

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 255  
FIXING AND REGULATING THE COLLECTION OF WHARF  
OR PIER CHARGES FOR THE USE OF PORT FACILITIES

Whereas the ports of the Philippines have been classified by Executive Order No. 195 dated March 13, 1939, as revised by Executive Order No. 254 dated February 20, 1940;

Whereas it appears advisable that a definite policy be adopted fixing and regulating the collection of wharf or pier charges for the use of port facilities throughout the Philippines; and

Whereas the collection of fees at municipal ports is authorized by Act Numbered Twenty-seven hundred and eleven, known as the Administrative Code;

Now, therefore, I, Manuel L. Quezon, President of the Philippines, by virtue of the authority in me vested by law, do hereby order that berthing fees shall be collected at all National ports in the amounts and under the conditions hereinafter set forth, viz.:

(1) *Vessels in foreign trade.*—(a) Every vessel engaged in foreign-carrying trade which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf at any National port in the Philippines provided with cargo sheds, or makes fast to any vessel lying at such wharf or pier, for the purpose of discharging and/or loading cargo shall pay a berthing fee of two centavos (₱0.02) per registered gross ton of vessel for the first twenty-four (24) hours, or part thereof, and for each succeeding twenty-four (24) hours, or part thereof, exceeding three (3) hours, the same berthing fee shall be paid: *Provided*, That the maximum charge shall not exceed two hundred pesos (₱200.00) per day.

(b) Every vessel engaged in foreign-carrying trade which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf at any National port in the Philippines without cargo sheds, or makes fast to any vessel lying at such wharf or pier, for the purpose of discharging and/or loading cargo shall pay a berthing fee of one and one-half centavos (₱0.015) per registered gross ton of vessel for the first twenty-four (24) hours, or part thereof, and for each succeeding twenty-four (24) hours, or part thereof, exceeding three (3) hours, the same berthing fee shall be paid: *Provided*, That the maximum charge shall not exceed one hundred fifty pesos (₱150.00) per day.

(2) *Non-cargo vessels.*—Every vessel engaged in foreign-carrying trade which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf at any National port in the Philippines, or makes fast to any vessel lying at such wharf or pier, for the sole purpose of landing and/or taking passengers, or for taking fresh water or fuel for bunkers shall pay a berthing fee of one centavo (₱0.01) per registered gross ton of vessel: *Provided*, That such vessel remains at such berth not to exceed eight (8) hours, but if such vessel remains at such berth more than eight (8) hours, the same berthing fee shall be paid, as is provided in the preceding paragraph for cargo vessels; *And provided also*, That the maximum charge shall not exceed one hundred pesos (₱100.00) per day.

(3) *Vessels in the Philippine coastwise trade.*—(a) Every vessel propelled by steam or internal combustion engines and engaged in the Philippine coastwise trade, excepting boats of five tons gross or less or pleasure or non-commercial craft, which berths at a pier, wharf, bulkhead-wharf, river or

channel marginal wharf at any National port in the Philippines provided with cargo sheds or makes fast to any vessel lying at such wharf or pier, for the purpose of loading or discharging cargo or for any other purpose, except when in distress, shall pay a berthing fee of one centavo (₱0.01) per registered gross ton for the first twenty-four (24) hours or part thereof, and one-half centavo (₱0.005) per registered gross ton for each succeeding twenty-four (24) hours or part thereof: *Provided*, That the maximum charge shall not exceed one hundred pesos (₱100.00) for the first day and fifty pesos (₱50.00) for each succeeding day or part thereof, nor shall the minimum charge be less than ten pesos (₱10.00) for the first day and five pesos (₱5.00) for each succeeding day or part thereof.

(b) Every Philippine vessel engaged in coastwise trade which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf without a cargo shed at any National port or makes fast to any vessel lying at such pier, wharf, bulkhead-wharf, river or channel marginal wharf for any purpose, except those specifically exempted in the preceding subparagraph, shall pay a berthing fee of one-half centavo (₱0.005) per registered gross ton of vessel for the first twenty-four (24) hours or part thereof, and one-fourth centavo (₱0.0025) per registered gross ton of vessel for each succeeding twenty-four (24) hours or part thereof: *Provided*, That the maximum charge shall not exceed twenty-five pesos (₱25.00) for the first day and twelve pesos (₱12.00) for each succeeding day or part thereof, nor shall the minimum charge be less than one peso (₱1.00) for the first day and fifty centavos (₱0.50) for each succeeding day or part thereof.

(4) *Collection of fees.*—The berthing fees herein authorized for the use of National port facilities shall be collected by the Insular Collector of Customs, or his duly authorized representatives and deposited in the Philippine Treasury: *Provided*, That for this purpose, Customs Inspectors, Provincial and Municipal Treasurers, and other government officials, shall act as the representatives of the Insular Collector of Customs at non-entry ports when so designated by the Insular Collector of Customs with the approval of the Secretary of Finance and the consent of the Department Head concerned: *Provided, further*, That vessels owned by the Governments of the United States or the Philippines or by foreign governments, not engaged in carrying cargo or passengers for hire, shall be exempt from the payment of berthing fees.

(5) *Rules and regulations.*—The Insular Collector of Customs shall, subject to the approval of the Secretary of Finance, promulgate all rules and regulations to enforce the provisions of this Order, contained in paragraphs (1) to (4), inclusive.

(6) *Collection of berthing fees at municipal ports.*—Municipalities may collect berthing fees at municipal ports, pursuant to the provisions of section 2318 of the Revised Administrative Code, not to exceed those specified in paragraph (3) hereof, provided that such collections shall be credited to a special fund and used only for the maintenance and improvement of the port at which the collections are made.

This Order shall take effect on April first, 1940.

Done at the City of Manila, this twenty-first day of February, in the year of Our Lord, nineteen hundred and forty, and of the Commonwealth of the Philippines, the fifth.

MANUEL L. QUEZON  
*President of the Philippines*

By the President:  
JORGE B. VARGAS  
*Secretary to the President*

*Source: Presidential Museum and Library*

Office of the President of the Philippines. (1940). [*Executive Order Nos.: 248 - 399*]. Manila: Presidential Museum and Library.