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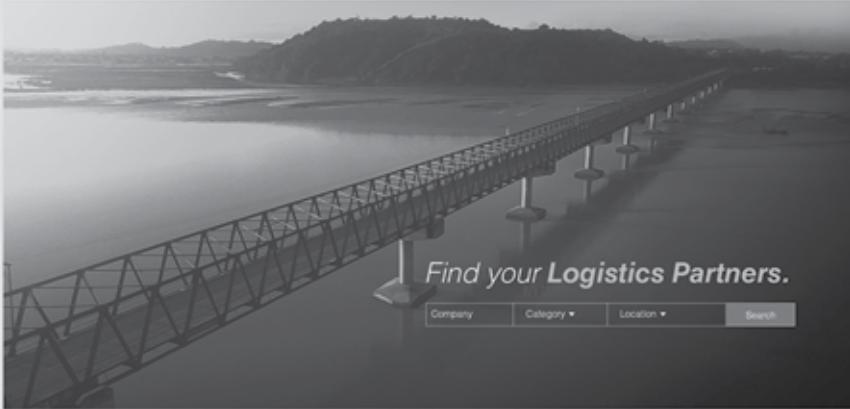
WEDNESDAY April 28, 2021

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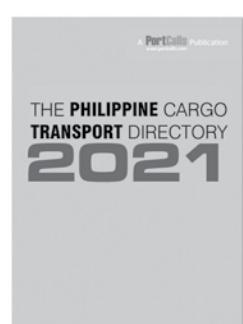
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PSA bill should include sea, air ports as 'critical' infra, say domestic lines

- The Philippine Inter-island Shipping Association recommends the inclusion of sea and air ports among "critical" infrastructure facilities under Senate Bill 2094, which aims to amend the Public Services Act*
- Common carriers, including domestic ships, are part of critical infrastructure under SB 2094 but not sea and air ports*
- Reciprocity should be on a "one on one basis" within the same specific industry sector and not on general terms*

THE Philippine Inter-island Shipping Association (PISA) has offered recommendations to the Senate bill seeking to amend the Public Services Act (PSA), including adding sea and air ports to the list of "critical infrastructure" system to "complete the supply chain."

In a letter to Senate Committee on Public Services chair Senator Grace Poe dated April 7, PISA also expressed concern over the bill's reciprocity provision, saying reciprocity should operate on a "one-on-one basis" within the same specific industry sector and not on general terms.

Senate Bill (SB) No. 2094 aims to

Turn to page 5

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PPA ok's temporary hike in weight limits for certain trucks in Romblon

- The maximum gross weight allowed for certain roll-on/roll-off (Ro-Ro) vehicles going in and out of Romblon ports has been increased and is in effect until June 30, 2021
- Philippine Ports Authority (PPA) approved the appeal made by the lone district representative of Romblon, taking into account adverse effects of the COVID-19 pandemic on the trucking sector
- The identified truck types are exempt from compliance to PPA Administrative Order No. 05-2020, which prescribes the new allowable maximum gross weight for Ro-Ro vehicles
- The authority and responsibility of the master of the Ro-Ro ship in determining the safe loading capacity of the cargo deck will still be observed

THE Philippine Ports Authority (PPA) has approved the temporary increase in allowable maximum gross weight for certain roll-on/roll-off (Ro-Ro) vehicles going in and out of Romblon ports until June 30, 2021.

In a memo dated April 22, PPA general manager Jay Daniel Santiago said it




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has granted the appeal of lone district of Romblon representative Leandro Jesus

Madrona to allow the temporary increase in the maximum gross weight of certain

truck types until end-June to ease the effect of the COVID-19 pandemic. Turn to page 12

BOC seizes various smuggled items, shabu worth P66M

- The Bureau of Customs seized various smuggled items, including medical supplies, worth an estimated P65 million from a warehouse in Binondo, Manila
- BOC also apprehended 240 grams of methamphetamine hydrochloride, locally known as shabu, worth P1.632 million

VARIOUS smuggled items, including medical supplies, worth an estimated P65 million and 240 grams of methamphetamine hydrochloride worth P1.632 million were recently seized in separate occasions by the Bureau of Customs (BOC).

