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## Philippine-Finnish JV bags P500M e-terminal management contract

- The Philippine Ports Authority has awarded the P499.898-million contract for the electronic terminal management system (ETMS) to joint venture NextIX and Carus Ferry Ab
- The ETMS aims to fully digitize terminal management
- The contract covers the supply, delivery, installation, and commissioning of ETMS, including cloud-based unified electronic ticketing capabilities

tract for its electronic terminal management system (ETMS) to the joint venture (JV) of NextIX, Inc. and Carus Ferry Ab Ltd.

The contract covers the supply, delivery, installation, and commissioning of ETMS, including cloud-based unified electronic ticketing capabilities, according to the notice of award dated December 23, 2021 and posted recently on PPA's website.

Designed to fully digitize terminal management, the project is a package solution of software, hardware, equipment, and peripherals for simultaneous implementation. It includes the system server

THE Philippine Ports Authority (PPA) has awarded the P499.898-million con-

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## Truckers laud single PPA accreditation and permit pass

- The Confederation of Truckers Association of the Philippines welcomed implementation of the Transportation Accreditation, Permits and Pass for Ports by the Philippine Ports Authority
- Under PPA Administrative Order No. 01-2022, TAPPP integrates into one document the PPA accreditation, permit to operate and vehicle pass
- TAPPP has been serving as a single certificate of accreditation, PTO, and vehicle pass for transport service providers since January 1, 2022

THE Confederation of Truckers Association of the Philippines (CTAP) welcomed the Philippine Ports Authority's (PPA) implementation of the Transportation Accreditation, Permits and Pass for Ports (TAPPP).

Under PPA Administrative Order (AO) No. 01-2022, TAPPP integrates into one document the certificate of accreditation (CA), permit to operate (PTO), and vehicle pass required by the ports authority for transport service providers starting January 1, 2022.

CTAP president Maria Zapata, in a letter dated January 20, 2022 to PPA general manager Jay Daniel Santiago, said the issuance of order "was of great relief to CTAP Member Port Transport Service Providers" and is "in line with the national government policy direction of ease of doing business in the logistics sector by eliminating various permits, licenses and passing through stickers of truckers by economic zones, ports and local government units."

