

THIRTEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
SECOND REGULAR SESSION }

5 SEP 26 P2:13

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**SENATE OF THE PHILIPPINES**

**S. NO. 2134**

Introduced by Senator Juan M. Flavier


**EXPLANATORY NOTE**

Ship agents play a vital role in making the business of local and international navigation more convenient. They contribute to competitiveness and efficiency by facilitating a more expedient entry and departure of ships in their ports of origin and destination.

Under the Code of commerce, the liability of ship agents is so broad to the extent that they are bound solidarily with the shipowners to indemnify the shippers for loss or damages to goods due to the fault of the captain or under circumstances beyond their control. Aside from the fact that ship agents' concern is limited to provision and representation of the vessel in the port in which it may be found, they are not parties to the contract between the shippers and carriers.

It is the wisdom of this bill to put an end to this burden carried by the ship agents who are not parties to the contract of carriage but acting merely as representatives of the shipowners.

Thus, immediate passage of this bill is earnestly sought.

  
**JUAN M. FLAVIER**  
Senator

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**AN ACT LIMITING THE LIABILITY OF SHIP AGENTS ENGAGED IN  
COASTWISE AND FOREIGN TRADE, AMENDING FOR THIS  
PURPOSE ARTICLES 586, 587, 618, 826 AND RELATED  
PROVISIONS OF THE CODE OF COMMERCE AS WELL AS OTHER  
APPLICABLE LAWS**

*Be it enacted by the Senate and the House of Representatives of the Philippines in  
Congress assembled:*

SECTION 1. Liability of the Ship Agent. The liability of the ship agent under the Code of Commerce shall not be extended to the obligations assumed by the shipowner and/or carrier to the shippers for the loss and/or damages of goods.

SECTION 2. Repealing Clause. The provisions of Articles 586, 587, 618, 826 and related provisions of the Code of Commerce shall not be extended to the obligations assumed by the shipowner and/or carrier to the shippers for the loss and-or damages of goods.

SECTION 3. Effectivity. This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,