

PHILIPPINE PORTS AUTHORITY

Port Rules and Regulations 2014

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Philippine Ports Authority
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**Port Rules and Regulations
2014**

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FOREWORD

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 2014.

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 2013
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.

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.

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

Frontline services are delivered by the Port Management Offices which are semi-autonomous regional offices responsible for the activities of the various Terminal 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, PPA shall have provided globally competitive port service in the Philippines characterized by increased productivity, efficiency, connectivity, comfort, safety, security and environmental sustainability.

Mission

1. Provide reliable and responsive services in ports, sustain development of communities and the environment, and be a model corporate agency of the government.
2. Establish a mutually beneficial, equitable, and fair relationship with partners and service providers.
3. Provide meaningful and gainful employment while creating a nurturing environment that promotes continuous learning and improvement.
4. Establish a world-class port operation that is globally competitive adding value to the country's image and reputation.

CORE VALUES

Excellence. Professionalism, Efficiency

Creativity. Innovation, Adaptability

Customer Satisfaction. Customer Focus

Responsible Citizenship. Sustainability, Accountability, Risk Management

Ethics. Integrity within moral bounds.

Sincerity. Commitment to fulfill mandate.

Teamwork. Synergy of working together. Esprit de corps

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

January 24, 2014

PPA ADMINISTRATIVE ORDER
NO. 01 - 2014

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

SUBJECT : Amendment to PPA Administrative Order No. 07-2013 Entitled
“Simplification of Procedures in the Processing and Issuance
of Permits to Operate Ancillary Services in the Ports”

Item 8 of the attached Omnibus Undertaking (Sworn Affidavit) Form, one of the forms prescribed in the abovementioned Order required to be submitted by an applicant for a Permit to Operate (PTO) ancillary service, is hereby amended to read as follows:

“8. I hereby hold PPA free from all liens, encumbrances and liabilities resulting from non-compliance therewith.”

All other provisions of PPA Administrative Order No. 07-2013 remain valid and enforceable.

This Order shall take effect immediately after its publication in a newspaper of general circulation.

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

Enclosure: As stated

Published in the Philippine Star – January 30, 2014

**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 to 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 free 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

March 05, 2014

PPA ADMINISTRATIVE ORDER
NO. 03 - 2014

TO : All Port District Managers/Port Managers,
Cargo Handling Operators, Ancillary Service Operators,
Shipping Companies, Ship Agents, Consignees/Shippers
and Others Concerned

SUBJECT : Amendment to Item No. 8.1 of the TOR (Annex "D"), of
PPA Administrative Order (A.O) No. 04-2012, Guidelines
on the Provision of Roll-On/Roll-Off Services at PPA Ports

In order to ensure uniform implementation of PPA A.O. No. 04-2012, Item No. 8.1 of the Terms of Reference (TOR) (Annex "D") of the aforementioned Order, is hereby amended to be read as follows:

"8.1. The RORO charges and related fees to be collected for the provision of RORO and other port related services shall be the rates prescribed by the Authority."

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

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

Published in the Philippine Star - March 8, 2014
Effectivity Date – March 22, 2014

December 16, 2014

PPA MEMORANDUM CIRCULAR
NO. 18 - 2014

TO : The Port District Manager
PDO-Manila/Northern Luzon

The Port Manager, PMO-North Harbor
Manila North Harbor Port, Inc. (MNHPI)
Port Users
Others Concerned

SUBJECT : Approved Eight Percent (8%) Additional Increase in Cargo
Handling (CH) Tariff at the Manila North Harbor

Pursuant to the PPA Board of Director's Ex-Com Resolution No. 2014-1412 and Board Resolution No. 2408 dated December 5, 2014, the revised recommendation of the Board Technical Working Group (TWG) to grant the Manila North Harbour Port, Inc. (MNHPI) a tariff rate adjustment of not more than eight percent (8%) increase; in addition to the 2013 provisional increase of 10% granted by PPA, is hereby approved.

The Commercial Services Department shall make the necessary adjustment in the existing CH tariff schedule of MNHPI at the Manila North Harbor.

The eight percent (8%) increase in CH rate shall be effective 30 days after publication of this Circular in a national newspaper of general circulation.

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

Published in the Philippine Star - December 20, 2014
Effectivity Date – January 19, 2015

CARGO HANDLING OPERATIONS

January 20, 2014

PPA OPERATIONS MEMORANDUM CIRCULAR
NO. 01 - 2014

TO : All Port District Managers,
Port Managers,
Cargo Handling Operators,
And All Others Concerned

SUBJECT : Establishment of Performance Security of
Cargo Handling Operators (CHOs)

In order to prescribe a uniform basis for the establishment of Performance Security to be posted and maintained by CH Operators pursuant to their CH Contracts with PPA, furnished herewith is a copy of the Legal Services Department (LSD) Opinion No. 01-2014 – “Establishment of Performance Security of Cargo Handling Operators” which opines, and therefore prescribes the pertinent provisions of PPA Administrative Order (AO) No. 03-2009 as the legally correct bases for the computation of the Performance Security to be posted by CHOs.

Further, considering that PPA AO No. 03-2009 takes precedence over previous issuances relative to the establishment of Performance Security and pending amendment of the same, the issuance of clarificatory guidelines to this effect is not necessary.

For your guidance.

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

Encl.: As stated.

January 8, 2014

OPINION
NO. 01
Series of 2014

FOR : **The Assistant General Manager for Operations**

THRU : **The Manager
Port Operations Services Department (POSD)**

FROM : **The Manager
Legal Services Department (LSD)**

SUBJECT : **Establishment of Performance Security of Cargo Handling Operators (CHO)**

I. Preliminary Statement

This refers to your Memorandum dated September 6, 2013 requesting comments/opinion on the initial draft of the proposed Guidelines in the Establishment of Performance Security of Cargo Handling Operators.

II. Antecedents

On January 1, 1997, PPA A.O No. 13-96 entitled "Prescribing PPA Performance Standards and Rating System for Cargo Handling Contractors and Providing Sanctions Therefore" took effect. Appendix I of the said A.O. provides for the Table of Amount of Performance Bonds for Cargo Handling Contracts/Permits wherein the amount of cargo handling gross revenue corresponds to a definite amount of bond.

On April 12, 2006, PPA A.O. No. 01-2006 entitled "Compendium of Regulations on Cargo Handling Operations" was issued. It is provided there that the CHO should put up a performance bond/security in the amount prescribed by PPA.

On October 26, 2007, PPA A.O. No. 04-2007 was issued providing for “Additional Table of Performance Bond for Cargo Handling Contracts/Permits” wherein Appendix I of PPA A.O. No. 13-96 was amended to expand the Cargo Handling Gross Revenue to up to 800,000,000.00

On April 14, 2009, PPA A.O. No. 03-2009 entitled “Amendment to Article III (Guidelines in the Conduct of Public Bidding) of PPA Administrative Order No. 01-2006” was issued, providing for a different computation of performance security required to be posted by the CHO.

In a Memorandum dated September 6, 2013, the Manager of POSD, requested for comments and recommendation on the proposed draft PPA Memorandum Circular entitled “*Clarificatory Guidelines on the Establishment of Performance of Cargo Handling (CH) Operators*”.

III. Issue/s

What Administrative Order should be the basis for the determination of the Performance Security of CHOs?

IV. Discussion

P.D. 857, as amended granted PPA the power, among others, to provide services (whether on its own, by contract, or otherwise) within the Port District¹, in accordance with this authority, PPA issued PPA A.O. 01-2006 which provides for the guidelines in conduct of public bidding for cargo handling services.

Paragraph (f) of provision no. 40 of PPA A.O. 01-2006 entitled Performance Bond, provides that:

“To guarantee the faithful performance of its obligations under the contract prepared in accordance with the bidding documents, the CH Operator within thirty (30) calendar days from the signing of the CH contract, put up a **performance bond/ security in the amount prescribed by the Authority** and the contract to be secured from the Government Service Insurance System (GSIS) General Insurance Fund, subject to the requirements prescribed by this Order.”

Perusal of pertinent PPA issued rules and regulations reveals that there are two (2) PPA regulations which provide for the performance security amount required by PPA to be put up by the CHOs namely, PPA A.O. 13-96, as amended by PPA A.O. 04-2007 and on the hand the latest issued PPA A.O. 03-2009.

¹(v) a. section 6. Corporate Powers and Duties, PD 857, as amended

PPA A.O. 03-2009 intended solely to amend the bidding procedure as gleaned from the title itself "AMENDMENT TO ARTICLE III (Guidelines in the Conduct of Public Bidding) OF PPA ADMINISTRATIVE ORDER NO. 01-2006". However, said A.O. likewise provided for an entirely new system of computing the amount of performance bond required to be put up by the CHOs, as stated in paragraph 40 letter (f), Performance Security, to wit:

To guarantee the faithful performance by the winning bidder of its obligations under the contract, it shall post a Performance Security within thirty (30) calendar days from effectivity of the CH Contract. The performance security shall be in any of the following forms:

- (a) *Cash, certified check, cashier's/manager's check, bank draft/guarantee confirmed by a reputable local bank;*
- (b) *Irrevocable letter of credit issued by a reputable commercial bank or in case of an irrevocable letter of credit issued by a foreign bank the same shall be confirmed or authenticated by a reputable local bank;*
- (c) *Surety bond, callable upon demand, issued by the GSIS or other reputable surety or insurance company duly licensed by the office of the Insurance Commission; or*
- (d) *A combination of the foregoing.*

The required amount of the above forms of security shall be in accordance with the following schedule:

FORM OF PERFORMANCE SECURITY	P _____ (Total gross income from CH operations of the Port for the Immediately Preceding Year)
Cash, certified check, cashier's check, manager's check, bank draft or irrevocable letter for credit	Five percent (5%)
Bank guarantee	Ten percent (10%)
Surety Bond	Thirty percent (30%)

On the other hand, PPAA.O. No. 13-96 and PPAA.O. No. 04-2007 provide for a graduated fixed amount of Performance Bond based on the annual gross revenue of the CHO. PPA A.O. No 03-2009 requires that the amount of Performance Bond of the CHO be based on certain percentage, depending on the kind of performance security the CHO chooses, of the total gross income from the succeeding year.

Clearly, the two (2) previously cited provisions are contrary to each other and the following table

shows an example of a comparative computation using the two (2) different systems:

CHO annual gross revenue	Amount of Performance Bond to be put up under:		
	PPA A.O. 13-96 as amended by 04-2007	PPA A.O. 03-2009	
Php 800,000,000.00	Php 16,000,000.00	Cash (5%)	Php 40,000,000.00
		Bank Guarantee (10%)	Php 80,000,000.00
		Surety Bond (30%)	Php 240,000,000.00

It is noted that the provision of PPA A.O. 03-2009 provided for a clear and definite repeal of the provisions of PPA A.O. Nos. 01-2006 and 04-2007 as the latter forms part of PPA A.O. 01-2006 as a supplemental provision, to wit:

“Pursuant to Section 6-a (iii), and (v), 6-b (vi) and 23 of Presidential Decree No. 857, as amended, and in order to further clarify the procedures for bidding and award of cargo handling (CH) services and to harmonize the requirements thereof with the other pertinent regulations on the matter, Article III (Guidelines in the Conduct of Public Bidding) of PPA Administrative Order No. 01-2006, otherwise known as the “compendium of Regulations on Cargo Handling Operations”, is hereby amended and modified as follows:” (boldface ours)

It is basic in statutory construction that when the law is clear and unambiguous, the same must be applied to the letter accordingly without interpretation, as reiterated by the Supreme Court in the case of *PDEA vs. Brodett and Joseph* (G.R. No. 196390, September 28, 2011)

“Basic is the rule in statutory construction that when the law is clear and unambiguous, the court has no alternative but to apply the same according to its clear language. The Supreme Court had steadfastly adhered to the doctrine that the first and fundamental duty of courts is to apply the law according to its express terms, interpretation being called only when such literal application is impossible. No process of interpretation or construction need be resorted to where a provision of law peremptorily calls for application.”

Moreover, since PPA A.O. 03-2009 was issued only in April 14,2009, it is the most recent law issued on the matter and therefore should take precedence.

V. Conclusion/Recommendation

In view of the foregoing, it is our view that the provision of PPA A.O. No. 03-2009 is legally correct bases in the computation of the performance security to be put up by CHOs.

It is therefore recommended that if Management opts to retain the system provided under PPA A.O. No. 13-26, as amended, there is a need to amend the provisions of PPA A.O. No. 03-2009. Issuance of an internal guidelines to adopt said policy in the meantime prior to amendment is not legally acceptable.

Respectfully submitted,

(Sgd.) M.A. HIYASMIN H. DELOS SANTOS

January 22, 2014

PPA OPERATIONS MEMORANDUM ORDER
NO. 01 - 2014

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

FROM : The AGM for Operations

**SUBJECT : Amendment to PPA Operations Memorandum Order (OMO)
No. 01-2013 - "Clarificatory Guidelines on the Manpower
Management of CH Service Providers at PPA Ports
(Not Allowing Outsourcing)"**

In consideration of the recent developments in the manpower management enabling CH Operators to ensure cost-efficient CH operations at PPA Ports through flexibility in allocating manning resources consistent with port traffic fluctuations, operational peaks, and cargo-mixes, as raised by CH Operators represented by the Philippine Chamber of Arrastre and Stevedoring Operators (PCASO) during a dialogue held on 16 October 2013, PPA OMO No. 01-2013 is hereby amended as follows.

a] Item 6 of 1st Paragraph to read as:

"All regular, contractual, and/or casual employees who have served for at least six (6) months or more continuously at the time of separation 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".

b] 2nd Paragraph to read as:

"Upon written request, outsourcing certain CH services will be allowed as may be authorized by the Port Manager upon issuance of a PMO Certification that any of the following circumstances exist at the port:

- 1. Sudden surge or expected increase in cargoes to be handled whereby vessel turn-around time will be adversely affected which may result to demurrage claims despite maximum labor deployment;*
- 2. Refusal of regular portworkers to provide services for certain types of cargoes/commodities due to justifiable reasons or reasons beyond the control of the CHO or PPA;*
- 3. Arrival of specialized cargoes requiring specific expertise not available in the existing CHO manpower pool or services not regularly performed or undertaken by the CHO;*

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4. *Deployment/utilization of leased CH equipment not part of CH Operator's current CH equipment inventory requiring qualified or licensed operators not available in the existing CHO manpower pool;*
 5. *Proper collection and disposal of port-generated garbage.*

Such written requests for outsourcing must have the following information:

- a. *Scope of port operation, or specific cargo handling function or task;*
- b. *Number of additional portworkers required;*
- c. *Duration of work, whether in terms of inclusive dates, particular cargo/commodity type to be handled or particular vessel to be served;*
- d. *Name of intended Port Labor Provider;*
- e. *Other information which may be required to aid the Port Manager in evaluating validity of request."*

Other Conditions:

1. All other conditions not included in the foregoing circumstances shall be referred to the Office of the AGM for Operations for evaluation and approval. Under no instance shall outsourcing be allowed without prior approval of the Authority.
2. All damages and other consequences brought about by outsourcing shall at all times be the responsibility of the authorized CH Operator and shall immediately be reported in writing to the Port Manager concerned without demand therefor.
3. PMO must be provided copies of Contracts of Services of outsourced personnel, including list of names and qualifications thereof, specific areas of responsibilities, specific duration of such agreements and on a per-voyage basis.
4. Outsourced personnel shall abide by all the rules and regulations implemented inside the port, including the wearing of Personal Protective Equipment (PPE) and prescribed uniforms with valid identification cards (IDs) prominently displayed for security, access control and monitoring purposes.
5. Outsourcing shall only be allowed in exceptional cases. Discretionary implementation thereof shall not be allowed. As such, the CH Operator shall not be exempted from hiring regular portworkers to perform its core functions of arrastre, stevedoring and CH equipment operation, among others.

