



CEZA MEMORANDUM CIRCULAR NO. 19-002/M.

TO : All Shipping Line Companies, Accredited Port Users, CEZA
Registered Enterprise, Other Concerned.

SUBJECT : MANDATORY USE OF TUG BOAT ASSIST DURING
BERTHING

Pursuant to the Philippines Ports Authority (PPA) Administrative Order No. 11 s2000 for compulsory Tug Boat assistance and Philippine Ports Authority (PPA) Memorandum Order No. 08, 2012 for Pilot Special Services charges for Docking/Undocking services.

For purposes of safety of your Vessel and Port Facility, this Authority adopts "No Tug Boat Assist, No Berthing policy.

This order shall take effect on March 15, 2019

Signed:

[Signature]
SEC. RAUL L. LAMBINO
Administrator and CEO



10th Floor Greenfield Tower, Mayflower cor. Williams Streets, Greenfield District
Mandaluyong City, Metro Manila, Philippines 1550

Tel. (632) 636-5774; 635-CEZA (2392) Fax: (632) 636-5776

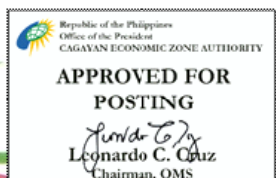
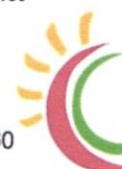
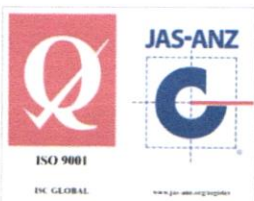
Email: info@ceza.gov.ph

Website: www.ceza.gov.ph

Cagayan Offices: Centro, Santa Ana, Cagayan 3514 - Tel. (632) 703-7360

Regional Government Center, Carig Sur,

Tuguegarao, Cagayan 3500 - Tel. (632) 533-3439





OCT 23 2000

FPA ADMINISTRATIVE ORDER
NO. 11 - 2000

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

SUBJECT : **REGULATIONS ON COMPULSORY TUG ASSISTANCE**
AT THE PORT OF BATANGAS

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 500 GRT and above which dock/undock at the Baseport of Batangas and all ports within the jurisdiction of the Port Management Office (PMO) of Batangas.

3. OBJECTIVE

To protect government port facilities and marine environment and to ensure the safe maneuvering of vessels at the Baseport of Batangas and all ports within the jurisdiction of PMO-Batangas, 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 or private entities to provide such service on a non-exclusive basis.

4.2 Permit to Operate Tug Assistance

4.2.1 Only tug operators with a valid Permit to Operate (PTO) issued by PMO-Batangas shall be allowed to render tug assistance service, subject to the requirements of other agencies. The tug operator shall provide the equipment needed to render efficient service.

4.2.2 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 shall be determined on the basis of the gross registered tonnage (GRT) of the vessels and capacity (HP) of the tugs in accordance with the following specifications:

| GRT | Tugboat Capacity (HP) | No. of Tugs |
|-----------------|------------------------------|--------------------|
| 500 - 1,000 | 500 | 1 |
| 1,001 - 2,000 | 1,000 | 1 |
| 2,001 - 4,000 | 2,000 | 1 |
| 4,001 - 6,000 | 1,500 | 2 |
| 6,001 - 10,000 | 2,000 | 2 |
| 10,001 - 15,000 | 2,500 | 2 |
| 15,001 - 25,000 | 3,000 | 2 |
| 25,001 - 35,000 | 3,500 | 2 |
| 35,001 - 45,000 | 3,500 | 2 |
| | 1,500 | 1 |
| 45,001 - 60,000 | 3,500 | 3 |
| 60,001 - 90,000 | 2,500 | 2 |
| | 3,000 | 2 |
| 90,001 - Over | 3,600 | 4 |

4.3.1 Provided, that the Master of a vessel may opt to avail tug assistance on vessel with less than 500 GRT, depending on the prevailing weather condition.

4.3.2 Provided, further, that vessels with both functional and stern side thrusters of sufficient capacity are exempted from the

above requirement. Vessels with functional bow thrusters only are required to have 50% of the above horsepower requirements.

