

OCT 12 2006



MARSMAN BUILDING, 22 MUELLE DE SAN FRANCISCO, SOUTH HARBOR, PORT AREA, MANILA 1018, PHILIPPINES  
TEL. NO. (0632) 527-8358 - 527-8375, FAX NO. (0632) 527-4855, <http://www.ppa.com.ph>

**PPA ADMINISTRATIVE ORDER**  
**No. 04 - 2006**



**TO : All Concerned**

**SUBJECT : Revised Guidelines on the Operation of the  
National Port Advisory Council (NPAC)**

**I. Authority**

This Administrative Order (AO) is issued pursuant to Section 9-A of Presidential Decree No. 857, as amended.

**II. Objectives**

The AO is aimed at providing guidelines to achieve the following:

- 2.1 To make NPAC a potent organization for the ventilation and resolution of issues that are critical in the development, management and operation of ports under the umbrella of the Philippine Ports Authority (PPA); and,
- 2.2 To establish comprehensive and integrated procedures on the operation of the NPAC.

**III. Functions**

NPAC shall perform the following functions:

- 3.1 Act as an advisory body of the Authority in the formulation of policies and determination of priority areas relative to operation, development, repair and maintenance of ports;
- 3.2 Serve as a regular forum of port users, port owners/operators and the PPA in the identification and discussion of problems/issues affecting policy formulation or implementation;
- 3.3 Come up with original proposals or recommendations to PPA relative to the members' respective areas of concern, when necessary;
- 3.4 Consider and evaluate proposals or measures submitted to it by the various working committees and other ad-hoc committees created for such purpose;

*VISION*

*By 2010, PPA shall have met the international standards in port facilities and services in at least ten (10) ports in support of national development.*

*MISSION*

*We commit to provide reliable and responsive services in our ports, sustain development of our port communities and the environment, and be a model corporate agency of the government.*

- 3.5 Coordinate closely with the Port Management Advisory Council (PMAC) created in each Port Management Office (PMO) in the pursuit of its advisory role and;
- 3.6 Recommend to the PPA General Manager such other measures as may be deemed expedient and necessary to ensure simplicity, efficiency and economy in the administration of the ports system in the country, as well as in the promotion, development and maintenance of industrial peace in the ports and port districts in the country.

#### **IV. Membership**

NPAC shall be composed of the following:

- 4.1 The General Manager of the PPA who shall act as the Chairperson of the Council.
- 4.2 A representative each from the following sectors/organizations:
  - (a) Department of Labor and Employment (DOLE)
  - (b) Bureau of Customs (BOC)
  - (c) Shippers Council *represented by the Philippine Shippers' Bureau (PSB)*
  - (d) Chamber of Commerce *represented by the Philippine Chamber of Commerce and Industry (PCCI)*
  - (e) Import and Export Associations *represented by the Port Users Confederation, Inc. (PUC)*
  - (f) Local Shipping Companies *represented by the Philippine Inter-island Shipping Associations (PISA)*
  - (g) Foreign Shipping Companies *represented by the Association of International Shipping Lines (AISL)*
  - (h) Arrastre and Stevedoring Companies *represented by the Philippine Chamber of Arrastre and Stevedoring Operators (PCASO)*
  - (i) Consumer Group *represented by the Citizens' Alliance for Consumer Protection (CACP)*
  - (j) Other Aggrupations as the Authority may deem expedient as members

Each member-organization/sector shall designate its principal and alternate representatives to the Council and to the working committees in which it chooses to participate.



**V. Term of Office of Members/Official Representatives**

- 5.1 The tenure of the Chairperson shall be co-terminus with his/her incumbency as the PPA General Manager.
- 5.2 The members/representatives from the government bodies shall be appointed by their respective agency heads and shall continue to hold seats in the Council until their successors have been appointed and/or designated.
- 5.3 The members/representatives from the private sector shall be designated by their umbrella organizations and confirmed by the Chairperson, and shall continue to hold seats in the Council until removed through:
  - (a) a simple majority vote of Council members for violation of Rules and Regulations in the Conduct of NPAC Affairs, and/or;
  - (b) designation of replacement by the umbrella organization concerned.

