

NMM

NAGUE MALIC MAGNAWA & ASSOCIATES
Customs Brokers

COMPLIANCE BEYOND BORDERS

CUSTOMS GAZETTE

Updates on Customs-Related Matters

Disclaimer

THIS IS NOT A LEGAL DOCUMENT AND
MAY NOT BE USED AS SUCH. IT IS AN
ADVISORY AND INFORMATION TOOL
ONLY.

In Brief

Conditionally Tax and/or Duty-Exempt Importations Under Section 800 of the CMTA Excluding Subsections (F) and (G) - CAO 06-2020 (page 03)

Tax and Duty-Exempt Importations under Section 4(O) of "Bayanihan to Heal as One Act" - CAO 07-2020 (page 24)

Interim Procedure on Provisional Goods Declaration - CMO 07-2020 (page 29)

Guidelines in the Implementation of the Zero-Contact Policy at the Assessment Offices in the Bureau of Customs - CMO 08-2020 (page 36)

Implementing the Authorized Economic Operator (AEO) Program Established Under CAO 5-2017 for Importers and Exporters - CMO 09-2020 (page 43)

Strict Compliance With CMO NO. 16-2019 - OCOM MEMORANDUM 40-2020 (page 62)

Mandatory Compliance of CMO NO. 49-2019 - OCOM MEMORANDUM 49-2020 (page 63)

Provisional Goods Declaration for Relief Consignment Under a State of Calamity - OCOM MEMORANDUM 53-2020 (page 64)

Conduct of Hearings in All Forfeiture Proceedings Under CMO NO. 4-2019 (A) in Light of COVID-19 Travel Restrictions - OCOM MEMORANDUM NO. 54-2020 (page 66)

Guidelines on the Management of COVID-19 Related Cases in BOC - OCOM MEMORANDUM NO. 55-2020 (page 67)

Guidelines During the Strict Implementation of Enhanced Community Quarantine (ECQ) - OCOM MEMORANDUM 56-2020 (page 70)

Extension of Validity of Accreditation of Stakeholders During the Enhanced Community Quarantine - OCOM MEMORANDUM NO. 57-2020 (page 72)

Temporary Closure of the Manila International Container Port (MICP) Building - OCOM MEMORANDUM NO. 58-2020 (page 73)

Suspension of the 7-Day Period to Lodge Goods Declaration During the Enhanced Community Quarantine - OCOM MEMORANDUM NO. 60-2020 (page 74)

Online Filing of Goods Declaration - OCOM MEMORANDUM 61-2020 (page 75)

In Brief

Guidelines for the Issuance of Accreditation Pass to BOC Stakeholders - OCOM

MEMORANDUM 62-2020 (page 84)

Prioritizing the Cargo Clearance of Essential Items and Making Mandatory the Work From Home Arrangements of BOC Personnel, with Certain Exceptions During Enhanced Community Quarantine (ECQ) - OCOM MEMORANDUM NO. 69-2020 (page 89)

CAO 06-2020

Issue Date: March 25, 2020

Introduction

This CAO implements Section 800, Chapter 1, Title VIII, and other relevant sections of Republic Act (RA) No. 10863, otherwise known as the Customs Modernization and Tariff Act (CMTA).

Scope

This CAO shall cover the conditionally tax and/or duty-exempt importations specifically enumerated in Section 800 of the CMTA, excluding Subsection (f) on Returning Residents and OFWs and Subsection (g) on Shipments of Balikbayan Boxes which are covered by separate CAOs and Customs Memorandum Orders (CMOs).

Objectives

- Establish an informed compliance regime for importers of conditionally tax and/or duty-exempt goods and other stakeholders
- Facilitate customs clearance of conditionally tax and/or duty-exempt importations without sacrificing the Bureau's other core functions of revenue collection and border security through application of risk management techniques and Information and Communication Technology (ICT), enabled monitoring and control systems

Definition of Terms

Bureau – the Bureau of Customs

Certificate of Identification (CI) – the document issued by the District Collector or authorized customs officer identifying the goods to be exported and subsequently brought back to the Philippines, which must be secured prior to or upon departure

Drawback – the refund or credit of duties and/or taxes actually paid for the importation, whether in whole or in part

cf. CMTA, Title I, Chapter 2, Section 102 (i)

cf. CAO No. 06-2016 "Conditionally Tax and/or Duty-Exempt Importation of "Returning Residents" and Overseas Filipino Workers (OFWs)", Definition of Terms, Section 3.3.

cf. CMTA, Title IX, Chapter 1, Section 900

Import Duties – duties imposed on the importation of goods pursuant to the CMTA

Marine Protest – a declaration under oath by the master, of the circumstances attending the damage or loss of their vessel, intended to show that the loss accrued by the perils of the sea, and conducting with the protestation against any liability of the owner to the freighters. Its use and design is to authenticate the facts and circumstances of a loss to the insurer and all concerned

Merchandise – commodities or goods that are held for sale or commercial purpose

Motion Picture – a series of pictures projected in a screen in rapid succession, with objects shown in successive positions slightly changed so as to produce the optical effect of continuous picture in which the objects move, whether the picture be black and white or colored, silent or with accompanying sound, on whatever medium and with whatever mechanism or equipment they are projected, and in whatever material they are preserved or recorded for instant projection, for the purpose of this Order, the material in which the motion picture is contained, preserved, or recorded, forms an integral part of the motion picture subject of this Order

Overseas Filipinos – Filipinos or their families and descendants who are now residents or citizens of other countries

Personal Effects – commodities whether new or used, for personal use or consumption and not for commercial purposes, such as wearing apparel, personal adornments, electronic gadgets, toiletries, or similar terms

“Persons coming to settle” – foreigners coming to settle in the Philippines. Such foreigners must be holders of any permanent resident or immigrant visa, such as those covered under Section 13 (a) to (g) of the Philippine Immigration Act, Special Retirees Resident Visa (SRRV), Special Investors Resident Visa (SIRV), Philippine Retirement Authority Visa (PRAV) and the like. Holders of Temporary Visitors Visa, Transit Visa and Working Visa are excluded.

Processing – a progressive action or a series of acts or steps which do not change the nature and identity of the goods

Philippine Coast Guard Memorandum
Circular No. 06-1990

Presidential Decree No. 1986, “Creating
the Movie and Television Review and
Classification Board”, Section 10 (1)

cf. CMTA, Title VIII, Chapter 1, Section
800 (i)

cf. CAO 05-2016 “Consolidated
Shipment of Duty and Tax-free
Balikbayan Boxes”, Definition of Terms,
Section 3.21.

cf. CAO No. 07-72 “Regulations
Implementing Section 105 of the TCCP,
as amended by Presidential Decree No.
34 dated October 27, 1972”, Paragraph
1 (D)

Professional Instruments – a tool or implement used to do or facilitate work, especially a small precision tool used by a professional

The Free Dictionary, Dictionary, <http://thefreedictionary.com/instrument>, Accessed: May 25, 2017

Reconditioning – the servicing, readjusting, and recalibrating of an equipment or instrument to bring them to near-new or original operational level

cf. Business Dictionary, <http://www.businessdictionary.com/definition,reconditioning.html>, Accessed; May 25, 2017

Re-exportation – exportation of goods, which have been previously imported, within the period prescribed by regulations after having given conditionally-exempt duty and tax privileges

cf. CMTA, Title I, Chapter 2, Subsection 102 (jj)

Samples – samples of the kind, in such quantity and of such dimension or construction as to render them unsaleable or of no commercial value; models not adapted for practical use; and samples of medicines, properly marked “sample-sale punishable by law” and other similar markings, for the purpose of introducing new goods in the Philippine market and imported only once in a quantity sufficient for such purpose by a person duly registered and identified to be engaged in that trade

cf. CMTA, Title VIII, Chapter 1, Section 800 (r)

