



BONIFACIO DRIVE SOUTH HARBOR PORT AREA MANILA 1018 PHILIPPINES
PO BOX 436 MANILA PHILIPPINES
TEL NO (0632) 527 8356 FAX NO (0632) 527-4855
http://www.ppa.com.ph

FEB 22 2018

PPA Memorandum Circular
Number 01 - 2018

Padano
'18 FEB 23 PM 10:02:24

TO The Port Managers
The RC Heads Concerned
All Shipping Lines/Shippers/Consignees
All Cargo Handling Operators
And All Other Port Users Concerned

SUBJECT Amendments to PPA Memorandum Circular No 07-2016
entitled "Procedural Guidelines on the Claims for Refund"
(hereafter, the "Guidelines")

1 Objective

To amend certain sections of PPA Memorandum Circular No 07-2016 entitled "Procedural Guidelines on the Claims for Refund"

2 Amendments

The following sections of PPA Memorandum Circular No 07-2016 are hereby amended, as follows

4 General Policies

4 1 The claim for refund applied by the port customer will depend on the nature of its transaction with the Authority, thus may either be cash refund or credit memo

4 2 Refund on overpayment of vessel and cargo charges shall be governed by Section 5, while other cases of overpayment shall be governed by Section 6 in relation to 4 3 of the Guidelines

4 3 Cash refund will apply on the following cases

4 3 1 Excess Payment – occurs when the check payment is greater than the amount billed in the Invoice The excess payment that maybe allowed for cash refund must not be less than P100 00

4 3 2 Payment on undelivered ancillary port services – involves payment for the delivery of other port services by the Authority but were not rendered due to unavoidable circumstances An example is the undelivered training services to port stakeholders

VISION

By 2020 PPA shall have provided port services of global standards

MISSION

- 1 Provide reliable and responsive services in ports sustain development of communities and the environment and be a model corporate agency of the government
- 2 Establish a mutually beneficial equitable and fair relationship with partners and service providers
- 3 Provide meaningful and gainful employment while creating a nurturing environment that promotes continuous learning and improvement
- 4 Establish a world-class port operation that is globally competitive adding value to the country's image and reputation

MEMO 21912-1021

4 3 3 Bid Security – refers to the cash deposited by the winning bidder to guarantee the execution of the contract within a specified period of time

4 3 4 Overpayment of vessel and cargo charges wherein the application of credit memo to future billings is impractical, such as

4 3 4 1 Payment by One Time Port Customer

4 3 4 2 Payment by Port Customer to Operating Units in which the collection of vessel and cargo charges due to PPA is processed in the Receipting System owned by the Port Terminal Operator/Cargo Handler (e.g., ATI, ICTSI, etc.)

4 3 4 3 Situations analogous to the foregoing.

4 4 The claim for refund on the supposedly overpayment shall prescribe within six (6) years after the date of its actual payment

4 5 The Output VAT collected is not refundable since it can be claimed as Input VAT payment by VAT-registered port customer

5 Procedures in Claim for Refund on Overpayment of Vessel and Cargo charges

The claim for refund on overpayment of vessel and cargo charges thru credit memo or cash refund will be processed as follows

5 1 The concerned port customer shall submit to the Operating Unit the following documents to support the claim for refund

5 1 1 Letter Request of the port user for refund addressed to the concerned Port Manager

5 1 2 Machine copies of PPA Official Receipts/Invoices to be stamped with notation "verified correct and remitted to PPA's bank account" by the PMO, upon presentation of their original copies

5 1 3 Additional documents, but not limited to the following, which will guarantee the validity of the amount being claimed for refund

5 1 3 1 Charges against cargoes

a Certification of the shipping lines attesting to any erroneous entry made

b Certification of the cargo handling operator on the actual cargoes handled

c Certification of shut-out issued by the shipping line

5 1 3 2 Charges against vessels

- a Docage/Anchorage Report
- b Statistical Supplement and Oath of Master authenticated by the Harbor Master for overstated GRT
- c Amended Dockage/Anchorage Report duly certified by Harbor Master for overstated staytime of the vessel
- d For foreign vessels, copy of the Contract of Agency or Special Power of Attorney between the principal and local ship agent

5 2 Refund of vessel and cargo charges amounting to P100,000 00 and below

- 5 2 1 Upon receipt of request for adjustment of billing/refund from the port user concerned, PMO Port Services Division confirms the validity of the claim and endorses the same to the PMO Finance Division
- 5 2 2 The PMO Finance Division confirms issuance of the supporting Official Receipts, evaluates request, reviews and determines the propriety and legality of the request based on existing tariff regulations and other pertinent guidelines
- 5 2 3 Based on the findings, the PMO Finance Division endorses the request for refund to the Office of the Port Manager for his approval or disapproval
- 5 2 4 The PMO Finance Division furnishes Treasury Department with a copy of the Approved Claim for Refund to support the request for cash transfer in case of refund in a form of check. The foregoing document will likewise confirm the issuance by the PMO Finance Division of the Credit Memo or Disbursement Voucher
- 5 2 5 The PMO Finance Division releases the Credit Memo or Check to the port customer concerned after offsetting its outstanding account with the PMO