**VI. Organization**

- 6.1 Permanent Working Committees
  - (a) There shall be four (4) permanent working committees of the Council, i.e. Committee on Port Operations & Tariff, Committee on Port Development, Committee on Port Labor Relations and Committee on Port Community Welfare, each headed by a Chairperson and assisted by a Vice-Chairperson.
  - (b) The Chairpersons of the Committee on Port Operations & Tariff and Committee on Port Development shall come from the PPA and designated by the Council Chairperson. The Vice-Chairperson shall be selected from among the members from the private sector.
  - (c) The Chairpersons of the other permanent committees, i.e. Committee on Port Labor Relations and Committee on Port Community Welfare shall be selected from among the members from the private sector. The Vice-Chairpersons of these committees, on the other hand, shall come from PPA and designated by the Council Chairperson. Where the private sector, however, does not express readiness or is not interested to assume the lead, it shall be incumbent upon PPA to take over with the private sector assuming the second lead.

**6.2 Committee on Port Operations and Tariff**

- (a) Undertake studies upon referral by the Council, in coordination with the Responsibility Center concerned in PPA, on any matter concerning efficient port operations and port tariff, and recommend action, strategies, policies and such other measures as may be deemed necessary and appropriate for the consideration of the Council.
- (b) Conduct a review, upon instruction of the Council, in coordination with the Responsibility Center concerned in PPA, of any existing policy on port operations and port tariff which may be found wanting or no longer relevant to the present times, and recommend proposals or measures to make them responsive for the consideration of the Council.
- (c) Undertake studies and review on any matter which the Council may have, motu-proprio, referred to it and recommend appropriate steps, actions or measures to the Council.

**6.3 Committee on Port Development**

- (a) Undertake studies, upon referral or instruction of the Council, in coordination with Responsibility Center concerned in PPA, of any matter pertaining to port development, repair and maintenance and recommend strategies and actions for the consideration of the Council.
- (b) Upon referral and instruction of the Council, review, in coordination with the Responsibility Center concerned in PPA, such policies, areas of prioritization in port development, repair and maintenance, which are no longer relevant and recommend such measures and actions which may be deemed appropriate and necessary for consideration of the Council.
- (c) Undertake studies and review any matter which the Council may have, motu-proprio, referred to it and recommend appropriate steps, action or measures to the Council.



**6.4 Committee on Port Labor Relations**

Upon instruction of the Council, in coordination with the Responsibility Center concerned in PPA and with other agencies or groups in both the government and the private sector, the Committee shall undertake studies to:

- (a) Improve and ameliorate the social conditions of the dockworkers;
- (b) Protect the rights of labor;
- (c) Promote better terms and conditions of employment for the dockworkers;
- (d) Promote, develop and maintain industrial peace; and
- (e) Adopt such other measures and appropriate actions for consideration of the Council.

**6.5 Committee on Port Community Welfare**

- (a) Undertake studies, in coordination with the Responsibility Centers in PPA concerned and with other agencies in both the government and the private sector, on how the living conditions of the marginalized sector of the port community may be improved.
- (b) Identify and recommend to the Council specific projects which may be pursued by the Council members severally or jointly to alleviate the plight of members of the port community.
- (c) Advise the Council on issues affecting members of the port community and perform other tasks as may be directed by the Council.

**6.6 Ad-Hoc Committees**

The Council shall create ad-hoc committees on a need basis to undertake special studies which do not fall within the activities of the permanent working committees. The committee ceases to function as soon as the study/project is completed.

**6.7 Secretariat**

A Council Secretariat, composed of PPA staff, shall be created to assume the following functions:

- (a) Prepare Agenda and serve notice of meetings to Council members as well as keep records of meetings.
- (b) Assist the Council in the coordination of its activities with the various Port Management Advisory Councils (PMACs) as well as keep records of Council meetings with PMACs.
- (c) Prepare and submit reports to PPA Management on important matters taken up by the Council.
- (d) Prepare over-all budget requirements of the Council and attend to the administrative requirements for the disbursement of the Budget in coordination with the Responsibility Centers concerned in PPA and in accordance with standard government accounting and auditing guidelines.
- (e) Assist the various committees in the formulation of their plans and programs.
- (f) Consolidate the various plans/programs submitted by the committees.
- (g) Serve as custodian of all other records of the Council.
- (h) Perform other tasks as may be designated by the Council Chairperson.