Other provisions of PPA OMO No. 01-2013 not affected by this amendment shall remain effective and in full force.

For compliance.

(Sgd.) RAUL T. SANTOS

September 01, 2014

**PPA ADMINISTRATIVE ORDER
NO. 05 - 2014**

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

**SUBJECT : Amendment to the Composition of Bids and Awards
Committee (BAC) and Comparative Selection
and Evaluation Committee (COSEC) for the Public Bidding
and Comparative Evaluation (CE) of Cargo Handling
(CH) Services**

Pursuant to PPA Board Ex-Com Resolution No. 2014-1389 which was adopted and confirmed by the PPA Board of Directors per Resolution No. 2379 dated 10 July 2014 on the provisional changes in the present Revised Delegation of Authorities, the provisions of Section 24 of PPA Administrative Order (AO) No. 03-2009 (Amendment of Article III (Guidelines in the Conduct of Public Bidding) of PPA Administrative Order No. 01-2006) and Article IV, Section 43, Item b) of PPA AO No. 01-2006 (Compendium of Regulations on Cargo Handling Operations) are hereby amended as follows:

Section 24 of PPA AO No. 03-2009

24. Bids and Awards Committee (BAC)

a) Constitution of the BAC

The BAC shall be constituted for the conduct of the public bidding of CH services with the following members or as the General Manager may determine.

Regular Members:

Chairperson	-	Port Manager (PMO having jurisdiction of the port)
Vice Chairperson	-	Manager, Port Services Division, PMO

-
-
- Members
- Manager, Resource Management Division, PMO
 - Manager, Engineering Services Division, PMO
 - Chief Corporate Attorney, PMO

b) Observers:

Authorized representative from each of the following organizations:

- i. Shipping Industry;
 - ii. Philippine Chamber of Arrastre and Stvedoring Operators (PCASO);
 - iii. Philippine Chamber of Commerce and Industry (PCCI);
 - iv. Catholic Bishops' Conference of the Philippines (CBCP);
 - v. Volunteers Against Crime and Corruption (VACC); and
 - vi. Commission on Audit (COA).
- c) The BAC shall have at least five (5), but not more than seven (7) members.
- d) Unless sooner removed for a cause, the term of the members of the BAC shall be co-terminus with the bidding process but not to exceed one (1) year, from the date of appointment, renewable at the discretion of the General Manager. In case of resignation, retirement, separation, transfer, re-assignment, removal, or death, the replacement shall serve only for the unexpired term: Provided, however, that in case of leave or suspension, the replacement shall serve only for the duration of the leave or suspension. For justifiable causes, a member shall be suspended or removed by the General Manager. In the interest of professionalization, the General Manager may extend the term of office of deserving members.

Note: The BAC, at the discretion of the Chairperson, may invite representatives from Head Office to act as additional observers in all stages of the selection process.

Further, the Comparative Selection and Evaluation Committee (COSEC) as provided for in Article IV, Section 43, Item b) of PPA AO No. 01-2006 is also amended and shall constitute the same members as the Bids and Awards Committee of CH services.

All other provisions of PPA AO. Nos. 03-2009 and 01-2006, as amended, not affected by this Order shall remain valid and in full force.

This Order shall take effect fifteen (15) calendar days from its publication in the Official Gazette or in newspaper 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 Philippine Star - September 9, 2014
Effectivity Date – September 23, 2014

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 406th Regular meeting of the Board of Directors of the Philippine Ports Authority held on 10 July 2014 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. 2379

“RESOLVED, that on motion duly made and seconded, that Ex-Com Resolution No. 2014-1389 to Ex-Com Resolution No. 2014-1390, which were adopted during the 269th Meeting of the Executive Committee held on 10 July 2014, at the PPA Board Room, A Bonifacio Drive, South Harbor, Port Area, Manila, hereto attached and incorporated by reference, be, as they are hereby approved and confirmed.”

IN WITNESS WHEREOF, I have signed this Secretary's Certificate for this 10th day of July 2014, at the above-mentioned address.

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

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 269th meeting of the Executive Committee of the Board of Directors of the Philippine Ports Authority held on 10 July 2014 at the Board Room, 6th Floor, PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, the following Resolution was adopted:

EX-COM RESOLUTION NO. 2014-1389

“RESOLVED, upon motion duly made and seconded, that the proposed provisional changes in the present Revised Delegation of Authority (RDA) to immediately address the effect of the abolition of the Port District Offices (PDOs) and avoid critical disruptions in the functions of PPA, as indicated in the matrix hereto attached and incorporated by reference, be, as it is hereby approved.

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 10th day of July 2014, at the above-mentioned address.

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

September 01, 2014

**PPA ADMINISTRATIVE ORDER
NO. 07 - 2014**

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

**SUBJECT : Amendment to the Composition of Bids and Awards
Committee (BAC) for the Public Bidding for the Provision
of Roll-On/Roll-Off (RORO) Services at PPA Ports**

Pursuant to PPA Board Ex-Com Resolution No. 2014-1389 which was adopted and confirmed by the PPA Board of Directors per Resolution No. 2379 dated 10 July 2014 on the provisional changes in the present Revised Delegation of Authorities, the provisions of Section 12 of PPA Administrative Order (AO) No. 04-2012 (Guidelines on the Provision of Roll-On/Roll-Off Services at PPA Ports) are hereby amended as follows:

Section 12. Bids and Awards Committee (BAC)

12.1 Constitution of the BAC

The BAC shall be constituted for the conduct of the public bidding with the following members or as the General Manager may determine.

Regular Members:

- | | | |
|------------------|---|---|
| Chairperson | - | Port Manager
(PMO having jurisdiction over the Port) |
| Vice Chairperson | - | Manager, Port Services
Division, PMO |
| Members | - | Manager, Resource Management
Division, PMO |
| | - | Manager, Engineering Services
Division, PMO |
| | - | Chief Corporate Attorney, PMO |

12.2 Observers

Authorized representative from each of the following organizations:

- Philippine Chamber of Commerce and Industry (PCCI)
- Catholic Bishops Conference of the Philippines (CBCP)
- Volunteers Against Crime & Corruption (VACC)
- Commission on Audit (COA)/Resident Auditor.

The BAC shall have at least five (5), but not more than seven (7) regular members.

Unless sooner removed for cause, the members of the BAC shall have a fixed term of one (1) year reckoned from the date of appointment, renewable at the discretion of the General Manager.

Note: The BAC, at the discretion of the Chairperson, may invite representatives from Head Office to act as additional observers in all stages of the selection process.

All other provisions of PPA AO No. 04-2012 not affected by this Order shall remain valid and in full force,

This Order shall take effect fifteen (15) calendar days from its publication in the Official Gazette or in newspaper 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 Philippine Star - September 9, 2014
Effectivity Date – September 23, 2014

PARKING

May 28, 2014

PPA MEMORANDUM CIRCULAR
NO. 03 - 2014

TO : The Port District Manager, PDO Southern Mindanao
The Port Manager, PMO Zamboanga
Port Users and All Others Concerned

FROM : The General Manager

SUBJECT : Prescribed Parking Fees at the Port of Zamboanga

Please be advised that the following fees, inclusive of Value Added Tax (VAT) are the prescribed parking fees at the Port of Zamboanga.

REGULAR RATE		
VEHICLE TYPE	RATE (VAT Inclusive)	RATE FOR SUCCEEDING HOUR OR FRACTION THEREOF (VAT Inclusive)
FOUR-WHEEL	Php 10.00 for first two (2) hours	Php 10.00
MOTORCYCLE/TRICYCLE	Php 5.00 for first two (2) hours	Php 5.00
SIX-WHEEL AND ABOVE	Php 20.00 for first two (2) hours	Php 20.00
OVERNIGHT STAY	Php 50.00	
LOST TICKET	Php 150.00	
SPECIAL RATE		
A special rate of Php 10.00 (VAT Inclusive) shall be charged to government employees reporting daily to Basilan Province (upon presentation of Identification Cards) from 0600H to 1800H, after which the regular parking rates shall apply.		

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

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

Published in the Daily Zamboanga Times - June 11, 2014
Effectivity Date – July 11, 2014

July 24, 2014

PPA MEMORANDUM CIRCULAR
NO. 06 - 2014

TO : The Port District Manager, PDO Southern Mindanao
The Port Manager, PMO Dapitan
Port Users
All Others Concerned

FROM : The General Manager

SUBJECT : Prescribed Parking Fees at the Port of Dapitan

Please be advised that the following fees, inclusive of Value Added Tax (VAT) are the prescribed parking fees at the Port of Dapitan:

VEHICLE TYPE	RATE (VAT Inclusive)	RATE FOR SUCCEEDING HOUR (VAT Inclusive)
Private Vehicle	Php 30.00 for first two (2) hours	Php 10.00
Motorcycle (two-wheeled)	Php 15.00 for first two (2) hours	Php 5.00
Motorcabs	Php 25.00 for first two (2) hours	Php. 10.00
Lost Ticket	Php 100.00	

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

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

Published in the Mindanao Observer - August 14, 2014
Effectivity Date – September 13, 2014

PASSENGER TERMINAL BUILDING OPERATIONS

June 09, 2014

**PPA ADMINISTRATIVE ORDER
NO. 04 - 2014**

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

**SUBJECT : Amendments to PPA Administrative Order No. 05-2012,
Entitled "Guidelines in the Selection of Passenger
Terminal Building (PTB) Operator of Existing PPA-Owned
PTBs"**

Pursuant to PPA Board Ex-Com Resolution No. 2014-1382 dated 29 April 2014, the following amendments to PPA Administrative Order No. 05-2012, "Guidelines in the Selection of Passenger Terminal Building (PTB) Operator of Existing PPA-Owned PTB," hereto attached as Annex "A", are hereby prescribed.

All other provisions of PPA AO No. 05-2012 not affected by this Order shall remain valid and in full force.

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

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

Published in the Philippine Star – June 14, 2014
Effectivity Date – June 28, 2014

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 267th Executive Committee Meeting of the Board of Directors of the Philippine Ports Authority held on 29 April 2014 at the Board Room, 6th Floor PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, the following Resolution was adopted:

Ex-Com Resolution No. 2014-1382

“RESOLVED, That on motion duly made and seconded, that the attached revised proposed amendments to PPA Administrative Order No. 06-2012 dated 25 October 2012, “Guidelines for the Selection of Passenger Terminal Building (PTB Operator”, hereto attached and incorporated by reference, be, as it is hereby approved.”

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 29th day of April 2014, at the above-mentioned address.

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

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED "GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBs"

ORIGINAL PROVISION	AMENDED TO READ AS
<p>MAIN POLICY (PPA A.O. No. 05-2012)</p>	
<p>Section 9. Criteria for the Award of PTB Contract</p> <p>The PTB Contract shall be awarded to the eligible bidder that offered the highest rental fee for the PTB for the entire duration of the contract and whose bid complies with all the requirements and limitations thereof.</p>	<p>Section 9. Criteria for the Award of PTB Contract</p> <p>The PTB Contract shall be awarded to the eligible bidder that offered the highest concession fee for the PTB for the entire duration of the contract and whose bid complies with all the requirements and limitations thereof.</p>
<p>Section 10. Percentage Government Share</p> <p>The winning bidder shall remit to the Authority not later than the tenth (10th) day of every month, a government share on the gross income from passenger terminal fee, PTB parking fee and concessionaire contracts, which shall be at the rate of ten percent (10%).</p>	<p>The minimum concession fee shall not be less than ten percent (10%) of the average annual gross income of the PTB at the port for the past three (3) years for the concession area covering all the spaces for passengers, the facilities and amenities therein, PLUS a minimum rental fee for the PTB to be determined by the Port Manager. For newly constructed PTBs or existing PTBs with no prior record of gross income, the minimum concession fee of the PTB at the port subject of bidding shall be determined and approved by the Port Manager concerned.</p> <p>Note: Section 10 of PPA A.O. No. 05-2012 was DELETED</p> <p>(The winning bidder shall remit to the Authority a concession fee payable semi-annually (see Item Nos. 5 & 6 of the TOR).)</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED "GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBs"

ORIGINAL PROVISION	AMENDED TO READ AS
<p>BIDDING DOCUMENTS</p>	
<p>ANNEX "A" - INVITATION TO BID</p> <p>2. Bidders should have experience relative to operations and management of a Passenger Terminal Building. The shipping companies shall not be eligible to participate in the said bidding, either as a sole bidder or as a member in a joint venture. However, individual stockholders of the shipping companies are allowed to be a member of a joint venturer provided that the individual share holdings shall not exceed 5% nor the aggregate share holdings of all such stockholders shall exceed 10% of the total shares of the corporation that will be formed if it will be declared the winning bidder. The description of an eligible bidder is contained in the Instructions to Bidders.</p>	<p>ANNEX "A" - INVITATION TO BID</p> <p>2. Bidders (company or any member of its Board of Directors, and all of its key officers) should have experience relative to the operation and management of a port terminal or complex, passenger terminal building (seaport, airport, passenger bus, railroad, logistics center, etc.)</p> <p>Shipping companies that operate passenger vessels or combination (combo) passenger-cargo vessels shall not be eligible to participate in the said bidding, either as a sole bidder or as a member in a joint venture. However, individual stockholders of said shipping companies are allowed to be members of a joint venture provided that the individual share holdings shall not exceed 5% nor the aggregate share holdings of all such stockholders coming from one company shall exceed 10% of the total shares of the corporation that will be formed if it will be declared the winning bidder. The description of an eligible bidder is contained in the Instruction to Bidders.</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED "GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBs"

ORIGINAL PROVISION	AMENDED TO READ AS
<p>ANNEX "B" - INSTRUCTIONS TO BIDDERS</p> <p>4. Eligible Bidders</p> <p>Xxx...</p> <p>Provided, that the shipping companies shall not be eligible to participate in the bidding of PTB, either as a sole bidder or as a member in a joint venture. However, individual stockholders of the shipping companies are allowed to be a member of a joint venture provided that the individual shareholdings shall not exceed five percent (5%) nor the aggregate shareholdings of all such stockholders shall exceed ten percent (10%) of the total shares of the corporation that will be formed if it will be declared the winning bidder.</p>	<p>ANNEX "B" - INSTRUCTIONS TO BIDDERS</p> <p>4. Eligible Bidders</p> <p>Xxx...</p> <p>Provided, that the <u>shipping companies that operate passenger vessels or combination (combo) passenger-cargo vessels</u> shall not be eligible to participate in the bidding of PTB, either as a sole bidder or as a member in a joint venture. However, individual stockholders of <u>said</u> shipping companies are allowed to be members of a joint venture provided that the individual shareholdings shall not exceed five (5%) nor the aggregate shareholdings of all such stockholders <u>coming from one company</u> shall exceed ten percent (10%) of the total shares of the corporation that will be formed if it will be declared the winning bidder.</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED "GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBs"