Security – any form of guaranty, such as a surety bond, cash body, standby letter of credit or irrevocable letter of credit, which ensures the satisfaction of an obligation to the Bureau

cf. CMTA, Title I, Chapter 2, Subsection 102 (mm)

Tax Exemption Indorsement (TEI) – an indorsement from the Revenue Office (RO) of the Department of Finance (DOF) evidencing exemption of a particular importer from payment of duties and/or taxes on his importations

Taxes – all taxes, fees and charges imposed under the Customs Modernization and Tariff Act and the National Internal Revenue Code (NIRC) of 1997, as amended, and collected by the Bureau

cf. CMTA, Title I, Chapter 2, Subsection 102 (oo)

Value Added Tax (VAT) – a form of sales tax, levied on the sale, barter, exchange or lease of goods or properties and services in the Philippines and on the importation of goods into the Philippines as imposed pursuant to National Internal Revenue Code (NIRC)

cf. Republic Act No. 8424 “National Internal Revenue Code of 1997”, as amended

General Provisions

All importations under Section 800 of the CMTA must secure Tax Exemption Indorsement (TEI) from the Department of Finance-Revenue Office (DOF-RO), except for aquatic products under subparagraph (a), balikbayan boxes under subparagraph 9g), coffins and urns containing human remains under subparagraph (q), accompanied goods under subparagraph (h-1), and properly marked diplomatic pouches/bags meeting the requirements of Article 27 of the Vienna Convention on Diplomatic Relations and Optional Protocols (1961).

The Bureau shall require the submission of import bill of lading/airway bill properly endorsed by the shipping lines/airlines, original import invoice, packing list, and permits/clearances from regulatory agencies, if applicable. The Bureau may also require the submission of additional documents as may be necessary or provided by related laws or regulations.

Operational Provisions

The following shall be observed in availing tax and/or duty exemption:

Aquatic Products

Aquatic products such as fishes, crustaceans, mollusks, marine animals, seaweeds, fish oil, roe caught or gathered by vessels of Philippine registry, shall be exempt from payment of import duty.

The following documents shall be filed directly with the Bureau:

- Certificate of the Master of the fishing vessel stating that:
 - The fishing vessel which caught or gathered the covered aquatic products is of Philippine registry
 - Such aquatic products are imported in such vessel or in crafts attached thereto, and
 - Such aquatic products have not been landed in any foreign territory or, if so landed, that they have been landed solely for transshipment without having been advanced in condition
- Permit/Clearance from regulatory agency
- Goods Declaration

cf. CMTA, Title VIII, Chapter 1, Section 800 (a)

- Import Bill of Lading
- Import Invoice/Packing List

The above requirements shall be presented whether or not the carrying and gathering vessels are the same.

Equipment for Use in the Salvage of Vessels or Aircraft

cf. CMTA, Title VIII, Chapter 1, Section 800 (b)

Equipment for use in the salvage of vessels or aircrafts shall be exempt from payment of import duty.

The following documents shall be filed with the Bureau:

- TEI with accompany documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice and/or Packing List
- Security equal to one hundred percent (100%) of the duties, taxes and other charges thereon, conditioned for the exportation thereof or payment of the corresponding duties, taxes and other charges within six (6) months from the date of acceptance of the goods declaration, and
- Certificate of Identification of the equipment once entered into the Philippine territory and re-identified upon Re-exportation

The Bureau may extend the time for exportation or payment of duties, taxes and other charges for a term not exceeding six (6) months from the expiration of the original period.

Cost of Repairs of Vessels or Aircrafts

cf. CMTA, Title VIII, Chapter 1, Section 800 (c)

Cost of repairs, excluding the value of the goods used, made in foreign countries upon vessels or aircrafts documented, registered or licensed in the Philippines shall be exempt from payment of import duty.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Imported Goods for Repair, Processing or Reconditioning and for Subsequent Re-exportation

cf. CMTA, Title VIII, Chapter 1, Section 800 (c)

Goods brought into the Philippines for repair, Processing or Reconditioning to be re-exported upon completion of the repair, Processing, or Reconditioning shall be exempt from payment of import duty.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Security equal to one hundred percent (100%) of the duties, taxes and other charges thereon, conditioned for the exportation thereof or payment of the corresponding duties, taxes and other charges within six (6) months from the date of acceptance of the goods declaration
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Medals, Badges, Cups, and Other Small Goods Bestowed as Trophies or Prizes

cf. CMTA, Title VIII, Chapter 1, Section 800 (e)

Medals, badges, cups, and other small goods bestowed as trophies or prizes, or those received or accepted as honorary distinction shall be exempt from payment of import duty upon submission of proof evident on the goods themselves or that the same have been bestowed as trophies or prizes or accepted as honorary distinctions.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

The TEI is not required if the said goods are brought in as accompanied baggage of the recipient with sufficient proof that the same were bestowed as trophies or prizes, or received or accepted as honorary distinction.

Personal and Household Effects of Returning Residents and Overseas Filipino Workers (OFWs)

cf. CMTA, Title VII, Chapter 1, Section 800 (f)

Conditionally Tax and/or Duty-Exempt Importation of Returning Residents and Overseas Filipino Workers (OFWs) is embodied separately in CAO No. 06-2016.

Balikbayan Boxes

cf. CMTA, Title VIII, Chapter 1, Section 800 (g)

Consolidated Shipment of Duty and Tax-Free Balikbayan Boxes is embodied separately in CAO No. 01-2018.

Personal Effects, Toiletries, Portable Tools, Theatrical Costumes and Similar Effects of Travelers or Tourists

cf. CMTA, Title VIII, Chapter 1, Section 800 (h)

Wearing apparel, goods of personal adornment, toilet goods, portable tools and instruments, theatrical costumes and similar effects accompanying travelers, or tourists, or arriving within a reasonable time before or after their arrival in the Philippines, which are necessary and appropriate for the wear and use of such persons according to the nature of the journey, their comfort and convenience: Provided, that this exemption shall not apply to goods intended for other person or for barter, sale or hire.

The following documents shall be filed with the Bureau:

- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List
- Written commitment or a Security in an amount equal to one hundred percent (100%) of the ascertained duties, taxes and other charges thereon, conditioned for the exportation thereof or payment of the corresponding duties, taxes and other charges within three (3) months from the date of acceptance of the goods declaration

The Bureau may extend the time for exportation or payment of duties, taxes and other charges for a term not exceeding three (3) months from the expiration of the original period.

Personal and Household Effects and Vehicles Belonging to Foreign Consultants and Experts

cf. CMTA, Title VIII, Chapter 1, Section 800 (h)

Personal and household effects and vehicles belonging to foreign consultants and experts hired by or rendering service to the government, and their staff or personnel and families accompanying them or arriving within a reasonable time before or after their arrival in the Philippines, in quantities and of the kind necessary and suitable to the profession, rank or position of the person importing said items, for their own use and not for barter, sale or hire.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Security equal to one hundred percent (100%) of the duties, taxes and other charges thereon, or written commitment, conditioned on the exportation thereof or payment of the corresponding duties, taxes and other charges within three (3) months from the expiration of their term or contract. In case of a written commitment to re-export, approval shall be secured from the Commissioner
- Goods Declaration
- Import Bill of Lading/ Air Waybill
- Import Invoice
- Packing List

The Bureau may extend the time for exportation or payment of duties, taxes and other charges for a term not exceeding three (3) months from the expiration of the original period.

