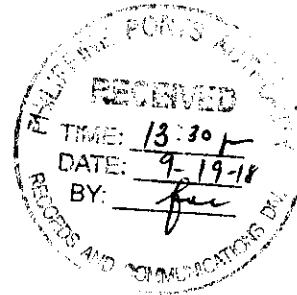


SEP 18 2018

PHILIPPINE
PORTS
AUTHORITY



PPA ADMINISTRATIVE ORDER
NO. 10 - 2018



TO : Port Managers,
Department Managers,
Port Service Providers and
Others Concerned

SUBJECT : Guidelines on the Accreditation of Port Service Providers

Pursuant to PPA Board Resolution No. 2714, and Sections 2(b), 6(a)(iii), 6(a)(v), 6(b)(xv), and 26 of Presidential Decree No. 857, as amended, and in order to ensure that port services at PPA ports are being provided by qualified service providers, these guidelines are hereby prescribed for the information of, and compliance by, all concerned.

ARTICLE I PRELIMINARY PROVISIONS

Section 1. Scope and Coverage

These guidelines shall apply to all parties seeking accreditation from PPA to be able to provide port services at ports, whether government or private, under the jurisdiction of PPA. It shall specify the requirements and procedures for the processing of applications for accreditation to provide port services.

Section 2. Definition of Terms

For purposes of these guidelines, the following terms used herein shall mean:

- a. *Accreditation* – recognition and registration by the PPA evinced by a relevant certification issued to a port service provider as proof of the port operator's legitimacy, capability, and competency in the provision of port services. It is not, by any definition, equivalent to a permit, contract, or license. The sample certificate is hereto attached as **Annex "A"**. Unless otherwise specified, the requirements for accreditation is not intended to replace specific requirements prescribed under the existing regulations.
- b. *Accredited Service Provider*- a duly authorized and registered holder of a certificate of accreditation issued by the PPA evincing qualification to manage, operate, maintain, and develop ports and to provide port-related services in relation to PPA ports.

- c. *Port Services* – refers to services classified and defined in **Annex “B”** of these guidelines.
- d. *PPA* - the Philippine Ports Authority.
- e. *PPA-Registered Private Port* – a port facility along the seacoast or river bank or any body of water owned by a private individual or entity which holds a valid Certificate of Registration/Permit to Operate issued by the PPA, constructed and duly registered as a commercial or non-commercial private port in accordance with PPA Administrative Order No. 06-1995.

Section 3. Policy Statements

Only port service providers duly accredited by the PPA shall be allowed to provide services inside ports under PPA jurisdiction.

Accreditation is to be granted only to qualified port service providers. To qualify, a port service provider must be a duly recognized/registered entity pursuant to existing laws and must have complied with all the documentary requirements and standards set forth in these guidelines and as may be required by PPA from time to time pursuant to duly promulgated rules and regulations.

Accreditation, while a requirement in the selection of service providers at PPA ports and PPA-registered private ports, shall not be construed as a guarantee for the appointment, employment, or award of any contract or permit.

With regard to PPA-registered private ports, the private port owner or operator may be required to comply with other qualifications and requirements pursuant to duly promulgated rules and regulations. This is apart from the necessary accreditation from the PPA pursuant to these guidelines.

ARTICLE II GUIDELINES

Section 4. Criteria for Accreditation

All applicants for accreditation shall comply with the following criteria:

- a. must be a single proprietor/cooperative/partnership/corporate entity duly organized and existing under Philippine laws;
- b. must not have any incorporator, organizer, stockholder, member of the board of directors, trustee, officer, or key personnel related within the fourth civil degree of consanguinity or affinity to any member of the board of directors, officer, or any regular employee of the PPA;

- c. must not have any outstanding account with the PPA;
- d. must not have any incorporator, organizer, stockholder, member of the board of directors, trustee, officer, or key personnel with a derogatory record with the PPA, any court, tribunal, or other quasi-judicial agency, or any other government agency; and,
- e. must have been engaged in the port service for no less than two (2) years immediately prior to the application date.

Section 5. Documentary Requirements for Accreditation

An applicant for accreditation must submit the following requirements:

- a. duly Accomplished Application Form;
- b. company and business profile;
- c. certificate of registration from DTI/SEC/CDA;
- d. certified true copy of the Articles of Incorporation and By-laws/Articles of Partnership/Articles of Cooperation;
- e. certified true copy of the most recent General Information Sheet duly filed with, and received by, the Securities and Exchange Commission/Cooperative Development Authority;
- f. certified true copy of the most recent Tax Clearance Certificate per Executive Order No. 398, series of 2005;
- g. certified true copy of the Audited Financial Statements for the past three (3) years immediately preceding the date of application for accreditation as filed with, and received by, the Bureau of Internal Revenue together with corresponding Annual Income Tax Return;
- h. certified true copy of the Bureau of Internal Revenue Certificate of Registration;
- i. copy of value-added tax or percentage tax return covering the immediately preceding year; and,
- j. certified true copy of the Department of Labor and Employment Certificate of Registration.