4.3.3 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.

4.3.4 In no case shall any vessel with 500 GRT and above be allowed to dock/undock at the baseport of Batangas without the above specified tug assistance. For other ports within the jurisdiction of PMO-Batangas, the same tugboat horsepower requirements shall be followed when any of the conditions provided for in Section 12(c) of PPA AO No. 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 for 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 and regulations.

5. **SEPARABILITY CLAUSE**


If for any reason 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 FPA 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.



JUAN D. PEÑA
General Manager

Published in the Philippine Star - October 28, 2000

Effectivity Date - November 12, 2000



Bonifacio Drive, South Harbor, Port Area, Manila 1018, Philippines, P.O. Box 436, Manila, Philippines
Tel No (0632) 527-8356, Fax No (0632) 527-4855, <http://www.ppa.com.ph>

FEB 15 2012



PPA MEMORANDUM ORDER
NO. 08 2012

TO : All Port District Managers, Port Managers,
Pilots' Associations, Shipping Companies,
and Others Concerned

SUBJECT : Applicable Special Service Charges During
Docking/Undocking Services Where there
is Insufficient or no Tugs Available

Pursuant to the Memorandum of Agreement (copy attached), entered into by and among the United Harbor Pilots' Association of the Philippines (UHPAP), Association of International Shipping Lines (AISL) and the Philippine Ship Agents Association (PSAA) on February 13, 2012, the special service charges agreed by the parties for docking/undocking without or with insufficient tug assistance shall be those fees indicated in Annex "A"

Annexure "A" shall serve as an interim schedule of special service fees while the current PPA Administrative Order on Compulsory Tug Assistance are yet under review and amendment, after which the said schedule of special service fees shall be subject for review among PPA, PSAA, AISL and UHPAP

This Order shall take effect on March 1, 2012 after publication in newspaper of general circulation


JUAN C. STA. ANA
General Manager

Published in the following newspapers:

1. Philippine Star - February 24, 2012
2. Manila Standard/Today

VISION

By 2010 PPA shall have met the international standards in port facilities and services in at least ten (10) ports in support of national development

MISSION

We commit to provide reliable and responsive services in our ports, sustain development of our port communities and the environment and be a model corporate citizen of the environment

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This **MEMORANDUM OF AGREEMENT**, entered into by and among

The **UNITED HARBOR PILOTS' ASSOCIATION OF THE PHILIPPINES (UHPAP)**, a non-profit and non-stock association, with principal office address at Room 1, 3F Antwel Building, Alvarez St, Sta Ana Avenue, Davao City, represented herein by its President, **CAPT. ROMULO B. SALLE**,

The **ASSOCIATION OF INTERNATIONAL SHIPPING LINES (AISL)**, a non-profit, non-stock corporation, with principal office address at Unit 204, Heritage Condominium, 1851 A Vasquez St, represented herein by its General Manager, **ATTY. MAXIMINO T. CRUZ**,

The **PHILIPPINE SHIP AGENTS ASSOCIATION (PSAA)**, a non-profit and non-stock association, with principal address at G/F at Wallem Philippines Building, Beaterio Cor Legaspi Sts, Intramuros, Manila, represented herein by its President, **VIRGINIA C MADLANG-AWA**,

Witnesseth:

WHEREAS, on November 21, 2003, the Philippine Ports Authority (PPA) issued PPA Administrative Order (AO) No 04-2003 prescribing the Guidelines on Pilotage Services to be Rendered in all Ports and the Corresponding Fees,

WHEREAS, Section 2 of the said AO prescribed the required pilotage services to be performed in each pilotage district, the rates of which are the EO 1088 rates under Section 5 of the AO,

WHEREAS, pursuant to PPA AO 03-85, any vessel, under normal conditions, may be allowed to manoeuvre in port without tug assistance, provided, however, that compulsory tug assistance shall be required when any of the following conditions may adversely affect the capability of the vessel to safely manoeuvre in port:

