



MAR 03 1995

95 MAR -3 P1:28

HEAD OFFICE

RECORDS

PPA ADMINISTRATIVE ORDER
NO. 12 - 95

T O : All PDOs/PMOs, Shipping Companies,
Pilots' Associations, Port Users and
All Others Concerned

S U B J E C T : REGULATIONS ON COMPULSORY TUG ASSISTANCE
AT THE BASE PORT OF CAGAYAN DE ORO

1. AUTHORITY

1.1 Section 6 (a) (ii) (iii) (v) and 20 of P.D. 857

1.2 Section 12 of PPA AO No. 03-85

2. SCOPE

This Order shall cover all foreign and domestic vessels with 1,500 gross registered tonnage and above which dock/undock at the base port of Cagayan de Oro.

3. PURPOSE

To protect government port facilities and to ensure the safe maneuvering of vessels at the base port of Cagayan de Oro through the use of tugs.

4. GUIDELINES

4.1 Responsibility for Ensuring Availability of Tug Assistance - The Authority (PPA) shall provide tug assistance service by authorizing shipping companies, pilots associations, or private entities to provide such service on a non-exclusive basis.

4.2 Permit to Operate Tug Assistance - No operator shall provide tug assistance within the harbor limits unless in possession of an annual permit duly issued by the Authority, subject to such terms and conditions as it may deem proper, in addition to the requirements of other agencies. The tugboat operator shall provide the equipment needed to render an efficient service.

Tugboats towing barges/lighters are exempted from the above required annual permit when utilized solely for their own barges/lighters. Otherwise, the above permit is required when servicing other vessels for purposes of this regulation.

4.3 Table of Tug Requirements - Tug assistance requirements at the Port of Cagayan de Oro shall be determined on the basis of the gross registered tons (GRT) of the vessels and capacity (horsepower-HP) of the tugs in accordance with the following specifications:

| <u>VESSEL TONNAGE</u> | <u>TUG BOAT CAPACITY</u> |
|-----------------------|------------------------------|
| 1,500 - 3,000 GRT | - 500 HP tug or equivalent |
| 3,001 - 10,000 GRT | - 700 HP tug or equivalent |
| 10,001 - 15,000 GRT | - 1,000 HP tug or equivalent |
| 15,001 GRT and above | - 1,500 HP or equivalent |

In the absence or insufficiency of tugboats, a combination of motor launches to comprise a combined HP capacity equivalent to the required tugs may be allowed. Provided, however, that vessels with both functional bow and stern side thrusters of sufficient capacity are exempted from the above tug requirement. Vessels with functional bow thrusters only are required to have 50% of the above tug horsepower requirements.

Non-propelled vessels such as barges/lighters are likewise exempted from the above requirement. However, they are still required to maintain their own tugboats while at berth in accordance with PPA Memorandum Circular No. 22-86.

In no case shall any vessel of 1,500 GRT and above be allowed to dock or undock at the base port of Cagayan de Oro without the above - specified tug assistance. For other ports within the Pilotage District of Cagayan de Oro, the same tugboat horsepower requirement shall be followed when any of the conditions provided for in Section 12 (c) of PPA AO 03-85 necessitating compulsory tug assistance is present.


4.4 Rates for Tug Services - Consistent with existing applicable laws, the Authority shall prescribe fees and rates for tug assistance in consultation with port users concerned. In the absence of applicable fees, the rates chargeable shall be those that are agreed upon between the shipping company and the tugboat operator. In case of disagreement between them, the Authority shall determine the rates .

4.5 Liability on Damages to Port Facilities - Any damage caused to port facilities by vessels under tug assistance service shall be the liability of the party/parties declared at fault, as determined under existing applicable laws.

5. Separability Clause - If for any reason, any section or part of this Order is declared unconstitutional or 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 - All PPA orders which are inconsistent herewith are hereby repealed or amended accordingly.

7. Effectivity - This Order shall take effect fifteen (15) days after its publication in any newspaper of general circulation.


CARLOS L. AGUSTIN
General Manager

Published in the following newspapers:

1. Phil. Daily Inquirer) March 7, 1995
2. Phil. Star)

Effectivity Date - March 22, 1995