

Republika ng Pilipinas
PANGASIWAAN NG DAUNGAN NG PILIPINAS
(PHILIPPINE PORTS AUTHORITY)
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Aduana, Intramuros, Manila

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December 2, 1982

PPA MEMORANDUM ORDER
NO. 31 - 82

Subject: Prescribing Regulations on Vessel's
Departure from a Port in Relation to
Payment of Port Charges Assessed on
the Vessels. Submission of Documents,
and for Related Purposes

T O : ALL PORT MANAGERS, OFFICERS-IN-CHARGE,
SHIPPING COMPANIES AND OTHERS CONCERNED

Pursuant to Sections 2(f), 6(a) (iii) and 22 of P.D. 857, as amended, and Section 9 of PPA Administrative Order No. 13-77 dated September 2, 1977, and in order to ensure uniformity of PMUs action on the clearance of vessels with respect to payment of port charges and to ensure coordination between PPA and, other concerned government agencies on the issuance of vessels clearance before its departure from the port, the following regulations are hereby prescribed:

Section 1. Application - This Order shall apply to foreign or domestic vessels (excluding military vessels and pleasure crafts) that call at any port manned by PPA personnel. When such vessels call at a port unmanned by PPA, they shall clear at the nearest port where PPA Office is situated.

Section 2. Definition of Terms - For purpose of this Order, the following terms shall mean:

- a) Port of Entry - refers to domestic port open to both foreign and coastwise trade. It includes principal ports of entry and subports of entry.
- b) Coastwise Ports - refers to domestic port open to coastwise trade only. These include all ports, harbors and places not ports of entry.
- c) Port Charges - refers to harbor (entrance and clearance) fees, berthing fees and tonnage dues assessed on the vessel.
- d) Vessel - refers to every sort of boat, craft or other artificial contrivance used, or capable of being used as a means of transportation on water.
- e) Exempt Vessels - means vessels which are not required by law to pay the corresponding port charges, as provided under Sections 2703 (Harbor Fees), 2904 and 2906 (berthing charges) and 3203 (tonnage dues) of P.D. 34 (TCCP), or which are expressly exempt by other laws.

Section 3. PPA Coordination with BOC and Other Government and Private Firms Relating to Vessels Clearance and Collection of Port Charges - in ports of entry, the Port Manager or Officer-in-Charge shall make an arrangement with the Collector of Customs to the effect that no clearance shall be issued by BOC to any vessel destined to leave the port without first securing a certification (clearance) from PPA that port charges due from said vessel are fully paid or that it is exempt from payment.

However, in ports unmanned by PPA, the Port Manager shall enlist the assistance of duly authorized cargo handling operators of such ports to ensure that collection of port charges against the vessel and their cargoes.

Section 4. Certification Procedure - All vessels, whether expressly exempt from port charges by law or subject thereto, shall secure PPA certification within three (3) hours but not less than one (1) hour before departure from the port or within sufficient time of the vessels' stay in port if less than one (1) hour. However, in some ports where PPA office is not on a 24 hour service, the vessel which is expected to leave before office hour in the morning of the following day shall secure clearance before the close of office hour of the day previous to its departure. The procedures shall be as follows:

- a) Payment or Exemption from Port Charges (See Annex "A" hereof for the flow chart)
 1. Vessels subject to port charges
 1. The owner/master/agent of the vessel shall pay/settle all port charges due by presenting the required documents i.e., cargo manifest to the local PMU Office for computation of port charges.
 11. The local PMU Office shall evaluate the documents presented and assess the vessel by preparing the Bill of Charges.
 111. Based on the Bill of Charges, the PMU Cashier or his duly authorized representative (Special Collecting Officer) acknowledges payment by issuing the corresponding Official Receipt (OR).
 - 1v. Upon presentation of the OR, together with the manifest, the PPA Clearance Officer or his duly authorized representative shall stamp the mark (Annex "B") on the cargo manifest for coastwise vessel or stamp the mark (Annex "C") on the Outward Foreign Manifest of overseas vessel indicating "Port Charges Paid".
 2. Vessels exempt form port charges