BOC-Manila International Container Port's Customs Intelligence and Investigation Service and Enforcement and Security Service, in coordination with the Philippine Coast Guard and National Bureau of Investigation, recently conducted an inspection of a warehouse in Binondo, Manila where they discovered the various smuggled items, including lotions, creams, speakers, 3M face masks, and Aidelai facemasks, which are not approved by the Food and Drug Administration (FDA), BOC said in a statement.

Further investigation and inventory is being conducted for possible violation of Section 1400 (Misdeclaration, Mis-

classification, Undervaluation, in Goods Declaration) of Republic Act 10863, also known as the Customs Modernization and Tariff Act (CMTA).

Also seized by BOC-Ninoy Aquino International Airport, Philippine Drug Enforcement Agency (PDEA), and NAIA Inter-Agency Drug Interdiction Task Group in a warehouse in Pasay City was a package containing various tea products with 240 grams of methamphetamine hydrochloride, locally known as shabu.

One of the tea product's packaging was used to conceal a white crystalline substance, suspected as shabu, later confirmed by the PDEA laboratory.

The package was shipped from Malaysia, where the P1.63 billion worth of shabu wrapped in tea packaging and seized on October 31, 2020 also originated.

Declared as "assorted foodstuff", the package was shipped by a certain Yong Lee Chei and sent to a consignee in Caloocan City.

The package was turned over to PDEA on April 23 for case profiling and build-up against persons responsible, and for possible prosecution for violation of RA 9165 or the Comprehensive Dangerous Drugs Act, in relation to Section 119 (Restricted Importation) and Section 1401 (Unlawful Importation) of the CMTA.

Trade dept looks into dumping of cement from Vietnam

- The Department of Trade and Industry (DTI) is initiating an anti-dumping investigation on cement from Vietnam alleged to be imported into the Philippines at dumped prices
- There was a substantial margin of dumping from July 2019 to June 2020 based on the domestic wholesale and export prices as gathered by the cement industry
- The local industry has suffered loss of market share; declining domestic sales, production, utilization rate; reduction in employment; and increased cost of production and inventory as a result

THE Department of Trade and Industry (DTI) is initiating an anti-dumping investigation on cement from Vietnam following allegations these are being imported at dumped prices, hurting the domestic cement industry.

This follows the individual applications for an anti-dumping investigation lodged last year by Cemex Philippines; Holcim Philippines, Inc.; and Republic Cement Builders and Building Materials, Inc. These local cement manufacturers alleged that imports of cement originating from the Southeast Asian country are

being dumped in the country and causing injury to the domestic industry.

In an April 20 notice, Trade Secretary Ramon Lopez said DTI, acting under Republic Act (RA) 8752 or the Anti-Dumping Act of 1999, reviewed the evidence provided with the application and "has determined the existence of sufficient evidence to justify the initiation of an investigation."

Section 2 of RA 8752 provides that it is "the policy of the State to protect domestic enterprises against unfair foreign competition and trade practices. Towards this end, substantive and procedural remedies available to domestic enterprises shall be strengthened and made responsive to recent developments in world trade."

The products covered by the petition fall under AHTN Codes 2523.29.90 and 2523.90.00 for Type 1 and Type 1P cement. These types are use for high-strength concrete designs with a minimal cement factor requirement (ready-mixed concrete), projects with tight completion schedules, pre-cast and pre-stressed concrete, and infrastructure projects such as roads, dams, bridges, railway structures, mega-structures, high-rise buildings, and condominiums.

In a report on the initiation of investigation, DTI said there was a substantial margin of dumping of cement from Viet-

nam from July 2019 to June 2020 based on the domestic wholesale and export prices as gathered by the cement industry. The industry claimed that the dumped imports of cement began causing injury in 2019.

DTI said the volume of dumped imports and significant dumping margins have affected the operations of the local industry.

Since 2019, despite the safeguard duty, the volume of dumped imports to Philippine cement imports from Vietnam accounted for 31% of total imports in 2019 (July to December) and has increased to 62% in 2020 (January to June).

Under RA 8752, the volume of the allegedly dumped products from a particular country should normally be regarded as negligible if it accounts for less than 3% of the total imports.

DTI noted that the volume of allegedly dumped cement product satisfies the de minimis volume requirement of 3%.