ORIGINAL PROVISION	AMENDED TO READ AS
<p>14. The <i>First Envelope</i> shall contain the <i>Eligibility Documents</i> and <i>Technical Bid</i>.</p> <p>A. <u>Eligibility Documents</u></p> <p>Xxx...</p> <p><u>Technical Documents:</u></p> <p>3) <i>Statement of prospective bidder of all completed, ongoing and awarded but not yet started PTB, cargo handling and related contracts (E-Form 14).</i></p> <p><u>Financial Documents:</u></p> <p>6) Bidder's computation of its Available Paid Up Capital/owner's equity for the Contract (APCC/OE) (E-Form 21)</p> <p>The APCC shall be at least equal to the paid up capital/owner's equity required for the PTB subject of bidding.</p> <p>FORMULA:</p> <p>APCC/OE = Paid Up Capital/Owner's Equity per financial statements less paid up capital required for all existing PTB contract, cargo handling and related contracts.</p>	<p>14. The <i>First Envelope</i> shall contain the <i>Eligibility Documents</i> and <i>Technical Bid</i>.</p> <p>A. <u>Eligibility Documents</u></p> <p>Xxx...</p> <p><u>Technical Documents:</u></p> <p>3) <i>Statement of prospective bidder of all ongoing and awarded government and private contracts (E-Form 14).</i></p> <p><u>Financial Documents:</u></p> <p>6) Bidder's computation of its Available Paid Up Capital/owner's equity for the Contract (APCC/OE) (E-Form 21)</p> <p>The APCC shall be at least equal to the paid up capital/owner's equity required for the PTB subject of bidding.</p> <p>FORMULA:</p> <p>APCC/OE = Paid Up Capital/Owner's Equity per financial statements less paid up capital required for all existing PTB contract, cargo handling and related contracts.</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED “GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBs”

ORIGINAL PROVISION	AMENDED TO READ AS
<p>Or, in lieu thereof, a commitment from a bank duly licensed by the Bangko Sentral Ng Pilipinas to extend to the prospective bidder a credit line if awarded the PTB contract the amount of which shall be at least equal to the paid up capital/owner’s equity required for the PTB contract to be bid.</p>	<p>Note: The provision on Credit Line Commitment was deleted.</p>
	<p>NEW PROVISION:</p> <p>8. Bidder’s computation of its Net Financial Contracting Capacity (NFCC) (E-Form 23)</p> <p>To ensure that the winning bidder is determined to be financially capable of entering into a contract, an NFCC requirement is hereby prescribed using the following formula:</p> <p>NFCC = K (Current Assets – Current Liabilities) – V</p> <p>Where</p> <p>K = 20, which is the prescribed factor for contracts of more than 2 years, as adopted from civil works projects;</p> <p>V = Value of all outstanding contracts or uncompleted portions of projects under on-going contracts, including awarded contracts yet to be started coinciding with the contract to be bid, capitalization and working capital requirements for each PTB contract awarded or to be awarded.</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED "GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBs"

ORIGINAL PROVISION	AMENDED TO READ AS
<p>15. The Second Envelope shall contain the Financial Bid.</p> <p>Xxx...</p> <p>b) Highest rental fee for the PTB per square meter per month exclusive of 12% VAT for the entire duration of the contract (FB Form 2).</p> <p>Xxx...</p>	<p><i>If the bidder submits a computation of its NFCC, the NFCC must be at least equal to the minimum concession fee for the PTB for entire the duration of the contract.</i></p> <p>15. The Second Envelope shall contain the Financial Bid.</p> <p>Xxx...</p> <p>b) Highest concession fee for the PTB per year inclusive of 12% VAT for the entire duration of the contract (FB Form 2).</p> <p>Xxx...</p>
<p>23. Opening and Preliminary Examination of Bids</p> <p>Xxx...</p> <p>23.4 The Financial Bid shall be considered non-complying and shall be rejected if the Financial Bid submitted provides a rental fee less than the prevailing rate of the PTB at the port subject of bidding.</p> <p>Xxx...</p>	<p>23. Opening and Preliminary Examination of Bids</p> <p>Xxx...</p> <p>23.4 The Financial Bid shall be considered non-complying and shall be rejected if the Financial Bid submitted provides a <u>concession fee less than the minimum concession fee as specified in the bidding documents.</u></p> <p>Xxx...</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED “GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBs”

ORIGINAL PROVISION	AMENDED TO READ AS
<p>ANNEX “D” - TERMS OF REFERENCE</p> <p>5. Rental Fee and Percentage Government Share</p> <p>5.1 The rental fee for the PTB shall be the amount committed in the financial bid of the winning bidder per square meter per month exclusive of 12% VAT.</p> <p>The minimum rental fee shall not be less than the prevailing rental rate of the PTB at the port subject of bidding, including all the spaces for passengers, the facilities and amenities therein. (Note: The prevailing rental rate of the PTB at the port subject of bidding shall be determined by the BAC).</p> <p>5.2 The percentage government share on the gross income from the passenger terminal fee, PTB parking fee and concessionaire contracts shall be ten percent (10%) thereof.</p>	<p>ANNEX “D” - TERMS OF REFERENCE</p> <p>5. Concession Fee</p> <p>5.1 The <u>concession fee</u> for the PTB shall be the amount committed in the financial bid of the winning bidder per year <u>inclusive</u> of 12% VAT.</p> <p>Note: Item 5.2 of the TOR was deleted.</p>
<p>6. Criteria for Award of PTB Contract</p> <p>6.1 The PTB Contract shall be awarded to the eligible bidder that offered the highest rental fee for the PTB for the entire duration of the contract and whose bid complies with all the requirements and limitations thereof.</p> <p>Xxx...</p>	<p>6. Criteria for Award of PTB Contract</p> <p>6.1 The PTB Contract shall be awarded to the eligible bidder that offered the highest concession fee for the PTB for the entire duration of the contract and whose bid complies with all the requirements and limitation thereof.</p> <p>Xxx...</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED "GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBS"

ORIGINAL PROVISION	AMENDED TO READ AS
<p>8. Financial Obligations</p> <p>8.1 The PTB Operator shall pay the Authority the monthly rental fee for the PTB on or before the tenth (10th) day of the following month.</p> <p>8.2 The PTB Operator shall remit to the Authority not later than the tenth (10th) day of every month, the committed government share on the gross income from passenger terminal fee, PTB parking fee and concessionaire contracts.</p> <p>Xxx...</p>	<p>8. Financial Obligations</p> <p>8.1 <i>The PTB Operator shall pay to the Authority <u>the annual concession fee</u> for the PTB <u>payable semi-annually not later than the tenth (10th) working day from the start of operations and every six (6) months thereafter.</u></i></p> <p>Note: Item 8.2 of the TOR was deleted</p> <p>Xxx...</p>
<p>ANNEX "E" – TECHNICAL COMPONENT</p> <p>E-FORM 14 – (see Annex 1)</p> <p>E-FORM 21 – (see Annex 2)</p> <p>ANNEX "F" – FINANCIAL COMPONENT</p> <p>FB FORM 1 (see Annex 3)</p> <p>FB FORM 2 (see Annex 4)</p>	<p>ANNEX "E" – TECHNICAL COMPONENT</p> <p>E-FORM 14 – (see Annex 1-a) - Amended Form</p> <p>E-FORM 21 – (see Annex 2-a) - Amended Form</p> <p>E-FORM 23 – (see Annex 3-a) - New/Additional Form</p> <p>ANNEX "F" – FINANCIAL COMPONENT</p> <p>FB FORM 1 (see Annex 4-a) - Amended Form</p> <p>FB FORM 2 (see Annex 5-a) - Amended Form</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED "GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBS"

ORIGINAL PROVISION	AMENDED TO READ AS
<p>ANNEX "G" – PRO-FORMA PTB CONTRACT</p> <p>4. <u>Consideration</u> - In consideration of the rights and privileges granted by the AUTHORITY to the PTB OPERATOR, the latter shall, pay a rental fee for the PTB in the amount of <u>(Php _____)</u>. In addition, the PTB OPERATOR shall remit to the AUTHORITY ten percent (<u>10%</u>) of its gross income from passenger terminal fees PTB parking fees and concessionaire contracts.</p> <p>Any obligation of the PTB OPERATOR which is unpaid when due shall bear interest and penalty charge in accordance with existing regulations.</p> <p>It is further agreed that the consideration mentioned above is <u>exclusive</u> of the Value Added Tax (VAT) and the VAT due thereon, including any subsequent increase thereof, if any, shall be borne and paid for by the PTB OPERATOR.</p> <p>5. Cash Deposit - Upon signing of the Contract, the PTB OPERATOR shall make a deposit with the AUTHORITY an amount equivalent to one (1) month advance rental and additional two (2) months rental, as security deposit for the PTB. The security deposit shall be applied for the payment of back rentals and government share, if any, and for the expenses and charges billed against the PTB OPERATOR for water, telephone and other utility services still remaining unpaid upon the expiration or termination of the Contract.</p>	<p>ANNEX "G" – PRO-FORMA PTB CONTRACT</p> <p>4. <u>Consideration</u> - In consideration of the rights and privileges granted by the AUTHORITY to the PTB OPERATOR, the latter shall, pay an <u>annual concession fee</u> for the PTB in the amount of <u>(Php _____) payable semi-annually on the tenth (10th) working day from the start of operations and every six (6) months thereafter.</u></p> <p>Any obligation of the PTB OPERATOR which is unpaid when due shall bear interest and penalty charge in accordance with existing regulations.</p> <p>It is further agreed that the consideration mentioned above is <u>inclusive</u> of the Value Added Tax (VAT) and the VAT due thereon, including any subsequent increase thereof, if any, shall be borne and paid for by the PTB OPERATOR.</p> <p>5. Cash Deposit - Upon signing of the Contract, the PTB OPERATOR shall make a deposit with the AUTHORITY an amount equivalent to <u>six (6) months advances concession fee</u> as security deposit for the PTB. The security deposit shall be applied for the payment of <u>back fees</u>, if any, and for the expenses and charges billed against the PTB OPERATOR for water, telephone and other utility services still remaining unpaid upon the expiration or termination of the Contract.</p>

AMENDMENTS TO PPA ADMINISTRATIVE ORDER NO. 05-2012, ENTITLED "GUIDELINES IN THE SELECTION OF PASSENGER TERMINAL BUILDING (PTB) OPERATOR OF EXISTING PPA-OWNED PTBs"

ORIGINAL PROVISION	AMENDED TO READ AS
<p>22. Suspension, Cancellation or Termination of Contract - The AUTHORITY may, without prejudice to other remedies against the PTB OPERATOR, extra judicially suspend, cancel or terminate this Contract on any of the following grounds:</p> <p>a. Failure of the PTB OPERATOR to remit on due date to the AUTHORITY any two (2) monthly committed financial obligations. Xxx...</p>	<p>22. Suspension, Cancellation or Termination of Contract - The AUTHORITY may, without prejudice to other remedies against the PTB OPERATOR, extra judicially suspend, cancel or terminate this Contract on any of the following grounds:</p> <p>a. Failure of the PTB OPERATOR to remit on due date to the AUTHORITY any two (2) semi-annual committed financial obligations. Xxx...</p>

ANNEX - 1

E Form – 14
(Existing Form to be amended)

STATEMENT OF COMPLETED, ONGOING, AND AWARDED BUT NOT YET STARTED PTB, CARGO HANDLING (CH) AND RELATED CONTRACTS

Title of the PTB, CH and related Contract and Name of Party Contracted With	Location of Port	Type of PTB/Cargo Handling Service	Contract Term (no. of years)	Effectivity and Expiry Dates of the Contract	Annual Average Throughput (Metric Tons, TEUs, or Units)	Paid Up Capital Required
COMPLETED (for the last five (5) yrs. or period as prescribed by the BAC)						
1.						
2.						
3.						
4.						
5.						

ONGOING										
1.										
2.										
3.										
4.										
5.										
AWARDED										
1.										
2.										
3.										
4.										
5.										

AWARDED BUT NOT YET STARTED									
1.									
2.									
3.									
4									
5.									

Notes:

This statement shall be supported with:

1. Copy of Notice of Award
2. Copy of PTB, CH and related contracts
3. Certification from the Government or Private Port Owner Concerned as to the annual volume of cargoes handled

Please use additional sheet if necessary.

_____ (Name of Firm)

By:

(Name and Signature of Authorized Signing Official)

Date: _____

ANNEX - 2

**COMPUTATION OF AVAILABLE PAID UP CAPITAL/OWNER'S EQUITY
FOR THE CONTRACT (APCC/OE)**

The APCC/OE shall be at least equal to the paid up capital/owner's equity required for the PTB contract subject of bidding.

FORMULA:

APCC/OE = Paid Up Capital/Owner's Equity per financial statements less paid up capital required for all existing PTB contracts, CH and related contracts awarded but not yet started.

(Name of Prospective Bidder) APCC is Php _____.

OR COPY OF THE BANK CREDIT LINE COMMITMENT THE AMOUNT OF WHICH SHALL BE AT LEAST EQUAL TO THE APCC/OE REQUIRED FOR THE PTB CONTRACT TO BE BID.

(Name and Signature of Authorized Signing Official)

Date: _____

ANNEX - 3

FINANCIAL BID SUBMISSION FORM

(Name of Company)

(Address)

Date: _____

The Chairperson

Bids and Awards Committee
PHILIPPINE PORTS AUTHORITY
PDO _____
Address

Dear Sir:

In response to your "INVITATION TO BID" dated _____, the undersigned (Name and Position in the Company) of (Name of Company), duly organized in accordance with the laws of the Republic of the Philippines, after having been issued and examined the Instructions to Bidders, Terms of Reference and Pro-forma PTB Contract for the Lease, Management, Operation and Maintenance of PTB at the Port of _____, hereby submits the (proposed rental rate for the PTB and committed government share on the gross income from passenger terminal fee and PTB parking for the entire duration of the contract).

Personally, and for and in behalf of the firm, I do hereby certify that:

- a. All the statements made in this Financial Bid and in the required attachments, altogether consisting of _____ () pages which are consecutively numbered and signed in full by me on the bottom margins, are true and correct.
- b. This Financial Bid is made for the lease, management, operation and maintenance of PTB at the Port of _____.
- c. The General Manager of the Philippine Ports Authority (PPA) or his duly authorized representative is hereby authorized to look into the books of accounts, documents, and other relevant records of our company, or to secure certified copies of our company's financial statements filed with the Bureau of Internal Revenue, for the purpose of verifying and ascertaining our technical and financial capabilities as a PTB operator.



- d. Any public official, surety company, bank, equipment manufacturer or distributor or any other person, firm or corporation is hereby authorized and requested to furnish any pertinent information requested by the Authority as necessary to verify the documents submitted regarding the competence and general reputation of the company.

