

**[ CPA MEMORANDUM CIRCULAR NO. 14-97, June 30, 1997 ]**

**GUIDELINES IN THE ISSUANCE OF HOLD OVER CARGO-HANDLING PERMITS**

Pursuant to R.A. 7621 and Board Resolution No. 169-97 dated 26 June 1997 of the Cebu Port Commission, these guidelines are being issued for the compliance of all concerned.

*SECTION 1. Statement of General Policy.* — It is the declared general policy of the Authority that all cargo-handling operators/company whose contracts/permits issued by the Authority have expired shall be allowed to operate on hold-over status and given a hold-over permit (Annex "A\*") subject to the conditions herein set forth.

*SECTION 2. When to Apply For Hold-Over Permit.* — Cargo-handlers with expired contracts/permit shall, within one (1) month from date hereof, file with the Authority a letter of intent to apply for a hold over permit. Any cargo-handling firm or operator who fails to apply within said period shall be deemed to be operating illegally and shall be subject to the penalties herein provided.

*SECTION 3. Clearance from RMD.* — Applicants for hold over permits/contracts with unpaid or unsettled account with the Authority shall not be given shall hold-over permits/contracts until such account shall have been fully paid and clearance from the Resource Management Division of the Authority is secured.

*SECTION 4. Terms and Conditions.* — Hold-over permits shall be subject to the following terms and conditions:

- i. the hold-over permit/contract shall be for a maximum period of one (1) year subject to early withdrawal or revocation by the Authority;
- ii. the rate of government share, area of operation, etc. of the hold-over permittee shall be the same and consistent with the provisions set forth in its expired management contract/permit;
- iii. the permittee shall execute an undertaking to abide by all policies, decisions orders, directives, rules and regulations issued by the Authority which the Authority may hereafter prescribe or issue.

*SECTION 5. Processing Fee.* — A processing fee in the amount of P3,000.00 shall be collected from each applicant for hold-over permit.

*SECTION 6. Penalty.* — In case a cargo-handling firm or operator whose contract/permit has expired fails to apply for hold-over permit within the period