5 3 Refund of Over P100,000 00 to P1 0 M

- 5 3 1 Upon receipt of the request for refund, the PMO Finance Division confirms the issuance of the supporting Official Receipts, evaluates and reviews the request to determine its propriety and legality based on existing tariff regulations and other pertinent guidelines
- 5 3 2 Based on the findings, the Port Manager endorses the request to the AGM for Operations thru Commercial Services Department

- 5 3 3 Commercial Services Department confirms the validity of the claim, the correctness of the computed amount and the completeness of supporting documents and endorses to AGM for Operations for his recommendation to approve or disapprove
 - 5 3 4 The AGM for Operations endorses his recommendation for the approval of the request to the AGM-Finance and Administration, thru Treasury Department
 - 5 3 5 Upon receipt of endorsement, Treasury Department confirms the authenticity of official receipts, verifies the unpaid accounts and prepares the Approved Claim for Refund
 - 5 3 6 The AGM-Finance and Administration signs the Approved Claim for Refund
 - 5 3 7 Treasury Department processes the Approved Claim for Refund and forwards the Credit Memo or Notice of Cash Transfer to the PMO where the claim was filed
 - 5 3 8 The PMO Finance Division releases the Credit Memo or Check to the port customer concerned upon verification and offsetting of its outstanding accounts with PPA
- 5 4 Refund of Over P1 0 M
- 5 4 1 Upon receipt of the request for refund, the PMO Finance Division confirms the issuance of the supporting Official Receipts, evaluates and reviews the request to determine its propriety and legality based on existing tariff regulations and other pertinent guidelines
 - 5 4 2 Based on the findings, the Port Manager endorses the request to the AGM for Operations thru Commercial Services Department
 - 5 4 3 Commercial Services Department confirms the validity of the claim, the correctness of the computed amount and the completeness of supporting documents and endorses to AGMs for Operations and Finance and Administration for their recommendation to approve or disapprove
 - 5 4 4 The AGMs for Operations and Finance & Administration endorse their recommendation to the Office of the General Manager thru Treasury Department
 - 5 4 5 Upon receipt of endorsement, Treasury Department confirms the authenticity of official receipts, verifies unpaid accounts and prepares the Approved Claim for Refund

- 5 4 6 The General Manager signs the Approved Claim for Refund upon confirmation by the PPA Board of Directors
- 5 4 7 Treasury Department processes the Approved Claim for Refund and forwards the Credit Memo or Notice of Cash Transfer to the PMO where the claim was filed
- 5 4 8 The PMO Finance Division releases the Credit Memo or Check to the port customer concerned upon verification and offsetting of its outstanding accounts with PPA

6 Procedures in Claim for Refund under Section 4 3

The requests for cash refunds will be evaluated and processed at the concerned RC in Head Office or PMO Finance Division regardless of the amount

- 6 1 The concerned port customer submits to the Operating Unit (concerned RC in Head Office/PMO Finance Division) the following documents to support the claim for refund
 - 6 1 1 Letter request of the port user/customer for refund addressed to the concerned RC in Head Office/PMO
 - 6 1 2 Machine copies of PPA Official Receipts/Invoices to be stamped with notation "verified correct and remitted to PPA's account in bank" by the Operating Unit, upon presentation of their original copies
- 6 2 The concerned RC in Head Office/PMO confirms the validity of the claim for refund and endorses to Treasury Department/PMO Finance Division for the preparation of the Approved Claim for Refund
- 6 3 The Treasury Department/PMO Finance Division prepares the Approved Claim for Refund for approval by the Assistant General Manager-Finance and Administration for Head Office transactions or Port Manager for PMO transactions
- 6 4 PMO Finance Division furnishes Treasury Department with a copy of the Approved Claim for Refund for the issuance of Notice of Cash Transfer
- 6 5 Treasury Department furnishes the RC concerned in Head Office (where the claim for refund was filed) with a copy of the Approved Claim for Refund for the preparation of disbursement voucher
- 6 6 Treasury Department/PMO Finance Division prepares and releases check to claimants of cash refunds

3 Separability Clause

If any provision or part hereof is held invalid or unconstitutional, the remaining portion of the Guidelines or the provision not otherwise affected shall remain valid and subsisting

4 Repealing Clause

All other provisions of PPA Memorandum Circular No 07-2016 entitled "Procedural Guidelines on the Claims for Refund" or parts thereof, to the extent that the same are in conflict or inconsistent herewith, are deemed amended, modified or repealed accordingly

5 Effectivity

This Memorandum Circular shall take effect 30 days after its publication 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 - February 24, 2018

Effectivity Date March 26, 2018