I hereby agree that the venue of court action on any case(s) arising or resulting from the conduct of public bidding for the aforesaid PTB shall be filed exclusively in a proper court of the City/Municipality of (to be determined by the BAC).

I hereby guarantee the truth and correctness of the foregoing information and hold the firm and myself liable, criminally and civilly, for any misrepresentation or false statement made herein.

Very truly yours,

(Name and Signature of Authorized Signing Official)

REPUBLIC OF THE PHILIPPINES }
 CITY OF _____ } S.S.

SUBSCRIBED AND SWORN to before me this ____ day of _____ 201__ in _____. Philippines, affiant exhibiting to me his Community Tax Certificate No. _____ issued on _____ at _____.

NOTARY PUBLIC

Doc. No. _____;
 Page No. _____;
 Book No. _____;
 Series of _____.



ANNEX - 4

FB FORM 2
(Existing Form to be amended)

**COPY OF THE PROPOSED RENTAL FEE
FOR THE PTB AT THE PORT OF _____ PER SQUARE
METER PER MONTH EXCLUSIVE OF 12% VAT FOR THE ENTIRE
DURATION OF THE CONTRACT**

ANNEX 1-a

STATEMENT OF PROSPECTIVE BIDDER ONGOING AND AWARDED GOVERNMENT AND PRIVATE CONTRACTS

Title of Contract and Name of Party Contracted With	Location of Service Area	Type of Service	Contract Term (no of years)	Effectivity and Expiry Dates of the Contract	Paid Up Capital Required
ONGOING					
1.					
2.					
3.					
4.					
5.					

AWARDED								
1.								
2.								
3.								
4.								
5.								

Notes:

This statement shall be supported with:

- 1. **Copies of Notices of Awards**
- 2. **Copies of contracts**

Please use additional sheet if necessary.

_____ (Name of Firm)

By:

(Name and Signature of Authorized Signing Official)

Date: _____

ANNEX 2-a

**COMPUTATION OF AVAILABLE PAID UP CAPITAL/OWNER'S
EQUITY FOR THE CONTRACT (APCC/OE)**

The APCC/OE shall be at least equal to the paid up capital/owner's equity required for the PTB contract subject of bidding.

FORMULA:

APCC/OE = Paid Up Capital/Owner's Equity per financial statements less paid up capital required for all existing PTB contracts, CH and related contracts awarded but not yet started.

(Name of Prospected Bidder) APCC is Php _____.

Name and Signature of Authorized Signing Official)

Date: _____

ANNEX 3-a

**COMPUTATION OF NET FINANCIAL CONTRACTING
CAPACITY (NFCC)**

To ensure that the winning bidder is determined to be financially capable of entering into a contract, an NFCC requirement is hereby prescribed using the following formula:

$$NFCC = K (\text{Current Assets}-\text{Current Liabilities})-V$$

Where

K = 20, which is the prescribed factor for contracts of more than 2 years, as adopted from civil works projects;

V = Value of all outstanding contracts or uncompleted portions of projects under on-going contracts, including awarded contracts yet to be started coinciding with the contract to be bid, capitalization and working capital requirements for each PTB contract awarded or to be awarded.

(Name of Prospective Bidder) NFCC is Php _____.

(Name and Signature of Authorized Signing Official)

Date: _____

ANNEX 4-a

FINANCIAL BID SUBMISSION FORM

(Name of Company)

(Address)

Date: _____

The Chairperson

Bids and Awards Committee
PHILIPPINE PORTS AUTHORITY
PDO _____
Address

Dear Sir:

In response to your "INVITATION TO BID" dated _____, the undersigned (Name & Position in the Company) of (Name of Company), duly organized in accordance with the laws of the Republic of the Philippines, after having been issued and examined the Instructions to Bidders, Terms of Reference and Pro-forma PTB Contract for the Lease, Management, Operation and Maintenance of PTB at the Port of _____, hereby submits the (proposed **concession fee** for the PTB for the entire duration of the contract).

Personally, and for and in behalf of the firm, I do hereby certify that:

- a. All the statements made in this Financial Bid and in the required attachments, altogether consisting of _____ () pages which are consecutively numbered and signed in full by me on the bottom margins, are true and correct.
- b. This Financial Bid is made for the lease, management, operation and maintenance of PTB at the Port of _____.
- c. The General Manager of the Philippine Ports Authority (PPA) or his duly authorized representative is hereby authorized to look into the books of accounts, documents, and other relevant records of our company, or to secure certified copies of our company's financial statements filed with the Bureau of Internal Revenue, for the purpose of verifying and ascertaining our technical and financial capabilities as a PTB operator.

-
- d. Any public official, surety company, bank, equipment manufacturer or distributor or any other person, firm or corporation is hereby authorized and requested to furnish any pertinent information requested by the Authority as necessary to verify the documents submitted regarding the competence and general reputation of the company.

I hereby agree that the venue of court action on any case(s) arising or resulting from the conduct of public bidding for the aforesaid PTB shall be filed exclusively in a proper court of the City/Municipality of (to be determined by the BAC).

I hereby guarantee the truth and correctness of the foregoing information and hold the firm and myself liable, criminally and civilly, for any misrepresentation or false statement made herein.

Very truly yours,

(Name and Signature of Authorized Signing Official)

REPUBLIC OF THE PHILIPPINES }
CITY OF _____ } S.S.

SUBSCRIBED AND SWORN to before me this ___ day of _____ 201_ in _____. Philippines, affiant exhibiting to me his Community Tax Certificate No. _____ issued on _____ at _____.

NOTARY PUBLIC

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of _____.

ANNEX 5-a

**FB FORM 2
(As Amended)**

**COPY OF THE PROPOSED CONCESSION FEE
FOR THE PTB AT THE PORT OF _____ PER SQUARE
METER PER YEAR INCLUSIVE OF 12% VAT FOR THE ENTIRE
DURATION OF THE CONTRACT**

September 01, 2014

**PPA ADMINISTRATIVE ORDER
NO. 06 - 2014**

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

**SUBJECT : Amendment to the Composition of Bids and Awards
Committee (BAC) for the Public Bidding for the Selection
of Passenger Terminal Building (PTB) Operator of
Existing PPA-Owned PTBs**

Pursuant to PPA Board Ex-Com Resolution No. 2014-1389 which was adopted and confirmed by the PPA Board of Directors per Resolution No. 2379 dated 10 July 2014 on the provisional changes in the present Revised Delegation of Authorities, the provisions of Section 4 of PPA Administrative Order (AO) No. 05-2012 (Guidelines in the Selection of Passenger Terminal Building (PTB) Operator of Existing PPA-Owned PTBs) are hereby amended as follows:

Section 4. Bids and Awards Committee (BAC)

4.1 Constitution of the BAC

The BAC shall be constituted for the conduct of the public bidding with the following members or as the General Manager may determine.

Regular Members:

- Chairperson - Port Manager
(PMO having jurisdiction over the PTB)
- Vice Chairperson - Manager, Port Services Division, PMO
- Members - Manager, Resource Management
Division, PDO
- Manager, Engineering Services
Division, PMO
- Chief Corporate Attorney, PMO

4.2 Observers

Authorized representative from each of the following organization:

- Philippine Chamber of Commerce and Industry (PCCI)
- Catholic Bishops Conference of the Philippines (CBCP)
- Volunteers Against Crime & Corruption (VACC)
- Commission on Audit (COA)/Resident Auditor

The BAC shall have at least five (5), but not more than seven (7) regular members.

Unless sooner removed for cause, the members of the BAC shall have a fixed term of one (1) year reckoned from the date of appointment, renewable at the discretion of the General Manager.

Note: The BAC, at the discretion of the Chairperson, may invite representatives from Head Office to act as additional observers in all stages of the selection process.

All other provisions of PPA AO No. 05-2012 not affected by this Order shall remain valid and in full force.

This Order shall take effect fifteen (15) calendar days from its publication in the Official Gazette or in newspaper 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 Philippine Star - September 9, 2014
Effectivity Date – September 23, 2014

PASSENGER TERMINAL FEE

July 24, 2014

PPA MEMORANDUM CIRCULAR
NO. 07 - 2014

TO : All Port Managers
Others Concerned

SUBJECT : Revised 20% Discounts on Passenger Terminal Fees in All
PPA Ports

Further to PPA Memorandum Circular No. 04-2009, PPA grants the following 20% discount to the following:

1. Senior Citizens – Pursuant to Republic Act No. 9257 or the Expanded Senior Citizens Act of 2003;
2. Person with Disability (PWD) – Pursuant to RA 9442 or the An Act Amending Republic Act No. 7277. Otherwise Known as the “Magna Carta for Disabled Persons, and For Other Purposes; and
3. All year round discount for students

Only those with valid Identification Card will be given the twenty (20%) percent discount.

Further, PMOs are also directed to make the proper monitoring and reporting of the discounts provided per category.

All concerned field offices are enjoined to implement this Circular fifteen (15) days after its publication in a newspaper of general circulation.

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

Published in the Philippine Star - August 5, 2014
Effectivity Date – August 20, 2014

September 09, 2014

PPA MEMORANDUM CIRCULAR
NO. 09 - 2014

TO : The Port District Manager
PDO-Manila/Northern Luzon

The Port Manager, PMO-North Harbor
Manila North Harbor Port, Inc. (MNHPI)
Port Users
Others Concerned

SUBJECT : New Passenger Terminal Fee at the Manila North Harbor

Pursuant to the PPA Board of Directors' Ex-Com Resolution No. 2014-1394, the new Passenger Terminal Fee (PTF) of **Php 84.82 (plus 12% VAT)** or **Php 95.00 (VAT inclusive)** at the Manila North Harbor is hereby approved.

The new PTF shall be effective 15 days after publication of this Circular in a national newspaper of general circulation.

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

Published in the following newspapers:

Philippine Star }
Manila Bulletin } September 12, 2014

Effectivity Date – September 27, 2014

November 05, 2014

PPA MEMORANDUM CIRCULAR
NO. 17 - 2014

TO : The Port Managers
PMO Bicol
PMO Masbate
Port Users
Others Concerned

FROM : The Officer-in-Charge

SUBJECT : Passenger Terminal Fees at the Ports of Masbate and Legazpi

The Passenger Terminal Fees at the Ports of Masbate and Legazpi have been approved by the General Manager on April 15, 2014, respectively.

The following rates have been published in a local newspaper (Mayon Times on October 1, 8 and 15) and shall take effect on November 14, 2014, 30 days after the last publication.

PARTICULAR	RATES (INCLUSIVE OF VAT)
Legazpi	20.00
Masbate	30.00

All rates are subject to necessary discount accorded to students, senior citizens and persons with disability, pursuant to PPA MC No. 07-2014

(Sgd.) RAUL T. SANTOS

December 23, 2014

**PPA MEMORANDUM CIRCULAR
NO. 19 - 2014**

TO : The Port Manager
PMO Panay/Guimaras
Port Users
Others Concerned

FROM : The General Manager

SUBJECT : Passenger Terminal Fees at the Ports of Dumangas and Iloilo River Wharf (Progreso)

The following Passenger Terminal Fees at the Ports of Dumangas and Iloilo River Wharf (Progreso) have been approved by the undersigned on September 9, 2014:

PARTICULAR	RATES (INCLUSIVE OF VAT)
Iloilo River Wharf (Progreso)	30.00
Dumangas	30.00

The said rates have been published in a local newspaper (Panay News) on November 18, 2014 and shall take effect on December 18, 2014, 30 days after its publication:

All rates are subject to necessary discount accorded to students, senior citizens and persons with disability, pursuant to PPA MC. 07-2014

(Sgd.) JUAN C. STA. ANA

PILOTAGE

August 13, 2014

PPA MEMORANDUM ORDER
NO. 18 - 2014

TO : The Port District Manager
PDO-Manila/Northern Luzon

The Port Manager
PMO-Limay

Manila Bay Harbor Pilots Partnership
GN Power Mariveles Coal Plant, Ltd. Inc
Others Concerned

SUBJECT : Pilotage Services and Fees at Brgy. Alas-Asin,
Mariveles, Bataan

After evaluation made on the agreement between the Manila Bay Harbor Pilots Partnership and GN Power Mariveles Coal Plant, Ltd., Inc., the Authority hereby confirms the agreed pilotage services and fees at Brgy. Alas-Asin, Mariveles, Bataan, as follows:

1. Regular Pilotage Services	Fees
<ul style="list-style-type: none"> a. Docking* b. Undocking* c. Mooring d. Unmooring e. Conduction in f. Conduction out <p><i>*plus premium fee per PPA AO No. 04-2003</i></p>	} Current applicable pilotage fees
2. Special Services <ul style="list-style-type: none"> a. Bow-out b. During inclement weather* and/or poor visibility** <ul style="list-style-type: none"> * <i>monsoonal trade winds or during typhoon season and when sea swell reaches one (1) meter on broad side</i> ** <i>if one (1) mile or less visibility due to rain or smog or during night time from 1800H to 0600H</i> c. Transportation 	} Current applicable pilotage fees } Php 40,000.00 } Php 4,000.00

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

(Sgd.) JUAN C. STA ANA
General Manager

PORT CHARGES

January 3, 2014

MEMORANDUM

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

SUBJECT : Sample Computations in the Application of the Increase
in Storage Charges for Foreign Containerized Cargoes
under PPA Memorandum Circular (MC) No. 10-2013

To ensure uniform interpretation and implementation of the increase in storage charges for foreign containerized cargoes prescribed under PPA MC No. 10-2013, attached are sample computations corresponding to some assumptions for guidance to all concerned.

