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GUIDELINES ON THE COLLECTION OF CERTIFICATION FEE

PPA MEMORANDUM CIRCULAR NO. 30-2004, December 14, 2004

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1.0 Authority

1.1 Section 20 under Presidential Decree 857
1.2 Section 54, Chapter 12, Book IV of Executive Order No. 292, otherwise known as Administrative Code of 1987
1.3 Executive Order No. 159 dated 23 February 1994
1.4 Executive Order No. 197 dated 13 January 2000.

2.0 Scope

This Memorandum Circular shall cover the collection of certification fee from applicants of foreshore lease applications (FLA), miscellaneous lease applications (MLA) and miscellaneous sales applications (MSA), which are endorsed to the proper Port Management Offices (PMOs)/Terminal Management Offices (TMOs) by the concerned Community Environment & Natural Resources Office (CENRO) for issuance of clearance/certification of no objection.

3.0 Definition of Terms

The terms or words used therein shall mean or be understood to mean as follows:

3.1 Foreshore lease application (FLA) - a type of public land application covering foreshore lands, marshy lands and other lands bordering bodies of water for commercial, industrial or other productive purposes other than agriculture.

3.2 Miscellaneous lease application (MLA) - a type of public land application covering residential, commercial and industrial lands found within the alienable and disposable land of the public domain and disposable by lease under Chapter IX of Commonwealth Act No. 141, as amended, otherwise known as the Public Land Act.

3.3 Miscellaneous sales application (MSA) - a type of public land application covering residential, commercial and industrial lands found within the alienable and disposable land of the public domain and disposable by sale under Chapter IX of Commonwealth Act No. 141, as amended, otherwise known as the Public Land Act.

3.4 Community Environment & Natural Resources Office (CENRO) - the frontline office under the Department of Environment & Natural Resources (DENR) that accepts, conducts investigation, appraisal on, and processes public land applications. Said office also conducts oral/sealed bidding for the sale or lease of public lands.

3.5 Non-traditional revenue - PPA revenue generated from other port-related services incidental in the operation of the port.

3.6 Certification fee - fee to be collected from applicants of FLA, MLA & MSA by the PMOs or its authorized TMOs for the issuance of a certification that the area applied for is not part of PPA's future Port Development Plan and has no objection to subject application.

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4.0 Objectives

To rationalize the imposition of certification fee for the issuance of PPA certification that the public land applied for is not part of PPA's future Port Development Plan, this Circular aims to:

4.1 recoup the cost of administrative service rendered by concerned PMOs or its authorized TMOs, more particularly in the inspection of the area applied for;

4.2 prescribe uniform and reasonable fees in all PMOs/TMOs for the issuance of PPA certification; and

4.3 generate non-traditional source of revenue.

5.0 General Provision

This Circular authorizes all PMOs or its authorized TMOs to impose certification fee from applicants of FLAs, MLAs and MSAs which are endorsed by the CENRO for issuance of PPA certificate that the area applied for is not part of its future Port Development Plan.

6.0 Certification Fee

The following certification fees shall be collected by the concerned PMOs/authorized TMOs upon issuance of appropriate PPA certification:

P1,000.00 for Foreshore Lease Applications intended for port development

P 500.00 for Foreshore Lease Applications, Miscellaneous Lease Applications, Miscellaneous Sales Applications and such other similar applications intended for non-port related facilities.

7. 0 Documentary Requirements from Applicants

In order to facilitate the issuance of a PPA certification, the PMO or its authorized TMO shall require applicant to submit the following documents:

- CENRO endorsement to PPA
- Survey plan of the land applied for
- Location plan
- Vicinity map

8.0 Authority to Issue PPA Certification

The Port Manager is authorized to issue PPA certification (pro-forma attached) that the area applied for is not part of PPA's 5-Year Port Development Plan.

At his discretion, the Port Manager may authorize the TMO Officer to issue the certification and collect the certification fee from the applicant, especially in cases where the area applied for is far from the PMO and near the TMO.

9.0 Dissemination/Coordination with CENRO and Others Concerned

All PMOs and TMOs shall be responsible for the wide dissemination of this Circular to all CENRO Officers and all others concerned under their respective areas of jurisdiction.

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10.0 Effectivity

This Circular shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

For strict compliance.

Adopted: 14 Dec. 2004

(SGD.) ATTY. OSCAR M. SEVILLA
General Manager

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