The volume of cement imported from Vietnam also exhibited an increasing trend, rising by 29% between 2017 and 2018, and by a further 28% in 2019.

According to the cement industry, Vietnam has been a major threat to the Philippine market as a source of cheap cement imports.

A comparison between the export

price and normal value of cement from Vietnam for July to December 2019 also indicated a dumping margin ranging from US\$1.75 per metric ton (MT) to \$5.36 per MT or 3.49% to 10.66%. For January to June 2020, dumping margins ranged from \$1.66 per MT to \$6.54 per MT or 3.31% to 14.46%.

DTI said also harming the local industry is price undercutting, which was determined at 23% in 2019 and 24% from January to June 2020.

"The industry suffered loss of market share, declining domestic sales, production, utilization rate, reduction in employment, increased cost of production and inventory," DTI said.

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ATI earmarks P6B for equipment, facility upgrades this year

- Port operator Asian Terminals Inc. (ATI) is investing an estimated P6 billion this year in step with its growth strategy and investment commitments to the government
- The investment will be used to acquire more modern cargo-handling equipment and develop logistics infrastructure projects at its terminals and facilities in Manila, Batangas, Laguna, and Cavite
- For this year, ATI expects volumes to be better than last year's but does not see a return to pre-pandemic levels until 2022 or 2023

PORt operator Asian Terminals Inc. (ATI) is investing an estimated P6 billion this year to acquire more modern cargo-handling equipment and develop related logistics infrastructure projects at its terminals and facilities in Manila, Batangas, Laguna and Cavite.

ATI in its 2020 annual report said the investment is in step with its growth strategy and its investment commitment with the Philippine Ports Authority.

This year's budget is much higher than last year's P2 billion investment, which is lower than annual capital expenditures in the previous years. The decline was "a result of delays in ongoing investments and construction due to COVID-19 quarantine limitations and also deferment of

some investments due to lower volumes in 2020," ATI executive vice president William Khoury explained during the company's recent virtual annual stockholders' meeting.

ATI closed 2020 with nearly 1.3 million twenty-foot equivalent units (TEU) handled, 19% lower than the record volume of 1.61 million TEUs it handled in 2019.

The company posted a 20.4% decline in net income last year to P2.96 billion from P3.71 billion in 2019.

The port operator noted, however, that total cargo volume handled in the second half of 2020 grew compared to the first half of the year, cushioning the negative impact of COVID-19 on its bottom line.

For this year, Khoury said they expect volumes to be better than last year's but "the company does not expect volumes to return to pre-pandemic levels until 2022 or 2023."

Last year, additional container yards were developed in the Manila South Harbor expanded port zone. This included converting old warehouses into added backup space. Two container blocks adjacent to the main yard came on stream last year, adding over 2,000 TEUs in static container capacity.

Other major port infrastructure undertakings also made headway last year, including the Pier 3 berth extension which will pave the way for the deployment of two ship-to-shore cranes and new rubber-tired gantry cranes in the terminal. Upon project completion, this will bring Manila South

LBC net income down 58% in 2020

- LBC Express Holdings reported a net income after tax of P201.22 million in 2020, a 58% drop from 2019
- Service revenues declined 7% as the COVID-19 pandemic affected retail and corporate customers locally and overseas
- LBC intends to reposition services toward new consumer needs and behaviors, and innovate in view of accelerated consumer shift to e-commerce
- LBC Express Holdings, Inc. reported a 58% decline in profit in 2020 due to lower revenues and higher operating expenses related to the impact of the COVID-19 pandemic.

LBC said its net income after tax in 2020 amounted to P201.22 million, 58% lower than the P475.82 million posted in 2019 due to a decline in revenues as its retail and corporate customers locally and overseas were affected by the crisis.

The decline was driven by a 7% shortfall in revenues; higher depreciation and amortization by 5% related to an increase in amortization of right-of-use assets and additional capital expenditures for new branches and warehouses; an increase in salaries and benefits relative to the manpower for new warehouses and branches; and an increase in operating expenses mostly related to the pandemic.

Service revenues reached P14.12 billion in 2020, a 7% decrease from P15.21 billion in the previous year, attributable to decreased demand during the worldwide lockdowns in the second quarter of the year.

LBC in a statement said its branches remained open and delivery services were operational despite the pandemic, but the company experienced extended lead times due to safety, security and varied travel restrictions.

