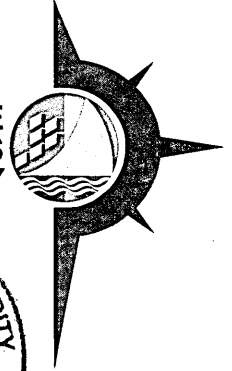


November 23, 2020

PHILIPPINE  
PORTS  
AUTHORITY



**PPA ADMINISTRATIVE ORDER**

No. 09 - 2020



**TO :** Port Managers  
Port Service Providers  
Others Concerned

**SUBJECT :** REVISED GUIDELINES ON THE ISSUANCE OF PERMIT TO OPERATE (PTO) FOR THE PROVISION OF ANCILLARY SERVICES IN THE PORTS

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**SECTION 1. LEGAL BASES**

- 1.1 Presidential Decree (PD) No. 857, Article II Section 2 (b) (f), Article IV Section 6-a (ii), (iii), (v), (x), 6-b (xv).
- 1.2 Republic Act 11032, Ease of Doing Business and Efficient Government Service Delivery Act of 2018.
- 1.3 PPA Board Resolution No. 2956 dated October 29, 2020.

**SECTION 2. SCOPE**

These guidelines prescribe the requirements and procedures in the issuance of Permit to Operate or PTO for the purpose of providing ancillary port services in all government ports under the jurisdiction of the Philippine Ports Authority (PPA).

**SECTION 3. DEFINITION OF TERMS**

For the purpose of these guidelines and as used herein, the following definitions are hereby adopted:

- 3.1 **Ancillary Services** refers to services other than the primary services in port operations which are performed inside the port, harbors/fairways and extensions. Attached as **Annex "A"** are lists of ancillary services that can be provided in PPA ports.
- 3.2 **Primary Services** refers to port services that are directly related to the core functions of the ports such as port terminal management, cargo handling services/operations, passenger terminal building operation, Roll-On Roll-Off operation, and pilotage services.
- 3.3 **Port Service Provider** refers to any person or juridical entity performing or intending to provide ancillary service/s in ports under PPA's jurisdiction, including harbors/fairways and extensions.
- 3.4 **Permit to Operate or PTO** refers to a document authorizing the port service provider to perform or provide service/s inside PPA ports, including harbors/fairways and extensions.

- 3.5 **Basic Port Operations Seminar (BPOS)** refers to a seminar conducted online or in person which aims to inform and orient the attendee with Operations, Safety, Health, Environment and Security protocols of the port, among others

#### **SECTION 4. OBJECTIVES**

Consistent with PPA's mandate to supervise, control, regulate, construct, maintain, operate and provide facilities or services necessary in the ports vested to it, and recognizing that port service providers are necessary in the delivery of efficient port and port-related services, promote the interest and welfare of maritime/port communities and secure the long-term prosperity of ports, these guidelines aim to achieve the following objectives:

- 4.1 Ensure that port service providers in ports under PPA's jurisdiction comply with the health, safety, environmental and operational requirements of the port or ports where the services will be rendered.
- 4.2 Monitor, supervise and direct the activities of the port service providers while inside the port.
- 4.3 Maintain a pool of qualified service providers in order to ensure continuous provision of adequate safe and reliable port services to port users.

#### **SECTION 5. GUIDELINES**

- 5.1 All port service providers in ports under PPA's jurisdiction are required to secure a PTO before they will be allowed to render any service thereat.
- 5.2 An accreditation for a specific port service issued by PPA shall be a requirement in the issuance of a PTO.
- 5.3 A PTO shall be issued on a per port service basis. A PTO issued by the concerned PMO shall be valid only in the port or terminal indicated in the PTO.
- 5.4 A PTO shall be valid for three (3) years and the Port Manager is authorized to sign and issue the PTO.
- 5.5 Attendance to the BPOS shall be required as a post-approval condition in the issuance of PTO to be attended by the personnel and workers of the port service provider not later than thirty (30) days from the issuance of the PTO. Newly hired personnel or workers of the port service provider are required to attend the BPOS before transacting and entering the PPA premises. As far as practicable, the BPOS shall be conducted online. Where a face to face seminar is requested for valid reasons, the social distancing and other health protocols shall be observed. Attendance to the BPOS shall be documented and form part of the files/records of the port service provider.
- 5.6 A database of all PTOs issued by PPA shall be made available to the public and posted in the PPA website on a monthly basis. The PMOs shall immediately post in their respective website and conspicuous places every time a PTO is issued.