In case of vessel which is expressly exempt by law from payment of port charges, the owner, master or shipping agent shall present copy of the law invoked



for exemption to the Port Management Unit (PMU) personnel and the PPA Certification "Port Charges Exempt" as shown by mark (Annex "D") shall be stamped on the manifest of the coastwise or foreign vessels, as the case may be.

b) Submission of Documents

The vessel's master or any vessels representative shall submit the following accomplished documents in the prescribed number of copies to concerned PPA operations personnel:

1. Coasting Manifest (for domestic and Outward Foreign Manifest, to which is attached the Statistical Supplement (for Foreign) 3 copies
2. Passenger Manifest 3 copies
3. Vessel's Information Sheet 4 copies (clearing Officer, Finance Officer, Statistics and PPA Head Office)
4. Transshipment Form (if applicable) 1 copy

In case provisional manifests are submitted, the final copy shall be submitted within five (5) days. No clearance shall be processed unless the foregoing documents were submitted.

The Port Manager shall ensure that entrance manifests or their equivalent are submitted by all required vessels which call at the port.

Section 5. Implication of PPA Certification - The stamp/mark "Port Charges Paid" or "Port Charges Exempt" imprinted by PPA on the vessel's manifest shall constitute as PPA clearance of the vessel for its departure, provided however, that before leaving the port, such vessel shall also secure clearances from the BOC, PCG and other government agencies concerned whenever these agencies have representative thereat.

Section 6. Validity of PPA Certification - As a clearance for the departure of the vessel, PPA Certification shall be valid for a period not longer than twenty-four (24) hours after its issuance considering the operational conditions of the port; otherwise it has to be re-validated by the issuing PPA Officer.

Section 7. Remedies for Non-Payment of Port Charges - In addition to the remedies for non-payment provided for under Section 22 of P.D. 857 authorizing detention, vessels which fails to pay or settle the corresponding port charges shall in no case be granted PPA Certification and consequently shall not be allowed to depart from the port.

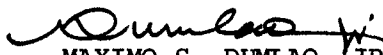
When the vessel arrives at a port without clearance from the last port of call, the Port Manager concerned shall cause the assessment and collection of the corresponding port charges based on data appearing on the vessels' Roll Book or other available documents of probative value.

Section 8. Repealing Clause - All PPA orders, rules and regulations, circulars, guidelines or memoranda inconsistent herewith are hereby repealed or amended accordingly.

Section 9. Effectivity Date - This Memorandum Order takes effect immediately.

For the guidance of all concerned.

BY AUTHORITY OF THE GENERAL MANAGER


MAXIMO S. Dumlao, JR.

Assistant Executive Officer

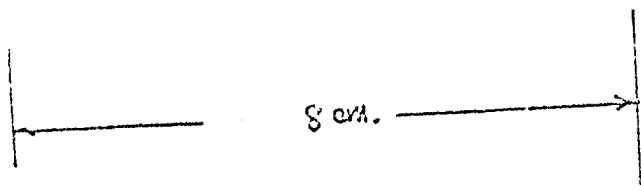
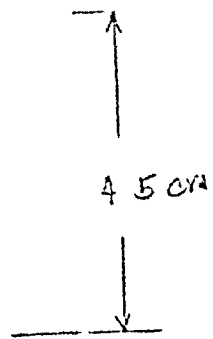
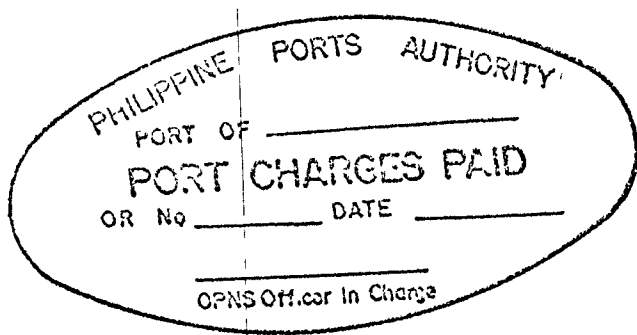
POED/POD

