

REGULATIONS ON COMPULSORY TUG ASSISTANCE AT THE BASEPORT OF DAVAO AND OTHER POETS WITHIN THE JURISDICTION OF PMO DAVAO

PPA ADMINISTRATIVE ORDER NO. 007-00, May 03, 2000

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1. Authority

1.1 Sections 6 (a) (ii), (iii), (v) and 20 of P.D. 857

1.2 Section 12 of PPA A.O. No. 03-85

2. Scope — This Order shall cover all foreign and domestic vessels with 500 gross registered tonnage and above which dock/undock at the baseport of Davao and ail ports within the jurisdiction of PMO Davao.

3. Objective — To protect government port facilities and to ensure the safe maneuvering of vessels at the baseport of Davao and all ports within the jurisdiction of PMO Davao, through the use of tugs.

4. Guidelines

4.1 Responsibility for Ensuring Availability of Tug Assistance — The Authority shall provide tug assistance service by authorizing shipping companies or private entities to provide such service on a non-exclusive basis.

4.2 Permit to Operate Tug Assistance — No operator shall provide tug assistance within the harbor limits unless in possession of an annual permit duly issued by the Authority, subject to such terms and conditions as it may deem proper, in addition to the requirements of other agencies. The tugboat operator shall provide the equipment needed to render efficient service.

Tugboats towing/barges/lighters are exempted from the above required annual permit when utilized solely for their own barges/lighters. Otherwise, the above permit is required when servicing other vessels for purposes of this regulation.

4.3 Table of Tug Requirements — Tug assistance requirements shall be determined on the basis of the gross registered tons (GRT) of the vessels and capacity (horsepower-HP) of the tugs in accordance with the following specifications:

Vessel Tonnage

Number of Tugs

Tugboat Capacity

500-3,000 GRT

1

1,000 HP TUG**3,001-7,000 GRT**

2

2 x 1,000 HP TUG

7,001-12,000 GRT

2

1 x 1,000 HP TUG

1 x 2,400 HP TUG

12,001-20,000 GRT

2

2 x 2,400 HP TUG

Vessels with both functional bow and stem thrusters of sufficient capacity are exempted from the above tug requirements, unless the Master of the vessel opts to avail of tug services. Vessels with functional bow thrusters only are required to have fifty (50) percent of the above tug horsepower requirements.

In no case shall any vessel of 500 GRT and above be allowed to dock/undock at the baseport of Davao without the above-specified tug assistance. For other ports within the jurisdiction of PMO Davao, the same tugboat horsepower requirement shall be allowed when any of the conditions provided for in Section 12 (c) of PPA Administrative Order No. 03-85 necessitating compulsory tug assistance is present.

Non-propelled vessels such as barges/lighters are likewise exempted from the above requirement. However, they are still required to maintain their own tugboats while at berth in accordance with PPA Memorandum Circular No. 22 86.

4.4 Rates for Tug Services — Consistent with existing applicable laws, the Authority shall prescribe fees and rates for tug assistance in consultation with port users concerned. In the absence of applicable fees, the rates chargeable shall be those that are mutually agreed upon by the shipping company and the tugboat operator. In case both parties fail to agree, the Authority shall determine the rates.

4.5 Liability for Damages to Port Facilities — Any damage caused to port facilities by vessels under tug assistance service shall be the liability of the parties declared at fault, as determined under existing applicable laws.

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

6. Repealing Clause — All PPA orders which are inconsistent herewith are hereby repealed or amended accordingly.

7. Effectivity Clause — This Order shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Adopted: 03 May 2000

(SGD.) JUAN O. PEÑA
General Manager

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