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# PortCalls

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## BIR ruling retains zero VAT on local purchases for 17 years

- Exporters can now continue to avail of zero VAT on their local purchases of goods and services
- But the availment will only be for a maximum of 17 years, unless otherwise extended
- Under Revenue Regulation 21-2021, the VAT exemption on importation and VAT zero-rating on local purchases will only apply to goods and services directly and exclusively used in the registered project or activity of a registered export enterprise
- The regulation covers transactions entered into the third quarter of taxable year 2021 and onwards
- Zero-rated sale of goods or properties and zero-rated sale of service by a VAT-registered person are taxable transactions for VAT purposes but should not result in any output tax
- RR 21-2021 took effect immediately following its publication on December 10

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## Container deposit refund system goes live

- Importers and customs brokers can now register with an online system that simplifies and speeds up container deposit refund
- The Container Ledger Account went live for pilot-testing on December 1
- CLA fee is being waived for the whole month of December

aims to simplify and speed up container deposit refund.

CLA went live for pilot-testing on December 1. It already has several non-vessel operating common carriers, customs brokers and consignees as subscribers, Mahendrarajah Selvaraja (Mahen), president and chief executive officer of Malaysia-based D&D Control (M) SdnBhd, told PortCalls in an email.

The Association of International Shipping Lines (AISL) earlier tapped

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IMPORTERS and customs brokers can now register with the Container Ledger Account (CLA), an online system that



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## MARINA rolls out online processing of shipping applications

- The Integrated Domestic Shipping Information System began implementation on December 1
- IDSIS is a web-based application system that automates processing of various domestic shipping-related applications
- IDSIS is part of the Maritime Industry Authority's campaign to promote transparency and ease of doing business

THE Maritime Industry Authority (MARINA) is now implementing a web-based application system that automates processing of various domestic shipping-related applications.

Starting December 1, all applicants were advised to file their applications through MARINA's Integrated Domestic Shipping Information System (IDSIS), according to MARINA Advisory (MA) No. 2021-70.

Applications include the following transactions:

- Accreditation of maritime enterprises/entities
- Vessel name clearance
- Authority to Acquire Ship
- Issuance of Tonnage Measurement Certificate
- Certificate of Ownership/Certificate of Philippine Registry
- Registration of Recreational Boat
- Issuance of Coastwise/Bay and River/Pleasure Yacht License

Applicants should send an email request to MARINA's Management Information Systems Service (MISS) on creating an account so they will be able to access IDSIS through <https://idsis.marina.gov.ph/>. A step-by-step procedure on how to use the system is also available in MARINA's website.

MA 2021-70 said IDSIS is part of MARINA's campaign to promote trans-

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parency and ease of doing business.

According to the system's user's manual, IDSIS provides "an end-to-end solution which includes online filing of application, online submission of the documentary requirements, online payment thru third party, capturing details of the applications, online submission of inspection data, automatic generation of certificates/licenses/ approvals and generation of management reports."

IDSIS will "improve the services of MARINA specifically on data capturing, application processing, production

and issuance of the different certificates/licenses/ approvals."

IDSIS was pilot-tested last March by several MARINA central and regional offices.

MARINA MISS officer-in-charge Luisito Delos Santos earlier said the direction of MARINA is to automate all its processes, including the issuance of electronic certificates.

With IDSIS, shipping line representatives no longer have to go to MARINA offices; they can print their electronic certificates in their offices using QR codes. Delos Santos said port authorities and the

Philippine Coast Guard will be advised to honor the electronic certificates.

Phase I of IDSIS covers applications processed by the Domestic Shipping Service and Shipyard Regulation Service, while Phase II will cover vessel inspection and issuance of safety certificates by Maritime Safety Service.

MARINA early this year said it had begun preparations for a four-year roadmap that will modernize its information technology equipment and facilities, integrate and develop information systems, and automate its processes nationwide. — **Roumina Pablo**

## PH imports up 25.1%, exports 2% in Oct

- Merchandise trade grew 15.2% in October 2021, its ninth consecutive month of improvement
- Imports increased 25.1% while exports rose 2%
- Trade deficit in October 2021 grew 96.1% to \$-4.02 billion
- Electronic products remained the country's top import and export commodity
- Raw materials and intermediate goods for imports and manufactured goods for exports were the top major types of goods

tive month of improvement, according to data from the Philippine Statistics Authority.