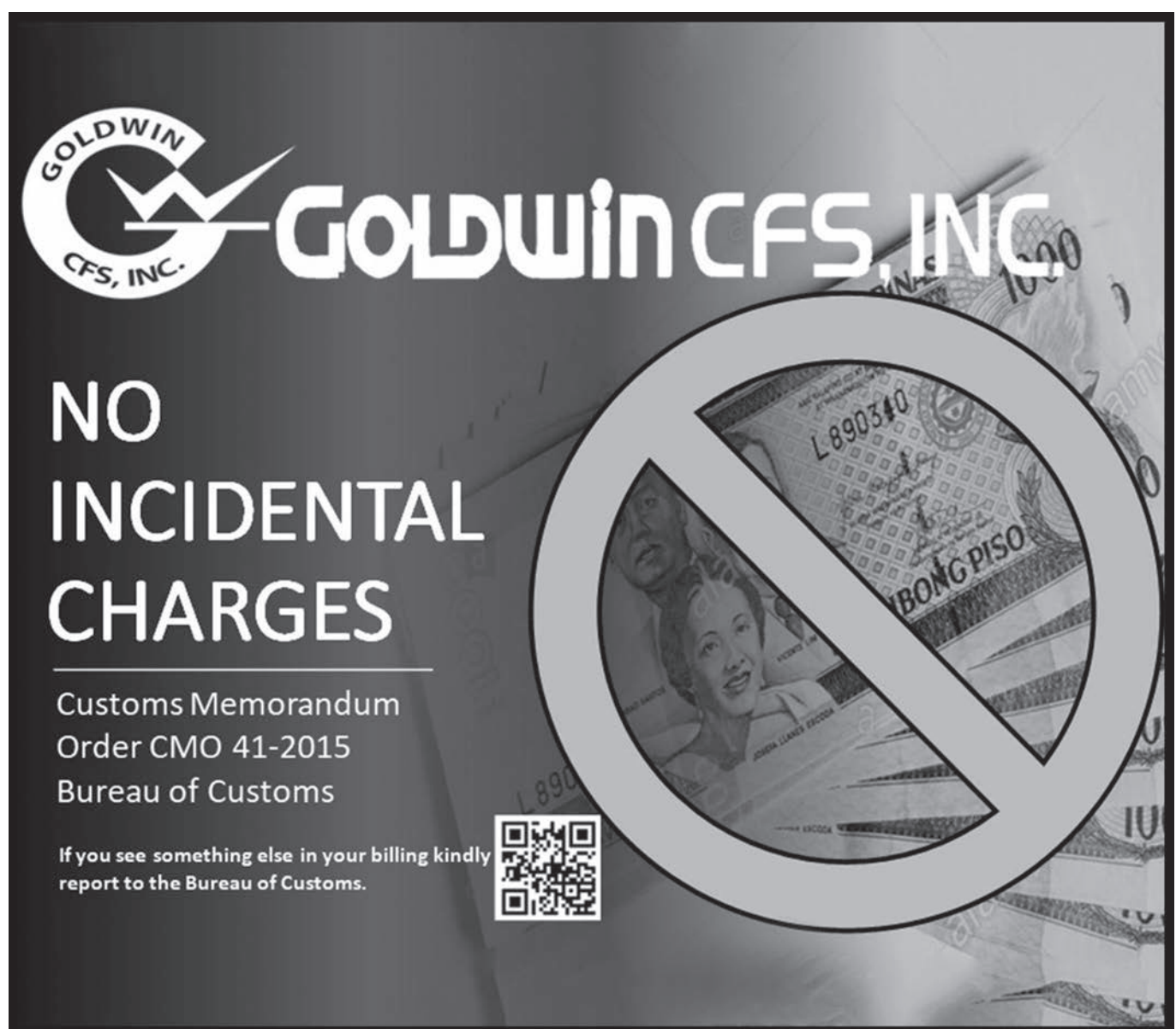
AO 01-2022 provides guidelines for implementing TAPPP. It covers transport service providers doing business or intending to do business in ports under PPA jurisdiction, including private ports. The order excludes commercial and technical service arrangements of port service providers and terminal operators to facilitate and expedite transactions with port users.

All applications for issuance of CA, PTO and vehicle access pass pending with PPA offices as of December 31, 2021 will be processed under AO 01-2022 and issued with TAPPP.

TAPPP will be issued by PPA to all transport service providers with existing CA, PTO and vehicle pass at no additional cost and will be co-terminus with the validity of the transport service provider's CA.

It is valid in all ports under PPA jurisdiction, including private ports, and all transport units registered and issued under TAPPP are deemed compliant with PPA

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## BOC inspection yields P150M in fake antigen test kits, meds

- The Bureau of Customs seized on January 21 an estimated P150 million worth of fake COVID-19 antigen test kits, counterfeit LianHua Chinese medicines and face masks, and copyright-infringed branded goods
- The goods were discovered in a Manila warehouse
- Also found were counterfeit Nike, Fila, Converse and Adidas-branded apparel as well as Louis Vuitton and Gucci bags, wallets, phone accessories

THE Bureau of Customs (BOC) has seized an estimated P150 million worth of fake COVID-19 antigen test kits,

counterfeit LianHua Chinese medicines, counterfeit face masks, and copyright-infringed branded goods from a Manila warehouse.

The seizure on January 21 led to the arrest of a Chinese national who is said to be the owner of the warehouse, BOC said in a statement.

A team—composed of members of the Customs Intelligence and Investigation Service-Manila International Container Port, National Bureau of Investigation-Special Action Unit, and Philippine Coast Guard—conducted the inspection of the warehouse located at 555 Carlos Palanca, San Miguel, Manila City.

Found at the warehouse were P150 million worth of Clungene COVID-19

antigen test kits, counterfeit LianHua Chinese herbal medicines, and fake 3M N95 face masks.

The team also found intellectual property rights-infringed goods such as Nike, Fila, Converse and Adidas-branded apparel as well as Louis Vuitton and Gucci bags, wallets, phone accessories, and others.

BOC said the arrested Chinese national will face various cases in relation to the violation of Section 1401 (Unlawful Importation/Exportation) and Section 1113 (Property Subject to Seizure and Forfeiture) paragraph (l) (5), in relation to Section 118 (Prohibited Importation and Exportation) paragraph (e) of the Customs Modernization and Tariff Act.

