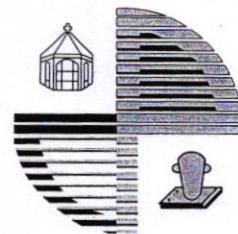


# CEBU PORT AUTHORITY

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**MEMORANDUM CIRCULAR NO. 07**  
Series of 2020



**TO** : All Concerned

**SUBJECT** : **Guidelines on Explosive Cargoes at Port**

Pursuant to Sections 7, 9 and 12 of Republic Act No. 7621 (Charter of the Cebu Port Authority), Presidential Decree No. 1866 Codifying the Laws on Illegal/unlawful Possession, Manufacture, Dealing in, Acquisition or Disposition, of Firearms, Ammunition or Explosives or Instruments used in the Manufacture of Firearms, Ammunition or Explosives, and imposing Stiffer Penalties for Certain Violations Thereof and for Relevant Purposes) as amended by R.A. 8294 (An Act Amending the Provisions Presidential Decree No. 1866), and subsequently amended by Republic Act 9516 (An Act Further Amending the Provisions of Presidential Decree No. 1866) and Republic Act No. 7183 (An Act Regulation the Sale, Manufacture, Distribution and Use of Firecrackers and Other Pyrotechnic Devices), the following guidelines are hereby prescribed.

**Section 1. Rationale.** – In light of the recent massive and devastating explosion of stored cargoes containing ammonium nitrate that happened at a port in Beirut, Lebanon, there is a need to revisit and update existing relevant policy to intensify awareness on the dangers of explosive cargoes in the port and to prevent a similar incident from happening in the ports of Cebu.

**Section 2. Policy.** – It is the policy of the Authority to provide, promote, and maintain a safe, secure and environment-friendly port.

**Section 3. Scope.** – This Circular shall apply to all ports under the administration and control of the Authority, including Cebu Port Authority (CPA) ports that are privately operated under a lease contract or by virtue of a Memorandum of Agreement (MOA) with the Authority and/or Permits To Operate issued by the Authority.

**Section 4. Objectives.** –

4.1 To prescribe guidelines on the shipment, transshipment, unloading, loading, transferring, transporting, storing and/or other cargo handling activities and movement and response to illicit explosive cargoes at port in order to prevent accidental explosion; and

4.2 To ensure lawful, safe and environmentally-friendly shipping, transshipping, unloading, loading, transferring, transporting, storing and/or other cargo handling activities and movement of explosive cargoes at ports.

**Section 5. Definition of Terms.** – As used in this Circular, the following terms shall be understood to mean:

5.1 **Authority** – refers to the Cebu Port Authority;

5.2 **Blast radius** – means the distance from the source that will be affected when an explosion occurs;

5.3 **Cargo Handling Service Provider (CHSP)** – refers to any person or entity authorized or licensed by the Authority to manage and operate cargo handling and other related services in a port;

5.4 **Competent authority** – refers to any person or body that has the legally delegated or invested authority, capacity, or power to perform a designated function;

5.5 **Consignee** – the party to whom a cargo is consigned under a contract of carriage or a transport document or electronic transport record. It is also known as the receiver;

5.6 **Explosive** – refers to gunpowder, powder used for blasting, all forms of high explosive, blasting materials, dynamite, fuses, detonators and detonating agents, smokeless powder, potassium chlorate, ammonium nitrate, sodium nitrate, sodium chlorate and any other chemical compound or chemical mixture that contains any combustible units or other ingredients in such proportion or packing that ignition by fire or friction, by concussion, by percussion, or detonation of all or any part of the compound or mixture, may cause a sudden generation of the heated gases and the resultant gaseous pressure are capable of producing destructive effects on contiguous objects or destroying life or limb;

5.7 **Explosive substance** – means a solid or liquid substance (or mixture of substances) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such speed as to cause damage to surroundings. Pyrotechnic substances are included even when they do not evolve gas;

5.8 **Explosive article** – means an article containing one or more explosive substances;

5.9 **IMDG Code** – means the International Maritime Dangerous Goods (IMDG) Code adopted by the Maritime Safety Committee of the International Maritime Organization by resolution MSC.122 (75), as may be amended by the IMO;

5.10 **Mass explosion** – means one which affects almost the entire load virtually instantaneously;

5.11 **Proper Shipping Name (PSN)**– is the standard technical name to describe the hazard properties and the composition of dangerous goods;