Revenues were recouped in the third and fourth quarters of last year as consumer

demand started to increase and operations to normalize, LBC noted.

Cost of services was reduced by 5% to P10.65 billion in 2020 from P11.26 billion in 2019 due to the lower volumes of acceptance in the second quarter. The cost of delivery and remittance likewise decreased by 13%, driven by the volume decline and more cost-efficient methods of transport implemented by the group.

To serve increased demand for courier and money services to support various nationwide quarantine scenarios, LBC said it continues to adapt and adjust its capacities and services and ensure the health and safety for its employees and customers.

The group noted that many initiatives and protocols were implemented in LBC branches since the pandemic began.

Last year, additional exchange warehouses were established to cater to the volume increases and to observe proper social distancing at all service locations. Additional roll-on/roll-off trucks were acquired to move shipments to the Visayas and Mindanao areas due to the reduced airline capacity and infrequent flights.

A pick-up service was also introduced for more options and convenience to customers, with 100% booked pick-ups served. Moreover, capacities and resources were reinforced by hiring additional manpower to ensure a continu-



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Harbor's annual capacity to 1.9 million TEUs from the current 1.5 million TEUs, in time for the expected market resurgence post-pandemic.

In Batangas, civil works for the new passenger terminal started last year. Once completed, the new PTB will be able to ac-

commodate 4,000 passengers at any given time, double its current daily capacity.

The Philippine Ports Authority general manager Jay Daniel Santiago earlier forecast that cargo volumes in the country would grow by 7% and container traffic by 6% to 8% this year.

shift of consumers to e-commerce.

With this, LBC said it has been expediting its digital services both for retail and corporate customers.

The group currently has a network of over 1,500 branches in the Philippines, over 300 hubs and warehouses, and thousands of partners and agents in over 30 countries.



Understanding Incoterms 2020

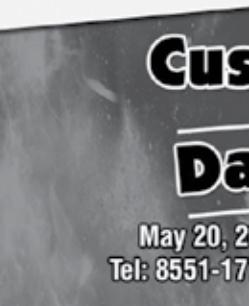
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Vegga Kappa	21012N	OMIT	6-May		12-May	OMIT	13-May

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Mitra Bhumi	21015N	2-May	3-May		7-May	8-May	9-May
TS Laemchabang	21011N	9-May	10-May		14-May	15-May	16-May

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Jack London	OKRJYN	6-May	8-May	15-May	10-Jun
Spirit of Hong Kong	OKRJ2N	13-May	15-May	22-May	17-Jun

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LCT: CARGO: NORTH SAT 0500H / SOUTH FRI 1000H

FEEDER VESSEL	VOY.	ETD MNL (STH)	ETD MNL (NTH)	ETA SHA WGQ4	ETA NBO
Seoul Tower	116W	20-Apr	21-Apr	26-Apr	27-Apr
Eridiki G	117W	27-Apr	28-Apr	3-May	4-May

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Green Earth	20N	3-May	4-May	8-May	10-May
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Seaspan Lumaco	116N	4-May	8-May	10-May	12-May
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SEASPA NEW YORK	019N	APR 26	APR 28	019S	MAY 1	MAY 2	MAY 2	MAY 4	MAY 8	MAY 10
ALS FAUNA	098N	MAY 2	MAY 4	098S	MAY 8	MAY 9	MAY 9	MAY 11	MAY 17	MAY 19
SEASPA NEW YORK	020N	MAY 8	MAY 10	020S	MAY 13	MAY 14	MAY 14	MAY 16	MAY 22	MAY 24
ALS FAUNA	099N	MAY 17	MAY 19	099S	MAY 24	MAY 24	MAY 24	MAY 26	JUN 1	JUN 3

SINGAPORE / SOUTH PHILIPPINES EXPRESS (SPE)