Professional Instruments and Tools of Trade of Persons Coming to Settle in the Philippines

Professional instruments and implements, tools of trade, occupation or employment, wearing apparel, domestic animals, and personal and household effects belonging to Overseas Filipinos or Persons coming to settle in the Philippines shall be exempt from the payment of all duties and taxes.

Unaccompanied baggage belonging to such persons must be owned or were in their possession before departure from their former place of abode.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Permit/Clearance from regulatory agencies
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Goods for Public Entertainment and Display in Public Expositions

Goods used exclusively for public entertainment and for display in public expositions or for exhibition or competition for prizes and devices for projecting pictures and parts and appurtenances thereof shall be exempt from payment of import duty.

cf. CMTA, Title VIII, Chapter 1, Section 800 (i)

cf. Republic Act No. 8424 "National Internal Revenue Code of 1997" Title IV, Chapter 1, Section 109 (t) (D)

cf. CMTA, Title VIII, Chapter 1, Section 800 (j)

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Security in an amount equal to one hundred percent (100%) of the ascertained duties, taxes and other charges thereon, conditioned for exportation thereof or payment of the corresponding duties, taxes and other charges within three (3) months from the date of acceptance of the goods declaration
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

The Bureau may extend the time for exportation or payment of duties, taxes and other charges for a term not exceeding three (3) months from the expiration of the original period.

Technical and Scientific Films

Technical and scientific films when imported by technical, cultural, and scientific institutions and not to be exhibited for profit shall be exempt from payment of import duty.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/ Air Waybill
- Import Invoice/Packing List

However, no Motion Pictures and their accessories shall be released from the Bureau without the corresponding permit issued by the Movie and Television Review and Classification Board (MTRCB). If any of the films is exhibited for profit, the proceeds therefrom, shall be subject to confiscation, in addition to the penalty provided under the CMTA.

Goods for Making or Recording Motion Picture Films

Goods brought by foreign film producers, directly and exclusively used for making or recording Motion Picture films on location in the Philippines, shall be exempt from payment of import duty.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Affidavit of foreign film producers stating that the goods are not for sale, barter or hire but are directly and exclusively used for making or recording Motion Pictures on location in the Philippines and stating the itemized goods with their corresponding descriptions and values

cf. CMTA, Title VIII, Chapter 1, Section 800 (j)

Presidential Decree No. 1986 "Creating the Movie and Television Review and Classification Board", Section 3 (c)

cf. CMTA, Title VIII, Chapter 1, Section (k)

- Identification, examination and appraisal by a customs officer and the issuance of a Certificate of Identification
- Security in an amount equal to one hundred percent (100%) of the ascertained duties, taxes and other charges thereon, conditioned for exportation thereof or payment of the corresponding duties, taxes and other charges within three (3) months from the date of acceptance of the goods declaration, unless extended by the District Collector for another three (3) months
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Photographic and Cinematographic Films

cf. CMTA, Title VIII, Chapter 1, Section 800 (k)

Photographic and cinematographic films, which are undeveloped and exposed outside the Philippines by resident Filipino citizens or by producing companies of Philippine registry, shall be exempt from payment of import duty.

The following documents shall be filed directly with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill, if applicable
- Import Invoice/Packing List, if applicable
- Certificate of Identification (CI) evidencing that the said films have been identified prior to their exportation from the Philippines
- Re-identification upon entry by the customs officials concerned and that CI in both cases should be presented
- Affidavit by the importer stating that:
 - The negative films, undeveloped, are the same films which were brought outside the Philippines where the same were exposed for the production or filming of Motion Pictures (specifying the title of the picture)
 - The owner is a resident Filipino citizen or a producing company of Philippine registry
 - The principal actors and artists employed in the production of said pictures are Filipinos (naming the principal actors and artists and their citizenship)

Importations of Foreign Embassies, Legations, etc.

cf. CMTA, Title VIII, Chapter 1, Section 800 (l)

Importations for the official use of foreign embassies, legations and other agencies of foreign governments shall be exempt from the payment of all duties and taxes.

Every proper means shall be afforded the foreign officials, embassies, legations and other agencies of foreign governments mentioned above to facilitate their passage through ports of the Philippines.

The personal baggage or shipments of a diplomatic agent shall be exempt from inspection, unless there are serious grounds to believe that it contains articles not for the official use of the mission or not for the personal use of the diplomatic agent or members of their family as provided in paragraph 1 of Article 36 of the Vienna Convention on Diplomatic Relations and Optional Protocols (1961). Inspection may also be conducted if there are serious grounds to believe that the articles are prohibited by law or controlled by quarantine regulations. Provided that such inspection shall be conducted only in the presence of diplomatic agent or their authorized representative.

Properly marked diplomatic pouches/bags meeting the requirements of Article 27 of the Vienna Convention on Diplomatic Relations and Optional Protocols (1961) shall not be opened or detained.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Goods for Donation

Imported goods donated to or for the account of the Philippine government or any duly registered relief organization not operated for profit, which is for free distribution among the needy, upon certification by the department of Social Welfare and Development (DSWD) or the Department of Education (DepEd), or the Department of Health (DOH), as the case may be, shall be exempt from payment of import duty.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

cf. CMTA, Title VIII, Chapter 1, Section 800 (m)

Containers, Holders and Other Receptacles for Export of Locally-Manufactured Goods

cf. CMTA, Title VIII, Chapter 1, Section 800 (n)

Containers, holders, and other similar receptacles of any material, including kraft paper bags for locally manufactured cement for export, including corrugated boxes for bananas, mangoes, pineapples and other fresh fruits for export, shall be exempt from payment of import duty.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice
- Packing List
- Security in an amount equal to one hundred percent (100%) of the ascertained duties, taxes and other charges thereon, within six (6) months from the date of acceptance of the goods declaration

Supplies for Sea or Air Stores

cf. CMTA, Title VIII, Chapter 1, Section 800 (o)

The CAO on Stores for International vessels and Aircraft shall govern this provision.

Recovered Goods and Salvage of Vessels

cf. CMTA, Title VIII, Chapter 1, Section 800 (p)

Goods salvaged from the vessel, or parts of a foreign vessel or its equipment, whether wrecked or abandoned, shall be exempt from payment of Import Duties after two (2) years from the date of filing of the Marine Protest or from the time when the vessel was wrecked or abandoned.

Goods and salvage recovered within two (2) years shall be dutiable.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Inventory Report of the Customs Examiner
- Certification of Report from MARINA
- Goods Declaration

Coffins or Urns

Coffins or urns containing human remains, bones or ashes, used personal and household effects (not Merchandise) of the deceased person, shall be exempt from the payment of all duties and taxes upon compliance with the following conditions:

- That said personal and household effects are not Merchandise or vehicles
- That the value of said coffins or urns and used personal or household effects does not exceed one hundred fifty thousand pesos (Php 150,000.00)
- That it should be accompanied by an affidavit of a person having knowledge of the facts, or otherwise satisfy themselves that the used personal and household effects belonged to the deceased.

The following documents shall be filed with the Bureau:

- Import Bill of Lading or Airway Bill
- Death Certificate
- Gate Pass
- Goods Declaration, if with Personal Effects

Samples

Samples shall be classified as commercial or non-commercial samples. The treatment for the Samples shall be as follows:

- The following non-commercial samples shall be exempt from payment of import duty:
 - Samples of the kind in such quantity and of such dimension or construction as to render them unsaleable or of no commercial value
 - Models not adapted for practical use
 - Samples of medicines, subject to the following conditions:
 - That they are properly marked "SAMPLE-SALE PUNISHABLE BY LAW", and these words should be clearly and permanently printed, not merely pasted on the products' label and/or box
 - That they are imported for the purpose of introducing a new product in the Philippine market
 - That they are imported only once in such quantity sufficient for such purpose
 - That they are imported by a person duly registered and identified to be engaged in that trade
 - That the importation of said sample of medicine was previously authorized by the Secretary of Health and the Secretary of Finance

- That such Samples are new medicines not available in the Philippines as may be determined by the Secretary of Health or their duly authorized representative
- That they are not in commercial sizes nor shipped in bulk

Samples of the kind and models, which are not previously authorized by the Secretary of Finance or properly marked shall be levied the corresponding tariff duty.

