

CLARIFICATIONS ON THE EXEMPTION OF NAVAL, DIPLOMATIC AND ACADEMIC VESSELS FROM PAYMENT OF VESSEL CHARGES

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1. AUTHORITY

1.1 Sec. 21, Presidential Decree No. 857, dated 23 December 1975, as amended

1.2 PPA Memorandum Order No. 20-83, dated 26 July 1983

1.3 PPA Memorandum Circular No. 03-95, dated 5 January 1995

1.4 PPA Memorandum Circular No. 07-94, dated 9 March 1994

2. OBJECTIVES

2.1 To ensure proper interpretation and implementation of relevant provisions covering exemptions from payment of port charges granted to foreign state vessels.

2.2 To ensure reciprocal privileges to vessels owned by the Philippine government which are similarly situated as foreign vessels granted exemption.

3. DEFINITIONS

3.1 Vessel Charges — refer to charge against vessels such as:

3.1.1 Port dues — is the amount assessed against a vessel engaged in foreign trade based on its total GRT or part thereof, including those engaged in barter trade for each entrance into and departure from a port of entry in the Philippines.

3.1.2 Dockage at Berth — is the amount assessed against a vessel engaged in international or foreign trade, including those engaged in barter trade, for mooring or berthing at a pier, wharf, bulkhead — wharf, river or channel marginal wharf at any national port in the Philippines; of for mooring or making fast to a vessel so berthed.

3.1.3 Dockage at Anchorage — is the amount assessed against a vessel engaged in international or foreign trade, including those engaged in barter trade, that do not berth but drop anchor at either a government or privately-owned port whether operated exclusively or commercially.

3.2 Naval Vessels — Commissioned vessels owned by navies of friendly countries.

3.3 State Vessels — Non-naval state-owned vessels engaged in police, environmental, scientific research and social services.

4. CLARIFICATIONS

4.1. All foreign vessels whether engaged in foreign trade or not, government-owned or otherwise, that dock at PPA owned/administered port facilities or private port shall pay the vessel charges required under PPA Memorandum Circular No. 07-94.

4.2 Foreign Naval and other state vessels not engaged in commercial shipping services shall be exempted from the payment of all vessel charges if the foreign government owning such vessels also grants reciprocal privileges to vessels owned by the Philippine government which are similarly situated.

5. PROCEDURE FOR EXEMPTION

5.1. Generally, a listing of countries with whom the Philippines has a treaty or reciprocal agreement providing for exemptions of state vessels from port charges issued by the Department of Foreign Affairs (DFA) will be used as basis for such exemptions.

5.2. If the state concerned is not on the standing or current DFA listing, a certification from DFA may be obtained by the foreign embassy concerned, ship agent or ship master indicating that Philippine state vessels are exempted from payment of port charges in the country concerned.

5.3. Evidence authenticated by the Philippine Embassy showing that the same exemption privileges are also enjoyed by vessels owned by the Philippine government when calling in their country's ports, may also be used as needed for this purpose.

6. REPEALING CLAUSE

All PPA orders, circulars, memoranda and other issuances inconsistent herewith are hereby amended/modified accordingly.

7. EFFECTIVITY

7.1 This Circular shall take effect immediately.

Adopted: 05 Feb. 1997

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