- Strong current – flow of current with a velocity of four knots or more and which affects the manoeuvrability of the vessel,
- Wind factor – the velocity and direction of air current travelling at 30-50 KPH,
- Conditions at the port – includes the nature of the approach to berth, the port structures and its facilities, the location of the berth and limited manoeuvring space for the vessel,

- Inclement weather – the occurrence of tropical depression and stormy weather in the area during vessel's manoeuvre,
- Mechanical defect of vessel – a defect of the vessel which renders it incapable of maneuvering by itself due to the sudden malfunctioning of the engine/propulsion/navigational equipment

WHEREAS, to protect government port facilities and to ensure the safe manoeuvring of vessels, the PPA issued Administrative Order Nos 12-1995, 03-1996, 04-1996, 06-1996, 12-1996, 07-1997, 11-1997, 06-1998, 07-2000, 08-2000, 11-2000, 02-2005 requiring mandatory tug assistance in twelve (12) pilotage districts, namely Cagayan de Oro, Nasipit, Zamboanga, General Santos, Iligan, Ozamis, Iloilo, South Harbor, Davao, MICT, Batangas and Pulupandan,

WHEREAS, under subject AOs, a table of tug requirements per pilotage district is provided on the basis of the gross registered tons of the vessels and capacity (horsepower-HP) of the tugs,

WHEREAS, said AOs provide that vessels with both functional bow and stern side thrusters of sufficient capacity are exempted from the tug requirement. Further, vessels with functional bow thrusters only are required to have 50% of the tug horsepower requirement,

WHEREAS, on the same AOs, a provision states that the rates chargeable, shall be those that are agreed upon between the shipping company and the tugboat operator in the absence of a PPA prescribed rate,

WHEREAS, under Section 12 e of PPA AO 03-85, if the tug service is not regularly available, a vessel may still be allowed by the Authority to dock or undock without the prescribed tugs provided additional remuneration shall be given to the pilots

WHEREAS, the additional remuneration has not been fixed and has remained a contentious issue between the shipping lines and the pilots association,

WHEREAS, sometimes, even though the vessel's bow and stern thrusters are working, the ship is still required to use one tug and comply with the 50% tug horsepower requirement for a certain fee,

WHEREAS, during the October 14, 2011 meeting it was stressed that the provisions as stated in the 12 AOs should be strictly adhered to particularly on vessels with both functional bow and stern thrusters or on those with functional bow thrusters only,

NOW, THEREFORE, for and in consideration of the foregoing premises, the Parties hereto agree that this **MEMORANDUM OF AGREEMENT** shall cover the assessment and payment of the applicable special service charges, (copy of which is hereto attached and forms an integral part hereof as Annex "A") during docking/undocking services where there is insufficient or no tugs available,

FURTHER, the Parties likewise agree that this **MEMORANDUM OF AGREEMENT** resolves that vessels are exempted from the tug requirement when the bow and stern thrusters are both functional and that vessels with functional bow thrusters only are required to have 50% of the tug horsepower requirements.

This **MEMORANDUM OF AGREEMENT** shall take effect immediately upon the signing hereof by the Parties concerned and shall remain in full force and effect unless amended/revoked in writing by mutual consent among Parties

IN WITNESS WHEREOF, the Parties hereto signed this **MEMORANDUM OF AGREEMENT** on this 13th day of February 2012

UNITED HARBOR PILOTS' ASSOCIATION

By



CAPT. RONULO B. SALLE

President

ASSOCIATION OF INTERNATIONAL SHIPPING LINES

By



ATTY. MAXIMINO T. CRUZ

General Manager

PHILIPPINE SHIP AGENTS ASSOCIATION

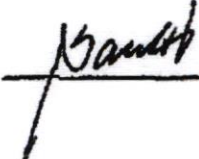
By

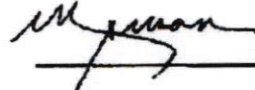


VIRGINIA C. MABLANG-AWA

President

Signed in the presence of





REPUBLIC OF THE PHILIPPINES)
CITY OF MANILA) S S

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in CITY OF MANILA, Philippines, this
FEB 13 2012 day of _____ 20____ personally appeared the following