VESSEL	Inbound VOY	SINGAPORE		Outbound VOY	GENSAN		DAVAO		SINGAPORE	
		ETA	ETD		ETA	ETD	ETA	ETD	ETA	ETD
MIA SCHULTE	0CS2BR1NC	APR 24	APR 26	0CS2BR1NC	MAY 2	MAY 4	APR 30	MAY 1	MAY 7	MAY 8
ELEFTERIAEXPRESS	0009E	APR 30	MAY 1	0009W	MAY 5	MAY 7	MAY 7	MAY 9	MAY 13	MAY 14
MIA SCHULTE	0CS2DR1NC	MAY 7	MAY 8	0CS2DR1NC	MAY 12	MAY 14	MAY 14	MAY 16	MAY 20	MAY 21
ELEFTERIAEXPRESS	0010E	MAY 13	MAY 14	0010W	MAY 19	MAY 21	MAY 21	MAY 23	MAY 27	MAY 28
MIA SCHULTE	0CS2FR1NC	MAY 20	MAY 21	0CS2FR1NC	MAY 26	MAY 28	MAY 28	MAY 30	JUN 3	JUN 4

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PSA bill should include sea, air ports as 'critical' infra...

clear "the ambiguity surrounding the interchangeably used terms 'public utility' and 'public service,'" and limit public utility to just three services—distribution of electricity; transmission of electricity; and water pipeline distribution and sewerage pipeline systems.

Transportation, telecommunications, broadcasting, and other public services are excluded from the definition of public utility under the measure. The exclusion will effectively allow 100% foreign ownership in these industries as they will no longer be considered public services or be covered by the 60%-40% ownership principle under the Constitution.

Under SB 2094, sea and air ports are not classified as critical infrastructure although common carriers are. Common carriers are persons, corporations, firms or associations engaged in the carriage or transport of passengers or goods or both, by land, water, or air, for compensation, offering their services to the public, as defined by Article 1732 of Republic Act No. 386 (Civil Code of the Philippines), as amended.

Also included in the SB 2094 list of critical infrastructure are transmission and distribution of electricity, water and sewerage pipeline systems, and telecommunications. Critical infrastructure, according to the bill, refers to systems and assets vital to the country that the incapacity of such assets would debilitate national security. One of the reasons why PISA wants to keep domestic shipping as a public utility is national security.

Under SB 2094, any proposed foreign investment in sectors listed as critical infrastructure will require a review by the National Security Council. With sea and air ports not listed as critical infrastructure, investments in them are automatically not subject to review.

Since the intent of the "critical infrastructure" provision is to ensure the country's national security at all times, PISA said "we must ensure that these essential services are not compromised even if an investor without the same commitment to our country puts in a lot of capital into

our country."

The group therefore expressed "concern on how the provision (on reciprocity) is satisfied" under SB 2094.

The measure's reciprocity clause provides that foreign nationals may own more than 40% of public services identified as critical infrastructure only if their country accords a reciprocal right to Filipinos by law, treaty or international agreement.

"Reciprocity may be satisfied by any form or arrangement of exchange that is beneficial to Filipinos, including according rights of similar value in other economic sectors, as may be determined by the Director-General of the National Economic and Development Authority," according to SB 2094.

But PISA pointed out: "Allowing reciprocity clause to include investment in any economic sector is in effect compromising the very purpose and essence of ensuring the viability of essential critical infrastructure."

It added, "If the reciprocity clause must be retained, we recommend that the reciprocity be on a 'one on one basis' within the same specific industry sector—allowing foreign nationals to own more than 40 percent in sea, air, and land public transport assets and infrastructure, only if their own countries accord the same privilege to Filipinos in the same business activity, with the same potential business value and opportunity, and with consideration by not only NEDA but by the Department of National Defense."

For example, PISA said reciprocity in the case of an Indonesian or Japanese shipping company investing in the domestic trade without a Filipino partner should allow a Filipino shipping company "to also enter the very strict Indonesian and Japanese cabotage regime which for small ships

requires 100 percent ownership."

Since Indonesia has more islands than the Philippines, PISA noted that reciprocity in their respective shipping industries could potentially be a more than "one-on-one," which would not be a fair exchange.

On the other hand, if a Singaporean shipping company invests in the Philippines, "we would not have the ability to also benefit from their trade since Singapore does not have an equivalent scale for coastal trade."

SB 2094 is pending second reading, while its counterpart measure in the Lower House, House Bill (HB) 78, was passed on third

and final reading in March 2020. SB 2094 substitutes various Senate bills filed in the Senate to amend the PSA, and takes into consideration HB 78.