The owner is also accused of violating Food and Drug Administration rules and regulations.

The team has temporarily padlocked and sealed the warehouse to secure the imported products while the customs examiner completes inventory of the goods.

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## Cavite Gateway Terminal enhances yard, wharf operations

- International Container Terminal Services, Inc. continues to beef up operations of the Cavite Gateway Terminal
- ICTSI recently strengthened CGT yard and wharf operations with the deployment of additional landside container handling equipment and directly contracted barge equipment
- CGT is the country's first dedicated container barge terminal in Tanza, Cavite
- The enhancements coincide with the temporary closure of the southbound portion of Roxas Boulevard

INTERNATIONAL Container Terminal Services, Inc. (ICTSI) continues to beef up operations of the Cavite Gateway Terminal (CGT), recently strengthening yard and wharf operations with the deployment of additional landside container handling equipment and directly contracted barge equipment.

"As the country begins to re-open its economy, we shall continue to support the country's importers and exporters not only through enhancements in our operated terminals, but also through practical solutions and alternatives for our importers and exporters," ICTSI executive vice president Christian R. Gonzalez said in a statement.

ICTSI said one of these alternatives is CGT, which optimizes the sea lanes of Manila Bay while providing alternate

means of transporting containers from the Port of Manila to the CALABARZON area and back.

With an area of six hectares, CGT is the country's first dedicated container barge terminal in Tanza, Cavite. Launched in 2018, the terminal can handle 115,000 twenty-foot equivalent units annually.


ICTSI said enhancements at CGT also came at an opportune time with the temporary closure of the southbound portion of Roxas Boulevard.

"We support the Metropolitan Manila Development Authority's call to look for other ways to transport containers, and we are happy to be able to offer an alternative through the services provided by CGT," Gonzalez said.

The southbound portion of Roxas Boulevard has been closed to vehicular traffic since January 15 to give way to the repair of the damaged box culvert of Department of Public Works and Highways (DPWH) in front of Libertad Pumping Station in Pasay City. According to DPWH, the closure and repair works would last 60 days.

Moreover, from January 20 to 25, EDSA Extension to Braddock Avenue-southbound will be closed at night for the installation of the main girder and launch of the support beam and span for the construction of the Light Rail Transit Line 1 Cavite Extension project.

Prior to the closure of the southbound portion of Roxas Boulevard, the government said it was looking at utilizing barges going to CGT as one of the possible options to ensure continued flow of trade once a



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portion of Roxas Boulevard starts rehabilitation and is closed to vehicular traffic.

The Philippine Ports Authority said cargoes destined for areas south of Manila can be transported from Manila International Container Terminal, ICTSI's flagship terminal, via sea using barges and can be withdrawn at CGT, thus "drastically

reducing the number of trucks needing rerouting when the rehabilitation of the Boulevard commences."

Roxas Boulevard is part of a cargo truck trade route connecting the Port of Manila to Southern Luzon. Close to 900 trucks and over 1,000 trailers travel daily on the road's southbound direction alone.

## Auction for smuggled luxury cars fails a second time

- 5 smuggled luxury vehicles seized by the Bureau of Customs failed anew to find buyers
- This is the second time the public auction has failed
- Vehicles on the January 24 auction block were offered for a total cost of P29.09 million

PUBLIC bidding for five smuggled luxury cars seized last year by the Bureau of Customs has failed a second time.

Vehicles on the January 24 auction block were offered for a total cost of P29.09 million. These are a Porsche Boxter (2001) with a floor price of P1.798 million; Mercedes SLK350 (2001), P1.248 million; Mercedes SLK55 (2001), P1.324 million; Ferrari Scuderia 430 (2008), P23.225 million; and Mercedes E220 (2011), P1.492 million.

The vehicles were seized in May and June this year and were issued final and executory orders of forfeiture by BOC.

Now that the bidding has failed anew, Finance Secretary Carlos Dominguez III was quoted as saying the vehicles may have to be destroyed. Destruction was government's previously preferred method of disposing smuggled vehicles but this was revised to public bidding so that proceeds from auction sales can be used to augment the government's COVID-19 response.

President Rodrigo Duterte had earlier ordered the destruction of seized vehicles to deter smugglers from buying the vehicles

and then selling them in the domestic market.