Section 6. Processing of Applications for Accreditation

An application for accreditation shall be filed directly with the PPA Head Office, addressed to the General Manager.

The application letter shall contain the following specific information:

- a. Business name and office address;
- b. Port Terminal Service/s offered; and,
- c. Checklist of documents being submitted for evaluation.

The Assistant General Manager for Operations, through the Port Operations and Services Department, shall review and evaluate all applications for accreditation. To aid in its evaluation, the PPA may require additional documentary requirements, observe applicant's actual operations, and/or conduct the necessary inspection.

Any and all applications for accreditation shall be approved solely and exclusively by the General Manager.

Release of the approved Certificate of Accreditation shall be subject to the payment of Accreditation Fee in accordance with the schedule of fees in **Annex "B"**.

All accredited service providers shall be included in a registry of accredited service providers nationwide of the PPA.

Consistent with the objectives of these guidelines to ensure that port services at PPA ports are rendered efficiently and continuously by qualified service providers, all accreditations shall be renewed after three (3) years reckoned from the date of the approval by the General Manager of the application for accreditation. The renewal shall be subject to the submission and evaluation of updated documents where necessary and of additional documents as may be determined by the PPA and the payment of corresponding fees.

Section 7. Penalties

Any misrepresentation in the applications for accreditation or submission of fraudulent document to support the application, violation of, or non-compliance with any of the terms and conditions by the accredited port service provider may be a ground for revocation of its accreditation. Exclusion from the PPA's registry of accredited service providers as a result of revocation under this Section shall render the service provider ineligible to renew or reapply for accreditation.

**ARTICLE III
FINAL PROVISIONS**

Section 8. Applicability Clause

Any of the rules and regulations issued or promulgated by the PPA not covered by these guidelines but are deemed by the PPA to be pertinent in ensuring the effective provision of services at ports under the jurisdiction of PPA, including those that may be issued by the PPA after the effectivity of these guidelines, shall be applied and implemented accordingly.

Section 9. Separability Clause

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

Section 10. Effectivity Clause

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.


JAY DANIEL R. SANTIAGO
General Manager

Published in the Philippine Star - September 28, 2018

Effectivity Date October 12, 2018



[NO. _____]

Republic of the Philippines

Pursuant to the provisions of Presidential Decree No. 857, as amended, and PPA Administrative Order No. _____ on the Guidelines on the Accreditation of Port Service Providers In Philippine Ports Under the Supervision and Control Of the Authority, this

CERTIFICATE OF ACCREDITATION

is hereby granted to

(Name of Registrant)

(Tax Identification Number)

(Authorized Officer)

Valid for three (3) years,

starting from _____ to _____

The grantee shall comply with the pertinent laws and existing PPA rules and regulations, including those that will be promulgated during the validity of this Certificate.

Approved:

PPA

JAY DANIEL R. SANTIAGO

SEAL

(General Manager)

**PORT SERVICES AND SCHEDULE OF FEES COVERED UNDER
PPA A.O. No. 10-2018**

- I. **PORT TERMINAL SERVICES (Php 10,000.00 PLUS VAT)**
- II. **CARGO HANDLING SERVICES (Php 5,000.00 PLUS VAT)**

A. ARRASTRE SERVICES

Shore-based cargo handling (CH) activities

- Receive and load cargoes from and to ship's tackle with the use of dock gang and CH gears and equipment.
- Check cargo by marks and quantity, acknowledge and sign tally sheet.
- Deliver or transfer cargo onto or receive from truck's tail of consignee or shipper's transportation or ships' tackle.
- Provide manpower, equipment and such other necessary CH gears for receiving, stowing, delivery, transfer, shifting and palletizing of cargo.

B. STEVEDORING SERVICES

Work performed on-board vessel

- Stowing inside hatches, compartments and on deck or open cargo spaces on board vessel
- Rigging and unrigging of ship's gear.
- Opening and closing of hatches.
- Provision of standard stevedoring gears and equipment as required by the cargo type.

III. VESSEL SERVICES (Php 3,000.00 PLUS VAT)

1. Mooring/Unmooring
2. Vessel Repair/Maintenance
3. Waste Disposal Services
4. Bunkering Services
5. Chandling Services
6. Pilotage Services
7. Tug Assistance
8. Lighterage/Barging
9. Watering Services
10. Towing/Tugging Services

IV. PASSENGER SERVICES (Php 3,000.00 PLUS VAT)

1. Parking/Garage Service
2. Water Taxi Service
3. Canteen Services
4. Porterage Services
5. Transport Services
6. Communication Services
7. Shops and Stores

V. ANCILLARY SERVICES (Php 1,000.00 PLUS VAT)

1. Cleaning Service
2. Container Repair
3. Fumigation
4. Laundry Service
5. Reproduction Service
6. Weighbridge/Truckscale
7. Other Services