The country's trade amounted to US\$16.84 billion in October 2021, up from \$14.622 billion in the same month in 2020. This is the ninth month in a row of improvement after the February 2021 modest growth broke 12 straight months of decline since February 2020. Trade in March 2020 and the succeeding months was affected by restrictions in both production supply chains and global trade flow due to the COVID-19 pandemic.

Of the total external trade in October 2021, 61.9% were imported goods, while the rest were exported goods.

Trade deficit in October 2021 grew 96.1% to \$4.02 billion from \$2.048 billion in October 2020.

Imports amounted to \$10.43 billion, higher by 25.1% from the \$8.335 billion in October last year.

The annual increment was due to the increase in eight out of top 10 major commodity groups led by mineral fuels, lubricants and related materials with a 163.7% increase. This was followed by medicinal and pharmaceutical products (145.2%); and industrial machinery and equipment (38.4%).

From January to October 2021, imports rose 29.7% to \$95.31 billion from \$73.48 billion in the same period last year.

Exports likewise saw a 2% increment to \$6.41 billion in October 2021 from \$6.287 billion in October 2020.

Of the top 10 major commodity groups in terms of the value of exports, seven were recorded with annual increases led by coconut oil (76.9%). This was followed by cathodes and sections of cathodes, of refined copper (56.0%), and chemicals (53.7%).

From January to October 2021, exports grew 16.1% to \$62.10 billion from the export value earned from January to October 2020.

Electronic products remained the country's top imported commodity with a 27.5% or \$2.85 billion share to the total. It also continued to be the country's top export

with 57% or \$3.65 billion.

By major type of goods, imports of raw materials and intermediate goods still accounted for the largest share of 40.1% or \$4.18 billion of the total. Manufactured goods, meanwhile, remained to have the biggest share to the total exports with 82% or \$5.26 billion.

Imports of personal protective equipment (PPE) and medical supplies, including COVID-19 vaccines, increased to \$186.11 million in October 2021, indicating an annual increment of 739.7% from its value in the same month of the previous year.

In October 2021, the total import of the COVID-19 vaccine was valued at \$174.20 million.

Exports of PPE and medical supplies, meanwhile, continued to drop 85% to \$1.35 million, marking its ninth month of decline.

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PHILIPPINE merchandise trade grew 15.2% in October 2021, its ninth consecu-

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## Cebu Pacific boosts Manila-Bacolod service with daily flights

- Cebu Pacific adds daily flights to its Manila-Bacolod service beginning December 16, 2021
- This brings total weekly flights to 16
- Cebu Pacific will operate Manila-Bacolod flights twice daily, on top of its twice-a-week flights exclusively for fully vaccinated passengers until January 15, 2022

LOW-COST carrier Cebu Pacific adds daily flights from Manila to Bacolod beginning December 16, 2021, bringing its total flights to 16 every week.

Cebu Pacific will operate Manila-Bacolod flights twice daily, on top of its twice-a-week flights exclusively for fully vaccinated passengers until January 15, 2022.

To date, about 51.65% of Negros Occidental's target population have received the first dose of COVID vaccine, based on Department of Health Region 6 data as of December 6.

To support inoculation efforts, Cebu Pacific will continue to waive fees for baggage in excess of 5 kilograms until January 15, 2022, exclusively for fully vaccinated passengers flying to and from Bacolod with pre-purchased baggage. To claim this benefit, passengers must present their vaccination card or certificate at the Cebu Pacific check-in counters.

The airline also operates a flight between Cebu and Bacolod once a week, or every Tuesday.

Cebu Pacific said all its active flying crew have been fully vaccinated through its own employee vaccination program, JG Summit COVID Protect, and through various partnerships with local government units in the country.

CEB operates the widest domestic network in the Philippines covering 33 destinations, and has flights to 12 international destinations.