An inter-agency committee was formed last December 1 composed of representatives from BOC, Bureau of the Treasury and Land Bank of the Philippines to ensure transparency of the bidding process and promote competition through broad dissemination of auction information.

The first failed Inter-Agency auction was held on December 13, 2021.

## BOC marks 17B liters of fuel, collects P166B in taxes last year

- The Bureau of Customs marked a total of 17.0336 billion liters of gasoline, diesel, and kerosene in 2021 under the government's fuel marking program
- This led to collections of P165.96 billion
- The government apprehended a total of 86,888 liters of diesel and kerosene, and seized two tank trucks carrying unmarked fuel with estimated values of P5.16 million and P7.4 million, respectively
- From September 2019 to December 2021, BOC and BIR marked 34.59 billion liters of fuel and generated revenue amounting to

**P313.98 billion**

THE Bureau of Customs (BOC) marked a total of 17.0336 billion liters of gasoline, diesel, and kerosene and collected taxes amounting to P165.96 billion from January to December 2021 under the government's fuel marking program.

BOC and sister agency Bureau of Internal Revenue (BIR) also apprehended a total of 86,888 liters of diesel and kerosene, and seized two tank trucks carrying unmarked fuel with estimated values of P5.16 million and P7.4 million, respectively.

The tanks of eight retail stations where these unmarked fuels were found were likewise sealed and filing of criminal

cases was recommended, BOC said in a statement.

From September 2019 when the program was implemented up to December 2021, BOC and BIR have marked 34.59 billion liters of fuel and generated P313.98 billion in revenue.

The implementation of the fuel marking program is among key provisions of the Tax Reform for Acceleration and Inclusion (TRAIN) Law. Marking of fuel products, whether imported or manufactured in the Philippines, will become mandatory five years after the TRAIN Law took effect on January 2018.

Fuel marking aims to curb oil smuggling and plug revenue losses arising from the illegal importation or misdeclaration of

petroleum products.

Part of the program is field testing activities, which BOC and BIR started implementing in April 2021. The random field and confirmatory testing covers gasoline, diesel and kerosene found in warehouses, storage tanks, gas stations and other retail outlets, and in such other properties or equipment, as well as in vessels, tank trucks, and similar fuel transporting vehicles.

Petroleum products found without the official fuel marker or not containing the required level of official fuel marker will be slapped duties and taxes, inclusive of fines and penalties. They may also be confiscated and forfeited and may face criminal charges.

## Business groups push for Public Service Act amendments before Congressional recess

- Various business groups strongly support ratification of the consolidated bill amending the Public Service Act before Congress goes on recess starting on February 5, 2022.
- The Export Development Council, Philippine Chamber of Commerce and Industry, Philippine Exporters Confederation, Inc., and Supply Chain Management Association of the Philippines encouraged the Congressional Bicameral Conference Com-

**mittee to adopt the most liberal provisions between the two versions of the bills**

VARIOUS business groups "strongly support" ratification of the consolidated bill amending the Public Service Act (PSA) and called on Congress to adopt "the most liberal" provisions for the final draft of the bill.

The Export Development Council, Philippine Chamber of Commerce and Industry, Philippine Exporters Confederation, Inc., and Supply Chain Management

Association of the Philippines said they strongly support ratification of the consolidated bill by Congress before it goes on recess on February 5, 2022.

"This reform is one of the key policy measures for promoting foreign direct investment (FDI) in the country and enabling the economy to attain even pre-pandemic rates of economic growth," the groups said in a joint call to Congress.

The groups added they "highly encourage the Congressional Bicameral Conference Committee to adopt the most liberal provisions between the two versions..."

of the bills.

The House of Representatives in March 2020 approved on third and final reading House Bill (HB) No. 78 while the Senate in December 2021 approved on third and final reading Senate Bill (SB) 2094.

