuant to its Contract with PPA.
- 4.3 The assignment of berths at the anchorage areas outside of the breakwater of North Harbor shall be the responsibility of and must be coordinated with the Authority. As such, the application for berth thereat shall be filed with and approved by PPA.
- 4.4 However, as provided in Section 7.1. hereof, and to prevent damage to vessels and port facilities, MNHPI may order the shifting of vessels to the anchorage areas outside of the breakwater of North Harbor provided PPA is immediately notified of such vessel movement.
- 4.5 Entry and departure clearances of vessels shall continue to be secured from and granted by PPA. In this regard, MNHPI shall ensure that prior clearance from the Authority has been secured before allowing the departure of the vessel for her next port of call.
- 4.6 No vessel shall be allowed to undertake any repair while at berth unless with prior authority from PPA.



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- 4.7 Except as provided under Section 6 hereof, only vessels that will load/unload cargo/passengers shall be allowed to berth inside Manila North Harbor. The berth shall not be used by idle vessels.
  - 4.8 Masters of vessels shall ensure that their vessel always has adequate responsible officers and men who could move the vessel when ordered to do so.
  - 4.9 Nothing prescribed herein shall preclude the Authority from directing the movement of any vessel to the anchorage area outside of the breakwater, if the Authority deems it necessary. Any expense incurred in complying with the said directive shall be borne by the owner of the vessel concerned.

## 5. **BERTHING APPLICATION**

- 5.1 The application for berth shall be submitted to and approved by MNHPI as follows:
  - 5.1.1 at least Twenty-Four (24) hours before the Estimated Time of Arrival (ETA), for Regular-Run Vessels;
  - 5.1.2 at least Thirty-Six (36) Hours before ETA, for Tramping Vessels. In order to immediately generate the Ship Call Number (SCN); the shipping company shall furnish PPA with a copy of the berth application duly processed and approved by MNHPI upon entrance.
- 5.2 The prescribed periodic reports on vessel calls, actual arrivals/departures, berthing assignments and other data on vessel movements shall be submitted by MNHPI to PPA.

## 6. **BERTHING PRIORITIES**

As a general rule, the “first-come, first-served” policy on berth allocation based on the ETA of the vessel shall be observed. However, exceptions may be exercised for the following:

- 6.1 Vessels in distress or in a state of emergency, where life or property is endangered;
- 6.2 Vessels of the Philippine Government on official business or purpose;
- 6.3 Vessels carrying embarking/disembarking passengers;
- 6.4 Vessels carrying perishable goods or livestock for unloading without delay;

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6.5 Vessels intending to berth solely for the purpose of loading fresh water, bunkering or victualling before such vessel will be able to depart for another port provided that such stay time shall not exceed the allowable period of time;

6.6 Other vessels when public interest so requires.

**7. SHIFTING OF VESSELS AT THE ANCHORAGE AREAS OUTSIDE BREAKWATER (OBW)**

7.1 In order to maximize the use of the berths at Manila North Harbor and to ensure the safety of the berthing facilities, the following vessels shall be shifted to the anchorage areas outside of the breakwater upon proper coordination with the Vessel Traffic Management System Control Center (VTMSSC):

7.1.1 Vessels lying idle at berth while waiting for cargo;

7.1.2 Vessels waiting for clearance from any government agency, such as the Maritime Industry Authority, the Philippine Coast Guard, Bureau of Customs;

7.1.3 Vessels undertaking completion of minor repair works where the waiting time will exceed eight (8) hours;

7.1.4 Vessels encountering mechanical trouble or those which are inoperative thereby restraining departure from dockside berth for a considerable period of time;

7.1.5 Vessels at berth during inclement weather.

7.2 MNHPI shall be responsible for the issuance of shifting orders to vessels that will be shifted to the anchorage area, provided, PPA is immediately furnished a copy of the said shifting order. The shifting of a vessel to the anchorage area does not require the issuance of a clearance by PPA.

7.3 MNHPI shall report to PPA any vessel which remains at her berth despite the issuance of a shifting order.

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## 8. SHIFTING SEQUENCE

When deemed necessary, and in accordance with the guidelines and standard operating procedures in the port during inclement weather, the movement of vessels from dockside berth to the anchorage areas shall be in accordance with the following order of priorities:

- 8.1. Vessels docked at Marine Slipway and Pier 16;
- 8.2 Vessels at Berth 3 of all piers;
- 8.3 Vessels at Berths 1 and 2 of all piers;
- 8.4 Vessels at Berths 4 and 5 of all piers;
- 8.5 Vessels docked at the Slips

MNHPI's Berth Management and Planning Office shall coordinate the execution of the shifting sequence in coordination with the VTMSCC, the MBHPP, the tug assistance operators and the shipping lines.

## 9. POWERS OF PPA

- 9.1 PPA shall retain its oversight authority and regulatory powers over berth management at Manila North Harbor to ensure the efficient management of berthing facilities and the smooth flow of cargo and passengers in and out of the port.
- 9.2 PPA PMO-North Harbor shall be responsible for the proper collection of port charges against vessels and for the issuance of entrance and departure clearances to vessels.
- 9.3 Conflict on berthing assignments arising from emergency, crisis, natural calamities, strikes and pier congestion shall be resolved by the Port Manager, PMO North Harbor.
- 9.4 Nothing in these guidelines shall preclude PPA from withdrawing the authority granted herein for failure to achieve the intention of this Order.

## 10. PENALTY CLAUSE

Defiance/non-compliance by the Master of the vessel/the shipping line owners or their authorized representatives to the shifting order issued by PPA/MNHPI shall subject the person/company involved to the penalties prescribed under Sec. 43 of Presidential Decree No. 857, as amended by Executive Order No. 513, and under any other laws that may be applicable thereto.

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11. **REPEALING CLAUSE**

All rules, regulations, guidelines and other issuances or parts thereof which are contrary or inconsistent herewith are hereby repealed or modified accordingly.

12. **EFFECTIVITY**

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

For guidance and strict compliance.

**(Sgd.) JUAN C. STA. ANA**

General Manager

Published in the Philippine Star – September 9, 2013

**Effectivity Date - September 24, 2013**

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