## **SECTION 6. DOCUMENTARY REQUIREMENT**

In line with the streamlining policy of PPA, the only documentary requirement for the issuance of PTO is a duly filled out application form which can be done through the PPA Electronic Permit Management System (ePMS), <https://epms.ppa.com.ph>. Manual filing of the application shall be allowed only in exceptional cases such as when the online system is down.

## **SECTION 7. PROCESSING**

Applications for issuance of PTO shall be done online at the PPA website, as follows:

- 7.1 The applicant port service provider shall log in to the PPA Electronic Permit Management System (ePMS) and fill out the required details in the application form.
- 7.2 The PMO Business Development Marketing Officer/Specialist or PPA designated personnel shall validate the submitted information, such as the validity of the accreditation certificate, in the PPA's database supplied to PPA in the application for accreditation.
- 7.3 Once validated and found correct, the Order of Payment shall be cleared by the PPA personnel for online generation by the applicant. If not in order the application shall be returned and the applicant shall be notified accordingly.
- 7.4 The applicant port service provider shall generate the Order of Payment and pay online through PPA ePayment portal or to the PMO Cashier in case online payment is not available.
- 7.5 After confirmation of payment, the PPA personnel shall update and approve the application, print the PTO and release the same to the applicant port service provider.

The processing and issuance of a PTO shall be done within three (3) days upon receipt of completely filled out (online/manual) application form and processing fee.

## **SECTION 8. PORT SERVICE PROVIDERS EXEMPTED FROM SECURING PTO**

- 8.1 On the consideration that their provision of services in the ports are already authorized under a contract, certificate or authority issued by PPA, the following port service providers are exempted from securing a PTO:
  - 8.1.1 Port terminal operators
  - 8.1.2 Cargo handling operators
  - 8.1.3 Passenger terminal building operators
  - 8.1.4 Roll On Roll Off Service Operators
  - 8.1.5 Harbor Pilots
  - 8.1.6 Security agencies
  - 8.1.7 Private port operators

8.1.8 All other port service providers with contract, authorization or approval issued by PPA

8.2 Shipping Lines and Shipping Companies are not required to secure a PTO. The Accreditation Certificate shall be required from the Shipping Lines and Shipping Companies.

8.3 Where a service is rendered or to be rendered in the port not on a regular basis, a PTO shall not be required. A service is considered regular where it is rendered or to be rendered in the port more than once a year. However, an Authority to Transact (ATT) shall be secured from the concerned Port Manager by filing a written request stating the specific service to be performed and the duration covered. The ATT shall be valid only for a particular service and for a certain period. The ATT shall not require an accreditation certificate.

**SECTION 9. VALIDITY AND RENEWAL**

9.1 A PTO shall be valid for three (3) years from date of issuance. To ensure continuity of port services, renewal of applications for PTO shall be filed within sixty (60) days before the expiration.

9.2 The validity of the Port Service Provider Annual Vehicle and Pedestrian Access Pass shall be co-terminus with the issued PTO and can be filed when an application for PTO is filed.

**SECTION 10. GROUNDS FOR REVOCATION/CANCELLATION**

A PTO may be revoked and cancelled on any of the following grounds:

- 10.1 Violations of any of the terms and conditions stated in the PTO
- 10.2 Violation of any PPA policy, regulation or issuance
- 10.3 Provision of services other than those specified in the PTO
- 10.4 Using the PTO to engage in nefarious, illegal immoral and vicious activity
- 10.5 When the Accreditation Certificate has been revoked or cancelled
- 10.6 When public interest so requires

**SECTION 11. REGULATORY FEE**

As the issuance of PTO and ATT is part of PPA's exercise of its regulatory powers, a regulatory fee shall be collected for its issuance, which is non-refundable and VAT exclusive, as follows:

Type of Permit	Amount
PTO	Php 10,500.00
ATT	Php 600.00
Replacement of Certificate	Php 600.00

**SECTION 12. APPLICABILITY CLAUSE**

Any of the rules and regulations issued or promulgated by PPA not covered by these guidelines but are deemed to be pertinent in ensuring the effective provisions of

services at ports under its jurisdiction, including those that may be issued by PPA after the effectivity of these guidelines, shall be applied and implemented accordingly.

### **SECTION 13. 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 14. REPEALING CLAUSE**

PPA Administrative Order No. 08-96 and any other rules and regulations inconsistent herewith are hereby amended, modified, or repealed accordingly.

### **SECTION 15. EFFECTIVITY**

These guidelines shall take effect fifteen (15) calendar days from its publication in the Official Gazette or in a newspaper of general circulation and a copy file with the University of the Philippines Law Center.