Both bills will amend Commonwealth Act No. 146, otherwise known as PSA, by amending the definition of public utility and limiting it to several public services. Those not classified as public utility will be recognized as public service and not be

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## Construction of PNR Bicol's first rail line to start in Q1

- Construction of the first 380 kilometers of the Philippine National Railways Bicol project from Banlic, Laguna to Daraga, Albay starts in Q1 2022
- Completion of the first package is eyed in 2024
- Start of operations is expected by Q3 2025
- The remaining PNR Bicol contract packages are set to be completed between 2024 and 2026
- The entire PNR Bicol line is scheduled to be operational by 2027
- The Department of Transportation will request the Department of Finance to apply for a loan with China to finance the signed contract

CONSTRUCTION of the first 380 kilometers of the Philippine National Railways (PNR) Bicol project is set to start in the first quarter of 2022 with completion expected in 2024. Operation is eyed by the third quarter of 2025.

The P142-billion design-build contract for the first package of PNR Bicol, also known as PNR South Long-Haul Project, was signed by the Department of Transportation (DOTr) on Jan 17.

The first 380 km from Banlic, Calamba in Laguna to Daraga in Albay will span 39 cities and municipalities, four provinces, and two regions. It will involve the construction of 23 stations, 230 bridges, 10 passenger tunnels, and a 70-hectare depot in San Pablo, Laguna.

Transport Undersecretary for Railways Timothy John Batan in a virtual press briefing said the transport department will now work on

securing the loan financing for the first package contract of PNR Bicol.

DOTr will be requesting the Department of Finance (DOF) for project funding through an official development assistance (ODA) loan from China.

Batan earlier explained that as opposed to other ODAs, China ODA projects require that the contract come before the loan. Batan said the contract for PNR Bicol "does not become effective until the Loan Agreement with China becomes effective."

Moreover, for China-funded contracts, Batan said the government requests from the Chinese government a shortlist of contractors that will participate in the bidding. After procurement and contract signing, DOTr will request DOF to apply for a loan with China to finance the signed contract.

The joint venture of China Railway Group Ltd., China Railway No. 3 Engineering Group Co., Ltd., and China Railway Engineering Consulting Group Co., Ltd. was recently awarded the contract for the design, construction, and electromechanical works for the project.

Batan said generally, China may finance up to 85% of the contract amount, with the balance to be funded by local counterpart budget. The final terms of the loan, including the percentage to be financed by China, will be subject to loan negotiations by DOF.

After DOF successfully negotiates the loan, DOF signs the loan agreement with China.

The remaining PNR Bicol contract packages are set for completion between 2024 and 2026. The entire PNR Bicol line is scheduled to be operational by 2027.

Once operational, PNR Bicol will have a total length of 560 km and 35 stations. It will run from Manila through Laguna, Quezon, Camarines Sur, and then to Albay, with an extension line in Sorsogon and a branch line in Batangas.

With a design speed of 120 km to 160 km per hour for passenger trains and 80 km to 100 km per hour for freight trains, PNR Bicol is expected to reduce travel time between Manila and Legazpi City in Albay from the present 14 to 18 hours to just six hours using regular commuter trains, and 4 hours and 30 minutes using the line's express trains.

## Truckers laud single PPA... *Continued from page 2*

port access regulations. Applications for issuance of TAPPP may be filed online through the PPA website in line with PPA's digitalization and streamlining policies.

As a post-approval condition, all applicants/grantees will be required to have their designated personnel/workers attend a basic port orientation seminar not later than 30 days from the issuance of their TAPPP.

The TAPPP is valid for three years from date of issuance. Renewal should be filed not later than 60 days before expiration.

PPA said the TAPPP authorizes the service provider to perform or provide services inside PPA ports, including harbors, fairways, and extensions, ensuring they comply with health, safety, environmental and operational requirements of ports where services will be rendered.

The single pass will enable PPA to monitor, supervise and direct activities of port service providers while inside the port, as well as maintain a pool of qualified service providers that will continuously provide adequate, safe, and reliable port services to port users, the agency said.

Truckers have long been asking PPA to exempt them from accreditation, noting the requirement is redundant and burdensome. They said they are already being required to secure a PTO and comply with accreditation rules of other government agencies such as the Land Transportation Franchising and Regulatory Board and Land Transportation Office.

Last year, CTAP and the Alliance of Concerned Truck Owners and Operators staged separate trucking holidays demanding a moratorium on the implementation of the requirement for a PTO and raising several other issues at the port.

