



Republic of the Philippines  
**DEPARTMENT OF TRANSPORTATION**

**DEPARTMENT ORDER NO. 2020 - 009**

**Subject:    PRESCRIBING A MINIMUM FREE TIME PERIOD OF EIGHT (8) DAYS FOR CARGOES UNLOADED BY INTERNATIONAL SHIPPING LINES**

**Date :       24 JUNE 2020**

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**WHEREAS**, the issue on the surcharges of international shipping lines heightened during the COVID-19 pandemic, specifically, the charges on demurrage and detention;

**WHEREAS**, Republic Act (RA) No. 11469 states that “in view of the declaration of State of National Emergency throughout the Philippines, the President, pursuant to Article VI, Section 23 (2) of the Constitution, is empowered to adopt the temporary emergency measures to respond to crisis brought by the pandemic such as, but not limited to, enforcing measures to protect people from pernicious practices affecting the supply, distribution and movement of essential goods whether imported or locally produced or manufactured”;

**WHEREAS**, Proclamation No. 922, series of 2020, enjoins all government agencies and local government units to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent and appropriate response and measures in a timely manner to curtail and eliminate the COVID-19 threat;

**WHEREAS**, RA 11469 authorizes the President to regulate and limit the operation of all sectors of transportation through land, sea or air, whether private or public;

**WHEREAS**, Executive Order No. 292 mandates the Department of Transportation (DOTr) to be the primary policy, planning, programming, coordinating, implementing and administrative entity of the executive branch of the Government on the promotion, development and regulation of a dependable and coordinated network of transportation, as well as in the fast, safe, efficient and reliable transportation services;

**WHEREAS**, the DOTr is empowered to call upon any agency, corporation or organization, whether public or private, whose development programs include transportation, as integral parts thereof, to participate and assist in the preparation and implementation of a comprehensive and integrated programs for transportation;

**WHEREAS**, under Presidential Decree (PD) No. 857, the Philippine Ports Authority (PPA) is mandated to supervise, control and regulate facilities and services that are necessary in the ports that are under its jurisdiction;

**WHEREAS**, PD No. 857 also authorizes the PPA to prescribe rules and regulations, procedures and guidelines governing the operation of all other ports, including private ports in the country;

**WHEREAS**, under EO No. 513, series of 1978, the PPA is authorized to perform such acts as may be deemed proper or necessary to carry out and implement the provisions of PD No. 857, including the adoption of necessary measures to remedy congestion in any government port;

**WHEREAS**, EO No. 513 grants the PPA police authority within the ports administered by it as may be necessary to carry out its powers and functions and attain its purposes and objectives;

**WHEREAS**, pursuant to Inter-Agency Task Force (IATF) Resolution No. 46, series of 2020, a minimum eight-(8) day free time period per shipping line was prescribed for cargoes unloaded by international shipping lines;

**NOW, THEREFORE, I, ARTHUR P. TUGADE**, Secretary of the Department of Transportation, by virtue of the powers vested in me by law, hereby orders all **international shipping lines unloading cargoes in all ports throughout the Philippines to provide a minimum free time period of at least eight (8) days from date of discharge of the said cargoes.**

Section 1  
**COVERAGE**

This Department Order shall apply to all international shipping lines unloading cargoes in any port throughout the Philippines.

Section 2  
**CARGO FREE TIME PERIOD**

For purposes of this Department Order, **Free Time Period** shall refer to the period of time, reckoned from the discharge of cargoes from the ship to the port, offered by the shipping lines to the consignee free of charge, covering both demurrage period and detention period, beyond which additional charges such as, but not limited to demurrage and detention charges, will be due to the shipping lines.

It is hereby prescribed that a minimum free time period of at least **EIGHT (8) DAYS** from date of discharge shall be observed by all international shipping lines unloading cargoes in any port throughout the Philippines. International shipping lines, however, are not prevented from granting cargo free time period beyond the minimum eight (8) days provided herein. For cargoes/shipments discharged during the implementation of the Enhanced and Modified Community Quarantine, and prior to the effectivity of this Department Order, international shipping lines are enjoined to apply this 8 days free time.

Section 3  
**SEPARABILITY CLAUSE**

If any part or provision of this Order is held unconstitutional or invalid, other parts or provisions which are not affected shall continue to remain in full force and effect.

Section 4  
**REPEALING CLAUSE**

All other Department Orders, Circulars, Special Orders, Office Orders and/or other issuances inconsistent herewith are hereby superseded and/or modified accordingly.

Section 5  
**EFFECTIVITY**

This Order shall take effect immediately.

**ARTHUR P. TUGADE**  
Secretary



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