  
**JAY DANIEL R. SANTIAGO**  
General Manager

Published on the Business World : December 1, 2020  
Effectivity Date: December 15, 2020

### List of Ancillary Services

**Bunkering** – supplying, delivering oil, gasoline, grease, lubricant and other oil products and materials to vessels, ships, tugboats and other seagoing crafts

**Booking / Ticketing Office** – selling and reserving tickets for passengers and packages/merchandise/goods inside the port

**Canteen** – selling food at a fixed area within the port premise to serve employees/occupants/passengers thereat

**Cargo Checking** – providing services of tallying marks, countermarks and numbers, quantity, conditions of cargoes, whether in good or bad order and measurements of breakbulk cargoes, performed by duly authorized “Cargo Checkers” other than the terminal or cargo handling operator

**Cargo Surveying** – providing services by inspecting and determining the condition or extent and appraisal of damage of cargoes for insurance and other related purposes

**Chandling** – supplying food items, groceries, consumables and other provisions to vessels and other sea going crafts docked at the piers, wharves or anchorage

**Cleaning Service** – providing cleaning services for passenger, bulk, oil and other types of vessels at berth or anchorage

**Container Repair** – undertaking repairs on containers within the port premises

**Communication Service** – providing communications services to port users by means of telephone/mobile phone and/or telegrams/letters and other means within the port premises

**Equipment Hire** – leasing/providing gears/equipment/appliance to consignees for movement/delivery of cargoes within or to/from the port

**Equipment Repair** – undertaking repairs of gears/equipment/appliance within the port premise

**Environmental Management Services** – undertaking safety and environmental protection services within the port premise such as waste disposal of vessels, ballast water management, disposal of oil sludge and other related services

**Fumigation** – disinfecting containers or ship’s various compartment with the objective of ridding vans/vessels of pests

**Laundering** – providing laundry services like washing linens, curtains and similar items used in the vessel and clothing apparel of the vessel’s crew

**Lighterage/Barging** – loading, unloading or transportation of goods by means of lighters or barges

**Parking / Garage** – utilizing ample spaces within the port for parking of vehicles

**Reproduction/Photocopy**– providing copying services for documents

**Security Service** - providing security, protection and safety to cargoes on board vessels at berth or anchorage or at a warehouse, building or other areas within the port

**Shipping Agent** – transacting or supervising a ship's business such as crew change, customs and immigration procedures, insurance and documentation on behalf of the principal/owner

**Shops / Stores** – putting shops and stores within the port zone which includes sari-sari/convenience store, souvenir/curio/shops, bookstore, newsstand, drugstore, and similar services

**Transport / Cargo Forwarding / Freight Forwarding / Hauling / Trucking / Shuttling / Bus services** – providing trucks and other vehicles for hire for delivery and movement of cargoes and passengers

**Hauling of Own Cargoes/Transport of Own Employees or Guests** – providing transport service to own cargoes, personnel or guests

**Towing / Tugging** – pulling and/or pushing of vessels with the help of a watercraft

**Vessel Repair / Maintenance** – repairing and doing maintenances work within port premises due to breakdown of vessel

**Water Suppliers** – supplying fresh water to vessels, ships and other port users and stakeholders within the port premises

**Water Taxi** – ferrying ship's crew/agents/provisions and passengers to and from a vessel at berth or anchorage by means of small vessel or craft

**Weighbridge/Truck Scales** – the service of weighing cargoes (containerized or non-containerized) passing through the port gates for purposes of ship stowage planning

**Other Services** – such other services, provided on a regular basis inside the port, which are not listed herein



PMO-\_\_ No. \_\_\_\_\_

Pursuant to the provisions of Presidential Decree No. 857, as amended, and Philippine Ports Authority (PPA) Administrative Order No. \_\_-2020, entitled "Revised Guidelines on The Issuance of Permit to Operate (PTO) for the Provision of Ancillary Services in the Ports", this

## PERMIT TO OPERATE

is hereby granted to

<hr/> <i>Grantee</i> <hr/>
<hr/> <i>Service/s</i> <hr/>
<hr/> <i>Tax Identification Number</i> <hr/>

valid for three (3) years,

starting from \_\_\_\_\_ to \_\_\_\_\_,

at the Port of \_\_\_\_\_

The issuance of the PTO is subject to compliance by the GRANTEE with the Terms and Conditions stated herein and pertinent laws and existing PPA rules and regulations, including those that will be promulgated during the validity of this PTO.