(Sgd.)
for: **RAUL T. SANTOS**
AGM for Operations

SAMPLE COMPUTATIONS					
New Storage Rates for Foreign Containerized Cargoes					
Per PPA MC No. 10-2013 effective Jan. 2, 2014					
A. Imported Container - Storage shall be charged on cargoes that remain in any gov't-owned port beyond the five (5) Free Storage Period (FSP) after the day that the last item of cargo is discharged from the carrying vessel.					
A-1. Assumption	1. 20-Footer Container				
	2. Last discharge of cargo from vessel - January 1, 2014				
	3. Date of withdrawal of cargo - February 5, 2014				
Date	Dwell Time (Days)		Rate Per Day		Cumulative Amount
January 2, 2014	1		FSP		0.00
January 3	2		FSP		0.00
January 4	3		FSP		0.00
January 5	4		FSP		0.00
January 6	5		FSP		0.00
January 7	6	Php	481.30	Php	481.30
January 8	7		481.30		962.60
January 9	8		481.30		1,443.90
January 10	9		481.30		1,925.20
January 11	10		481.30		2,406.50
January 12	11		529.43		2,935.93
January 13	12		529.43		3,465.36
January 14	13		529.43		3,994.79
January 15	14		529.43		4,524.22
January 16	15		529.43		5,053.65
January 17	16		577.56		5,631.21
January 18	17		577.56		6,208.77
January 19	18		577.56		6,786.33
January 20	19		577.56		7,363.89
January 21	20		577.56		7,941.45
January 22	21		625.69		8,567.14
January 23	22		625.69		9,192.83
January 24	23		625.69		9,818.52
January 25	24		625.69		10,444.21
January 26	25		625.69		11,069.90
January 27	26		673.82		11,743.72
January 28	27		673.82		12,417.54
January 29	28		673.82		13,091.36
January 30	29		673.82		13,765.18
January 31	30		673.82		14,439.00
February 1, 2014	31		721.95		15,160.95
February 2	32		721.95		15,882.90
February 3	33		721.95		16,604.85
February 4	34		721.95		17,326.80
February 5	35		721.95		18,048.75

A-2. Assumption		1. 20-Footer Container			
		2. Last discharge of cargo from vessel - December 20, 2013			
		3. Date of withdrawal of cargo - January 24, 2014			
Date	Dwell Time (Days)		Rate Per Day		Cumulative Amount
December 21, 2013	1		FSP		0.00
December 22	2		FSP		0.00
December 23	3		FSP		0.00
December 24	4		FSP		0.00
December 25	5		FSP		0.00
December 26	6	Php	240.65	*	Php 240.65
December 27	7		240.65	*	481.30
December 28	8		240.65	*	721.95
December 29	9		240.65	*	962.60
December 30	10		240.65	*	1,203.25
December 31	11		240.65	*	1,443.90
January 1, 2014	12		240.65	*	1,684.55
January 2	13		529.43		2,213.98
January 3	14		529.43		2,743.41
January 4	15		529.43		3,272.84
January 5	16		577.56		3,850.40
January 6	17		577.56		4,427.96
January 7	18		577.56		5,005.52
January 8	19		577.56		5,583.08
January 9	20		577.56		6,160.64
January 10	21		625.69		6,786.33
January 11	22		625.69		7,412.02
January 12	23		625.69		8,037.71
January 13	24		625.69		8,663.40
January 14	25		625.69		9,289.09
January 15	26		673.82		9,962.91
January 16	27		673.82		10,636.73
January 17	28		673.82		11,310.55
January 18	29		673.82		11,984.37
January 19	30		673.82		12,658.19
January 20	31		721.95		13,380.14
January 21	32		721.95		14,102.09
January 22	33		721.95		14,824.04
January 23	34		721.95		15,545.99
January 24	35		721.95		16,267.94
Php 240.65 - old rate*					

B. Exported Container - Storage shall be charged on cargoes that remain in any gov't-owned port beyond the FSP of four (4) calendar days from the day that the cargo is received at the port					
B-1. Assumption	1. 20-Footer Container				
	2. Date of receipt of cargo at the port - January 2, 2014				
	3. Date of loading of cargo in the vessel - February 5, 2014				
Date	Dwell Time (Days)		Rate Per Day		Cumulative Amount
January 2, 2014	1		FSP		0.00
January 3	2		FSP		0.00
January 4	3		FSP		0.00
January 5	4		FSP		0.00
January 6	5	Php	60.15	Php	60.15
January 7	6		60.15		120.30
January 8	7		120.30		240.60
January 9	8		120.30		360.90
January 10	9		120.30		481.20
January 11	10		120.30		601.50
January 12	11		120.30		721.80
January 13	12		132.33		854.13
January 14	13		132.33		986.46
January 15	14		132.33		1,118.79
January 16	15		132.33		1,251.12
January 17	16		132.33		1,383.45
January 18	17		144.36		1,527.81
January 19	18		144.36		1,672.17
January 20	19		144.36		1,816.53
January 21	20		144.36		1,960.89
January 22	21		144.36		2,105.25
January 23	22		156.39		2,261.64
January 24	23		156.39		2,418.03
January 25	24		156.39		2,574.42
January 26	25		156.39		2,730.81
January 27	26		156.39		2,887.20
January 28	27		168.42		3,055.62
January 29	28		168.42		3,224.04
January 30	29		168.42		3,392.46
January 31	30		168.42		3,560.88
February 1, 2014	31		168.42		3,729.30
February 2	32		180.45		3,909.75
February 3	33		180.45		4,090.20
February 4	34		180.45		4,270.65
February 5	35		180.45		4,451.10

B-2. Assumption		1. 20-Footer Container			
		2. Date of receipt of cargo at the port - December 21, 2013			
		3. Date of loading of cargo in the vessel - January 24, 2014			
Date	Dwell Time (Days)		Rate Per Day		Cumulative Amount
December 21, 2013	1		FSP		0.00
December 22	2		FSP		0.00
December 23	3		FSP		0.00
December 24	4		FSP		0.00
December 25	5	Php	60.15	*	Php 60.15
December 26	6		60.15	*	120.30
December 27	7		60.15	*	180.45
December 28	8		60.15	*	240.60
December 29	9		60.15	*	300.75
December 30	10		60.15	*	360.90
December 31	11		60.15	*	421.05
January 1, 2014	12		60.15	*	481.20
January 2	13		132.33		613.53
January 3	14		132.33		745.86
January 4	15		132.33		878.19
January 5	16		132.33		1,010.52
January 6	17		144.36		1,154.88
January 7	18		144.36		1,299.24
January 8	19		144.36		1,443.60
January 9	20		144.36		1,587.96
January 10	21		144.36		1,732.32
January 11	22		156.39		1,888.71
January 12	23		156.39		2,045.10
January 13	24		156.39		2,201.49
January 14	25		156.39		2,357.88
January 15	26		156.39		2,514.27
January 16	27		168.42		2,682.69
January 17	28		168.42		2,851.11
January 18	29		168.42		3,019.53
January 19	30		168.42		3,187.95
January 20	31		168.42		3,356.37
January 21	32		180.45		3,536.82
January 22	33		180.45		3,717.27
January 23	34		180.45		3,897.72
January 24	35		180.45		4,078.17
Php 60.15 - old rate*					

C. Transhipped Container - Storage shall be charged on cargoes that remain in any gov't-owned port beyond the FSP of fifteen (15) calendar days from the day of arrival to the day of departure					
C-1. Assumption	1. 20-Footer Container				
	2. Day of arrival of cargo at the port - January 1, 2014				
	3. Day of departure of cargo - February 5, 2014				
Date	Dwell Time (Days)		Rate Per Day		Cumulative Amount
January 2, 2014	1		FSP		0.00
January 3	2		FSP		0.00
January 4	3		FSP		0.00
January 5	4		FSP		0.00
January 6	5		FSP		0.00
January 7	6		FSP		0.00
January 8	7		FSP		0.00
January 9	8		FSP		0.00
January 10	9		FSP		0.00
January 11	10		FSP		0.00
January 12	11		FSP		0.00
January 13	12		FSP		0.00
January 14	13		FSP		0.00
January 15	14		FSP		0.00
January 16	15		FSP		0.00
January 17	16	US\$	10.94	US\$	10.94
January 18	17		10.94		21.88
January 19	18		10.94		32.82
January 20	19		10.94		43.76
January 21	20		10.94		54.70
January 22	21		12.03		66.73
January 23	22		12.03		78.76
January 24	23		12.03		90.79
January 25	24		12.03		102.82
January 26	25		12.03		114.85
January 27	26		13.13		127.98
January 28	27		13.13		141.11
January 29	28		13.13		154.24
January 30	29		13.13		167.37
January 31	30		13.13		180.50
February 1, 2014	31		14.22		194.72
February 2	32		14.22		208.94
February 3	33		14.22		223.16
February 4	34		14.22		237.38
February 5	35		14.22		251.60

C-2. Assumption		1. 20-Footer Container			
		2. Day of arrival of cargo at the port - December 14, 2013			
		3. Day of departure of cargo - January 24, 2014			
Date	Dwell Time (Days)		Rate Per Day		Cumulative Amount
December 14, 2013	1		FSP		0.00
December 15	2		FSP		0.00
December 16	3		FSP		0.00
December 17	4		FSP		0.00
December 18	5		FSP		0.00
December 19	6		FSP		0.00
December 20	7		FSP		0.00
December 21	8		FSP		0.00
December 22	9		FSP		0.00
December 23	10		FSP		0.00
December 24	11		FSP		0.00
December 25	12		FSP		0.00
December 26	13		FSP		0.00
December 27	14		FSP		0.00
December 28	15		FSP		0.00
December 29	16	US\$	5.47	*	US\$ 5.47
December 30	17		5.47	*	10.94
December 31	18		5.47	*	16.41
January 1, 2014	19		5.47	*	21.88
January 2	20		10.94		32.82
January 3	21		12.03		44.85
January 4	22		12.03		56.88
January 5	23		12.03		68.91
January 6	24		12.03		80.94
January 7	25		12.03		92.97
January 8	26		13.13		106.10
January 9	27		13.13		119.23
January 10	28		13.13		132.36
January 11	29		13.13		145.49
January 12	30		13.13		158.62
January 13	31		14.22		172.84
January 14	32		14.22		187.06
January 15	33		14.22		201.28
January 16	34		14.22		215.50
January 17	35		14.22		229.72
January 18	36		15.32		245.04
January 19	37		15.32		260.36
January 20	38		15.32		275.68
January 21	39		15.32		291.00
January 22	40		15.32		306.32
January 23	41		16.41		322.73
January 24	42		16.41		339.14
US\$ 5.47- old rate*					

January 24, 2014

**OPERATIONS MEMORANDUM CIRCULAR
NO. 02 - 2014**

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

SUBJECT : Amendments to PPA Memorandum Circular (MC)
No. 13-2013 Entitled "Clarification of PPA MC No.
22-2004 on the Assessment of Wharfage on Empty
Containers of Shipping Lines Engaged in Foreign
and Domestic Trade"

To address the issue raised during the meeting held today attended by AISL and the Terminal Operators (ATI and ICTSI), PPA MC No. 13-2013 is hereby amended, whereby, the condition prescribed under Items II - B.3 and III-B.2 which states "*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*" is hereby **deleted**.

For guidance.

(Sgd.) RAUL T. SANTOS
AGM for Operations

June 30, 2014

PPA MEMORANDUM ORDER
NO. 09 - 2014

TO : All Port District Managers
Port Managers
Others Concerned

SUBJECT : Guidelines in the Preparation of Computation Sheet for Domestic Non-Containerized Cargoes Subject to Minimum Wharfage Fee using the Port Receiving System (PRS)

This memorandum order is issued to address the concern in the preparation of Computation Sheet for domestic non-containerized cargoes whose weight or measurement falls within the minimum charge.

For all **domestic non-containerized cargoes** within minimal volume falling under the **minimum domestic wharfage fee of Php15.00**, the following procedures shall be observed in the preparation of computation sheet using the recently launched Portsite Receiving System:

1. For cargoes weighing/measuring less than 1.67 metric ton or less than 2.15 revenue ton, use "1" as the value to be entered in the "Quantity" field.
2. The minimum wharfage fee of Php15.00 shall be entered in the "rate" field. The minimum charge of Php. 15.00 shall automatically be reflected under the "amount" field.

This procedure shall only be temporary while the enhancement is being developed that would allow generation of Computation Sheet showing the minimum wharfage fee rate of Php15.00 with the exact cargo weight or measurement for statistical data purposes.

For guidance and compliance.

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

August 18, 2014

PPA MEMORANDUM ORDER
NO. 20 - 2014

TO : All Port District Managers
Port Managers
Shipping Lines
Terminal Operator - Port of Batangas-Phase II
Others Concerned

SUBJECT : Reduced Port Charges and Change of the Charging Base
for Dockage-at-Berth at Batangas Container Terminal

Pursuant to the letter dated August 1, 2014 from the Office of the President and to attract more ship calls and boost maximum utilization at BCT, the PPA's recommendation for the reduction of the rates on port charges (Port Dues and Dockage-at-Berth) and the change of charging base for Dockage-at-Berth has been approved.

The reduction on port charges and the change in the charging base shall therefore be as follows:

a. Port Charges

Port Charge	First six (6) months – 90% discount	
	From	To
Port Dues	US \$0.081	US \$0.008
	From	To
	Succeeding six (6) months – 50% discount	
	US \$0.081	US\$0.040
	After one (1) Year – No discount	
		US \$0.081

Port Charge	First six (6) months – 90% discount	
	From	To
Dockage-at-Berth	US \$0.039	US \$0.004
	From	To
	Succeeding six (6) months – 50% discount	
	US \$0.039	US\$0.020
	After one (1) Year – No discount	
		US \$0.039

b. Charging Base

Port Charge	From	To
Dockage-at-berth	Per GRT per calendar day or fraction thereof	Per GRT per block of 24 hours or fraction thereof

In the implementation of the reduced port charges, please be guided of the following.

- a. The 90% discount for the first six (6) months and 50% discount for the succeeding months for Port Dues and Dockage-at-Berth shall apply to all foreign vessels calling at BCT;
- b. Where the ultimate goal for the reduction is to attract greater foreign ship calls, the area referred to is the Batangas Container Terminal, Port of Batangas-Phase II;
- c. Vessels traditionally calling MICT or South Harbor which intend to call at BCT wanting to avail of the reduced port charges are entitled to the incentives;
- d. The BCT is designed for foreign container vessels. However, any kind of vessel which under certain cases are allowed by the Authority to dock at BCT are entitled to the reduced port charges.
- e. There shall be no discount after the one (1) year period.

The Port Management Office at Batangas Port, shall submit to the Office of the AGM for Operations, Attn.: CSD, a monthly monitoring report on the forgone revenues from the rate reduction, as well as, the additional ship calls and revenue, as a result of this incentive.

Pursuant existing rules and regulations, the Order shall take effect 30 days after publication in newspaper of general circulation.

For compliance.

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

Published in the following newspapers:

Manila Standard Today } August 27, 2014
Philippine Star }

Effectivity Date – September 26, 2014

September 16, 2014

PPA MEMORANDUM CIRCULAR
NO. 12 - 2014

TO : The District Manager, PDO-Manila/Northern Luzon
The Port Manager, PMO-South Harbor
Officer-In-Charge, PPA-MICT
International Container Terminal Services, Inc. (ICTSI)
Asian Terminals, Inc. (ATI)
Port Users
Others Concerned

SUBJECT : Approved New Storage Rates for Overstaying Foreign Inbound Containers that Have Been Cleared and Issued Gate Passes by the Bureau of Customs (BOC) for Withdrawal

Pursuant to PPA Board Resolution No. 2401 dated September 12, 2014 and the Memorandum from the Office of the President dated September 15, 2014, the new storage rates for overstaying foreign inbound containers that have been cleared and issued gate passes by the BOC for withdrawal is hereby approved, which are as follows:

<i>New Storage Charge</i>	11th day after Imported Containers are Cleared and Issued Gate Passes by the BOC for Withdrawal	
20 footer	Php	5,000.00
35 footer		8,750.00
40 footer		10,000.00
45 footer		11,250.00

The new storage charges shall be applicable only at the Manila International Container Terminal, and the Ports of South Harbor, Batangas and Subic.

The Circular shall be effective 15 days after publication in national newspaper of general circulation.

For compliance.

