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GUIDELINES ON PORTERAGE OPERATIONS AND RATES DETERMINATION IN PHILIPPINE PORTS

PPA MEMORANDUM CIRCULAR NO. 07-92, March 24, 1992

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I

Objective

Pursuant to Art. VII, Sec. 20 of P.D. 857, and in order to rationalize porterage rates, systems and operational procedures, the following guidelines are hereby prescribed for information of and compliance by all concerned.

II

Scope

This regulation shall be applicable to all porterage operations in all ports in the Philippines.

III

Definition of Terms

Porterage Service shall refer to the carriage by manual handling and/or with the use of wheeled equipment like pushcarts of passengers cargoes, pieces of baggage, luggage and personal belongings to/from the passengers point of embarkation/disembarkation to/from the entrance/exit gates of the port premises.

Porterage Fee is the payment for the services rendered by a porter and covers the carriage of personal baggage, with or without the use of pushcarts, to/from the passengers point of embarkation/disembarkation to or from the entrance/exit gate of the port premises.

Bill of Lading means the written contract of carriage of goods whereby the common carrier for a consideration agrees to deliver on behalf of the consignor of goods to the consignee at a specified time.

IV

Criteria in Determining Porterage Rates

The main factors considered in the determination of porterage rates are (1) the weight of baggage and (2) the distance covered by the porter in travelling to/from the point of passengers' embarkation/disembarkation to/from the entrance/exit gates. The porterage rates shall, therefore vary from port to port, based on these factors.

The Port Manager shall recommend the porterage rates applicable to the ports/terminals under his jurisdiction. The rates shall be based on the actual distance covered by the porterage service which shall be in accordance with the herein below schedule[*] subject to the review and approval of the Head Office.

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V

Permit and Regulatory Fee

The Port Manager is hereby authorized to issue permit to operate porterage services not exceeding one (1) year. One year renewals of porterage permits shall be done only with clearance from the Port District Manager. Permits/contracts exceeding one (1) year shall be subject to the approval of the AGM for Operations. A regulatory fee of ONE THOUSAND (P1,000.00) PESOS per annum shall be charged the operator.

Criteria for granting a Permit to Operate Porterage Services

1. The applicant must have administrative capability.

2. Be a duly recognized organization/association/cooperative;

3. Be duly registered with the Securities and Exchange Commission the Bureau of Domestic Trade and SSS;

4. Have a city/municipal and other relevant government agencies licenses/permits.

VI

Operational/Administrative Requirements

1. Porterage service shall be voluntary. Passengers opting not to avail of the services of the porters shall not be forced to have his/her baggage/luggage serviced by porters without his permission.

2. Porterage service operators shall issue tickets to passengers to serve as receipts for the service rendered. The ticket shall be pre-numbered and shall indicate the porterage business name and the corresponding amount. It shall be divided into 3 portions, the first portion being the passenger's coupon the, second portion goes to the porter and the last portion shall be retained at the collection booth.

2.1 The baggage shall be assessed at the collection booth for the payment and issuance of stubs to passengers and porters. It shall be indicated in all the three (3) portions of the ticket the man-number of the porter servicing the passenger to pinpoint liability in case of loss of damage to the baggage.

2.2 At the end of the day the porter/s shall present to the collection booth his accumulated portions/copies of porterage tickets to claim his porterage income for the day.

3. Before a vessel is berthed responsible officer of said vessel shall be required to announce that porterage services may be availed of at said port at prescribed rates.

4. Porters shall fall in line about ten (10) meters away from the quay/wharf where the vessel is directed to berth at least ten (10) minutes before the vessel is fully secured. They will board the vessel only thru the gang plank upon clearance by the chief porter.

5. The porterage rates shall be posted within the vessel's premises such as access openings and in conspicuous places in the port premises. The same shall be in bold letters and preferably painted in areas where they can easily be seen by passengers for proper guidance and information.

6. Porters shall be in prescribed uniforms with bold numbers (front and back) and shall wear their respective ID cards when operating inside the port.

7. The provision of pushcarts when necessary, shall be part of the regular porterage service.

8. The porterage operator shall provide collection booths at the entrance and exit gates of each pier or its area of

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operation.

9. Porterage operator shall be liable for the indemnity of losses/damages to baggage/luggage or other personal effects handled by them as a result of inefficiency, negligence or imprudence or imprudence of their porters. Such amount, however, shall not be more than the value of the baggage when total loss or equivalent to the loss sustained when partial losses take place.

However, in case of disagreement between the passenger and the porter/porterage operator on the amount of losses/damage, PTA shall mediate and fairly decide on the approximate amount of the subject losses/damages to be paid by the porterage operator.

10. Cargoes/baggage, personal effects and the like, weighing one (1) ton or more in the aggregate of a single passenger shall be covered by a Bill of Lading and required to be serviced by the cargo handling (arrastre) contractor and charged the appropriate cargo handling and wharfage charges.

11. Pieces of baggage/luggage that are serviced by porters shall not be liable to any arrastre/stevedoring/wharfage charges.

12. If the cargo handling operator is also duly licensed/issued a permit to render porterage services, the operator shall maintain an accounting system which is sufficient to identify capital investments, operating expenses, and revenue of porterage operation from those of cargo handling.

VII

Penalty Clause

PPA reserves the right to cancel or terminate any existing porterage service permit/contract in case of violation by the porterage operator or any of its porters, of any of the terms and conditions of the permit/contract or PPA port rules and regulations or if public interest so demands.

VIII

Effectivity

This Order shall take effect upon approval.

For compliance.

Adopted: 24 March 1992

(SGD.) ROGELIO A. DAYAN
General Manager

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[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City

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