Last March, the Senate Public Services Committee chaired by Poe endorsed the approval of SB 2094. President Rodrigo Duterte certified the PSA bill as urgent on April 13. —Roumina Pablo



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PACIFIC SOUTHWEST 4 SERVICE via KAOHSIUNG									
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ALS FAUNA	098S	05/11	05/16	ONE HOUSTON	0045E	05/20	06/16	06/20	06/25
SEASPA NEW YORK	020S	05/17	05/22	ONE COSMOS	0080E	05/30	06/24	06/27	06/30
LCT DOCS: FRI 0800H * LCT CNTR: FRI 0800H									
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ALS FAUNA	098S	05/11	05/16	ONE HANNOVER	0084W	05/31	06/22	06/25	06/28
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LCT DOCS: FRI 0800HRS * LCT CNTR: FRI 0800HRS									
FAR EAST PENDULUM 2 (FP2) VIA SGSGIN									
FEEDER VESSEL	VOY. NO.	ETD MNL	ETA SIN	MOTHER VESSEL	VOY. NO.	ETD SIN	RTM	HAM	ANR
SEASPA NEW YORK	019S	05/03	05/08	YM WREATH	0017W	05/21	06/13	06/15	06/18
ALS FAUNA	098S	05/11	05/16	ONE BLUE JAY	0022W	05/23	06/15	06/17	06/20
SEASPA NEW YORK	020S	05/17	05/22	ONE CYGNUS	0007W	05/26	06/18	06/20	06/23
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SEASPA NEW YORK	019S	05/03	05/08	ONE MACKINAC	0027W	05/16	06/09	06/12	06/16
ALS FAUNA	098S	05/11	05/16	UMM SALAL	0024W	06/27	06/17	06/19	06/30
SEASPA NEW YORK	020S	05/17	05/22	UMM SALAL	0024W	06/27	06/17	06/19	06/30
LCT DOCS: FRI 0800H * CNTR: FRI 0800H									
MED2 (MD2) SERVICE via SINGAPORE									
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ALS FAUNA	098S	05/11	05/16	AL MURABBA	0017W	05/27	N/A	06/11	06/14
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PPA ok temporary hike in weight limits for certain trucks...

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fects of the COVID-19 pandemic on the island province.

The memo exempts identified truck types from complying with PPA Administrative Order (AO) No. 05-2020, which prescribes the new maximum gross weight for Ro-Ro vehicles and rationalizes the basis for determining their allowable maximum gross weight when weighed at PPA ports.

AO 05-2020, which took effect in August last year, was issued to conform to the allowable maximum gross vehicle weight prescribed by the Department of Public Works and Highways and Department of Transportation (DOTr) under the amended implementing rules and regulations of Republic Act (RA) No. 8794, or An Act Imposing a Motor Vehicle User's Charge on Owners of all Types of Motor Vehicles and for other purposes.

Santiago said the exemption takes into account "the representation that the COVID-19 pandemic adversely impacted the trucking sector in the Province of Romblon and those dependent

on inter-island transportation of prime commodities..."

The temporary allowable maximum gross weight set by PPA is as follows:

- Trucks with 2 axles (6 wheels) – 23,000 kilograms (Under AO 05-2020, the maximum gross weight allowed should only be 18,000 kg)
- Trucks with tandem rearaxle, 3 axles (10 wheels) – 38,300 kg (from 33,300 kg)
- Truck with tridem rear axle, 4 axles (14 wheels) – 40,600 kg (from 35,600 kg)
- Truck-semi trailer with 2 axles at motor vehicle and 1 axle at trailer (10 wheels) – 39,000 kg (from 34,000 kg)
- Truck-semi trailer with 2 axles at motor vehicle and 2 axles at trailer (14 wheels) – 45,600 kg (from 40,600 kg)
- Truck-trailer with 2 axles at motor vehicle and 2 axles at trailer (14 wheels) – 44,700

kg (from 39,700)

The authority and responsibility of the master of the Ro-Ro ship to determine the safe loading capacity of the cargo deck will still be observed, in keeping with Department of Transportation and

Communications (now DOTr) Department Order No. 2003-39 (Revised rules and regulations to implement Executive Order No. 170-A expanding the coverage of the Road Ro-Ro Terminal System). – **Roumina Pablo**



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