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

Published in the Philippine Star - September 17, 2014
Effectivity Date – October 2, 2014

September 30, 2014

PPA MEMORANDUM ORDER
NO. 27 - 2014

TO : All Port District Managers
Port Managers
Shipping Lines
Terminal Operator – Port of Bantangas-Phase II
Others Concerned

SUBJECT : Clarifications of PPA Memorandum Order No. 20-2014
Re Reduced Port Charges and Change of the Charging
Base for Dockage-at-Berth at Batangas Container Terminal

To avert possible confusion on the implementation of the reduced port charges and change in the charging base for dockage-at-berth prescribed under PPA Memorandum Order (MO) No. 20-2014, the following clarifications are hereby issued:

- The 90% discount for the first six (6) months shall start on September 26, 2014 up to March 25, 2015;
- The 50% discount for the succeeding six (6) months shall start on March 26, 2015 until September 25, 2015.
- No discount shall be granted starting September 26, 2015. On this date, the applicable current regular rates apply.

For your guidance.

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

October 01, 2014

**PPA MEMORANDUM CIRCULAR
NO. 13 - 2014**

TO : The District Manger, PDO-Manila/Northern Luzon
The District Manager, PDO-Southern Luzon
The Port Manager, PMO-South Harbor
The Port Manager, PMO-Batangas
Officer-In-Charger, PPA-MICT
International Container Terminal Services, Inc. (ICTSI)
Asian Terminals, Inc. (ATI)
Port Users
Others Concerned

SUBJECT : Clarifications on PPA Memorandum Circular No. 12-2014
Re Approved New Storage Rates for Overstaying Foreign
Inbound Containers that Have Been Cleared by the Bureau
of Customs (BOC) for Withdrawal

To ensure proper implementation of the approved new storage charges for overstaying foreign inbound containers prescribed under PPA Memorandum Circular (MC) No. 12-2014, the following clarifications are hereby issued:

1. Storage charge is the amount assessed on articles, baggage and containers for storage in the port premises, cargo shed and warehouses of the government. It shall be charged on cargoes that remain in any government-owned port beyond the "free storage period" (FSP).
2. For imported cargoes or for foreign inbound containers, a five (5) day FSP is given after the day the last item of cargo is discharged from the carrying vessel.
3. After the FSP of five (5) days, the storage rates for foreign inbound containers contained under PPA MC No. 10-2013 applies until the provisions of PPA MC. No. 12-2014 become applicable.
4. Overstaying foreign inbound containers contemplated under PPA MC No. 12-2014 is understood to mean that the following conditions are present:

-
- The vessel carrying the foreign inbound containers actually berthed;
 - The foreign inbound containers have been discharged at the port;
 - Said foreign inbound containers that have been discharged at the port are given five (5) days FSP which shall commence after the day that the last item of cargo is discharged from the carrying vessel;
 - Foreign inbound containers **stayed** at the port despite BOC's issuance and gate passes for withdrawal after payment of duties and taxes
5. Issuance of clearance is understood to mean that it is through the On Line Release System (OLRS).
 6. Pursuant to Customs Memorandum Order No. 43-2010 dated October 13, 2010, OLRs processes the release instruction message and facilitates release of goods from the transit facility. The transit facility does the actual releasing of cargoes and issuance of gate pass for the goods to be brought out of the port.
 7. After having been cleared through OLRs, the importers are given another ten (10) days allowance to pull out their containers, the storage charges applicable of which during this period, are the rates prescribed under PPA MC No. 10-2013.
 8. Should the same foreign inbound boxes cleared through OLRs **overstay** at the port after the ten (10) days allowance, the new storage rates per day under PPA MC No. 12-2014 indicated below shall apply:

<i>New Storage Charge</i>	11th day after Imported Containers are Cleared and Issued Gate Passes by the BOC for Withdrawal	
20 footer	Php	5,000.00
35 footer		8,750.00
40 footer		10,000.00
45 footer		11,250.00

-
9. All overstaying foreign inbound containers that have been cleared through OLRS prior to the October 2, 2014 effectivity, shall still have ten (10) days from October 2, 2014 before the new storage rates apply.
 10. The new storage charges shall be applicable only at the MICT, South Harbor, Batangas and Subic ports.

Attached is a sample computation on the application of the new storage charges for easy reference.

For guidance of all concerned.

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

**SAMPLE COMPUTATION FOR THE NEW STORAGE RATE
PURSUANT TO PPA MEMORANDUM CIRCULAR NO. 12-2014**

Sample 1:

A 20-footer foreign import container was cleared through On Line Release System (OLRS) and have been issued gatepass by the Bureau of Customs for withdrawal on the 16th day. However, said container was pulled out from the port only on the 35th day.

Dwell Time (Days)	Rate Per Day	Cumulative Amount	REMARKS
1	NONE	0.00	} Free Storage Period
2	NONE	0.00	
3	NONE	0.00	
4	NONE	0.00	
5	NONE	0.00	
6	481.30	481.30	} Rate per day pursuant to PPA MC No. 10-2013
7	481.30	962.60	
8	481.30	1,443.90	
9	481.30	1,925.20	
10	481.30	2,406.50	
11	529.43	2,935.93	
12	529.43	3,465.36	
13	529.43	3,994.79	
14	529.43	4,524.22	
15	529.43	5,053.65	
16	577.56	5,631.21	→ Cleared by BOC through OLRs
17	577.56	6,208.77	} *10 days allowance after clearance from BOC through OLRS starting Oct. 2,2014 (Rate/day pursuant to PPA MC No. 10- 2013)
18	577.56	6,786.33	
19	577.56	7,363.89	
20	577.56	7,941.45	
21	625.69	8,567.14	
22	625.69	9,192.83	
23	625.69	9,818.52	
24	625.69	10,444.21	
25	625.69	11,069.90	
26	5,000.00	16,069.90	
27	5,000.00	21,069.90	
28	5,000.00	26,069.90	
29	5,000.00	31,069.90	
30	5,000.00	36,069.90	
31	5,000.00	41,069.90	
32	5,000.00	46,069.90	
33	5,000.00	51,069.90	
34	5,000.00	56,069.90	
35	5,000.00	61,069.90	

* in terms of payment of existing storage charges.

PORT OPERATIONS

October 17, 2014

PPA ADMINISTRATIVE ORDER
NO. 08 - 2014

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

SUBJECT : AMENDMENTS TO PPA ADMINISTRATIVE ORDER (AO) NO. 06-2013,
ENTITLED "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))"

Pursuant to PPA Board Ex-Com Resolution No. 2014-1399 dated 15 September 2014, Section 2, Item 2.1 of PPA AO No. 06-2013 is hereby amended to read as:

"Section 2. Quarterly Supervision Fee (QSF)

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

The fifty (50%) percent QSF shall be imposed and be made a condition of the MOA only on those LGUs with requests for PPA to undertake port development projects including capital dredging for the port. Otherwise the ten (10%) percent QSF shall be applied.

LGUs may request for non-coverage from the application of 50% QSF which the approval thereof by the Authority shall be subject to the submission of documents as proof of LGU's investments in port development as may be required by the Port Management Office exercising jurisdiction thereat.

The Port Manager concerned shall issue a Certification that the LGU is qualified for said non-coverage.

The General Manager, based on the documents submitted and recommendations from the Assistant General Manager for Operations, may then approve the grant of non-coverage and the same shall be made part of the MOA.

In future MOAs, the LGUs shall apply for non-coverage prior to the execution of the MOA and the same shall likewise be made part of the MOA.”

All other provisions of PPA AO No. 06-2013 not affected by this Order shall remain valid and in full force.

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

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

Published in the Philippine Star – October 25, 2014
Effectivity Date – November 8, 2014

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 of Transportation 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 271st meeting of the Executive Committee of the Board of Directors of the Philippine Ports Authority held on 12 September 2014 at the Board Room, 6th Floor, PPA Head Office Building, A. Bonifacio Drive, South Harbor, Port Area, Manila, the following Resolution was adopted:

EX-COM RESOLUTION NO. 2014-1399

“RESOLVED, that on motion duly made and seconded, that the proposed amendment to Section 2, item 2.1 of PPA Administrative Order No. 06-2013 dated December 17, 2013 (Amendment on PPA Administrative Order No. 05-2007, otherwise known as the "Revised Guidelines on the Transfer of Management of PPA Ports to Local Government Units (LGUs) and Government Corporations (GCs), be, as it is hereby approved, to read as follows.

“Section 2. Quarterly Supervision Fee (QSF)

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

The fifty (50%) percent QSF shall be imposed and be made a condition of the MOA only on those LGUs with requests for PPA to undertake port development projects including capital dredging for the port. Otherwise the ten (10%) percent QSF shall be applied.

LGUs may request for non-coverage from the application of 50% QSF which the approval thereof by the Authority shall be subject to the submission of documents as proof of LGUs investments in port development as may be required by the Port Management Office exercising jurisdiction thereat.

The Port Manager concerned shall issue a Certification that the LGU is qualified for said non-coverage.

The General Manager, based on the documents submitted and recommendations from the Assistant General Manager for Operations may then approve the grant of non-coverage and the same shall be made part of the MOA.

In future MOAs, the LGUs shall apply for non-coverage prior to the execution of the MOA and the same shall likewise be made part of the MOA.”

IN WITNESS WHEREOF, I have signed this Secretary’s Certificate this 15th day of September 2014, at the above-mentioned address.

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

December 16, 2014

PPA MEMORANDUM ORDER
NO. 36 - 2014

TO : All Port Managers
All Department Managers
All Terminal Operators
All Cargo Handling Operators
All Shipping Lines and Ship's Agents
All Shippers and Consignees
Others Concerned

SUBJECT : Changes from Existing to New Nomenclature for Field
and Head Office Units of the Philippine Ports Authority

In view of the on-going implementation of the re-structuring of the Philippine Ports Authority under its Rationalization Plan, please be advised that henceforth the new nomenclature as shown in the attached matrix for PPA Field and Head Office Units is hereby prescribed.

The use of the new nomenclature shall start on 01 January 2015.

This Order shall take effect immediately upon its publication in the Official Gazette or in a newspaper of general circulation and a copy filed with the University of the Philippines Law Center.

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

Published in the Philippine Star - December 20, 2014

NEW NOMENCLATURE FOR FIELD OFFICES OF THE PHILIPPINE PORTS AUTHORITY			
OLD STRUCTURE	NEW STRUCTURE	PMO CODES	DESCRIPTION OF GEOGRAPHICAL COVERAGE
1	1 PMO NCR SOUTH	NCS	<ol style="list-style-type: none"> Starting from Del Pan Bridge and then along the south bank of the Pasig River proceeding downriver and then southwards following the coastlines and contiguous coastal waters of Manila, Pasay, Parañaque, Las Piñas and Cavite Province including all government and private ports located therein except those under the jurisdiction of the Philippine Navy (Sangley Point) South Harbor also covers the north bank of Pasig River from Del Pan Bridge up to the start of the access road leading to the Manila International Container Terminal (MICT). With an imaginary line drawn from the mouth of Pasig River to Corregidor Island, South Harbor will cover the navigational approaches south of this line. All private ports located along Pasig River except those along the coast of Laguna de Bay which are under the jurisdiction of the Laguna Lake Development Authority (LLDA)
2	2 PMO NCR NORTH	NCN	<ol style="list-style-type: none"> Starting from the access road leading to the MICT and proceeding northward along the coastlines and contiguous coastal waters of Manila, Malabon and Navotas. With an imaginary line drawn from the mouth of Pasig River to Corregidor Island, North Harbor will cover the navigational approaches north of this line All private ports located along this coast.

NEW NOMENCLATURE FOR FIELD OFFICES OF THE PHILIPPINE PORTS AUTHORITY			
OLD STRUCTURE	NEW STRUCTURE	PMO CODES	DESCRIPTION OF GEOGRAPHICAL COVERAGE
3	PMO LIMAY	3 PMO BATAAN/AURORA	BNA Coastal areas and contiguous coastal waters of Bataan, Corregidor, Bulacan, Pampanga and Aurora including private ports located therein except for ports under the administrative jurisdiction of the Aurora Special Economic Zone Authority (ASEZA).
4	PMO BATANGAS	4 PMO BATANGAS	BGS Coastal areas and contiguous coastal waters of Batangas and Romblon including private ports located therein
5	PMO SAN FERNANDO	5 PMO NORTHERN LUZON	NILZ Coastal areas and contiguous coastal waters of La Union, Zambales, Pangasinan, Ilocos Sur, Ilocos Norte, Batanes Province, Cagayan and Isabela including private ports located therein except for the following: <ol style="list-style-type: none"> 1. San Fernando Port in San Fernando, La Union which is under the administrative jurisdiction of the Bases Conversion Development Authority and its regulated ports 2. Subic Port in Olongapo City, Zambales which is under the administrative jurisdiction of the Subic Bay Metropolitan Authority (SBMA) and its regulated ports 3. Ports of Irene and San Vicente in Sta. Ana, Cagayan which are under the administrative jurisdiction of the Cagayan Economic Zone Authority (CEZA) and its regulated ports
6	PMO CALAPAN	6 PMO MINDORO	MDO Coastal areas and contiguous coastal waters of Mindoro Island and Lubang Island including private ports located therein

NEW NOMENCLATURE FOR FIELD OFFICES OF THE PHILIPPINE PORTS AUTHORITY					
OLD STRUCTURE	NEW STRUCTURE	PMO CODES	DESCRIPTION OF GEOGRAPHICAL COVERAGE		
7	PMO LEGAZPI	7	PMO BICOL	BCL	Coastal areas and contiguous coastal waters of Albay, Sorsogon, Camarines Sur, Camarines Norte, Catanduanes including private ports located therein
8	PMO PUERTO PRINCESA	8	PMO PALAWAN	PLW	Coastal areas and contiguous coastal waters of Palawan Province (and all its islands) including private ports located therein
9	PMO ILOILO	9	PMO PANAY/GUIMARAS	PNG	Coastal areas and contiguous coastal waters of the entire Panay Island, Guimaras Island and Semirara Islands including private ports located therein
10	PMO DUMAGUETE	10	PMO NEGROS ORIENTAL/SIQUIJOR	NOS	Coastal areas and contiguous coastal waters of Negros Oriental and Siquijor Island including private ports located therein
11	PMO TAGBILARAN	11	PMO BOHOL	BHL	Coastal areas and contiguous coastal waters of Bohol Province including private ports located therein
12	PMO TACLOBAN	12	PMO EASTERN LEYTE/ SAMAR	ELS	Coastal areas and contiguous coastal waters of Eastern Leyte and Samar including private ports located therein; all ports in Southern Leyte shall also be under PMO-ELS except Maasin, Padre Burgos and Limasawa.
13	PMO PULUPANDAN	13	PMO NEGROS OCCIDENTAL/BACOLOD/ BANAGO/BREDCO	NBB	Coastal areas and contiguous coastal waters of Negros Occidental including private ports located therein
14	PMO ORMOG	14	PMO WESTERN LEYTE/ BILIRAN	WLB	Coastal areas and contiguous coastal waters of Western and Southern Leyte and Biliran including private ports located therein; the following ports in Southern Leyte shall also be under PMO-WLB: Maasin, Padre Burgos and Limasawa