| NAME | IDENTIFICATION DOCUMENT | NO |
|--------------------------------|-------------------------|------------------|
| <u>Romulo B. Salle</u> | <u>Passport</u> | <u>XY233888</u> |
| <u>Maximino T. Cruz</u> | <u>Passport</u> | <u>EB2567075</u> |
| <u>Virginia C. Madlang-Awa</u> | <u>Passport</u> | <u>XX4096620</u> |

known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free act and voluntary deed, as well as the free and voluntary act and deed of the corporations which they respectively represent as

| POSITION | COMMUNITY TAX CERT NO | DATE & PLACE ISSUED |
|------------------------|--------------------------|-------------------------|
| <u>President</u> | <u>CCI 2011 14325628</u> | <u>January 15, 2011</u> |
| <u>General Manager</u> | <u>CCI 2010 23309034</u> | <u>January 25, 2011</u> |
| <u>President</u> | <u>CCI 2010 05930977</u> | <u>January 06, 2011</u> |

The foregoing instrument, consisting of _____ () pages including the page on which this acknowledgment is written, refers to a Memorandum of Agreement, it has been signed by the parties on page ____ () and on the left hand margin of each and every other page hereof, and all the pages bear the imprint of my notarial seal

WITNESSETH MY HAND AND SEAL on the date and at the place aforesated

NOTARY PUBLIC
Until _____ 20____
PTR NO. EBLITA D. SOLIS
NOTARY PUBLIC
ISSUED UNTIL DECEMBER 31, 2013
At PTR NO. 0325534 MANILA
TI REP NO. 873695 CAVITE
ROLL NO. 370S7

Doc No 466
Page No 74
Book No 101
Series of 20 12

Special Service Charges for Docking/Undocking Without and Insufficiency of Tug Assistance

| Formula 1 | | Formula 2 | |
|---------------------|---------------|---------------------|---------------|
| Vessel's GRT | Amount (US\$) | Vessel's GRT | Amount (US\$) |
| under 10,000 Grt | 2,500 00 | Under 10,000 Grt | 2,000 00 |
| 10,001 - 15,000 Grt | 3,500 00 | 10,001 - 15,000 Grt | 2,800 00 |
| 15,001 - 20,000 Grt | 4,500 00 | 15,001 - 20,000 Grt | 3,600 00 |
| 20,001 - 25,000 Grt | 5,500 00 | 20,001 - 25,000 Grt | 4,400 00 |
| 25,001 - 30,000 Grt | 6,500 00 | 25,001 - 30,000 Grt | 5,200 00 |

Additional charges for Vessel above 30,000 Grt

| Vessel Weight | Amount (US \$) |
|---------------------|----------------|
| 30,001 - 35,000 Grt | 0 40 per Grt |
| 35,001 - 40,000 Grt | 0 30 per Grt |
| 40,001 above | 0 20 per Grt |

Note: computation above 30,000 Grt will be up to 50,000 Grt only

| Applications | 2 Tugs Requirement, only 1 is available | 3 Tugs Requirement, only 1 is available | 3 Tugs Requirement, only 2 are available |
|---------------------------------------|---|---|--|
| In Ports with no Tugs Available | Formula 1 will apply | Formula 1 will apply | Formula 2 will apply |
| Regardless of the no of Tugs required | Formula 2 will apply | Formula 1 will apply | Formula 2 will apply |

Notes

The above fees shall be inclusive of pilot boat charges when used in assisting the docking and undocking maneuvers Philippine Ports Authority to standardize the number of tugboat requirements uniform among all ports covered by PPA nationwide

Agreed to by the following parties on 03 November 2011

United Harbor Pilots Association of the Philippines
 Associated of International Shipping Lines
 Philippine Ship Agents Association

Capt Romulo Sello, Capt Magallanes, Capt Lagura
 Mr Joey Iliagan
 Ms Virginia Madiang-awa, Mr Philip Bunag

[Handwritten signatures and initials]