- **Commercial Samples** – Single importation of readily and easily identifiable commercial Samples, the value of which does not exceed FCA value of Fifty Thousand Pesos (Php 50,000.00), shall be subject to posting of a Security, equally to the ascertained duties, taxes and other charges, conditioned on the exportation of said Samples, within three (3) months from the date of the acceptance of the goods declaration or in default thereof, forfeiture of the said Security.

If the FCA value exceeds Fifty Thousand Pesos (Php 50,000.00), the importer may select portion of the same not exceeding the FCA value of Fifty Thousand Pesos (Php 50,000.00) for conditionally-free entry under this Section and the excess of the consignment, may be entered in bond, or consumption.

Any portion of the commercial Samples consumed or not re-exported is subject to payment of duties and taxes or forfeiture of the Security.

Excluded from the coverage of this Section are commercial Samples not readily and easily identifiable as in the case of precious and semi-precious stones, cut or uncut, and jewelry set with precious or semi-precious stones.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Animals

Animals, except racehorses, for the purpose of scientific, experimental breeding, zoological or national defense purposes, shall be exempt from payment of import duty.

cf. CMTA, Title VIII, Chapter I, Section 800 (s)

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Plants

Plants for scientific, experimental propagation, botanical and national defense purposes, shall be exempt from payment of import duty: Provided, that no live trees, shoots, plants, moss and bulbs, tubers and seeds for propagation purposes may be imported hereunder, except by order of the government or other duly authorized institutions.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Books or Publications

The following shall be exempt from payment of import duty and tax:

- Economic, technical, vocational, scientific, philosophical, historical and cultural books or publications, and religious books like Bibles, missals, prayer books, the Koran, Ahadith and other religious books of similar nature and extracts therefrom, hymnal and hymns for religious uses
- Educational, scientific, and cultural materials covered by international agreements or commitments binding upon the Philippine government upon certification by the DepEd or other authorized entity

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice
- Packing List

cf. CMTA, Title VIII, Chapter I, Section 800 (s)

cf. CMTA, Title VIII, Chapter 1, Section 800 (t)

Goods Previously Exported and Subsequently Imported

The following shall be exempt from payment of import duty:

- Philippine goods previously exported from the Philippines and returned without having been advanced in value, or improved in condition by any process of manufacturing or other means, and upon which no Drawback or bounty has been allowed, including instruments and implements, tools of trade, machinery and equipment, used abroad by Filipino citizens in the pursuit of their business, occupation or profession.

Where Drawback or bounty has been allowed, the reimportation of the Philippine goods shall be subject to a duty equal to the amount of such Drawback or bounty.

- Foreign goods previously imported when returned after having been exported and loaned for use temporarily abroad solely for exhibition, testing and experimentation, for scientific or educational purposes.

Foreign containers previously imported which have been used in packing exported Philippine goods and returned empty if imported by or for the account of the person or institution who exported them from the Philippines and not for sale, barter or hire subject to identification.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Certificate of Identification or export documents evidencing previous exportation from the Philippines, whichever is applicable
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Aircraft, Parts, Supplies, etc. of Scheduled Airlines with Congressional Franchise

Aircraft, equipment and machinery, spare parts, commissary and catering supplies [note:], aviation gas, fuel and oil, whether crude or refined except when directly or indirectly used for domestic operations, and such other goods or supplies imported by and for the use of scheduled airlines operating under

congressional franchise shall be exempt from payment of import duty: Provided, That such goods or supplies and are necessary or incidental to the proper operation of the scheduled airline importing the same.

cf. National Internal Revenue Code (NIRC) as amended by RA No. 8424, Section 109, (1) (U)

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Machineries, Equipment, etc. of New Mines and Old Mines

cf. CMTA, Title VIII, Chapter 1, Section 800 (w)

- Machineries, equipment, tools for production, plans to convert mineral ores into saleable form, spare parts, supplies, materials, accessories, explosives, chemicals, and transportation and communications facilities, subject to the following conditions:
 - They are imported by and for the use of new mines and old mines which resume operations
 - They are certified to as such by the Secretary of Environment and National Resources, upon the recommendation of the Director of Mines and Geosciences Bureau
 - The privilege shall lapse five (5) years from the first date of actual commercial production of saleable mineral products
 - Such goods are not locally available in reasonable quantity, quality and price and are necessary or incidental in the proper operation of the mine

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Spare Parts of Vessels or Aircrafts Engaged in Foreign Trade

cf. CMTA, Title VIII, Chapter 1, Section 800 (x)

Spare parts of vessels or aircrafts of foreign registry engaged in foreign trade when brought into the Philippines exclusively as replacements or for the emergency repair thereof, shall be exempt from payment of import duty upon proof satisfactory that such spare parts shall be utilized to secure the safety, seaworthiness or airworthiness of the vessel or aircraft, to enable it to continue its voyage or flight.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents or request for under guarding
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Goods Exported for Repair, Processing or Reconditioning and Subsequently Re-imported

cf. CMTA, Title VIII, Chapter 1, Section 800 (y)

Goods exported from the Philippines for repair, Processing or Reconditioning without having been substantially advanced in value, and subsequently reimported in its original form and in the same state, provided, that in case the reimported goods have advanced in value, whether or- not in their original state, the value added shall be subject to the applicable duty rate of the tariff heading of the reimported goods.

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Export Documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice/Packing List

Trailer Chassis

cf. CMTA, Title VIII, Chapter 1 Section 800 (z)

Trailer chassis, when imported by shipping companies for their exclusive use in handling containerized cargo, shall be subject to posting of Security in an amount equal to one hundred percent (100%) of the ascertained duties, taxes and other charges due thereon. The Security shall cover for a period of one (1) year from the date of acceptance of the entry. The Commissioner may extend the period for meritorious reasons, from year to year, subject to the following conditions:

- That they shall be properly identified and registered with the Land Transportation Office (LTO)
- That they shall be subject to payment of customs supervision fee in an amount to be fixed by the District Collector and subject to the approval of the Commissioner
- That they shall be deposited in the customs territory when not in use
- That upon the expiration of the period prescribed above, duties and taxes shall be paid unless otherwise re-exported

The following documents shall be filed directly with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Air Waybill
- Import Invoice
- Packing List

Personal and Household Effects Including One (1) Motor Car of Philippine Diplomats or Consuls

cf. CMTA, Title VIII, Chapter 1, Section 800 (aa)

Importations by any officer or employee of the Department of Foreign Affairs (DFA), including any attaché, civil or military or member of the staff assigned to a Philippine diplomatic mission abroad by the Department or any similar officer or employee of other departments assigned to any Philippine consular officer abroad, or any AFP military personnel accorded assimilated diplomatic rank or on duty abroad who is returning from a regular assignment abroad, for reassignment to the home office, or who dies, resigns, or is retired from the service, shall be exempt from the payment of all duties and taxes, upon compliance with the following conditions:

- The goods should be limited to personal and household effects provided that the aggregate assessed value of the personal and household effects shall not exceed thirty percent (30%) of the total amount received by the officer or employee in salary and allowances during the latest assignment abroad, but not to exceed four (4) years
- It should include only one (1) motor car registered in the name of the officer or employee ordered or purchased prior to the receipt by the mission or consulate of the order of recall
- The exemption shall not be availed of more than once every four (4) years
- The officer or employee concerned must have served abroad for not less than two (2) years

The following documents shall be filed with the Bureau:

- TEI with accompanying documents
- Goods Declaration
- Import Bill of Lading/Airway Bill
- Import Invoice
- Packing List

Other Forms of Exemptions from Payment of Duties

The provisions of general and special laws, to the contrary notwithstanding, including those granting franchises, there shall be no exemption whatsoever from the payment of duties except as follows:

- Those provided for under the CMTA
- Those granted to government agencies, instrumentalities or government-owned or controlled corporations (GOCCs) with existing contracts, commitments, agreements, or obligations with foreign countries requiring such exemptions
- Those granted to international institutions, associations or organizations entitled to exemption pursuant to agreements or special laws
- Those that may be granted by the President upon prior recommendation of the NEDA in the interest of national economic development

Reportorial System

A Reportorial System shall be established in the Bureau for statistical purposes and monitoring of entry of conditionally-free importations.