NEW NOMENCLATURE FOR FIELD OFFICES OF THE PHILIPPINE PORTS AUTHORITY			
OLD STRUCTURE	NEW STRUCTURE	PMO CODES	DESCRIPTION OF GEOGRAPHICAL COVERAGE
15	PMO MISAMIS ORIENTAL/CAGAYAN DE ORO	MOC	Coastal areas and contiguous coastal waters of Misamis Oriental and Camiguin Island including private ports located therein except for the Mindanao Container Terminal (MCT) in Tagoloan, Misamis Oriental which is under the administrative jurisdiction of PHIVIDEC Industrial Authority (PIA) and its regulated ports within the Municipality of Tagoloan, Misamis Oriental
16	PMO ILIGAN	LNI	Coastal areas and contiguous coastal waters of Lanao del Norte including private ports located therein
17	PMO NASIPIT	AGS	Coastal areas and contiguous coastal waters of Agusan del Norte including private ports located therein
18	PMO SURIGAO	SUG	Coastal areas and contiguous coastal waters of Surigao del Norte, Surigao del Sur, Siargao Island and Dinagat Islands including private ports located therein
19	PMO OZAMIZ	MOZ	Coastal areas and contiguous coastal waters of Misamis Occidental including private ports located therein
20	PMO DAPITAN	ZDN	Coastal areas and contiguous coastal waters of Zamboanga del Norte including private ports located therein
21	PMO DAVAO	DVO	Coastal areas and contiguous coastal waters of Davao del Sur, Davao Oriental, Davao del Norte and Samal Island including private ports located therein
22	PMO ZAMBOANGA	ZBA	Coastal areas and contiguous coastal waters of Zamboanga del Sur, Zamboanga Sibugay, Zamboanga City and Basilan Island (except those ports which are part of ARMM) including private ports located therein

NEW NOMENCLATURE FOR FIELD OFFICES OF THE PHILIPPINE PORTS AUTHORITY					
OLD STRUCTURE		NEW STRUCTURE		PMO CODES	DESCRIPTION OF GEOGRAPHICAL COVERAGE
23	PMO GENERAL SANTOS	23	PMO SOCSARGEN	SSG	Coastal areas and contiguous coastal waters of South Cotabato, General Santos City, Sarangani, Balut and Sarangani Islands including private ports located therein
24	PMO COTABATO	24	PMO COTABATO	CBO	Coastal areas and contiguous coastal waters of Maguindanao (except Polloc Port) and Sultan Kudarat including private ports located therein
		25	PMO MARQUEZ	MRQ	Coastal areas and contiguous coastal waters of Marinduque, Quezon Province and Polillo Group of Islands including private ports located therein
		26	PMO MASBATE	MSB	Coastal areas and contiguous coastal waters of Masbate, Ticao Island and Burias Island including private ports located therein

NEW NOMECLATURE FOR HEAD OFFICE UNITS OF THE PHILIPPINE PORTS AUTHORITY

	OLD NAME	NEW NAME (OR NEW UNIT)	REPORTING TO
1	STRATEGIC PLANNING DEPARTMENT	CORPORATE PLANNING DEVELOPMENT	GENERAL MANAGER
2	MANAGEMENT INFORMATION AND SERVICES DEPARTMENT	INFORMATION AND COMMUNICATIONS TECHNOLOGY DEPARTMENT	GENERAL MANAGER
3	LEGAL SERVICES DEPARTMENT	LEGAL SERVICES DEPARTMENT	GENERAL MANAGER
4		PORT MANAGEMENT SYSTEMS AND ORGANIZATION DEVELOPMENT DEPARTMENT	GENERAL MANAGER
5	PORT OPERATIONS AND SERVICES DEPARTMENT	PORT OPERATIONS AND SERVICES DEPARTMENT	ASST. GEN. MGR. FOR OPERATIONS
6	COMMERCIAL SERVICES DEPARTMENT	COMMERCIAL SERVICES DEPARTMENT	ASST. GEN. MGR. FOR OPERATIONS
7	PORT POLICE DEPARTMENT	PORT POLICE DEPARTMENT	ASST. GEN. MGR. FOR OPERATIONS
8	PPA TRAINING CENTER	PPA TRAINING INSTITUTE	ASST. GEN. MGR. FOR OPERATIONS
9	PROJECT DEVELOPMENT DEPARTMENT	PORT PLANNING AND DESIGN DEPARTMENT	ASST. GEN. MGR. FOR ENGINEERING
10	HARBOR MAINTENANCE DEPARTMENT	DREDGING AND SURVEY DEPARTMENT	ASST. GEN. MGR. FOR ENGINEERING
11	FACILITIES CONSTRUCTION AND MAINTENANCE DEPARTMENT	PORT CONSTRUCTION AND MAINTENANCE DEPARTMENT	ASST. GEN. MGR. FOR ENGINEERING
12	CONTROLLERSHIP DEPARTMENT	CONTROLLERSHIP DEPARTMENT	ASST. GEN. MGR. FOR FINANCE & ADMINISTRATION
13	TREASURY DEPARTMENT	TREASURY DEPARTMENT	ASST. GEN. MGR. FOR FINANCE & ADMINISTRATION
14	HUMAN RESOURCE MANAGEMENT DEPARTMENT	HUMAN RESOURCE MANAGEMENT DEPARTMENT	ASST. GEN. MGR. FOR FINANCE & ADMINISTRATION
15	ADMINISTRATIVE SERVICES DEPARTMENT	ADMINISTRATIVE SERVICES DEPARTMENT	ASST. GEN. MGR. FOR FINANCE & ADMINISTRATION
16	INTERNAL CONTROL DEPARTMENT	INTERNAL AUDIT DEPARTMENT	BOARD OF DIRECTORS

PORT SAFETY AND SECURITY

January 24, 2014

PPA ADMINISTRATIVE ORDER
NO. 02 - 2014

TO : All Port District Managers, Port Managers,
Shipping Companies/Agents, Cargo Handling Operators,
And Others Concerned

SUBJECT : Guidelines on the Proper Disposition of Seized, Detained or
Forfeited Vessels Berthed at PPA-Managed Ports

1. AUTHORITY

- 1.1 Sections 6-a (ii), (vi), (x), 26 and 28 of PD 857, as amended
- 1.2 Article IV, Section 29 PPA A.O. No. 13-77 entitled "General Port Regulations of the Philippine Ports Authority"

2. SCOPE

This Order shall cover all vessels that are subject of seizure, detention, and/or forfeiture by an authorized government entity utilizing the berthing facilities of ports under the jurisdiction of PPA.

3. OBJECTIVES

- 3.1 To ensure the safety of all persons inside the port premises, including passengers of vessels, especially during its arrival or departure or during embarkation or disembarkation operations;
- 3.2 To ensure the safety of vessels and port facilities within the jurisdiction of PPA;
- 3.3 To optimize the utilization of berths and quay-side facilities and back-up areas of PPA-managed ports

4. GENERAL GUIDELINES

- 4.1 As a matter of policy, the allocation of a berth belonging to or operated by the Authority shall be at the Authority's discretion
- 4.2 No seized/detained/forfeited vessel shall be berthed or unberthed alongside a wharf or pier belonging to or operated by the Authority without its permission or contrary to its directives, nor shall said vessel occupy a berth other than its assigned berth.

5. **SPECIFIC GUIDELINES**

The following procedural steps shall be followed by all concerned parties in the movement of a vessel which has been the subject of seizure, detention, and/or forfeiture by an authorized government entity:

- 5.1 The Port Manager shall notify in writing the authorized government entity in actual or constructive possession of such vessel, within thirty (30) days from receipt of Advice/Notification of Seizure citing the need for said vessel to be moved out of its existing berth to an available anchorage area;
- 5.2 The Master/owner/agent of the seized or detained vessel shall be notified by the Port Manager of the vessel's shifting order with the advice to settle accrued vessel charges prior to effectivity of the seizure order, including interest and penalties, if any;
- 5.3 If a seized vessel is unable to move out when so required by the Authority, the same shall be, or caused to be moved out in any appropriate or environmentally sound manner without further notice to the owner, provided that all the expenses to be incurred by the Authority shall be borne by the owner/agent of said vessel;
- 5.4 If, within fifteen (15) days after the notification, no owner or agent can be found or appears before the Port Manager and the vessel has been declared the property forfeited in favor of the government, the PMO shall make proper representation with the authorized government arresting agency for the payment of port charges due to PPA once sold at auction or disposed of in accordance with law.

6. **REPEALING CLAUSE**

All PPA issuances and policies or part thereof inconsistent with or contrary to any of the provisions of this Order are hereby modified or repealed accordingly.

7. **SEPARABILITY CLAUSE**

Any provision or portion of this Order declared by competent authority as invalid shall not affect its other parts or provisions to which the declaration does not relate.

8. **EFFECTIVITY**

This Order shall take effect fifteen (15) days after its publication in the official gazette or in any newspaper of general circulation.

(Sgd.) JUAN C. STA. ANA

General Manager

Published in the Philippine Star - January 30, 2014

Effectivity Date – February 14, 2014

October 24, 2014

PPA MEMORANDUM CIRCULAR
NO. 14 - 2014

TO : All Port District Managers/Port Managers
Shipping Companies/Agents, Cargo Handling Operators
Harbor Pilots' Associations and Others Concerned

SUBJECT : Guidelines on the Computation of Cost of
Opportunity Loss on Damaged Port Facilities
Caused by Vessels

1. AUTHORITY

- 1.1 Section 6 (a) (ii), and 28 of P.D. 857, as amended.
- 1.2 PPA Administrative Order No. 05-79 entitled "Guidelines on the Action to be Taken Against Vessels Causing Damage to the Piers or Other Property, Private or Government"

2. SCOPE

This Circular shall apply on damage/s caused by any foreign or domestic vessels on the facility/ies at PPA-managed ports.

3. OBJECTIVES

- 3.1 To ensure safe maneuvering and berthing of vessels for the protection of port facilities within the jurisdiction of the Authority.
- 3.2 To recoup investment and cover revenue losses due to inoperability or non-availability of the damaged PPA piers/wharves or port facilities.

4. GUIDELINES

- 4.1 As a policy, where any vessel causes damage to the pier/wharf or physical port facility owned or maintained by the PPA, the Port Manager or his duly authorized representative shall, within twenty-four (24) hours from the time the incident occurred, file a sworn damage claim with the Vessel Master/Operator/Agent copy furnished the local office of the Philippine Coast Guard (PCG) if domestic vessel is involved, or the Collector of Customs if foreign vessel, stating therein the following information:

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- a. Name and voyage number of the vessel involved;
- b. Name of Master and owner or agent of the vessel;
- c. Exact date and time of the incident;
- d. Facility/ies damaged and the corresponding extent and estimated value of the damage;
- e. The locality, nature, probable cause of the circumstances surrounding the incident;
- f. Names of, nature and extent of injury to persons or loss of life, if any; and
- g. Other relevant information.
- 4.2 The procedures under Article II, Sections 5 to 10 of PPA Administrative Order No. 05-79 entitled “Guidelines on the Action to be Taken Against Vessels Causing Damage to the Piers or Other Property, Private or Government” shall apply insofar as filing of claims and proceedings are concerned.
- 4.3 In addition to the detailed estimate of the damage, the PMO Engineering Services Division Manager or his representative shall submit to the Port Manager a computation of the Cost of Opportunity Loss (COL) using the following formula:
- Net Ave. Gross Rev. = Ave. Gross Rev. (last 5 years) – Ave. Non-applicable Rev. (last 5 years)*
- Net Ave. Daily Rev. per Meter of Berth = Net Ave. Gross Rev. ÷ Total Effective Berth Length x 365 days*
- COL = Net Ave. Daily Rev. per Meter of Berth x Total Length of Damaged Berth x Estimated Total Number of Days the Facility will be inoperable or unavailable.*
- 4.4 For purposes of these guidelines, the Total Effective Berth Length refers to the overall measurement of the entire operational berthing facility within a given wharf or pier of which the damaged facility is part of it, as determined by the Port Manager.
- 4.5 The non-applicable revenue shall include but not limited to the following fees:
- a. Foreshore/Miscellaneous Lease Certification
- b. Admin/Port Police Clearance
- c. Permits to Operate/Occupy
- d. Filing Fees
- e. Space and Land Rentals
- f. Privilege Fees
- g. Sale of gate passes/Stickers

4.6 For clarity, hereunder is an Illustrative Example of COL computation:

Port Dumaguete (Baseport)
Date of Incident – 08 July 2009
Total Effective Berth Length – 801m
Total Berth Length of Damaged Port Facility – 165 m.

Average Gross Revenue for the last 5 years (2009-2013 Port Dues, Usage, Wharfage)	–	₱	29,866,422.00
Less: Average Non-applicable Revenue Sources for the last 5 years (2009-2013)	–		<u>1,649,368.00</u>
Net Average Gross Revenue		₱	28,217,054.00
Net Average Gross Revenue	–	₱	<u>28,217,054.00</u>
Divided by: Total Effective Berth Length			801 m. x 365 days
Net Average Daily Revenue Per Meter Berth			= ₱ 96.51

Cost of Opportunity Loss as of EO April 2013 or 1,391 days since date of incident (08 July 2009)

₱ 96.51 x 165 m. x 1,391 days = ₱ 22,150,492.65

Add: 0.05 Factor to consider other expenses such as clean-up of oil spills, removal of derelicts, underwater surveys and any legal and administrative cost = ₱1,107,524.63

Total COL = ₱ 23,257,517.28
=====

4.7 The above COL computation shall be included in the detailed estimates of damaged facility and shall form part of the total liability and amount of damages to be paid by the party found liable.

5. SEPARABILITY CLAUSE

If, for any reason, any section or part of this Circular is deemed invalid by competent Authority, the declared or invalid section or part thereof shall not affect the other sections or parts to which such declaration or nullity does not apply or relate.

6. **REPEALING CLAUSE**

Any provision of existing PPA rules and regulations which are inconsistent herewith shall be deemed amended or modified accordingly.

7. **EFFECTIVITY**

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

For compliance.

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

Published in the Philippine Star - October 30, 2014
Effectivity Date – November 14, 2014.

REVENUE COLLECTION

June 09, 2014

PPA MEMORANDUM ORDER
NO. 07 - 2014

TO : All Port District Managers
All Port Managers
All RC Head Concerned

SUBJECT : Amendment to Amended Compromise Payment Schemes
for Dormant Accounts

1. Authority

- 1.1 Section 6. a) (iii) Presidential Decree No. 857, as amended
- 1.2 Board Resolution No. 2188 issued on May 25, 2009
- 1.3 BoardCom Resolution No. 2009-1186 as confirmed by Board Resolution No. 2188
- 1.4 BoardCom Resolution No. 2010-1234 as confirmed by Board Resolution No. 2218
- 1.5 Ex-Com Resolution No. 2014-1379 as confirmed by Board Resolution No. 2368

2. Purpose

This Memorandum Order is issued for purposes of re-issuing PPA Memorandum Order No. 24-2010 to expedite and facilitate the collection of dormant accounts without resorting to lengthy and costly judicial proceedings.

3. Coverage

This Memorandum Order is a collection program which covers all dormant accounts (over 365 days old), except the dormant rental billings in PMO North Harbor which are covered by separate orders under PPA Memorandum Order No. 03-2009 and PPA Memorandum Order No. 20-2009.

