



MAY 27 2021

PPA ADMINISTRATIVE ORDER
NO. 02 - 2021

TO : All Port Managers
Shipping Lines/Companies/Agents
Cargo Handling/Terminal Operators
Weighbridge Service Providers
Cargo Shippers/Owners
Others Concerned

SUBJECT : REVISED GUIDELINES ON THE IMPLEMENTATION
OF MANDATORY WEIGHING OF EXPORT CONTAINERS

1. LEGAL BASES

- 1 1 Presidential Decree No 857, as amended
- 1 2 Chapter VI, Part A, Regulation 2 – Cargo Information of International Convention for the Safety of Life at Sea (SOLAS)
- 1 3 Maritime Safety Committee Circular (MSC 1/Cir 1475) dated June 4, 2014
- 1 4 Maritime Safety Committee Circular (MSC 1/Cir 1548) dated May 23, 2016
- 1.5 Board Resolution No. 3025 dated March 23, 2021

2. OBJECTIVES

- 2 1 To establish a common approach for the implementation and enforcement of the SOLAS requirements regarding the verification of the gross mass of packed containers for exports
- 2 2 To prescribe and delineate the responsibility of PPA, terminal operators, cargo handling operators, weighbridge operators, shipping lines, exporters and shippers with regard to compliance with the subject SOLAS requirements.
- 2.3 To promote the safety of workers at the ports and that of the ship, cargoes, crew and the marine environment

3. SCOPE

This Order shall cover all export containers passing through government ports under the administrative jurisdiction of PPA

4. DEFINITION OF TERMS

For the purpose of this Order.

4.1 ***Calibrated and certified equipment*** means a scale, weighbridge, lifting equipment or any other device, capable of determining the actual gross mass of a packed container or of packages and cargo items, pallets, dunnage and other packing and securing material, that meets the accuracy standards and requirements of the State in which the equipment is being used

4.2 ***Container*** means an article of transport equipment

(a) of a permanent character and accordingly strong enough to be suitable for repeated use,

(b) specially designed to facilitate the transport of goods, by one or more modes of transport, without intermediate reloading,

(c) designed to be secured and/or readily handled, having corner fittings for these purposes, and,

(d) of a size such that the area enclosed by the four outer bottom corners is either

(i) at least 14 m² (150 sq. ft), or

(ii) at least 7 m² (75 sq. ft) if it is fitted with top corner fittings

The term container includes tank-containers, flat-racks, bulk containers and others

4.3 ***CSC*** means the International Convention for Safe Containers, 1972, as amended

4.4 ***Gross Mass*** means the combined mass of a container's tare mass and the masses of all packages and cargo items, including pallets, dunnage and other packing material and securing materials packed into the container

4.5 ***Misdeclared*** means a container which when weighed at the terminal exceeded the allowable threshold weight discrepancy of above or below 1,500 kilograms

4.6 ***Overloaded*** means a container which gross mass exceeds the maximum allowable weight embossed on the face plate of the container including the tare weight of the container

- 4.7 **OIML** means International Organization of Legal Metrology
- 4.8 **Package** means one or more cargo items that are tied together, packed, wrapped, boxed or parceled for transportation. Examples of packages include, but are not limited to, parcels, boxes, packets and cartons
- 4.9 **Packed container** means any type of container loaded or stuffed or filled with liquids, gases, solids, packages and cargo items, including pallets, dunnage and other packing and securing materials
- 4.10 **PPA** means the Philippine Ports Authority created under Presidential Decree No. 857, amended
- 4.11 **Responsible Party** – means the exporter, shipper and/or cargo owner
- 4.12 **Shipper** means a legal entity or person named on the bill of lading or sea waybill or equivalent multimodal transport document (e.g. "through" bill of lading) as shipper and/or who a contract of carriage has been concluded with a shipping company
- 4.13 **Shipping document** means a document used by the shipper to communicate the verified gross mass of the packed container. This document can be part of the shipping instructions to the shipping company or a separate communication (e.g. a declaration including a weight certificate produced by a weigh station)
- 4.14 **Tare mass** means the mass of an empty container that does not contain any packages, cargo items, pallets, dunnage, or any other packing material or securing material
- 4.15 **Terminal representative** means the terminal operator, cargo handling operator or weighbridge operator authorized by PPA to perform mandatory weighing of export containers
- 4.16 **VGM** means Verified Gross Mass or the total gross mass of a packed container as obtained by any of the methods described in paragraphs 5.1 and 5.2 of this Order

5. GENERAL GUIDELINES

- 5.1 The responsibility for obtaining and documenting the VGM of a packed container lies with the shipper. The SOLAS regulations require the shipper to verify the gross mass of the packed container using Method No. 1 or Method No. 2, as described in Section 5.2 of this Order, and to communicate the VGM in a shipping document
- 5.2 The gross mass, as defined in this Order, shall be verified by the shipper, either by

Method No 1 – Weighing

Weighing the packed container using calibrated and certified weighing equipment

Method No 2 – Calculating

The sum of the single masses = Mass of cargo items + all packages (pallets, dunnage, securing material packed in the container) + Container tare weight as certified and approved by the national authorized body