The Bureau shall submit a monthly report to the DOF-RO of those availing of tax and/or duty exemption without TEI requirement. The report shall contain the name of the consignee, the legal basis of the exemption, the value of the shipment and the corresponding foregone revenue.

Penal Provision

Any person, whether natural or juridical, who makes or attempts to make any entry of imported goods by means of any false or fraudulent statement in order to avail of the privilege shall be subject to sanctions and penalties provided under Section 1401, Chapter 1, Title XIV of the CMTA.

Periodic Review

Unless otherwise provided, this CAO shall be reviewed every three (3) years and be amended or revised, if necessary.

Repealing Clause

This CAO specifically amends or repeals CAO No. 07-1972 and all other previously issued CAOs and CMOs which are inconsistent with the provisions herein stated.

Separability Clause

If any part of this CAO is declared unconstitutional or contrary to existing laws, the other parts not so declared shall remain in full force and effect.

Effectivity

This CAO shall take effect thirty (30) days from publication at the Official Gazette or a newspaper of national circulation.

The Office of National Administrative Register (ONAR) of the UP Law Center shall be provided three (3) certified copies of this CAO.

CAO 07-2020

Issue Date: March 30, 2020

Introduction

This CAO implements Section 4, Paragraph (o) of Republic Act No. 11469, otherwise known as “Bayanihan to Heal as One Act”.

Objectives

- Establish an informed compliance regime for importers and/or manufacturers entitled to exemption from import taxes, duties and fees under RA 11469
- Facilitate speedy customs clearance of such tax and/or duty-exempt importations, without sacrificing the Bureau’s other core functions of revenue collection and border security through application of risk management techniques and Information and Communication Technology (ICT) enabled monitoring and control systems

Definition of Terms

Act – refers to Republic Act No. 11469, otherwise known as “Bayanihan to Heal as One Act”

Bureau – the Bureau of Customs

Customs Duties – duties imposed on the importation of goods pursuant to the CMTA

Tax Exemption Indorsement (TEI) – an indorsement from the Revenue Office (RO) of the Department of Finance (DOF) evidencing exemption of a particular importer from payment of duties and/or taxes on his importations

Taxes – all taxes, fees and charges imposed under the CMTA and of the National Internal Revenue Code (NIRC) of 1997, as amended, and collected by the Bureau

Value Added Tax (VAT) – a form of sales tax, levied on the sale, barter, exchange or lease of goods or properties and services in the Philippines and on the importation of goods into the Philippines as imposed pursuant to National Internal Revenue Code (NIRC)

cf. CMTA, Title I, Chapter 2, Section 102 (i)

cf. CMTA, Title I, Chapter 2, Subsection 102 (oo)

cf. Republic Act No. 8424 “National Internal Revenue Code of 1997”, as amended

General Provisions

Pursuant to Section 4 (o) of the Act, the importation of health equipment and supplies deemed as critical or needed to carry out the objective of the Act and address the COVID-19 public health emergency shall be exempt from duties, taxes, and fees, including:

- Personal Protective equipment such as gloves, gowns, masks, goggles, face shields, surgical equipment and supplies
- Laboratory equipment and its re-agents
- Medical equipment and devices
- Support and maintenance for laboratory and medical equipment
- Surgical equipment and supplies
- Medical supplies, tools, and consumables such as alcohol, sanitizers, tissue, thermometers, hand soap, detergent, sodium hydrochloride, cleaning materials, povidone iodine, common medicines (e.g. paracetamol tablets and suspension, mefenamic acid, vitamins tablet and suspension, hyoscine tablet and suspension, oral rehydration solution, and cetirizine tablet and suspension)
- COVID-19 testing kits
- Others as may be identified by the Department of Health

cf. Republic Act No. 11469, Section 4, par. K

Importation by Manufacturers with Incentives

Manufacturers included in the Master List of the Department of Trade and Industry and other incentive granting bodies of the National Government may avail of the tax and duty exemption provided under Section 4 (o) of the Act for their importation of materials necessary for the production of health equipment and supplies deemed as critical or needed to carry out the objective of the Act.

Regulatory Clearance

The following policy shall be applied to the importation covered by this CAO:

- Importers of medical equipment and supplies for commercial purposes are exempt from the presentation of Certification of Product Notification (CPN) or Certificate of Product Registration (CPR) issued by the Food and Drugs Administration (FDA) prior to release from the Bureau provided, that they are able to provide a product notification with the FDA. Provided further, that for ventilators, respirators and their respective accessories imported for commercial purposes, importers only need to present a copy of their LTO
- Foreign donations of PPEs (face masks including N95 Masks, Shoe Covers, Gloves, Head Covers, and Gowns), imported not for commercial purposes, and foreign donations of ventilators, respirators, and their respective accessories to be used in the treatment of COVID-19 patients, shall not be required clearance from FDA prior to release.
- Importers or companies, other than medical device establishments, who use facemasks in the performance of their jobs and are strictly for company use can directly import without any certification from the FDA
- Imported health products for donation, duly certified by the regulatory agency or their accredited third party in the originating countries with established regulation, shall automatically be cleared. The certification shall not be required for health products which is not subject to clearance from FDA
- Other regulations issued by FDA including Circular No. 2020-009 dated 19 March 2020 shall also be complied with, unless inconsistent with the provision of the Act.

cf. FDA Letter dated 16 March 2020 to Comm. Leonardo B. Guerrero, Subject: FDA Procedures for FDA Clearance for Customs Release of Imported Medical Health Devices

cf. FDA Letter dated 23 March 2020 to Comm. Leonardo B. Guerrero, Subject: FDA Clearance of Ventilators, Respirators and Accessories

cf. FDA Letter dated 19 March 2020 to Comm. Leonardo B. Guerrero, Subject: FDA Procedure for FDA Clearance for Customs release of Foreign Donations for the COVID-19 Public Health Emergency

cf. FDA Letter dated 23 March 2020 to Comm. Leonardo B. Guerrero, Subject: FDA Clearance of Ventilators, Respirators and Accessories

cf. FDA Letter dated 16 March 2020 to Comm. Leonardo B. Guerrero, Subject: FDA Procedure for FDA Clearance for Customs release of Imported Medical and Health Devices

cf. FDA Letter dated 16 March 2020 to Comm. Leonardo B. Guerrero, Subject: FDA Procedure for FDA Clearance for Customs Release of Imported Medical Health Devices

Operational Provisions

- Customs clearance procedure for importations of medical equipment and supplies for commercial purposes shall be in accordance with existing rules and regulations issued by the Bureau. Provided, that the actual value of the imported goods shall determine whether the clearance procedure is under formal or informal entry process.
- The Bureau of Customs shall not unnecessarily delay the release of donated medical equipment and supplies deemed as critical or needed to carry out the object of the Act. Clearance procedure for donated medical equipment and supplies shall be under informal entry process.

cf. Republic Act No. 11469, Section 4 (j)

- The Joint Administrative Order on Relief Consignment and BOC Commissioner Memorandum dated 17 March 2020 on Provisional Goods Declaration shall apply in supplementary capacity for the speedy release of the medical equipment and supplies deemed as critical or needed to carry out the objective of the Act.
- The shipments entitled to exemption under Section 4 (o) of the Act may be released under Provisional Goods Declaration subject to the submission of Tax Exemption Indorsement (TEI) from the Department of Finance-Revenue Office (DOF-RO) after 12 April 2020 or upon lifting of the Declaration of ECQ, whichever comes earlier.