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CALDRIS	086N	JAN 27	JAN 29	086S	FEB 2	FEB 3	FEB 3	FEB 5	FEB 10	FEB 12
GSL MERCER	009N	FEB 1	FEB 2	009S	FEB 7	FEB 8	FEB 8	FEB 10	FEB 16	FEB 18
CALDRIS	087N	FEB 10	FEB 12	087S	FEB 17	FEB 17	FEB 17	FEB 19	FEB 24	FEB 26
GSL MERCER	010N	FEB 16	FEB 18	010S	FEB 23	FEB 23	FEB 23	FEB 25	MAR 3	MAR 5

**SINGAPORE / SOUTH PHILIPPINES EXPRESS (SPE)**

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		ETA	ETD		ETA	ETD	ETA	ETD	ETA	ETD
ELEFTERIA EXPRESS	0026E	JAN 11	JAN 12	0026W	OMIT	OMIT	JAN 22	JAN 25	JAN 28	JAN 29
NEFELI	0CS3HE1NC	JAN 26	JAN 28	0CS3W1NC	OMIT	OMIT	FEB 1	FEB 2	FEB 6	FEB 6
ELEFTERIA EXPRESS	0027E	JAN 28	JAN 29	0027W	FEB 2	FEB 3	FEB 4	FEB 5	FEB 10	FEB 11
NEFELI	0CS3LE1NC	FEB 6	FEB 6	0CS3W1NC	OMIT	OMIT	FEB 10	FEB 12	Phase out	
SAN DIORGIO	0CS46N1NC	-	-	0CS4K1NC	FEB 12	FEB 13	-	-	FEB 16	FEB 17

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 Terminal Office: Vernon Nonato - tmshipterminal@gmail.com (09476993155)

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 PIC: MR. MANOLO E. KABIGTING • Email: manolo@tmship.com.ph

GENERAL SANTOS SUB-AGENT: **Mercury Steamship Agencies, Inc.**  
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 Vessel/Terminal: MR. ALVIN BAYANI • Email: alvin@msaidavao.com.ph (09212084449)

DAVAO SUB-AGENT: **Mercury Steamship Agencies, Inc.**  
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Philippine-Finnish JV bags...

Continued from page 1

for the PPA head office and 25 kiosks to be distributed, installed, and configured across PPA ports.

NextIX is a Philippine innovation company specializing in universally available information and communication technology solutions for the consumer, small and medium enterprises; enterprise and government.

Carus is a Finnish-based global supplier of information systems to the travel and transport industry.

The JV bested the joint venture of Omniprime Marketing, Inc., Willowglen Services Pte Ltd., and NSS IT Solution SdnBhd, which had also passed the "first envelope" requirements during the opening of bids on October 12, 2021.

In a bid evaluation conducted on October 18, 2021, however, both JVs' bids were declared "failed" for not having complied with requirements for the single largest completed contract.

Both JVs then filed separate requests

for reconsideration, with the request of the NextIX and Carus JV accepted and that of its competitor rejected by the PPA Bids and Awards Committee (BAC).

The NextIX and Carus JV was subsequently declared as the single calculated bidder after a post-qualification review, with the BAC recommending the award of contract on December 15, 2021.

PPA general manager Jay Daniel Santiago earlier said the ETMS "will fully digitize terminal management not only in the gateway ports, particularly in the NCR, but this will be nationwide."

He added that implementation of the system will be "one big leap forward in digitalization of our operations," requiring less physical contact and manual intervention.

The ETMS, PPA said, aims to provide a regulatory platform and institutionalize innovative ways of doing business under "new normal" conditions through an online and real-time application that passengers, vessel operators, port service providers, and the

ports authority can access "anytime and anywhere."

It "will provide a digitized and systematized process of recording and simultaneous submission of passenger manifest, and vessel voyage information which can effectively be scaled and extended to support future phases of the terminal management process at the PPA port terminals," PPA added.

The system's objectives also include strengthening security and safety standards by mitigating vessel overloading and by effectively controlling the flow of regulated goods and cargoes using PPA port facilities, and providing standard stakeholders' registries, credentialing, licensing, and accreditation monitoring.

It also aims to streamline the payment and collection of port fees (terminal and cargo/roll-on/roll-off) and harmonize this with PPA's existing electronic payment system.

PPA in August 2019 announced a plan to implement an online ticketing system that would serve as a real-time system with a "single window" for processing on a single online portal all the transactions needed

to be done by the government, shipping companies, port terminal operators, passenger terminal building operators, and the general public.