## BIR ruling retains...

EXPORTERS can now continue to avail of the value-added tax (VAT) zero rating on their local purchases of goods and services, but only for a maximum of 17 years, unless otherwise extended, according to Bureau of Internal Revenue (BIR) Revenue Regulations (RR) No. 21-2021.

RR 21-2021, issued on December 7 and published on December 10, amends certain provisions of RR 16-2005, as amended by RR 4-2007, 13-2018, 26-2018 and 9-2021 to implement Sections 294 (E) and 295 (D), Title XIII of the National Internal Revenue Code (NIRC) of 1997, as amended by Republic Act No. 11534 (Corporate Recovery and Tax Incentives for Enterprises Act), and its implementing rules and regulations (IRR).

RR 21-2021 was issued following deferral in July of RR 9-2021 implementation. RR 9-2021 imposed a 12% VAT on indirect exports and sale of services previously zero-rated.

RR 21-2021 took immediate effect following its publication on December 10, and will cover transactions entered into the third quarter of taxable year 2021 and onwards.

Various groups earlier called on government to repeal RR 9-2021, saying it

*Continued from page 1*  
would hurt both the export community and local industries, already badly hit by the COVID-19 pandemic.

Under RR 21-2021, the VAT exemption on importation and VAT zero-rating on local purchases will only apply to goods and services directly and exclusively used in the registered project or activity of a registered export enterprise, for a maximum period of 17 years from the date of registration, unless otherwise extended under the Strategic Investment Priority Plan (SIPP).

The direct and exclusive use for the registered project or activity refers to raw materials, inventories, supplies, equipment, goods, packaging materials, services, including provision of basic infrastructure, utilities, and maintenance, repair and overhaul of equipment, and other expenditures directly attributable to the registered project or activity without which the registered project or activity cannot be carried out.

The latest regulation added that the VAT zero-rating on local purchases should be granted upon endorsement of the concerned investment promotions agency, in addition to the BIR documen-

tary requirements.

RR 21-2021 also states that a zero-rated sale of goods or properties by a VAT-registered person is a taxable transaction for VAT purposes but should not result in any output tax. However, the input tax on purchases of goods, properties, or services, attributable to such zero-rated sale, should be available as tax credit or refund.

Still subject to zero rate under RR 21-2021 are export sales, and sales to persons or entities whose exemption from direct and indirect taxes under special laws or international agreements to which the Philippines is a signatory effectively subjects such sales to zero rate.

Likewise included is the sale of raw materials inventories, supplies, equipment, packaging materials and goods, to a registered export enterprise, to be used directly and exclusively in its registered project or activity for a maximum period of 17 years from the date of registration, unless otherwise extended under the SIPP.

A zero-rated sale of service by a VAT-registered person is also a taxable transaction for VAT purposes, but should also not result in any output tax. However, the input tax on purchases of goods, properties or services attributable to such zero-rated sale should be available as tax credit or refund.

The following services performed in the Philippines by a VAT-registered person should be subject to 0% VAT rate:

Services other than processing, manufacturing or repacking of goods rendered

to a person engaged in business conducted outside the Philippines or to a non-resident person not engaged in business who is outside the Philippines when the services are performed, the consideration for which is paid for in acceptable foreign currency and accounted for in accordance with the rules and regulations of the BSP.

Services rendered to persons or entities whose exemption from direct and indirect taxes under special laws or international agreements to which the Philippines is a signatory.

Sale of services, including provision of basic infrastructure, utilities, and maintenance, repair and overhaul of equipment, to a registered export enterprise, to be used directly and exclusively in its registered project or activity for a maximum period of 17 years from the date of registration, unless otherwise extended under the SIPP

Services rendered to persons engaged in international shipping or air transport operations, including leases of property for use thereof, provided that these services will be exclusively for international shipping or air transport operations.

Transport of passengers and cargo by domestic air or sea vessels from the Philippines to a foreign country.