Reportorial System

The Bureau of Customs shall submit a daily report of all importations covered by this CAO to the Secretary of Finance for statistical and monitoring purposes.

Penal Provision

Any person, whether natural or juridical, who makes or attempts to make any entry of imported goods by means of any false or fraudulent statement in order to avail of the privilege shall be subject to sanctions and penalties provided under Section 1401, Chapter 1, Title XV of the CMTA.

Covered Period

The grant of exemption shall only cover importations which arrived and were cleared by the Bureau for three (3) months from effectivity of the Act, unless extended by Congress. This is without prejudice, however, to the privilege granted to importers under Section 121 or 800 (m) of the CMTA.

cf. Republic Act No. 11469, Section 9

Separability Clause

If any part of this CAO is declared unconstitutional or contrary to existing laws, the other parts not so declared shall remain in full force and effect.

Effectivity

This CAO shall take effect immediately after publication in the Official Gazette or a newspaper of national circulation.

The Office of National Administrative Register (ONAR) of the UP Law Center shall be provided three (3) certified copies of this CAO.

CMO 07-2020

Issue Date: March 16, 2020

Scope

This CMO shall cover all Provisional Goods Declarations to be processed under the Formal Entry System.

Objectives

- Provide interim procedures in the implementation of Sections 403 and 426 of R.A. 10863, otherwise known as the “Customs Modernization and Tariff Act” on the lodging and processing of PGD and the conditions therefor
- Establish a uniform compliance regime for brokers, importers and other stakeholders on PGD
- Ensure that the PGD mechanism is not used to circumvent the provisions of the CMTA and other related laws

Administrative Provisions

- Lodgement of provisional goods declaration may be allowed in the following circumstances:
 - When no regulatory permit, clearance or license has been presented at the time of lodgement, provided that the importer has filed their application for such permit, clearance or license, prior to the departure of the goods from the country of origin, prior to or after the arrival of the goods into the Philippines, depending on the policy of the concerned regulatory agency.

In cases where the permit, license or clearance may be secured after the arrival of the shipment, PGD may be allowed provided that the period to submit the same shall be in accordance with the requirement of the regulatory agency;

- When the Tax Exemption Indorsement (TEI) from the DOF, or the Tax Exempt Certificate (TEC) or Authority to Release Imported Goods (ATRIG) from the BIR has not been issued yet, provided an application has already been filed at the time of lodgement; or

- Any other situation where the declarant lacks certain information or document to make a complete goods declaration, provided it is not due to the declarant's negligence or fault, and provided further that the mandatory information and documents are present.
- The Bureau shall assign a Model of Declaration/Procedure Code(s) to identify that the goods declaration is provisional in nature upon lodgement
- .All PGDs shall be selected either "yellow" or "red" in the Bureau's Management Selectivity System.
- The procedure for assignment of PGDs under the Goods Declaration Verification System (GDVS), if applicable, shall be similar to the assignment of regular consumption goods declaration.
- Goods declaration shall be considered full and complete insofar as supporting documents and information are concerned if the declarant does not indicate the provisional nature of such lodgement.
- If the District/Subport Collector accepts a PGD, the duty and tax treatment of the goods shall not be different from that of goods with complete declaration
- Tentative assessment of duties, taxes and other charges on goods covered by a PGD shall be completed upon final readjustment and submission by the declarant of the additional information or documentation required to complete the goods declaration
- Processing of a PGD for relief consignments shall be governed by a separate CMO

cf. CMTA, Title IV, Chapter 1, Section 403, 2nd paragraph; cf. RKC, General Annex, Chapter 3 (b) "The Goods Declaration", Section 3.14

cf. CMTA, Title IV, Chapter 3, Section 426

Lodgement and Filing of PGD

The declarant shall lodge and file the PGD in accordance with the following procedure:

- The declarant shall lodge the PGD by using the assigned model of declaration code "**4PG 4**" under **Box 1** of the Single Administrative Document (SAD).
- Under **Box 37a**, the declarant shall likewise encode the Procedure Code "**4400**", including the 3-digit additional Code under **Box 37b**, as may be applicable
- The declarant shall supply all the necessary information upon lodgement as if they are filing a regular goods declaration.
- The declarant must file the PGD with the Entry Processing Unit (EPU) or equivalent unit within forty-eight (48) hours from lodgement, except when the 48th hour falls on a non-working day in which case the deadline shall be the next working day.

- The following documents shall be submitted upon filing in support of the PGD:
 - Duly endorsed Bill of Lading or Airway Bill
 - Commercial Invoice or Proforma Invoice
 - Packing List
 - PGD Documentary Requirements
 - Application for TEI, TEC, ATRIG, permit, clearance, license, or any other regulatory requirements, if applicable
 - All supporting documents which are considered provisional such as advance copy of the Certificate of Origin/Origin Declaration
 - Undertaking to submit the lacking documents

Processing of PGD

The PGD shall be processed in accordance with the following procedure:

Responsibility of the Entry Processing (EPU) or Equivalent Unit

- The assigned EPU personnel shall receive the PGD together with all the supporting documents as listed under Section 4.5 of this Order.
- The EPU personnel shall write the PGD control number and the SAD number on the PGD checklist. The control number shall be in sequential order with the following format:

"<last 2-digit year>"-"<5-digit sequential number>

e.g. PGD Control No. 19-00001

- The EPU personnel shall process the PGD in accordance with the rules on GDVS, if applicable.
- The EPU personnel shall forward the documents to the Customs Operations Officer V (COO V) of the section concerned in case of POM and MICP or to the Formal Entry Division (FED) Chief or its equivalent unit for other ports.

Responsibility of the Customs Operations Officer III (COO III)

The COO III shall evaluate the documents submitted in support of the PGD.

- In case of regulated shipments, the following shall be undertaken:

- When no regulatory permit, clearance or license has been presented at the time of lodgement, the COO III shall ensure that the application for such permit, clearance or license has been attached to the goods declaration.
- If the permit, license or clearance is required by the concerned regulatory agency to be secured prior to the departure of the goods from the country of origin or prior to the arrival of the goods into the Philippines, the COO III shall not process the goods declaration and shall recommend the issuance of Warrant of Seizure and Detention (WSD) against the shipment.
- In cases where the permit, license or clearance may be secured after the arrival of the shipment, the COO III shall ensure that the period requested to submit the lacking document as indicated in the Undertaking shall be in accordance with the requirement of the regulatory agency.
- Pending submission of the lacking permit, license or clearance, the COO III shall hold in abeyance the processing of the goods declaration until the same has been submitted. Provided that, in case of non-submission, the COO III shall recommend the issuance of WSD against the shipment.
- Notwithstanding the provisional nature of the goods declaration, if the importer failed to submit the permit, license or clearance as required by the concerned regulatory agency to be secured prior to the departure of the goods from the country of origin or prior to the arrival of the goods into the Philippines the COO III, shall recommend the issuance of WSD against the shipment. The COO III, shall change the procedure code under **Box 37a** from **"4400"** to **"4402"**.
- In cases where the lack of the ATRIG is the reason for the PGD, the COO III shall not process the goods declaration without the submission of the same.
- If the PGD is in order, the COO III shall process the same similar to goods declaration for consumption.
- If there is a request for release of the goods under tentative assessment, the COO III shall compute the duties, taxes and other charges which shall not be different from that of goods with complete declaration.