4. Guidelines

- 4.1 BoardCom Resolution Nos. 2009-1186 and 2010-1234 prescribed the following schemes of payment for dormant accounts:
 - 4.1.1 Zero (0%) percent interest and penalty charges on those who will make full payment within 12 months (covered by post-dated checks) from receipt of the latest Notice of Collection.

4.1.2 For those who cannot pay in full within the prescribed period, their accounts may be restructured under the following conditions:

4.1.2.1 Initial Payment of at least 25% of the total principal account;

4.1.2.2 Balance to be restructured equally within a maximum period of 24 months by executing a Restructuring Agreement with PPA, duly covered with the corresponding monthly post-dated checks (PDCs), with interest and penalty charges as follows:

4.1.2.2.1 Simple interest of 6% per annum and penalty charge of 6% per annum from invoice date up to the date of the Restructuring Agreement, added and forming part of the principal restructured amount;

4.1.2.2.2 plus built-in interest of 6% per annum during the restructuring period; and

4.1.2.2.3 0% penalty charges during the restructuring period

4.1.2.2.4 Defaulted amortization shall be charged interest of 12% per annum and penalty charges of 25% per annum in accordance with the existing guidelines (PPA Administrative Order No. 01-02).

5. Amendment

Section 4.1.2.3 of PPA Memorandum Order No. 24-2010 is hereby amended to read as follows:

“4.1.2.3 This Collection Program may be availed of only up to December 31, 2015.”

6. Repealing Clause

This Memorandum Order repeals, amends or modifies all circulars, regulations and other issuances which are inconsistent herewith.

7. Effectivity

This Memorandum Order shall take effect within thirty (30) days from the date of publication in the Official Gazette or any newspaper of general circulation.

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

Published in the Philippine Star - June 11, 2014

Effectivity Date – July 10, 2014

SECRETARY'S CERTIFICATE

I, *DAVID R. SIMON*, 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 232nd Meeting of the Board Committee held on 1 May 2010 at the Meeting Room, Discovery Shores, Station 1, Balabag, Boracay Island 5608 Malay, Aklan, the following Resolution was adopted:

BoardCom Resolution No. 2010-1234

“RESOLVED, That on motion duly made and seconded, and considering the significant amount of dormant accounts collected from several port users in the various ports of the country, the proposal of Management for the extension of the validity period of PPA Memorandum Order No. 43-2009, entitled “Compromise Payment Scheme for Dormant Accounts”, previously authorized under BoardCom Resolution No. 2009-1186, with corresponding amendment granting a 12-month payment period with post-dated checks without interest and penalty charges, for the purpose of collecting the remaining dormant accounts as well as give ample time for the PMOs to retrieve the supporting documents and reconcile them with the port users concerned, be, as it is hereby approved and extended until December 31, 2011.”

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 4th day of May 2010, at the above-mentioned address.

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

SECRETARY'S CERTIFICATE

I, *DAVID R. SIMON*, 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 220th Meeting of the Committee held on 22 May 2009 at the Meeting Room, Discovery Shores, Station 1, Balabag, Boracay Island 5608 Malay, Aklan, the following Resolution was adopted:

BoardCom Resolution No. 2009-1186

“RESOLVED, That on motion duly made and seconded, and to expedite the process of collecting long overdue account receivables, the request of the port users for reduction of interest rates and penalty charges from the prescribed rates of 12% per annum and 25% per annum, respectively, be, as it is hereby approved, as a one-time collection program, subject to the following schemes of payment:

- 1. Zero (0%) percent interest and penalty charges on those who made previous payments on their principal obligations as well as those who will make full payment within 30 days from receipt of the latest Notice of Collection.*
- 2. For those who cannot pay in full within 30 days, their accounts may be restructured under the following conditions:*
 - 2.1 Initial Payment of at least 25% of the total amount due to PPA;*
 - 2.2 Balance to be restructured within a maximum period of two (2) years; and*
 - 2.3 Execute a Restructuring Agreement with PPA within 30 days from remittance of the initial payment.*
 - 2.3.1 Interest Rate and Penalty Charges*
 - 2.3.1.1 Simple interest and penalty charges at the rate of 6% per annum each from invoice date up to the date of the Restructuring Agreement, added to and forming part of the principal restructured amount;*

2.3.1.2 *plus built-in interest of 6% per annum during the restructuring period*

2.3.1.3 *0% penalty charges during the restructuring period*

2.3.2 *Charges for Defaulted Amortization*

Defaulted amortization shall be charged interest of 12% per annum and penalty charges of 25% per annum in accordance with the existing guidelines (PPA Administration Order No. 01-02).

3. *This one-time Collection Program may be availed of only within three (3) months reckoned from the date of publication of the guideline on said collection program.*

IN WITNESS WHEREOF, I have signed this Secretary's Certificate this 25th day of May 2009, at the above-mentioned address.

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

SPECIAL TAKEOVER UNITS

August 14, 2014

PPA MEMORANDUM ORDER
NO. 19 - 2014

SUBJECT : Creating the PPA-Puerto Galera Port Services (PPA-PGPS)

To ensure the continuous and efficient operations of the cargo handling services at the Port of Puerto Galera in Barangay Balatero, Puerto Galera, Oriental Mindoro and in the exercise of the inherent functions of the Authority to directly provide and operate cargo handling and other related services as prescribed by Presidential Decree No. 857, as amended, there is hereby created the PPA-Puerto Galera Port Services (PPA-PGPS).

The PPA-PGPS shall, henceforth, provide and operate the cargo handling services at the said port, 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 and other related services in a more efficient manner.
2. Utilize and employ members of the existing labor force as may be needed in the CH operation subject to the individual screening of the members of the labor force pursuant to the pertinent provisions of PPA Administrative Order No. 01-2006, as amended.
3. Collect at existing rates and amounts, such charges for services rendered.
4. Disburse funds to finance the necessary expenses of operations in accordance with the system prescribed by the Authority.
5. Conduct inventory of cargoes received and still in the custody of the operator as of takeover date.
6. Conduct inventory of cargo handling equipment, gears, tools and other property of the operator.
7. Conduct inventory of cargo records and claims.
8. Conduct inventory of unused forms and supplies which can be used for the takeover.
9. Conduct inventory of office and field personnel.
10. Submit monthly operational and financial reports to the AGM for Operations.

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

This Order takes effect immediately and shall remain in force until such time that a qualified CH operator is selected and duly authorized to operate in the aforesaid port, unless earlier revoked or modified as may be warranted under the circumstances.

For guidance.

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

VESSEL OPERATIONS

April 21, 2014

PPA MEMORANDUM CIRCULAR
NO. 02 - 2014

TO : All PPA Officials/Employees
And Others Concerned

REFERENCE : PORT OF ILOILO, ILOILO COMMERCIAL PORT
COMPLEX (ICPC)

SUBJECT : Implementation of PPA Quality Management
System (QMS) on Facilitation of Vessel
Entrance and Clearance Processes (VEC)

Pursuant to Executive Order No. 605 entitled "Institutionalizing the Structure, Mechanisms and Standards to Implement the Government Quality Management Programs, Amending for the Purpose Administrative Order No. 161, s 2006", and our commitment to DOTC's Performance Governance System (PGS), the PPA QMS for the Port of Iloilo, Iloilo Commercial Port Complex (ICPC) is officially implemented together with the approved QMS Manuals consisting of the Policy and Procedure Manuals.

The Quality Policy Statement, as follows, is hereby adopted, made known and should be understood within PPA, as required by the ISO 9001 Standard:

"It is the policy of the Philippine Ports Authority to consistently provide and continually improve the quality of its port operations and services in the facilitation of vessel entrance and clearance processes at the Port of Iloilo that satisfy and needs of its clients and comply with international and national statutory and regulatory requirements".

The Port Manager and the PSD Manager of PMO Iloilo are hereby designated as the PMO Management Representative and PMO Deputy Management Representative, respectively, and shall have responsibilities as contained in the approved QMS Manuals.

All concerned PPA officials and employees are enjoined to comply with the provisions of said Manuals.

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

June 02, 2014

PPA MEMORANDUM CIRCULAR
NO. 04 - 2014

TO : All PPA Officials/Employees
And Others Concerned

REFERENCE : PORT OF OZAMIZ, OZAMIZ CITY

SUBJECT : Implementation of PPA Quality Management
System (QMS) on Facilitation of Vessel
Entrance and Clearance Processes (VEC)

Pursuant to Executive Order No. 605 entitled "Institutionalizing the Structure, Mechanisms and Standards to Implement the Government Quality Management Programs, Amending for the Purpose Administrative Order No. 161, s 2006", and our commitment to DOTC's Performance Governance System (PGS), the PPA QMS for the Port of Ozamis is officially implemented together with the approved QMS Manuals consisting of the Policy and Procedure Manuals.

The Quality Policy Statement, as follows, is hereby adopted, made known and should be understood within PPA, as required by the ISO 9001 Standard:

"It is the policy of the Philippine Ports Authority to consistently provide and continually improve the quality of its port operations and services in the facilitation of vessel entrance and clearance processes at the Port of Ozamiz that satisfy the needs of its clients and comply with international and national statutory and regulatory requirements".

The Port Manager and the PSD Manager of PMO Ozamiz are hereby designated as the PMO Management Representative and PMO Deputy Management Representative, respectively, and shall have responsibilities as contained in the approved QMS Manuals.

All concerned PPA officials and employees are enjoined to comply with the provisions of said Manuals.

(Sgd.) RAUL T. SANTOS
Officer-in-Charge

November 3, 2014

PPA MEMORANDUM CIRCULAR
NO. 16, Series of 2014

TO : International Container Terminal Services, Inc. (ICTSI)
Asian Terminals Inc. (ATI)
Association of International Shipping Lines, Inc. (AISL)
Post District Office – Manila
PMO South Harbor
Shipping Lines/Agents
All Others Concerned

SUBJECT : Temporary Arrangement in the Assignment
of Berths for Vessels Calling at the Port of
Manila

Executive Order No. 172 dated September 13, 2014 has declared the Port of Batangas and Subic Bay Freeport as extensions of the Port of Manila during port congestion and other emergency cases. Moreover, Article IV, Section 6 (a)(x) of Presidential Decree No. 857, as amended, empowers the adoption by the Philippine Ports Authority (PPA) of necessary measures to remedy port congestion.

In line with this mandate, and in order to ensure the efficient and orderly utilization of available and existing berths at the Port of Manila (Manila International Container Terminal [MICT]/South Harbor) and Subic Bay Freeport, the following temporary arrangement in the assignment of berths is hereby prescribed:

1. All *ad hoc* vessels calling at the Port of Manila including those presently on queue shall be berthed at South Harbor or Subic Bay Freeport. *Ad hoc* vessels shall refer to vessels designated or arranged to call at the Port of Manila for a specific purpose and not on a regular basis.
2. A *dual-caller* vessel shall be directed by PPA to berth at South Harbor or MICT upon its arrival at pilot boarding station. A *dual-caller* vessel shall refer to a vessel whose ports of loading and/or unloading are both South Harbor and MICT.
3. This temporary arrangement shall be valid until November 30, 2014.

PPA shall closely coordinate with the concerned Terminal Operators in the implementation of this Circular.

This Circular shall take effect immediately

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

**MALACAÑAN PALACE
MANILA**

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 172

DECLARING THE PORT OF BATANGAS AND SUBIC BAY FREEPORT AS EXTENSIONS OF THE PORT OF MANILA (MICT/SOUTH HARBOR) DURING PORT CONGESTION AND OTHER EMERGENCY CASES

WHEREAS, it is a declared objective of the State to 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;

WHEREAS, port congestion is one of the major factors hindering the free flow of goods and services passing through the ports, with its domino effects immediately cascading and impacting on the demand-supply chain and eventually to the country's economic growth and performance;

WHEREAS, the Port of Manila is considered as the Philippines' most important port not only in terms of revenues it generates but also because of its being the premier international gateway to the country;

WHEREAS, the past six (6) months have witnessed how port congestion at the Port of Manila, specifically, the Manila International Container Terminal (MICT) and the South Harbor, have tremendously disrupted industries and businesses not only in Metro Manila but across the country, and how it has highlighted the important and crucial role that the government has to play in mitigating its impact and finding immediate solutions;

WHEREAS, the drastic restriction in the movement of trucks transporting cargoes in and out of the Port of Manila because of the shortened operating window of trucks due to truck ban imposed by certain Local Government Units resulted in the abnormal movement, accumulation and piling up of cargoes and eventually severe port congestion;

WHEREAS, there is a need to adopt measures to immediately and effectively address the existing port congestion in the Port of Manila in order to avert further damaging effects to the country's economy, and also to put in place a mechanism that will immediately address future similar situations; and

WHEREAS, the Port of Batangas and the Subic Bay Freeport are not only ports of closest proximity to the Port of Manila but have the required capacity to handle export and import cargoes in terms of equipment, manpower and berth.

NOW THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. EXTENSION OF THE PORT OF MANILA. It is hereby declared that whenever there is congestion in the Port of Manila, or in case of emergency situations affecting public interest such as, but not limited to, strikes or lock-outs and natural calamities, resulting to serious disruptions in port operations, designated ports in the Port of Batangas and the Subic Bay Freeport shall be considered as extensions of the Port of Manila.

The designation of the specific port shall be made by the Philippine Ports Authority (PPA) in the case of the Port of Batangas and the Subic Bay Metropolitan Authority (SBMA) in the case of the Subic Bay Freeport.

Section 2. DECLARATION OF PORT CONGESTION. The Secretary of the Department of Transportation and Communications (DOTC) shall declare the existence of port congestion or emergency cases upon the recommendation of the Board of Directors of the PPA. The conditions for such declaration shall be based on the guidelines to be prescribed and approved by the PPA Board of Directors.

Section 3. EFFECTS OF DECLARATION OF PORT CONGESTION OR EMERGENCY CASES. The declaration by the DOTC Secretary of the existence of port congestion or emergency cases affecting public interest shall have the following effects:

1. The designated ports in the Port of Batangas and the Subic Bay Freeport shall be deemed as extensions of the Port of Manila.
2. Foreign vessels with Port of Manila as the port of destination or origin may be directed to berth either at the Port of Batangas or Subic Bay Freeport. For said purpose, the berthing in said ports shall be considered as berthing at the Port of Manila.
3. All rules and regulations being enforced at the Port of Batangas or Subic Bay Freeport as promulgated by the PPA and SBMA, respectively, including berthing and other port fees, among others, shall apply to foreign vessels directed to berth thereat.

Section 4. VALIDITY OF THE DECLARATION. The extension of the Port of Manila shall exist for the duration of the existence of port congestion or emergency cases and shall be lifted once the situation in the Port of Manila has already normalized, as determined by the DOTC Secretary.

Section 5. SEPARABILITY CLAUSE. If any part or provision of this Order is held invalid or unconstitutional, the other parts or provisions not affected thereby shall remain valid and effective.

Section 6. REPEALING CLAUSE. All orders, proclamations, rules, regulations, or parts thereof, which are inconsistent with this Order, are hereby repealed, amended or modified accordingly.

Section 7. This Executive Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE, this 13th day of September, in the year of our Lord, Two Thousand and Fourteen.

(Sgd.) BENIGNO S. AQUINO III

By the President:

(Sgd.) PAQUITO N. OCHOA, JR.
Executive Secretary

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