IMPLEMENTING GUIDELINES OF EXECUTIVE ORDER NO. 493 ENTITLED “REMOVING RED TAPE AND REDUCING CLEARANCE REQUIREMENTS FOR INTERISLAND VESSELS”

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Pursuant to the provisions of Executive Order No. 493 dated 03 December 1991 and in order to implement the terms and conditions of the Memorandum of Agreement entered into between the Philippine Ports Authority and the government agencies involved in the issuance of clearances to domestic vessels, the following guidelines are hereby prescribed for compliance by all concerned:

SECTION 1. Deputization/Delegation of Clearance Functions to the Philippine Ports Authority. - Pending amendments, if need be, to their respective Charters or laws, the functions of various government agencies with respect to the Issuance of entry and/or departure clearances to domestic vessels have been delegated to the Philippine Ports Authority (PPA). Henceforth, arrival/departure clearances of interisland vessels shall solely be secured from and granted by PPA.

SECTION 2. Specific Functions of Agencies Involved in the Issuance of Clearances to Domestic Vessels. -

2.1 The Plant Quarantine Inspectors of the Bureau of Plant Industry and the Veterinary Quarantine Officers of the Bureau of Animal Industry shall cease from issuing entry and departure clearances to all domestic vessels and from collecting the corresponding fees or charges relating thereto. However, they shall continue to issue quarantine permits or clearances of plants/animals. its by-products, and other related materials prior to loading on board domestic vessels.

2.2 The Quarantine Medical Officers of the National Quarantine Office shall cease from issuing departure clearances to all domestic vessels but shall continue to issue periodic quarantine documents such as vessel sanitation certificates, deratting certificates and health certificates of stewards/foodhandlers.

2.3 The Entrance and Clearance Officers of the Bureau of Customs shall cease from issuing entry and departure clearances to all domestic vessels and from collecting the corresponding fees or charges relating thereto. However, they shall continue to issue permits or clearances for transshipment cargoes, including the enforcement of anti-smuggling laws.

2.4 The Station/Detachment Commanders of the Philippine Coast Guard shall cease from issuing entry and departure clearances to all domestic vessels except in ports not manned by PPA. However, they shall continue to exercise their functions of implementing SOLAS, marine environmental protection and maritime law enforcement. They shall also continue to issue permits/authorization to dangerous cargoes prior to loading on board domestic vessels.

2.5 The Clearance Officers of the National Telecommunications Commission shall cease from issuing departure clearances to all domestic vessels and from collecting the corresponding fees or charges relating thereto. However, they shall continue to inspect vessel communications facilities and issue radio licenses/permits to domestic ship stations.

2.6 The Clearance Officers of the Postal Services Office shall cease from issuing departure clearances to all domestic vessels.

SECTION 3. Clearances of Cargoes. - Permits or clearances of cargoes shall still be issued by the agencies concerned. No cargo or shipment shall be loaded/unloaded without the required permit/authorization/clearance from said agencies.

SECTION 4. Holding of Vessel's Clearance. - The Philippine Ports Authority shall hold the issuance of a domestic vessels entry and/or departure clearance upon receipt of an official notification from the agency concerned that the latter's laws, rules and regulations have been or are being violated. Only after the vessel's master/shipping company has secured an appropriate clearance from the concerned agency shall PPA lift its hold-order and grant vessel clearances.

SECTION 5. Collection of Clearances Fees. - In implementing Executive Order No. 493, no additional fees, charges or overtime pay shall be collected by the Philippine Ports Authority for the issuance of arrival and/or departure clearances to domestic vessels.

SECTION 6. Documentation/Report Requirements. -

6.1 Coasting and Passenger Manifests required from all domestic vessels shall be reduced to three (3) copies instead of seven (7) and shall be submitted to the Philippine Ports Authority. Each concerned agency requiring copies of said manifests shall coordinate with PPA regarding its documentation and reporting requirements.

6.2 Aside from the Coasting and Passenger Manifests, the Philippine Ports Authority shall make available to the respective agencies other sources of data/reports on shipping traffic, upon proper coordination/request.

SECTION 7. Responsibilities of Domestic Shipping Companies/Masters. -

7.1 Masters/Captains of interisland vessels shall submit to PPA their Manifests Parcel List, Notice of Sailing and other required reports. Masters/shipping companies shall likewise report to PPA all unmanifested cargoes.

7.2 Vessel Masters/shipping companies shall ensure that all cargoes loaded on board domestic vessels have the required clearances from the agencies concerned.

7.3 Masters/shipping companies shall report to PPA any violation relative, to the implementation of Executive Order No. 493 so that appropriate action can be undertaken.

SECTION 8. Responsibilities of PPA. -

8.1 PPA shall ensure that the Coasting/Passenger Manifests and other sources of data/reports on shipping traffic are made readily available to the various agencies concerned.

8.2 On the local level PPA shall closely coordinate with the officials/representatives of the other agencies to achieve effective documentation and reporting systems.

8.3 PPA shall hold the issuance of a domestic vessel's clearance upon receipt of an official notification of violation of a particular agency's laws rules and regulations.

8.4 PPA shall report to the agencies concerned any violation relative to the implementation of Executive Order No. 493 so that appropriate action can be undertaken.

8.5. PPA shall ensure that the provisions of the Memorandum of Agreement (MOA) entered into with the different agencies are strictly implemented.

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SECTION 9. Responsibilities of Other Concerned Agencies. -

9.1 The agencies shall continue to discharge their respective functions regarding the issuance of clearances to cargoes. They may also check/inspect any domestic vessel in the exercise of their inherent powers and functions.

9.2 The agencies shall closely coordinate with PPA and the shipping companies/Masters particularly on the holding of the Issuance of vessel's clearance and likewise on the documentation/reporting requirements on the local level.

9.3 The agencies shall report to PPA any violation relative to the implementation of Executive Order No. 493 so that appropriate action can be undertaken.

9.4 The various agencies shall ensure that the provisions of this Order and of their respective MOAs with PPA are strictly implemented by their field officers.

SECTION 10. Repealing Clause. - All PPA orders, rules and regulations policies guidelines memoranda or circulars inconsistent herewith are hereby repealed or amended accordingly.

SECTION 11. Separability Clause. - If for any reason any section or part of this order is declared unconstitutional or invalid by competent judicial authority, the declared unconstitutional or invalid section or part thereof shall not affect the other sections or parts to which such declaration of nullity does not apply or relate.

SECTION 12. Effectivity Clause. - This Order shall take effect after fifteen (15) days following the completion of its publication in the Official Gazette or in any newspaper of general circulation.

Adopted: 25 June 1992

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General Manager

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