

[**CPA ADMINISTRATIVE ORDER NO. 01-00, May 26, 2000**]

CPA GENERAL PORT RULES AND REGULATIONS (GPRR)

Pursuant to Sections 7, 9, and 21 of R.A. 7621 (The Charter of Cebu Port Authority) approved on 26 June 1992 and in relation to Executive Order No. 292 (Revised Administrative Code of the Philippines), and Board Resolution No. 62-2000, dated 26 May 2000, the following port rules and regulations are hereby prescribed for the guidance and compliance by all port users and others concerned in all ports and port facilities or any other premises or places within the territorial jurisdiction of the Authority, to wit:

ARTICLE I

Title and Definition of Terms

SECTION 1. Title — These Regulations shall be known as the “CPA GENERAL PORT RULES AND REGULATIONS (CPA GPRR)”

SECTION 2. Definition of Terms — For purposes of these Regulations, the terms used herein shall, unless the context indicates otherwise, mean or be understood to mean, as follows:

- a. **“Ad valorem rate”** means rate based upon the value of the goods.
- b. **“Anchorage”** means any place with sufficient depth of water where vessels anchor or may ride at anchor within the harbor.
- c. **“Approaches”** means the water area within the vicinity of a port entrance or port through which vessels navigate to seek shelter or to enter a port.
- d. **“Authority”** means the Cebu Port Authority created pursuant to R.A. 7621.
- e. **“Bad Order Container”** means container that is physically damaged which may allow exposure of cargoes to adverse conditions, natural elements, and pilferage.
- f. **“Baseport”** means the port facilities located in Cebu City, which includes the five (5) management offices (MOs) found therein.
- g. **“Basin”** means any naturally or artificially enclosed or nearly enclosed body of water in free communication with the sea.

- h. **“Berth”** means the part of the pier/wharf that is occupied by a vessel, or a place where a vessel may tie up.
- i. **“Berthing”** means the maneuvering of a vessel from the anchorage or pilot station to a berth, including the action to make fast the vessel alongside.
- j. **“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. It likewise operates as a receipt.
- k. **“Bollard”** means a strong post of metal or wood attached to the ship’s deck or on a wharf/pier for holding fast a hawser.
- l. **“Bow”** means the extreme forward end of a vessel.
- m. **“Bulkhead”** means any structure serving to divide land and water areas.
- n. **“Buoy”** means floating object serving as a navigational aid moored to the bottom to mark a channel, anchor, shoal, rock, wrecks, hazards to navigation, etc.
- o. **“Cargo Arrastre Receipt”** (CAR) means the receipt issued by the cargo handler to the shippers which specifies the type, measure, weight, and other relevant data pertaining to the cargo covered thereby.
- p. **“Cargo-handling Service Provider”** means any person or entity which is engaged in the activity of rendering cargo handling services.
- q. **“Channel”** means a natural or artificial waterway of perceptible extent which either periodically or continuously contains moving water or which forms a connecting link between two bodies of water; or part of a body of water deep enough to be used for navigation through the area otherwise too low for navigation.
- r. **“Chassis”** means an equipment used to carry containers from one place to another under the two by prime movers or tractors.
- s. **“Containerized/Container Cargoes”** means cargo packed in containers for easy handling or transporting as a unit.
- t. **“Container Freight Station”** means normally a warehouse or a transit shed adjacent to the Container Yard (CY) used for sorting and a storage of container cargo both for import and export.

u. **"Container Tally Sheet"** means cargo receipt issued by the ship's checker or agent and acknowledged by the arrastre's checker as evidence of receipt of containers. It indicates among others, the physical condition of the container.

v. **"Container Terminal"** means a port facility designed to provide an integrated use of berthing facilities for containership and harbor transport system for containers and their contents.

w. **"Container Yard"** means a designated area in a Container Terminal usually adjacent to the Marshaling Yard (MY) where containers and chassis are received, stacked and dispatched.

x. **"Dock"** includes locks, cuts, entrances, graving docks, inclined planes, slipways, quays, and other works related thereto.

y. **"Dolphin"** means a buoy or spar used in mooring a boat.

z. **"Draft"** means the depth/level of the vessel below the water line, measured vertically from effect repairs to hull and keels part of the hull.

aa. **"Dry-dock"** means a dock from which the water can be temporarily excluded, in order to effect repairs to hull and keels of ships or vessels.

