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MANDATORY WEIGHING OF ALL OUTBOUND LOADED CONTAINER VANS AT THE BASEPORT OF CEBU

CPA ADMINISTRATIVE ORDER NO. 01-2010, June 16, 2010

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Pursuant to the provisions of R.A. No. 7621, the General Port Rules and Regulations (GPRR) of the Cebu Port Authority, the Philippine Dockwork Health and Safety Standards, OTS Transportation Security Regulation No. 011-2007 (Mandatory Compliance of the Required Security Assessment and Security Plan of Ships and Port/Shipyard/ Offshore Platform Drilling Facilities Covered by the National Security Programme for Sea Transport and Maritime Infrastructure [NSPSTMI]) to ensure safety in the handling of outbound containers and mitigate risks to port facilities, cargo handling equipment and carrying vessels, and pursuant to Board Resolution No. 500-2010 dated 08 June 2010, the following policy and implementing guidelines on the mandatory weighing of outbound domestic container vans to be loaded at the Cebu Baseport, are hereby prescribed:

Section 1. Statement of Policy. It is hereby the declared policy of the Authority that all loaded outbound domestic container vans shall be required to undergo a weighing process to ensure the safety of workers in cargo handling and equipment and the carrying vessel itself.

Section 2. Coverage. This mandatory policy covers all loaded outbound domestic container vans to be loaded at the Cebu Baseport.

Section 3. Guidelines. The following guidelines are hereby prescribed:

3.1 All outbound containers for loading onto a carrying vessel shall be subject to mandatory weighing at the designated area in the Cebu Baseport to ensure compliance with the Allowable Container Weight and Prescribed Gross Vehicle Weight.

3.2

The cargo handling operators shall be responsible for ensuring the allowable/prescribed weights and safe handling of all containers at the port.

3.3 Overloaded containers shall not be loaded onto the carrying vessel unless measures to correct the same have been done. However, these measures such as stripping, attendant special services and ultimate withdrawal of these cargoes that may be provided by the cargo handling operator are for the account of the cargo/vehicle owner.

3.4 Any weighbridge operation within the port is the responsibility of the Cebu Port Authority but may be bid out by the Authority in case of its inability to provide and operate the same. Existing weighbridge operator/s may, however, apply for accreditation with the Authority. Pending accreditation of weighbridge operators, the

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existing weighbridge being operated by OPASCOR shall be used.

3.5 The Authority shall regulate the number of the weighbridge operators that would cater to the demands of the concerned public. It shall accredit as many operators as it deem necessary until such time that the Authority shall have installed adequate number of its own weighbridge facilities at the port;

3.6 Payment for the use of the Weighbridge/Truck Scale shall be the rates as agreed upon by the service provider and the owner of the cargo/vehicle and as approved by the CPA.

3.7 The service provider/operator shall remit to the Authority the corresponding government share or variable fee out of its gross income from the weighing service operation in addition to the Permit to Operate Fee per annum.

3.8 Cargo handling operator shall, whenever necessary and expedient, coordinate with the Authority any concern resulting from the mandatory weighing of cargoes/ containers and for the efficient implementation of this Order.

Section 4. No Weight Slip/Receipt, No Entry. No outbound loaded domestic container van shall be allowed entry into the Cebu Baseport without a validated WS/R.

Section 5. Separability Clause. Should any provision of this Order be declared illegal or unconstitutional by any court of competent jurisdiction, those provisions to which such declaration does not apply shall remain in full force and effect.

Section 6. Repealing Clause. All Orders, Circulars, Memoranda, guidelines, rules and regulations inconsistent herewith inconsistent with the herein provisions are hereby repealed and modified accordingly.

Section 7. Effectivity. This Order shall take effect fifteen (15) days after publication in a newspaper of general circulation.

Adopted: 16 June 2010

(SGD.) VICENTE T. SUAZO, JR.
General Manager

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