Sale of power or fuel generated through renewable sources of energy such as, but not limited to, biomass, solar, wind, hydro power, geothermal and steam, ocean energy, and other emerging sources using technologies such as fuel cells and hydrogen fuels. – *Roumina Pablo*



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ZHONGWAIYUNXINGANG 2201N		Jan 6	Jan 7	-	Jan 14	Jan 15

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SINOTRANS TIANJIN	2146N	Dec 27	SKIP	Dec 30	Dec 24	Jan 1
SINOTRANS TIANJIN	2147N	Jan 3	Jan 4	Jan 6	Jan 7	Jan 8
SINOTRANS TIANJIN	2201N	Jan 10	Jan 11	Jan 13	Jan 14	Jan 15

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AS FENJIA	024N	Dec 22	Dec 23	Dec 24	Jan 5	Jan 7	Jan 9
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## Container deposit refund....

Continued from page 1

D&D to offer an alternative solution to the long-standing issue of return of container deposits.

Mahen said they are hoping all shipping lines operating in the Philippines will subscribe to the system and join the pilot-testing this month. Upon request, he said they can provide demonstration or training to any AISL member, group or individual.

The CLA fee is waived for the whole month of December.

CLA has been in place since 2018 in Malaysia, which previously also had problems with return of container deposits. CLA users in Malaysia include 44 shipping lines and almost 2,000 consignees and customs brokers in 14 ports. Several of those shipping lines and shipping agents operate in the Philippines.

D&D has a patent on the CLA product in Malaysia. In the Philippines, it has set up Container Ledger Account Phils., Inc. and is applying for a patent here.

In an earlier virtual presentation to various industry organizations, Mahen said CLA will eliminate the administrative burden of shippers who have to prepare various documents in order to refund their container deposits from various shipping lines.

The system can also improve the cash flow of users since they will only need to deal with one party and won't have to post container deposits for every shipping line they use. Through CLA, users can provide the container deposit or a security amount for use with all their containers regardless of the shipping line.

To use the CLA, importers, freight forwarders, and customs brokers may register on the CLA platform (www.clap.ph) and choose between two options: deposit ledger and cash ledger.

With the deposit ledger, users will deposit an amount depending on their TEU (twenty-foot equivalent unit) volumes and this amount will be refunded though the CLA upon request.

Once the empty container is returned to the depot, the stakeholder can already request for a refund through CLA, which will immediately inform the shipping line to release the deposit, and which will then be refunded to the stakeholder also through CLA.

For the cash ledger, the user will no longer have to post a container deposit but will have to provide a security amount depending on the user's monthly TEU volumes:

- Below 10 TEUs – P75,000
- 11-50 TEUs – P150,000
- 51-100 TEUs – P250,000
- More than 100 TEUs – P350,000

Another option implemented in Malaysia which may also apply in the Philippines is the CLA Credit, available for VIPs of shipping lines and users with high container volumes.

Mahen said they can sit down with industry associations to discuss the suggestion to allow an association to provide a guarantee so members won't have to provide a deposit or security individually.

Fees for the use of CLA are P200 per TEU for the deposit ledger, and P100 per TEU for the cash ledger.

The return of container deposits is one of the long-standing issues in the industry and has been the subject of various discussions. The government earlier tried to address the issue through a joint administrative order on local charges imposed by international shipping lines, but the order did not materialize. A bill in the Lower House aims to regulate the charges of international shipping lines, including container deposits. — *Roumina Pablo*



From left to right  
 Ramil Vasquez, COMELEC Packing and Shipping Committee in charge of Sta Rosa City Warehouse; Emmanuel Adad Jr., U Group Project Manager; Rosalyn Rosales, U-Freight Phils., Inc. and U-Ocean, Inc. President; Dir. Julio Thaddeus Herman, COMELEC Head of the Packing and Shipping Committee; Frances Zaida Lim, U Group Assistant Project Manager; Emerito Tuscano, COMELEC Supervising Administrative Officer Contract Management Division, PMD and Dale Jose Rago COMELEC Packing and Shipping Committee in charge of Non-Accountable Forms and Supplies Warehouse

### U-Freight Phils., Inc. and U-Ocean, Inc. joint venture to ship election supplies globally

U-Freight Phils., Inc. and U-Ocean, Inc. management and staff are honored to partner with the Commission on Elections (COMELEC) to deliver election-related equipment, peripherals, forms, supplies, and paraphernalia from the Philippines to Foreign Service Posts and vice versa for the 2022 National and Local Elections. Rosalyn Rosales, President of U-Freight Phils., Inc. and U-Ocean, Inc. signed the Service Contract at the ASD Conference Room Shipping Centre Building Intramuros, Manila on November 18, 2021. The Notice to Proceed was issued on November 25, 2021.

