

[PPA MEMORANDUM ORDER NO. 32-98, October 07, 1998]

CLARIFYING MOORING/UNMOORING SERVICES AS COMPONENTS ACTIVITIES OF CARGO

Pursuant to Article IV Section 6 (iii) and (v) of PD 857 and MEC Resolution No. 190-97 issued on May 22, 1997, providing clarification regarding the provision of mooring/unmooring services in the ports and in order to identify the classification of such services for the purpose of pinpointing the responsibilities associated with the provision thereof, the following guidelines are hereby issued for information and guidance.

1. As a general policy, all authorized cargo handlers shall be responsible for providing mooring and unmooring services to every vessel calling in the port. Accordingly, the authorized cargo handling operators are obliged to render directly these services in their areas of operations, as prescribed in the authorization granted to them by the Authority and co-terminus with their cargo handling contract/permit/HOA.
2. The authorized cargo handling operators shall, under no circumstance, allow any other party, or sub-contract to a third party the provision of mooring/unmooring services at the port. In the ports, however, where the authorized cargo handlers are currently not directly providing said services and where mooring/unmooring operators are operating by virtue of unexpired PPA permit, the Authority shall allow them to render such services until the expiration of their permit. Thereafter, the authorized cargo handler thereat automatically takes over the provision of said services in the port.
3. The mooring/unmooring are considered components of cargo handling services in the ports. Thus, the rates applicable shall be those prescribed in the cargo handling schedule of rates for the particular port. In the absence thereof, rates/charges shall be prescribed by PPA CSD upon request by the Port Manager concerned.
4. All income derived by the operator from providing said services form part of the overall gross income to be declared by the contractor, subject to the remittance of the corresponding government share pursuant to the scheme stipulated in the cargo handling contract/permit.
5. This Memorandum Order repeals the provisions of PPA AO 03-95 and all other circulars, orders and regulations inconsistent hereof.
6. This Order takes effect immediately upon approval by the General Manager of the Authority.