WAIVER AND REDUCTION OF CERTAIN PENALTIES FOR UNACCREDITED NON-VESSEL OPERATING COMMON CARRIERS (NVOCCS), INTERNATIONAL FREIGHT FORWARDERS (IFFS) AND DOMESTIC FREIGHT FORWARDERS...

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WHEREAS, Section 4 (c) of Executive Order (EO) 133 vests on the Secretary of Trade and Industry (DTI) the authority to promulgate rules and regulations necessary to carry out Department objectives, policies, plans, programs and projects;

WHEREAS, the Philippine Shippers' Bureau (PSB), under Section 3 (h) of E.O. 514 and Section 3 (5) of its implementing Rules and Regulations and Section 41 of PSB A.O. No. 6, series of 2005, is mandated to undertake the registration/accreditation of all Non-Vessel Operating Common Carriers (NVOCCs), International Freight Forwarders (IFFs) and Domestic Freight Forwarders (DFFs); adopt appropriate measures, rules and regulations; and collect fees, charges and impose penalties in the efficient and effective implementation of its accreditation scheme;

WHEREAS, the aforementioned entities are required to secure accreditation/registration before they can operate/engage in business as such;

WHEREAS, a substantial number of companies are operating/engaging in busines as NVOCCs, IFFs and DFFs without the required PSB accreditation;

WHEREAS, a number of freight forwarding companies accredited by PSB had failed to renew their accreditation which had expired;

NOW, THEREFORE, in order to give ample opportunity for unaccredited freight forwarding companies to comply with all the requirements for accreditation, PSB is hereby granting waiver and/or reduction of certain penalties and surcharges under the following terms and conditions:

1. Covered Firms: Freight forwarding entities that are qualified to avail as follows:

1.1 Those freight, forwarding companies that have not applied for accreditation or unaccredited firms;
1.2 Those firms whose accreditation had expired and failed to renew their application on or before the actual date of publication of the herein Order.

2. Penalties, Fines and Surcharges covered by this Order: During the effectivity of this Order, covered firms, including those under litigation, may avail of the following:

2.1 Freight forwarding companies that have not applied for accreditation or unaccredited firms;

2.1.1 Fifty percent (50%) Reduction of Penalty for Engaging in Freight Forwarding Business without PSB Accreditation.

2.1.2 Non-imposition of Cease and Desist Order

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2.2 Firms whose accreditation had expired and failed to renew their application on or before the actual date of publication.

2.2.1 Fifty percent (50%) Reduction of Penalty for Engaging in Freight Forwarding Business.

2.2.2 Waiver of Imposable Fines for Non-submission and/or Late Filing of Cargo Statistics and Financial Statements.

2.2.3 Waiver of Imposable Surcharges for Late Renewal of Accreditation.

2.2.4 Non-imposition of Cease and Desist Order.

Compliance with this Order shall be for a period of three (3) months from date of publication. Failure to apply for accreditation by firms covered under this Order will be subjected to sanctions and/or penalties as provided for in PSB Administrative Order No. 6, series of 2005.

This Order shall take effect immediately after its publication in one (1) newspaper of general circulation.

Adopted: 6 May 2011

(SGD.) USEC. ZENAIDA CUISON MAGLAYA
Officer-in-Charge -DTI

Recommending Approval :

(SGD.) ATTY. PEDRO VICENTE C. MENDOZA
Director
Philippine Shippers' Bureau - DTI

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