Encl.: Annexes A, B, C & D



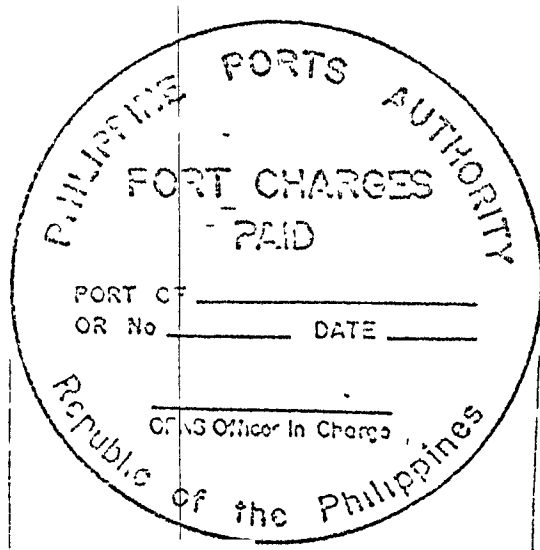
ANNEX "B"

DOMESTIC



2 1/2"

FOR FOREIGN



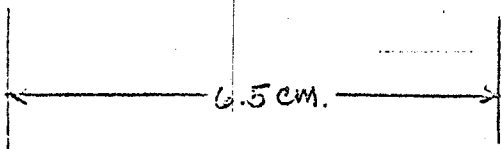
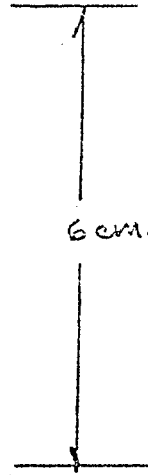
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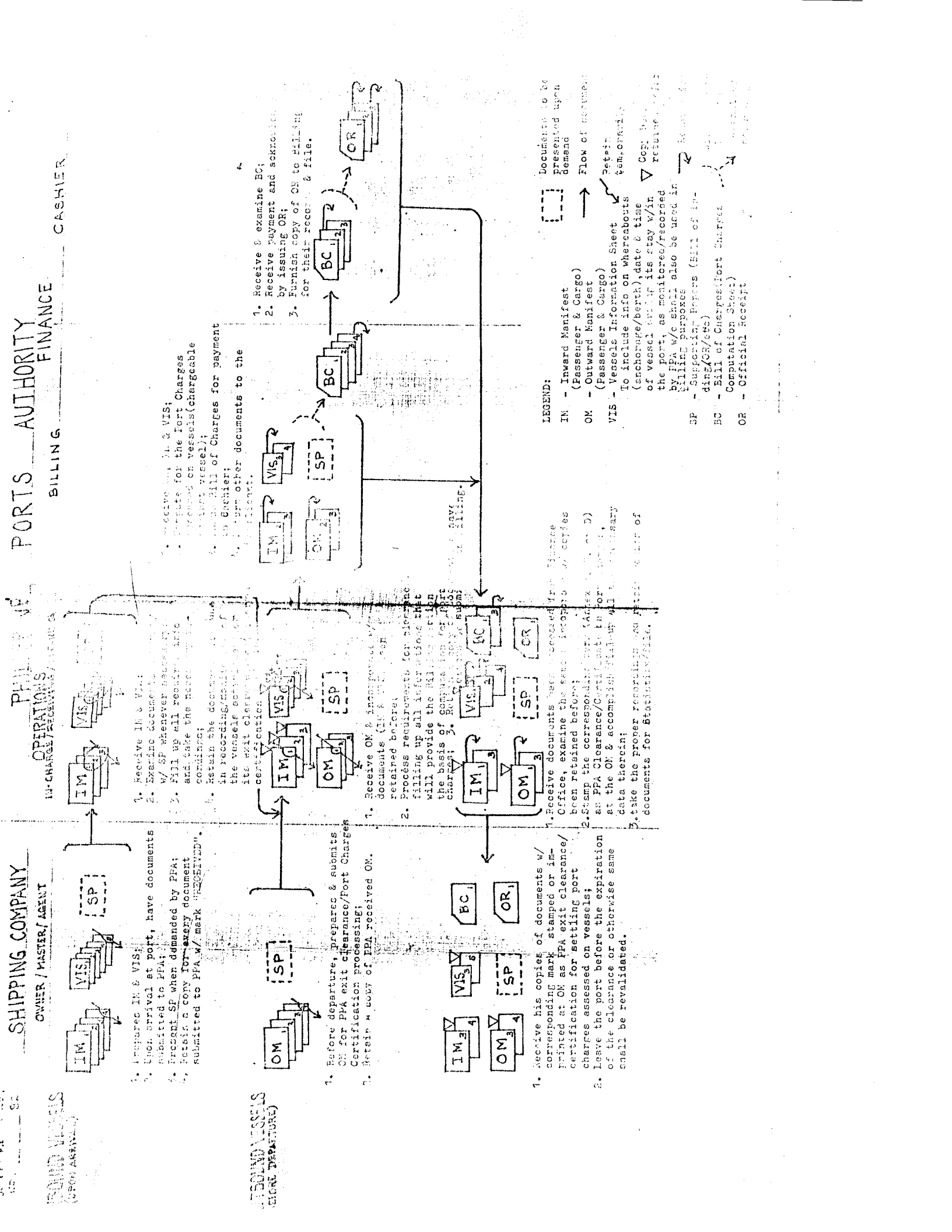
ANNEX "D"

