

**ASEAN MEMBER STATES DOMESTIC RULES AND REGULATIONS RELEVANT TO THE LOGISTICS AND TRANSPORT SECTORAL SERVICES**

REPORTING COUNTRY: PHILIPPINES		
No.	Sub-Sectors	Relevant Laws and Regulations
1.	Maritime cargo handling services (CPC 741)	<p><a href="#">1987 Philippine Constitution</a></p> <hr/> <p><a href="#">Executive Order No. 858 (8<sup>th</sup> Regular Foreign Investment Negative List)</a></p> <hr/> <p><a href="#">PPA Administrative Order No. 03-2009</a> [Amendment to Article III (Guidelines in the Conduct of Public Bidding) of PPA Administrative Order No. 01-2006]</p> <hr/> <p>a. <a href="#">Republic Act No. 7227</a> – The Bases Conversion and Development Act of 1992 (An Act Accelerating the Conversion Military Reservations into Other Productive Uses, Creating the Bases Conversion and Development Authority for this Purpose, Providing Funds therefor and for other purposes).</p> <p>Initial Requirements for Cargo Handling Services, which are included in the list of requirements for registration as an Subic Bay Freeport Enterprises:</p> <ol style="list-style-type: none"> <li>1. Experience/Track Record in the Operations – must have at least five (5) years of experience in cargo handling services. The past five (5) recent years record should be supported by brief description of customers; brief description of cargoes handled; cargo handling methodology; and equipment used during the course of service;</li> <li>2. Company Certification – must have a certification from previous or current company clients describing the kind of cargoes handled and the duration of service rendered;</li> <li>3. Availability of Equipment – must have a minimum requirement of two (2) forklifts; ten (10) hauling trucks; and a 50 tonner mobile crane with description and technical specification;</li> <li>4. Resume of incorporators and key officials in the operations;</li> <li>5. Minimum of four (4) gangs with twelve (12) dock workers per gang; and</li> <li>6. Business Model Canvass.</li> </ol>
2.	Storage & warehousing services (CPC 742)	
3.	Freight transport agency services (CPC 7480)	
4.	Other Auxiliary Services	

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5.	Courier Services Packaging Services	
6.	Packaging Services	
7.	Customs clearance services	
8.	International Freight Transportation excluding Cabotage	<ol style="list-style-type: none"> <li>1. <a href="#">Presidential Decree No. 760, 866/1711</a> and its Implementing Rules and Regulations</li> <li>2. Executive Order Nos. <a href="#">438</a> and <a href="#">667</a></li> <li>3. <a href="#">Memorandum Circular No. 182</a></li> <li>4. <a href="#">Republic Act No. 7471</a>, as amended by <a href="#">RA No. 9301</a></li> <li>5. <a href="#">Republic Act No. 9295</a> and its Implementing Rules and Regulations</li> </ol> <ul style="list-style-type: none"> <li>• A ship approved by MARINA to be registered under the Philippine Register of Ships pursuant to MARINA Memorandum Circular No. 182 shall be issued a Certificate of Philippine Registry.</li> <li>• Cabotage is enforced in the Philippines. Under Section 6, Chapter III of RA No. 9295 on the “Deregulation of the Domestic Shipping Industry – Authority of the MARINA”, no foreign vessel shall be allowed to transport passengers or cargo between ports or places within the Philippine territorial waters, except upon the grant of Special Permit by the MARINA when no domestic vessel is available or suitable to provide the needed shipping service and public interest warrants the same.</li> </ul>
9.	International rail freight transport services	<ol style="list-style-type: none"> <li>a. <a href="#">Republic Act No. 4156</a> (An Act Creating the Philippine National Railways, Prescribing its Powers, Functions and Duties, and Providing for the Necessary Funds for its Operation)</li> <li>b. <a href="#">Republic Act No. 6366</a> (An Act to Provide the Rehabilitation and Modernization of the Philippine National Railways by Amending Sections 1, 3, 5, 9, 11, 12, 14, and 17 of Republic Act No. 4156).</li> <li>c. <a href="#">Presidential Decree No. 741</a> (Amending Certain Provisions of Republic Act No. 4156 as amended by Republic Act No. 6366).</li> <li>d. <a href="#">Republic Act No. 10638</a> (An Act Extending the Corporate Life of the Philippine National Railways for another fifty (5) years, further amending for the purpose of Republic Act No. 4136 as amended)</li> </ol>

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		<p>e. <a href="#">Republic Act No. 4136</a> The Land Transportation and Traffic Code (An Act to Compile the Laws relative to Land Transportation and Traffic Rules, to Create a Land Transportation Commission and for other Purposes). Specifically Section 42 (D) which affirms that PNR has the Right-of-Way (ROW) in a railroad crossings:</p> <p>f. <a href="#">Commonwealth Act No. 146</a> (The Public Service Law)</p>
10.	International road freight transport services	<p>a. <a href="#">Republic Act No. 4136</a> The Land Transportation and Traffic Code (An Act to Compile the Laws relative to Land Transportation and Traffic Rules, to Create a Land Transportation Commission and for other Purposes).</p> <p>b. <a href="#">Commonwealth Act No. 146</a> (The Public Service Law)</p>

Other relevant regulations: [http://www.marina.gov.ph/policies/policies\\_main.html](http://www.marina.gov.ph/policies/policies_main.html)

*Note:*

*\*\*The Philippines has no international road and rail freight transport services connections. Hence, the above rules and regulations are for domestic operations only.*