The system complies with the International Maritime Organization's mandatory requirement for the electronic exchange of information on cargo, crew, and passengers as part of the revised Convention on Facilitation of International Maritime Traffic.

In November 2019, PPA issued Administrative Order (AO) No. 12-2019, which provides the rules on implementation of its Central Ticketing System (CTS), an online application procedure that would support an integrated vessel booking and payment system for roll-on/roll-off ports.

In September 2020, PPA tested its Unified Electronic Ticketing System, also known as CTS, at the port of Batangas and port of Calapan in Mindoro to prepare for the system's planned full implementation in 2021. In November 2020, a public consultation was held with stakeholders ahead of AO 12-2019's implementing rules and regulations.

DHL Global Forwarding Asia Pacific certified as Top Employer 2022

- DHL Global Forwarding has again been certified as Top Employer 2022 in Asia Pacific
The company was also named Top Employer globally and in 40 countries, including Bangladesh, India, Indonesia, Malaysia, Singapore, Philippines, Thailand and Vietnam

DHL Global Forwarding, the air, ocean and road freight specialist of Deutsche Post DHL Group, has again been certified as Top Employer 2022 in Asia Pacific. The certification awards DHL's extensive efforts to create a positive, safe and encouraging workplace for its employees, the company said in a statement.

In addition to being certified Top Employer 2021 in Asia Pacific, DHL Global Forwarding was also named Top Employer globally and in 40 countries, including Bangladesh, India, Indonesia, Malaysia, Singapore, Philippines, Thailand and Vietnam.

Globally, DHL Global Forwarding has been recognized as Top Employer Global 2022, Top Employer Asia Pacific 2022, Top Employer North America 2022, Top Employer Africa 2022, Top Employer Europe 2022, and Top Employer Middle East 2022.

"It is a tremendous honor to be recognized as a Top Employer in Asia Pacific and across other regions for the third time. People are at the center of everything we do, and we have made it our purpose to motivate and inspire our employees, in line with our mission to be their Employer of Choice. Congratulations to all colleagues who make this possible. This is a cumulation of hard work from all of us to creating a positive and safe work environment every day," said Kelvin Leung, CEO, DHL Global Forwarding Asia Pacific.

The Top Employer Institute rates companies based on its HR Best Practices Survey. The survey covers six areas that represent key HR topics: Steer, Shape, Attract, Develop, Engage and Unite. With its numerous employee initiatives, DHL Global Forwarding covers all these areas in its HR activities, ensuring an encouraging, positive working environment. For example, DHL offers its employees a wide range of training opportunities with internal training in the areas of logistics, management and process improvement.

One of the more recent initiatives is called "Well-being at DHL Global Forwarding". It is a program that contributes to the company's employee engagement. It examines how employees' tasks, expectations, stress levels, and work environment affect their overall health and satisfaction. DHL Global Forwarding has linked all these possible engagements under the term "Well-being" in three ways: Be social, be present, be active.

"This certification is a nod to DHL Global Forwarding Asia Pacific's people-first strategy, and validation to our best-in-class efforts to attract and retain talent through lifelong learning offerings, a flexible work environment and our diverse and inclusive company culture," says Celine Quek, Senior Vice President and Head of Human Resources, DHL Global Forwarding Asia Pacific. "We achieved outstanding scores in the topics of Business Strategy, Ethics, Integrity and Values, and Leadership, and will continue to do more to stay ahead of the evolving needs of our people, our business and the environment that we operate in."

Other measures include that employees can also acquire internationally acknowledged qualifications. As a global network business, employees can look for opportunities to move to other areas or even other countries. This rich cultural diversity is evident every year during DHL Global Diversity & Inclusion Week when thousands of employees from all areas of the company take the time to celebrate their culture and share it with colleagues.

Across the Group, numerous programs are in place to support and inspire female employees, from networking events to career program and talent pools. The Women at DHL Global Forwarding initiative won the Gold Award at the internationally renowned Stevie Awards for Women in Business. To fully live out diversity and inclusion, DHL has also supported establishing an internal company network called RainbowNet, which provides a platform for LGBTQIA+ employees to share their experiences.

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Table with shipping schedules for Pacific Southwest, Pacific Northwest, Pacific Southwest, East Coast, Far East, and TTP services. Includes vessel names, dates, and destinations.