The COO III shall also compute the amount of security equivalent to the difference between the declared duties, taxes and other charges versus the assessment if there is non-compliance of the undertaking to submit the required documents.

- After updating the GDVS Status the COO III shall forward the PGD SAD with supporting documents to the COO V with recommendation for the approval of the request for release of the goods under tentative assessment.
- If upon filing of the PGD, the lacking document was eventually submitted, the COO III shall process the shipment similar to a goods declaration for consumption. The COO III shall reflect all findings and actions taken pertaining to the shipment in the E2M Inspection Act. The COO III shall update the GDVS status and then forward the PGD SAD with supporting documents to the COO V with recommendation to release the shipment under tentative assessment.

Responsibility of the COO V

The COO V shall review the findings and recommendations of the COO III.

- In case additional documents are required or an issue may arise in relation thereto, the COO V will select the "COO V IN-PROCESS" status and input the relevant remarks on the goods declaration in the GDVS to inform the importer or declarant. The hard copies of additional documents shall be submitted to the Helpdesk assigned for that purpose.
- The COO V shall review and evaluate the findings and recommendation of the COO III in case of regulated shipments.
- In case of request for release under tentative assessment, the COO V shall likewise review the assessed duties, taxes and other charges which shall not be different from that of goods with complete declaration.
- The COO V shall also evaluate the amount of security equivalent to the difference between the declared duties, taxes and other charges versus the assessment if there is non-compliance of the undertaking to submit the required documents.
- If the COO V concurs with the recommendation of the COO III, they shall endorse the recommendation to the District/Support Collector through the Deputy Collector for Assessment or Chief, FED or its equivalent unit.

Responsibility of the Chief, FED or the Deputy Collector for Assessment

The Chief, FED and the Deputy Collector for Assessment shall review the recommendation of the COO III and COO V. If they concur with the recommendation, they shall endorse the same to the District Collector for approval.

Responsibilities of the District/Subport Collector

The District/Subport Collector shall have the following responsibilities:

- To approve or adjust the recommended period to submit the lacking document/s
- To approve or disapprove the recommendation to release the shipment under tentative assessment
- To approve or disapprove the recommendation for the issuance of WSD for failure to submit the lacking documents in case of regulated goods, or
- To approve the further processing of the goods declaration in case the lacking document/s is already available during customs clearance process, or where the release thereof is favorably recommended.

Release of Provisionally Declared Goods

The following shall be undertaken for the release of the goods under PGD:

Release under Tentative Assessment

- Upon receipt of the approved request for release under tentative assessment, the COO III shall change the procedure code under **Box 37a** from **"4400"** to **"4403"**.
- The COO III shall require the importer or their representative to post the required security as evaluated by the COO V. After the receipt of the security, whether in the form of a surety bond or cash bond, the COO III shall update the Inspection Act of the E2M indicating the following:
 - Approval by the District/Subport Collector of the request for release under tentative assessment
 - Posting of the required security (amount, surety bond number or receipt number of Form 51c evidencing deposit of this cash bond)
- The COO III shall update the GDVS status and then forward the PGD SAD with supporting documents to the COO V.
- The COO V shall assess the payable duties and taxes of the goods declaration and issue the Assessment Notice to serve as payment instruction of the Authorized Agent Bank (AAB) to debit the assessed duties, taxes and other charges from the account of the importer.
- The COO V shall also update the status by selecting "ASSESSED" status in the GDVS.

Release of Regulated Goods under PGD

- Upon approval by the District Collector to release the shipment, the COO III shall change the procedure code under Box 37a from "4400" to "4401".
- Thereafter, the COO III shall process the shipment similar to a goods declaration for consumption. The COO III shall reflect all findings and actions taken pertaining to the shipment in the E2M Inspection Act.
- The COO III shall update the GDVS status and then forward the PGD SAD with supporting documents to the COO V.
- The COO V shall assess the payable duties and taxes of the goods declaration and issue the Assessment Notice to serve as payment instruction of the AAB to debit the assessed duties, taxes and other charges from the account of the importer.
- The COO V shall also update the status by selecting "ASSESSED" status in the GDVS.

Separability Clause

In the event that any part hereof is declared invalid, all other parts shall remain in full force and effect.

Repealing Clause

All rules and regulations inconsistent herewith are deemed repealed or modified accordingly.

Effectivity

This Order shall take effect on 16 March 2020.

CMO 08-2020

Issue Date: March 11, 2020

Introduction

Pursuant to Rule V Section 1 of Joint Memorandum Circular No. 2019-001 series of 2019 implementing Republic Act 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, the following guidelines in the implementation of the Zero-Contact Policy in the Bureau of Customs shall be observed.

Scope and Coverage

This Order shall apply to all licensed customs brokers, declarants, importers, customs broker's representatives and other stakeholders (hereinafter referred as Client) dealing directly with the Bureau such as the processing of the goods declaration filed with the assessment offices in the Bureau of Customs, stakeholder engagement meeting, and other official events and activities.

Objectives

- Observe transparency in government dealings and encourage honest and efficient delivery of government services to the transacting public
- Promote a regime free of perception of graft and corruption by minimizing face-to-face transaction in the Bureau of Customs
- Encourage the submission of the goods declaration and supporting documents through electronic form in line with the Bureau's thrust to re-engineer its systems and processes towards trade facilitation

Format of Goods Declaration and Supporting Documents

Documents to be filed with the Bureau shall be submitted in hard and in electronic Portable Document Format (PDF).

- The hard copies of the goods declaration and the supporting documents (bill of lading, invoice, packing list, etc.) must be placed in a long brown envelope properly labeled using size 16 Arial font with the following details, all in capital letters:
 - Date (ex. OCTOBER 2, 2019)
 - Port Code and Goods Declaration Reference Number (Entry Number) following the format in the SAD (ex. P02A-C-12345-2019)
 - Consignee (ex. INTERNATIONAL LOCAL TRADING INC)
 - Importer's email address (ex. ilti@gmail.com)
 - Declarant (ex. JOSE DE LA CRUZ)
 - Declarant's email address (ex. jdlic@gmail.com)
 - List of Documents submitted separated by Comma (ex. SAD, INVOICE PACKING LIST, BL, INSURANCE RECEIPT); and
 - ONLINE TICKET NO. (if scanned copy is submitted online)
- For electronic copies, only PDF file types shall be accepted and each document should be submitted as a separate file. The resolution of the electronic documents shall be at least 600dpi. The file name format shall be PORT CODE.REFERENCE NUMBER.DOCUMENT TYPE. Please see illustrative examples below:
 - P02A-C-12345.SAD (For SAD)
 - P02A-C-12345-2019.INVOICE
 - P02A-C-12345-2019.BL (For Bill of Lading)
 - P02A-C-12345-2019.IP.DTI (IP stands for Import Permit, DTI is the issuing agency)
 - Examples of other document types: PACKINGLIST, TELTRANS (Telegraphic Transfer), LC (Letter of Credit), LPSR (Load Port Survey Report), etc.

