

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 76-3

AMENDMENT COMMERCIAL PORT
RULES AND REGULATIONS:
COMMERCIAL PORT TARIFF

WHEREAS, Section 14101, Government Code of Guam, authorizes the Commercial Port Manager to make, alter, amend and repeal rules, regulations, fees, and rates as required in the operation of the Commercial Port of Guam; and

WHEREAS, the aforesaid Section 14101, Government Code of Guam, provides that such rules, regulations, fees, and rates shall have the force and effect of law after approval and promulgation by the Governor by Executive Order; and

WHEREAS, in accordance with Section 14101 a public hearing was held hereon November 26, 1975 after due notice as required by law;

NOW, THEREFORE, I, RICARDO J. BORDALLO, Governor of Guam, by virtue of the authority vested in me by section 14101 of the Government Code of Guam do hereby approve and promulgate the following amendments to the Rules and Regulations of the Commercial Port:

1. Subsection "0" is added to the General Rules and Regulations of the Terminal Tariff to read:

"0. Unclaimed Cargo. Cargo held in storage for sixty (60) days or longer, the charges on which are not paid to the Commercial Port on demand, may be sold at public auction upon not less than five days (5) notice, published once in a newspaper of general circulation in Guam. Perishable cargo upon which there are accrued unpaid Port charges may be sold at public or private sale at any time without advertisement. If the proceeds from any such sale are less than the charges owed the Port, the Port shall absorb the loss incurred. If, however, the proceeds from the entire public auction or sale is in excess of the charges owed the Port, the

Port shall pay to the shipping agencies owed money on account of the sold cargo a pro rata share of such overall excess. No agency or consignee, if found, shall be entitled to any specific amount on account of his specific cargo sold."

2. Paragraph D of the Container Stevedoring and Handling Services of the Terminal Tariff relating to Straddle Carrier Rental is amended to read:

"Straddle Carrier Rental, including Operators Moving Container from under the Hook to Container Yard or CFS Warehouse, Loading Container on trailer, or removing Container from trailer to return to CY Yard or to Under the Hook. Except that full containers received for transshipment will be exempted from the Container Yard to Under the Hook charges."

3. The following is added to the Equipment Rental Section of the Terminal Tarrif to read:

<u>Equipment Description</u>	<u>S/T Rate Per Hour</u>	<u>O/T Rate Per Hour</u>	<u>Minimum Charges</u>
Crane, P&H, 250 Tons	250.00	260.00	2 hrs.
Tractor, Truck	15.00	17.00	1 hr.
Hystainer, 80,000 lbs.	15.00	17.00	1 hr.


Any other Executive Orders or memoranda in conflict with this Order are hereby repealed insofar as they so conflict.

The amendments above are approved and promulgated to be effective this date.

Signed and promulgated at the City of Agana, Guam this 7th day of January, 1976.


RICARDO J. BORDALLO
Governor of Guam

COUNTERSIGNED:


RUDOLPH G. SABLAN
Lieutenant Governor