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# Business groups push for Public Service Act amendments...

Continued from page 3

bound by the 60%-40% ownership restriction under the Constitution.

With the Senate's approval, the bill is now up for bicameral conference to reconcile or thresh out differences on any provision of the bill.

The groups suggest that operation and maintenance concessions for airports and seaports be allowed for fully foreign-owned companies. Airports and seaports are classified as public utility under SB 2094 but not under HB 78.

"The world's best airport and seaport operators could bring world-class standards and technology to serve the Philippine public who travel by air and sea," the groups noted.

They also said it is essential to lift foreign ownership restriction in air carriers "to allow an option for our existing air carriers to access foreign capital in case they need it to help them recover from the pandemic and improve or expand their operations."

Air carriers are not included in the definition of public utility but are classified as "critical infrastructure", which means that while they are not covered by the foreign ownership limitation, any investments in these will have to be reviewed by the National Security Council.

The groups noted: "Lifting the restrictions will also lay down an enabling environment for more players, thereby increasing competition in the industry and reducing the cost and improving the quality of air travel for the public, and making our air carriers competitive with international air carriers."

The groups said tollways and expressways, which they noted are vital logistics arteries, should be liberalized for foreign investment in the same way as railways and subways. SB 2094 classifies tollways as public utility but not railroad and subways, which the groups said is illogical. As an example, they noted that Indonesia is

seeking foreign investors for its 2,818-kilometer Trans-Sumatra Toll Road with 24 segments costing US\$4 billion. "The Philippines could do the same," they said.

Moreover, the groups said public utility vehicles (PUVs) should also be excluded from the definition of public utilities, saying "in no way are they natural monopolies." Under SB 2094, PUVs are included in the definition of public utility, but not under HB 78.

The groups said this will be advantageous to the country's economy as it will "increase competition in vital domestic land transportation services and result in increased foreign investment helping to modernize the industry."

They noted that Filipino workers in land transportation businesses will not be displaced as they will remain as drivers and mechanics that service PUVs.

Moreover, the groups said this will also allow international carriers to undertake their first and last-mile delivery services to pick up and deliver to customers in the Philippines, as they do in most countries.

"Allowing this will encourage these global firms to invest more in international gateways, as they have at Clark, and increase the role of the Philippines as a regional air cargo hub, which in turn will attract new export manufacturing firms to locate in the country. Overall, this reform can result in improvement in the quality and cost of logistics in the country, thereby increasing our economic competitiveness," the groups stated.

Telecommunications, meanwhile, must also be excluded from the definition of public utility, according to the groups. Further, they said passive infrastructure and value-added services must be excluded from the definition of telecommunications

to avoid erecting a new and substantial barrier to the entry of competition in the market for internet services which would stifle the growth of community internet.

In both bills, telecommunications is considered a public service.

On the reciprocity provision, particularly in SB 2094, the groups said it should not prevent important foreign investment from coming to the Philippines.

The reciprocity provision is one of the safeguard measures under SB 2094 to protect the country's national security. It provides that foreign nationals may only own more than 40% of the public services identified as critical infrastructure if their country accords a reciprocal right to Filipinos by law, treaty or international agreement.

The groups, however said it "should not be a barrier to needed investment."

"When the Philippine economy needs more foreign capital, the law should not require that a Filipino firm be allowed the same in the country of the investor," the groups said.

Under SB 2094, public utility refers to a "public service that operates, man-

ages or controls for public use" any of the following: distribution or transmission of electricity; petroleum and petroleum products pipeline distribution systems, water pipelines distribution systems and wastewater pipeline systems; as well as airports, seaports, PUVs, and tollways or expressways.

Those not classified as a public utility will otherwise be considered as a public service, which will not be bound by the 60%-40% ownership principle under the Constitution. Public services include telecommunications, air carriers, domestic shipping, railways and subways.

HB 78, meanwhile, limits the definition of public utility to any person or entity that operates, manages, or controls for public use the distribution of electricity, transmission of electricity, water pipeline distribution, and sewerage pipeline.

Public services include marine repair shop, wharf or dock, canal, public market, irrigation system, gas, electric light, heat and power, water supply and power, petroleum, sewerage system, telecommunications system, and wire or wireless communication system.



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