FOREIGN & DOMESTIC

PHILIPPINE PORTS AUTHORITY	
PORT OF _____	
PORT CHARGES EXEMPT	
REMARKS:	

DATE	OPNS Officer - In - Charge





SHIPPING COMPANY
OWNER / MASTER / AGENT

OPERATIONS
IN-CHARGE / RECEIVING / ISSUING

BILLING
CASHIER

1. Prepare IM & VIS;
2. Upon arrival at port, have documents submitted to PPA;
3. Present SP when demanded by PPA;
4. Retain a copy for every document submitted to PPA w/ mark "RESERVED".

1. Receive IM & VIS;
2. Examine documents w/ SP whenever necessary;
3. Fill up all receiving info and take the necessary info (confirming);
4. Retain the documents in recording/ready for its exit clearance and certification.

1. Receive IM & VIS;
2. Compute for the Port Charges assessed on vessels (chargeable on port vessel);
3. Issue Bill of Charges for payment to Cashier;
4. Turn other documents to the Billiant.

1. Before departure, prepares & submits OM for PPA exit clearance/Port Charges Certification processing;
2. Retain a copy of PPA received OM.

1. Receive OM & incorporate documents (IM & VIS) kept retained before;
2. Process requirements for clearing filling up all information that will provide the Billiant with the basis of computation for Port charges; 3. Retain a copy of PPA received OM.

1. Receive & examine BC;
2. Receive payment and acknowledge by issuing OR;
3. Furnish copy of OR to Billing for their record & file.

1. Receive his copies of documents w/ corresponding mark stamped or imprinted at OM as PPA exit clearance/certification for settling port charges assessed on vessels;
2. Leave the port before the expiration of the clearance or otherwise same shall be revalidated.

1. Receive documents kept processed from Finance Office, examine the same for errors/w/ copies been retained before;
2. Stamp the corresponding mark (Index, etc. D) as PPA Clearance/Certification for settling port charges at the OM & accomplish filing of all necessary data therein;
3. Take the proper recordings and retain a copy of documents for Statistics/Info.

1. Receive & examine BC;
2. Receive payment and acknowledge by issuing OR;
3. Furnish copy of OR to Billing for their record & file.

