

**[PPA ADMINISTRATIVE ORDER NO. 03-94, April
08, 1994]**

**GUIDELINES IN THE ASSESSMENT OF PORT CHARGES ON
VESSELS SUBJECT OF RESTRAINING/INJUNCTION/ATTACHMENT
AND SIMILAR COURT PROCESSES**

Pursuant to the provisions of Sec. (a). (iii); Sec. 20 (a) and Sec. 26 of P. D. 857, as amended, the following guidelines in the assessment of port charges on vessels subject of court restraining/injunction/attachment orders and similar court processes is hereby promulgated for the guidance of all concerned, to wit:

1. Vessels subject of a restraining/injunction/attachment and similar orders issued by court of competent jurisdiction shall not be assessed the applicable port charges for the duration thereof when the above said court order is cancelled or lifted on the ground that the same was improperly or irregularly issued or the party applying for said order is not entitled thereto.
2. Restraining/Injunction/Attachment and similar court order against vessel which is cancelled or lifted upon a bond posted by the vessel shall not exempt such vessel from port charges, unless the vessel obtains a favorable judgment in the principal action in which the aforesaid court order Post-survey was issued.
3. Cancellation or lifting of restraining/injunction/attachment and similar court order issued against a vessel upon a compromise shall not exempt the vessel from the payment of the applicable port charges.
4. Vessels otherwise exempted from port charges under this Order shall be assessed the corresponding fees if in the meantime it undertakes loading/discharging operations.

All existing issuances or portions thereof and previous PPA rulings inconsistent herewith are hereby modified accordingly.

This Circular shall take effect after fifteen (15) days following its publication in a newspaper of general circulation.

Adopted: 08 April 1994

(SGD.) CARLOS L. AGUSTIN
General Manager
