

**[CPA MEMORANDUM CIRCULAR NO. 35-96,
January 07, 1997]**

**POLICY AND GUIDELINES ON THE GRANTING OF EXTENSION OF
FREE STORAGE PERIOD (EFSP)**

Pursuant to Sec. 7 (b) and (i), Sec. 9 (a), (c) , (g), (k) of R.A. 7621, pertinent laws, rules and regulations, and Board Resolution No. 98-96 dated 20 December 1996 of the CPA Board of Commissioners the following policy and guidelines are hereby issued/prescribed:

SECTION 1. Statement of Policy — Except as otherwise provided herein, it is hereby the declared policy of the Authority that there shall be no extension of free storage period (EFSP).

SECTION 2. Extension of Free Storage Period When Allowed — An extension of free storage period (EFSP) may be granted by the General Manager in cases only of force majeure. So that after the lapse of the free storage period, the proper storage charges shall immediately be assessed and collected in accordance with existing rules and regulations. For purposes of this circular, force majeure shall be understood to mean any extraordinary occurrence or event which could not be foreseen, or which though foreseen, is inevitable, such as natural calamities, war, civil strife, floods, fire, riots, strikes, lock-outs, or other similar occurrences/calamities.

SECTION 3. Procedure for the Grant of Extension — Before the General Manager may grant the extension of free storage period for reasons of force majeure, the following must be compiled with:

- a) The request for extension of the free storage period (EFSP) must be filed within the free storage period or within twenty-four (24) hours immediately thereafter.
- b) The force majeure should occur during or immediately following the free storage period. The extension of the free storage period (EFSP) shall be limited only for the duration of the force majeure following the expiration of the free storage period.
- c) Request for extension due to other causes shall not be given due course.
- d) Request for extension of free storage period (EFSP) shall be processed at the Office of the General Manager of the Authority and shall be approved by the General Manager.
- e) Cargoes/Shipments covered by the requests for extension of the