\_\_\_\_\_  
**NAME OF PORT MANAGER**  
*Port Manager, PMO*

\*\*\*\*\*\_\*\*\_\*\*\*\*\*\_\*\*\*\*\*



PTO No. \_\_\_\_\_

**TERMS AND CONDITIONS**

- 1) The grant of this PTO to the GRANTEE is a privilege, not a right, hence, PPA may suspend, cancel or revoke this PTO for violation of any of the terms and conditions, or when public interest so requires.
- 2) The GRANTEE is only authorized to render the service/s specified in this PTO at the Port of \_\_\_\_\_ under the jurisdiction of PMO \_\_\_\_\_.
- 3) The GRANTEE shall refrain from engaging in illegal activities.
- 4) The GRANTEE shall observe and comply with all pertinent PPA polices, rules and regulations and shall strictly observe the Port Security Standard Operating Procedures of this PMO such as but not limited to the parking, traffic, safety and security.
- 5) The GRANTEE shall secure vehicle stickers and port users pass, where applicable, from this PMO and require employees, staff and workers employed to wear and/or display proper identification cards, individual passes, badges or uniforms and personal protective equipment (PPE) while inside the port premises.
- 6) Unless otherwise allowed by PPA, any unauthorized occupancy of areas and/or unauthorized access to designated restricted areas within the ports under the jurisdiction of this PMO is strictly prohibited.
- 7) The GRANTEE and/or authorized representatives, including employees and drivers directly transacting inside the ports, shall undergo Basic Port Orientation Seminar (BPOS) within thirty (30) days from the issuance of this PTO. Newly hired personnel or workers of the port service provider are required to attend the BPOS before transacting and entering the PPA premises.
- 8) The GRANTEE shall promptly pay, where applicable, all charges and other obligations to PPA.
- 9) The GRANTEE shall file a renewal of this PTO at least sixty (60) days prior to its expiration.
- 10) This PTO is non-transferable and is valid only until its date of expiry.
- 11) The GRANTEE shall comply with the conditions prescribed in its accreditation pursuant to PPA Administrative Order 06-2019 "Guidelines on the Accreditation of Port Service Providers".
- 12) The GRANTEE shall be solely and exclusively held liable for any damage, injury, or accident resulting from the acts of any of its employee or representatives in the provision of the service specified in this PTO.

**CONFORME:**

\_\_\_\_\_  
(Signature over Printed Name)

**Authorized Signatory**

\_\_\_\_\_  
Name of Company

*(Note: This PTO must be displayed or made readily available during inspection of PPA)*



Pursuant to the provisions of Presidential Decree No. 857, as amended, and Philippine Ports Authority (PPA) Administrative Order No. \_\_-2020, entitled "Revised Guidelines on The Issuance of Permit to Operate (PTO) for the Provision of Ancillary Services in the Ports" , this

## **AUTHORITY TO TRANSACT**

is hereby granted to

<hr/> <i>Grantee</i> <hr/>
<hr/> <i>Service/s</i> <hr/>
<hr/> <i>Tax Identification Number</i> <hr/>

valid only from \_\_\_\_\_ to \_\_\_\_\_

at the Port of \_\_\_\_\_

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

\_\_\_\_\_  
**NAME OF PORT MANAGER**

*Port Manager, PMO*

\*\*\*\*\*\_\*\*\_\*\*\*\*\*\_\*\*\*\*\*

ATT No. \_\_\_\_\_

**TERMS AND CONDITIONS**

- 1) The GRANTEE is authorized to render service specified in this ATT at the Port of \_\_\_\_\_ under the jurisdiction of PMO \_\_\_\_\_.
- 2) The GRANTEE shall not engage in any other form or kind of activity other than what is stated in this ATT.
- 3) The GRANTEE shall observe and comply with all pertinent PPA rules and regulations and shall strictly observe the Port Security Standard Operating Procedures of PMO \_\_\_\_\_ such as but not limited to the parking, traffic, safety and security rules and regulations;
- 4) This ATT is non-transferable and shall be valid only until its date of expiry; provided however, that any time prior to its expiration, this ATT may be suspended and revoked for violation of any of the terms and conditions set herein or when PPA deems it proper to cancel and/or revoke.
- 5) The GRANTEE shall be solely and exclusively liable for any damage, injury, or accident in the port resulting or arising from the act of its employee or representative in the provision of the service specified in this ATT.

**CONFORME:**

\_\_\_\_\_  
(Signature over Printed Name)

**Authorized Signatory**

\_\_\_\_\_  
Name of Company

*(Note: This ATT must be displayed or made readily available during inspection of PPA.)*