bb. **"Dues"** includes harbor fees, tonnage and wharfage dues, berthing charges, and port dues and any other dues or fees imposed by virtue of existing laws.

cc. **"Dunnage"** means any material used to prop, lash, or lay under to protect and secure cargo from damage or contamination.

dd. **"Excreta"** means waste matter excreted from the body, as sweat, urine or feces.

ee. **"Fender"** means part of a pad or cushion of rope, wood, rubber, etc. hung over a ship's side to protect it when docking or when lying alongside another vessel, or placed on a berthing facility to protect the same from damage when a vessel docks.

ff. **"Filth"** means a foul dirt or disgusting matter.

gg. **"Full Container Load"** means a container loaded with cargoes belonging to a single consignee and/or covered by only one Bill of Lading.

hh. **"General Manager"** shall refer to the general manager of the Cebu Port Authority.

ii. **"Goods"** includes wares and merchandise of every description.

jj. **"Harbor"** means a protected part of the sea, lake or other body of water used by vessels as a place of safety.

kk. **"Hatch"** means an opening in ship's deck through which cargo can be lowered.

ll. **"Heavy Lift Cargo"** refers to a very large and heavy single unit cargo, usually large heavy equipment the minimum of which is 5,000 kilograms (5 tons) and which is usually discharged or loaded by a heavy lifting derrick, crane or boom. Examples of these are: locomotives, bulldozers, graders, payloaders, transit mixers, and the like.

mm. **"Length Over All"** means the length of the vessel between the extreme end of the bow and the extreme end of the stern.

oo. **"Less Container Load"** means a container loaded with cargoes belonging to more than one consignee or covered by more than one bill of lading.

pp. **"Lighter"** means any large flat-bottomed boat or barge used in transporting goods, or in loading or unloading of vessels not lying alongside piers or wharves.

pp. **"Marshalling Yard"** means a place where containers are stacked and arranged according to the sequence of withdrawal to consignee or transferred to CY-CFS or CY inside Port/Custom Zone. It is also where the containers are arranged prior to loading to a carrying vessel in accordance with the sequence of loading on the storage plan.

qq. **"Moor"** means to secure a vessel alongside the berth by means of mooring ropes.

rr. **"Municipal Port"** is one constructed and maintained by a city or municipality out of its own funds.

ss. "Nuisance per accidens" means a nuisance under certain circumstances like a factory emitting smoke in a residential district. This cannot be abated without judicial determination of the circumstances constituting as nuisance.

tt. "Nuisance Per Se" means a nuisance which affects the immediate safety of persons and property and may be summarily abated without need of judicial determination. Example of this: Occupation by private individuals of sidewalks and other public places devoted for public use.

uu. **"Outports"** means ports or port facilities which are located within a subport.

vv. **"Pier"** includes any stage, stair, landing stage, jetty, floating barge, and any bridge or other works connected therewith.

ww. **"Port"** means a place where ships may anchor or tie up for the purpose of shelter, repair, loading or discharge of cargo, or for other such activities connected with water-borne commerce, and including all the land water areas and the structures, equipment and facilities related to those functions.

xx. **"Port Facility"** shall include wharves, piers, slips, docks, bulkheads, basins, warehouses, cold storage, loading and unloading equipment and passenger terminals and accessories.

yy. **"Private Ports"** refers to ports or port facilities constructed and owned by private individuals or entities.

zz. **"Rates"** includes tolls, fees, dues and rent imposed by the Authority.

i. **"Refuse"** means anything thrown away or rejected as worthless, waste, trash.

ii. **"Rigging"** means the entire cordage system of a vessel.

iii. **"Rubbish"** means also waste, trash.

iv. **"Soot"** means black substance consisting chiefly of carbon particles formed by the incomplete combustion of burning matter.

v. **"Stern"** means the extreme after end of a vessel.

vi. **"Stripping"** means unloading goods from a container.

vii. **"Stuffing"** means loading to a container.

viii. **"Subport"** refers to a management office located outside of the baseport. This includes the outports that are within the area of its responsibility.

ix. **"Transit Shed"** means a building or shed which is situated at or near a quay, wharf or pier, and is used for the temporary or short-term storage of goods in transit, or to be shipped or discharged from a vessel.

x. **"Trimming"** means the balancing of a vessel by shifting cargo, etc.

xi. **"Vermin"** means any troublesome, filthy or destructive animals.