- 5.3 The shipper of a container shall ensure the VGM is stated in the shipping document and complies with the following requirements**
- 1 contains the details required such as the Container No., Booking or Bill of Lading No , VGM, Name of the Responsible Party, Place and Date of signature,**
 - 2. signed by a person duly authorized by the shipper, and,**
 - 3 submitted to the master or his/her representative, and to the terminal representative sufficiently in advance, as required by the master or his/her representative, to be used in the preparation of the ship stowage plan**
- 5.4 If the shipping document, with regard to a packed container, does not provide the VGM and the master or his/her representative and the terminal representative have not obtained the VGM of the packed container, it shall not be loaded on to the ship**
- 5.5 Under Method No 1, the terminal representatives shall weigh each packed and sealed container individually regardless of size, whether Full Container Load, or Less Container Load (LCL), and regardless of the number of shippers with shipments loaded inside the container. Further, such terminal representatives shall regularly calibrate their equipment to comply with international weighing standards OIML R50. PPA will also allow terminal representatives to implement weighing options within OIML R51 (suspended load) from equipment**
- 5.6 Under Method No 2, the shipper (or, by arrangement of the shipper, a 3rd party), must weigh all packages and cargo items, including the mass of pallets, dunnage and other packing and securing material to be packed in the container, and add the tare mass of the container to the sum of the single masses using a certified and approved method as required by State where container is packed**

Only the method used for weighing the container's contents under Method 2 is subject to certification and approval as determined by the

competent authority of the Philippines in which the packing and sealing of the container was completed. The scale used for weighing has to be calibrated/certified in accordance with Philippine rules and regulations.

- 5.7 Any discrepancy between a packed container's gross mass declared prior to the verification of its gross mass and its VGM should be resolved by use of the VGM.
- 5.8 Any discrepancy between the VGM of a packed container obtained prior to the container's delivery to the port terminal facility and the VGM of that container obtained by that port facility's weighing of the container should be resolved by use of the latter VGM obtained by the port terminal facility.
- 5.9 The shipper or its representative shall make available the VGM information of each container to the carrier via Electronic Data Interchange or other electronic means like Terminal Appointment Booking System (TABS), and Container gate-in/gate-out report message (CODECO).
- 5.10 If more than one container is mounted on a chassis (e.g. two (2) 20-footer), each container shall be weighed separately.
- 5.11 The terminal representatives shall verify the VGM declaration by weighing at terminal (in gate or by other appropriate and certified weighing instrument). This does not supersede the responsibility of the shipper to declare VGM in the pre-advise, but as an official source of information for the VGM of packed containers in case no VGM was provided by the shipper.
- 5.12 Any weight discrepancy above or below 1,500 kilograms shall be deemed misdeclared and shut-out charges prescribed under PPA regulations by way of penalty shall be imposed to the shipper in addition to the weighing fee.
- 5.13 If the actual weight of the container as declared in the shipping document and provided to the shipping line by the shipper and which the shipping line submitted to the terminal representative is within the 1,500 kilograms threshold specified in Section 5.12, no weighing fee shall be imposed.
- 5.14 For ports without existing PPA-approved shut-out charge, the terminal representatives shall apply with PPA for the applicable shut-out fees which will be the basis for the imposition of penalty.
- 5.15 Any action regarding a misdeclared container shall be the result of a business decision between the shipper and the shipping line, provided that the shipping line accepts the correct measured weight as the shipper's new declaration prior to loading. Provided, further, that the actual gross mass does not exceed the allowable maximum gross mass of the container indicated in the CSC Plate.

- 5 16 PPA reserves the right to report to the Land Transportation Office (LTO) a record of any weight underdeclaration considered as violation of pertinent LTO rules and regulations
- 5 17 The terminal representatives shall not load an overloaded container. A container is considered overloaded if the gross mass exceeds the maximum allowable weight embossed on the CSC plate of the container including the tare weight of the container. If the CSC plate is no longer readable, the terminal representatives shall refer to the ISO standards for maximum weights of containers according to size.
- 5 18 All transhipped containers, particularly in view of the Republic Act No 10668 (Co-Loading Act), shall not require any further weighing after the first port of origin or loading, unless the container has been stripped and re-stuffed. If a transhipped container exits a port and is transported to another port (e.g. North Harbor to MICT or South Harbor), it shall be weighed again.

6. MONITORING AND REPORTORIAL REQUIREMENTS

The terminal representative shall submit a daily electronic report of compliance with this Order, through the concerned Port Management Office (PMO), using the template herein attached as "Annex A"

The PMO shall submit to the General Manager, through the AGM for Operations, a monthly electronic report using the template herein attached as "Annex B"

7. SEPARABILITY CLAUSE

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

8. REPEALING CLAUSE

PPA Administrative Order Nos. 04-2016 and 05-2016 are hereby repealed. All other PPA policies, rules and regulations or parts thereof inconsistent herewith are deemed repealed or modified accordingly.

9. EFFECTIVITY

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


JAY DANIEL R. SANTIAGO
General Manager

Published in the Business World - May 31, 2021

Effectivity Date - June 16, 2021

DAILY MONITORING OF VGM COMPLIANCE

Port of _____

Date: _____

List of Containers Within the Set Threshold (A)		List of Containers That Misdeclared by 5,000kgs or Less (B)		List of Containers That Misdeclared by More Than 5,000kgs (C)	
Exporter	Container No	Exporter	Container No	Exporter	Container No

Summary

Total Number of Containers Within the Set Threshold

Total Number of Containers that Misdeclared by 5,000kgs or less

Total Number of Containers that Misdeclared by more than 5,000kgs

TOTAL Number of Containers Within the Day

MONTHLY MONITORING OF VGM COMPLIANCE

PMO _____
 For the Month of _____

Day	Total Number of Containers Within the Set Threshold	Total Number of Containers that Misdeclared by 5,000kgs or less	Total Number of Containers that Misdeclared by more than 5,000kgs	TOTAL Number of Containers Within the Day
May 1				
Total for the Month				

Prepared By:

Approved By.

 Port Manager