To ensure more effective representation, it is necessary that members designate different representatives to each of the four (4) Permanent Working Committees. As a general rule, however, a single individual can not represent more than one member agency/organization in any of the Permanent Working Committees. The various Committees may create their respective Secretariats to provide administrative support during committee deliberations.



## **VII. Meetings and Related Matters**

### **7.1 Schedule of Meetings and Presiding Officers**

- (a) The Council shall meet regularly at least once every first Wednesday of the quarter. Special Council meetings shall also be held, when necessary. Unless otherwise specified, the regular meeting of NPAC shall take place at the Board Room of the PPA Head Office.
- (b) If, for whatever reason, the Council Chairperson/PPA General Manager is not available during scheduled meetings, the duly designated PPA Officer-in-Charge/Acting General Manager shall preside over Council meetings.
- (c) The permanent and ad hoc committees shall meet as often as deemed necessary on a date and in a venue agreed upon by the members.

### **7.2 Quorum**

All Council and Committee meetings shall require fifty percent plus one (50% + 1) of all members to constitute a quorum except in meetings which are specifically called to take up amendments to policies that govern the operation of the Council where two-thirds (2/3) of all members shall be required.

### **7.3 Voting**

- (a) The Council and its Committees shall endeavor to reach a consensus on all issues. Where it is not possible, the issue shall be resolved through a democratic process through casting of votes of duly authorized representatives present.
- (b) Each member/representative umbrella organization shall only have one (1) vote.
- (c) A majority vote of all duly authorized members/representatives present shall be enough to give a motion and/or issue due course.
- (d) No proxy voting shall be allowed.

### **7.4 Topics for Deliberation in Meetings**

Before any scheduled Council or Committee meeting, any member may recommend to the Chairperson, through the Council or Committee Secretariat, items to be included in the agenda. The Secretariat shall consider these in the drafting of the agenda for approval by the Chairperson. Based on the approved agenda, the Secretariat shall issue Notice of Meeting to members indicating matters to be taken up during the meeting. Minutes of Meetings shall be posted in the NPAC website linked to the PPA website.

### **VIII. Communications Flow and Reporting Relationships**

#### **8.1 Within NPAC**

NPAC shall communicate and report directly to the PPA General Manager. Concomitantly, all committees under NPAC shall report to the mother committee through the NPAC Secretariat.

#### **8.2 Between PMAC/ External Units and NPAC**

PMAC shall communicate and report directly to the Council Chairperson through the Secretariat. The Secretariat, for its part and upon the instruction of the Chairperson, shall refer concerns aired by each PMAC and/or other agencies to the committee(s) concerned. The Secretariat shall, likewise, monitor the progress of actions made by said committee(s) and prepare for the Council Chairperson communication notifying the requesting party of action taken by NPAC.

#### **8.3 Between PPA and NPAC**

PPA units shall follow complete staff work within PPA pursuant to existing guidelines before responding /elevating issues to NPAC.

#### **8.4 Between Non-Members from the Private Sector and NPAC**

Duly registered organizations and/or association, vested with legal personality and directly or indirectly concerned with ports may bring to the NPAC their concerns through PMAC or any of the members from the private sector that can espouse their issue. Sponsoring members from the private sector shall present issues to the permanent working committee(s) concerned for discussion.

When necessary, non-member organizations may be invited in committee meetings where their concerns are discussed and be allowed to participate in all areas of committee works. However, they



shall not be accorded with the right to vote nor shall they be allowed to participate in the affairs of the mother committee if their issues are elevated to it for final resolution.

**IX. Repealing Clause**

This Order supercedes the following Administrative Orders:

- (a) AO 05-86 titled "Guidelines for the Creation and Operationalization of the National Advisory Council" issued on 20 August 1986;
- (b) AO 04-88 titled "Amendment to PPA Administrative Order No. 05-86" issued on 21 June 1988, and;
- (c) AO 03-2002 titled "Reactivation of the National Port Advisory Council" issued on 21 October 2002.

**X. Effectivity**

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



**ATTY. OSCAR M. SEVILLA**  
General Manager

Approved per PPA Board Resolution No. 2070 (321<sup>st</sup> Regular Meeting, 28 July 2006)