U Group family celebrates this historical event being its first participation in a government bidding, and bags the bid. Participating in an electoral exercise has given the U Group family the opportunity to be part of, and to support the administration transition reflective of the people's sentiments. Ensuring delivery of election-related equipment and peripherals requires stable global organizational strength and capability. "U-Group's commitment to its corporate values and social responsibility brings forth our desire to be part and parcel of this evolving process of establishing good governance and people's participation," said Ms. Rosales.

U-Freight Phils. has been a pillar of the international freight forwarding industry for more than 44 years. It has been the trusted and preferred forwarder by several industries such as but not limited to semiconductors, aviation, tobacco, manufacturing, agriculture, medical/pharmaceutical. Its highly trained workforce is accustomed in handling time-sensitive and high-value shipments and meeting the high expectations of its clientele.

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## PH manufacturing books slower double-digit growth...

Continued from page 5

ery and equipment with a 176.4% annual growth rate. Declines were reported in the other eight industry divisions with manufacture of tobacco products registering the fastest annual drop of -58.2 percent.

Based on the survey's responding

establishments, the average capacity utilization rate for the manufacturing sector in October 2021 was slightly higher at 67% from 66.6% in the previous month.

Twenty out of 22 industry divisions had more than 50% average capacity

utilization rate, topped by manufacture of other non-metallic mineral products (81.1%), followed by manufacture of electrical equipment (77.3%), and manufacture of furniture (76.5%).

The proportion of establishments

that operated at full capacity (90% to 100%) was 20.5% of the total number of responding establishments in October. Operating at 70% to 89% capacity were 37.4% of the establishments, and below 70% capacity, 42.1%.





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## US House passes ocean shipping reform bill

- US House passed Ocean Shipping Reform Act of 2021 on December 8
- The bill prohibits ocean common carriers and marine terminal operators from retaliating or discriminating against shippers that have patronized another carrier
- It directs that rules should be established to prohibit ocean common carriers and marine terminal operators from applying unjust and unreasonable demurrage and detention fees

to support the growth and development of U.S. exports and promote reciprocal trade in the foreign commerce of the United States," according to a release from Congress.gov.

Among other provisions, the bill:

- Prohibits ocean common carriers and marine terminal operators from retaliating or discriminating against shippers because such shippers have patronized another

carrier, or filed a complaint;

- Requires the US Federal Maritime Commission (FMC) to publish and annually update all its findings of false certifications by ocean common carriers or marine terminal operators and all penalties assessed against such carriers or operators;
- Directs the FMC to establish rules prohibiting ocean common carriers

ers and marine terminal operators from adopting and applying unjust and unreasonable demurrage and detention fees;

- Authorizes FMC to initiate investigations of an ocean common carrier's fees or charges and apply enforcement measures.

Essentially, OSRA aims to crack down on unreasonable practices by container shipping lines, bolster US enforcement against uncompetitive carrier practices, and improve transparency for exporters.

THE US House of Representatives passed legislation on December 8 providing for the first major revamp of US international ocean shipping laws in more than two decades as bottlenecks at the nation's ports continue to disrupt supply chains.

The Ocean Shipping Reform Act of 2021 (OSRA) "revises provisions related to ocean shipping policies and is designed

## PH imports up 25.1%, exports 2%...

Continued from page 2

In terms of trading partners, China remained the country's top import source, accounting for \$2.08 billion or 19.9% of the total in October 2021. This was followed by Japan (9.8%); South Korea (8.9%); Indonesia (7%); and the United States (6.9%).

For exports, China was also the country's top destination in October 2021 with \$1.01 billion or 15.8% share to the total export bill. This was followed by the US (15%); Hong Kong (13.5%); Japan (13.4%); and Singapore (6.1%).

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