



16 July 2010

CPA ADMINISTRATIVE ORDER NO. 02 ✓
Series of 2010.

TO : ALL CONCERNED

**SUBJECT: OMNIBUS POLICY & GUIDELINES ON THE DEVELOPMENT,
CONSTRUCTION AND OPERATION OF PRIVATE PORTS WITHIN THE
TERRITORIAL JURISDICTION OF THE CEBU PORT AUTHORITY (CPA)**

Pursuant to Republic Act No. 7621 (Charter of the Cebu Port Authority), Article IX of CPA Administrative Orders 01-2000 (CPA General Port Rules and Regulations) and Board Resolution No. 512-2010 dated 16 July 2010 of the 5th Cebu Port Commission, the following policy and guidelines are hereby prescribed for all concerned:

Article 1
Preliminary Provisions

Section 1. Policy. It is hereby the declared policy of the Authority to ensure coordination in the processing of applications to develop, construct and operate private ports consistent with Sections 5 (a) and 7 of Republic Act No. 7621 (Charter of the Cebu Port Authority).

Section 2. Scope. This order shall apply to all parties seeking for permit to develop/construct and operate a private port facility. It shall also specify the roles of CPA units and offices in the processing, evaluation and approval of these applications.

Section 3. Definition of Terms. For the purpose of this Order, the following terms used herein shall be construed to mean as indicated:

- 3.1. Authority – means the Cebu Port Authority.
- 3.2. CHSP – Cargo-Handling Service Provider, which means any person or entity engaged in the activity of rendering cargo handling services.
- 3.3. Port Charges – includes harbor fees, tonnage and wharfage dues, berthing or anchorage charges, port dues and any other dues or fees imposed by virtue of existing laws.

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- 3.4. Tariff Rates – the schedule of rates which includes tolls, fees, dues and rent imposed by the Authority.
- 3.5. General Cargo Port – a port that undertakes the handling of cargoes for loading in general non-specialized stowage areas or standard shipping units, e.g., boxes, barrels, bales, crates, packages, bundles, and pallets.
- 3.6. Government Port – a port owned, managed, and operated by the Cebu Port Authority.
- 3.7. Government Share – the percentage share that the Authority collects from port charges, wharfage and cargo-handling services in a private port.
- 3.8. Private Port – a port facility constructed, owned and operated by a private person or entity as authorized by the Authority. It is classified according to the nature of its operation and purpose, thus:
- 3.8.1 Private Non-Commercial Port – A port facility constructed, owned and operated by a private person or entity as a component of or accessory to its own business or principal economic activity and which does not offer its facilities and services to the general public. Its use by third party is only incidental to its operation of the port in view of the availability of specialized and dedicated cargo handling gears and equipment used to handle, usually homogenous cargo, unique to the private port facility, and conducted on a limited and non-commercial basis;
- 3.8.2 Private Commercial Port – A port facility constructed, owned and operated by a private person or entity which offers its port and services to the general public.
- 3.9. Privilege Fee – the annual fee paid to the Authority upon the issuance of the Certificate of Registration/Permit to Operate a private commercial port.
- 3.10. Registered Private Port – a private port that has been duly issued a Certificate of Registration by the Authority.
- 3.11. Unregistered Private Port – a private port that has no Certificate of Registration with the Authority or whose registration has already expired.

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