Procedures

- The Client shall submit the hardcopy of Goods Declaration and corresponding attachments (Bill of Lading, Invoice, Packing List, etc.) at the Customer Care Center (CCC) which shall be established in all Ports. The CCC shall serve as the Port's receiving unit of all submitted import documents. If CCC is not yet operational at the Port, the documents shall be submitted at the Entry Processing Unit (EPU) or equivalent unit.

Soft copies of the scanned documents shall be submitted either by electronic mail through the Customer Care Portal System (CCPS) or in an external drive (USB flash drive) to be

delivered simultaneously with the hard copy. The external drive shall be returned to the Client after downloading the files contained therein.

- Upon receipt of the hard copies of the documents filed by the Client, the CCC or equivalent unit shall check the completeness of the documents submitted as labeled in the submitted envelope.
- If the same are complete and in order, the CCC/EPU shall enter the required data fields in the Goods Declaration Verification System (GDVS). The EPU shall forward the documents to the Section Chief in the case of Port of Manila (POM) and Manila International Container Port (MICP), or to the FED Chief or its equivalent unit for other ports.
- If the documents are incomplete, the CCC Evaluator or EPU document processor shall not accept the envelope containing the documents to process the goods declaration and shall inform the Client or their representative about the lack of documents and return the envelope to the client.
- If there is a need for the submission of additional documents, the Client shall be asked to submit the soft copy through the CCPS and/or USB and the hard copies to the CCC (if applicable) or EPU/equivalent unit in a brown envelope and clearly labeled indicating the following details:
 - Date of submission
 - Goods Declaration no. (format: P02A-C-12345-2019)
 - Consignee (all capital letters)
 - Declarant (all capital letters)
 - Ticket No.
 - List of Documents, separated by comma
- Upon receipt of the Goods Declaration, the assigned COO III (Examiner) shall process the same in accordance with provisions under CMO 1-2020.
- The COO III shall open a ticket addressed to the Client using the CCPS on the following instances:
 - Notification to the Client for the schedule of the physical examination of the shipment, if required
 - Submission by the Client of additional documents and/or explanation on the circumstances surrounding the transaction needed to complete the examination and assessment process
 - If the shipment is assessed with additional duties and taxes; or
 - If the shipment is subject to clearance by the Import Assessment Service (IAS), Enforcement and Security Service Motor Vehicle Monitoring and Clearance Office (EMVMCO), other BOC units, or other regulatory agencies

- For entries subject of clearance by BOC offices/units, the COO III shall open a ticket and indicate in the details box the following remarks: "For IAS (or BOC office/unit concerned) Clearance. Indorsement letter to IAS (or BOC office/unit) is being prepared". The ticket will be assigned to the District Collector Office.

The Ticket Number shall always be indicated as reference in the Indorsement to IAS or other BOC offices/units concerned to the signed by the District Collector.

- The District Collector or their representative shall attach a scanned copy of the indorsement to the ticket. Scanned copy of SAD and other import documents shall be forwarded to IAS or the concerned BOC offices/units either through email or as attachment to the ticket.
- The Ticket shall then be transferred to IAS with the following remarks in the details box: "Hard Copy in Transit to IAS (or BOC office/unit). Scanned copies of Indorsement and SAD/Import Documents are attached/forwarded through email for advance information and evaluation of IAS (or BOC office/unit concerned)."
- The IAS or the BOC office/unit concerned shall immediately claim the ticket and indicate in the details box and following remarks: "Acknowledging receipt of scanned copies". The receiving Office concerned shall input its findings in the same ticket previously opened by the COO III.
- After evaluation, the IAS or the BOC office/unit concerned shall attach the scanned copy of Clearance in the ticket with the following remarks: "Please see attached scanned copy of IAS (or BOC office/unit) Clearance. Hardcopy of the said clearance is in transit to concerned District." IAS or the BOC office/unit concerned shall then immediately transfer the ticket to the assigned COO III.
- Upon receipt of original documents, the COO III shall claim the ticket and enter the following: "IAS (or BOC office/unit) Clearance received."
- After compliance and resolution of the issues and concerns, the COO III shall forward the ticket to the COO V (Appraiser) for closing with resolved status.

Status Verification by Importer/Broker/Authorized Representative

At any time, Clients may verify the status of their goods declaration using the GDVS link or the Clients may open a ticket in the CCPS. Only one ticket per goods declaration number is allowed. Otherwise, duplicate tickets will be closed.

- If the client will create a ticket to follow-up the status of their goods declaration, he should select Goods Declaration as the Help Topic and provide the correct port so that the ticket will be routed to the appropriate office. Under Summary Box, the Client should input the Goods Declaration Reference No. (Entry Number), and then input the Consignee's name and other importation details in the details box.
- The ticket created by the Client will be forwarded to the Office of the Chief, Formal Entry Division for subsequent referral to the assigned COO III/COO V.
- After compliance and resolution of the issues and concerns, the COO III shall forward the ticket to the COO V for closing with resolved status.

Opening of Appointment Ticket

If a Client or BOC Officer requests for personal appearance due to valid reasons, such as witnessing of actual physical examination, a ticket shall be opened using the "Appointment" as the Help Topic.

Requests for visits shall be subject to the approval of the District Collector upon recommendation of the Chief FED. No appointment ticket shall be granted if the purpose is to follow up the status of a Goods Declaration as this can be done through the online portal and/or GDVS.

The Appointment Ticket will be routed first to the Chief, FED for recommendation, then to the Office of the District Collector for approval, and finally to the District Commander ESS for verification. Upon entering the assessment office, the client should inform the Customer Care Center, if applicable, or the ESS personnel on duty of the duty of the ticket number for verification in the system and subsequent issuance of an Access Pass ID.

No stakeholders inside the Assessment Area shall be allowed except those with approved appointments tickets and Access Pass ID.

The Appointment Ticket shall also be used for stakeholder engagement meeting, and other official events and activities to be conducted within the premises of the Bureau. The requesting office shall be responsible for the creation of the Appointment Ticket for the invited guests or resource persons and shall ensure that the Access Pass ID is already available upon their arrival.

Creation of Alternate Link

In the event of system malfunction or the CCPS link (client.customs.gov.ph) becomes inaccessible, an alternate link will be provided as a redundant and backup system where the importer/declarant may follow-up or inquire on the status of the goods declaration filed with the EPU.

Creation of Port Transition Team

For the smooth implementation of the Zero-Contact Policy as espoused in this Order, the District Collectors are hereby directed to create their respective Port Transition teams to address possible concerns that may be raised by both BOC personnel and external stakeholders and to receive feedback and monitor stakeholder satisfaction where knowledgeable employees shall at all times be made available for consultation and advice.

Responsibilities of the District Collectors

All District Collector shall have the lead role in the conduct of information dissemination campaign for the Zero-contact policy of the Bureau and prepare and implement a comprehensive and strategic communication plan to educate and engage on a continuous basis all stakeholders and institute hotline numbers, information communication technology or other mechanisms by which stakeholders may adequately express their complaints, comments or suggestions.

Repealing Clause

Provisions of other CMOs, orders and issuances in conflict with this CMO are hereby repealed or amended accordingly.

Effectivity

This CMO shall take effect on 23 March 2020.

CMO 09-2020

Issue Date: March 16, 2020

Scope

This CMO shall cover the pilot implementation of Authorized Economic Operator (AEO) Program for Importers and Exporters.

Objectives

- Implement a pilot AEO Program for Importers and
- Exporters pursuant to Customs Administrative Order (CAO) No. 05-2017
- Operationalize an interim AEO Office tasked to effectively implement the AEO Program
- Provide the detailed guidelines on the application, processing and approval of application for accreditation as AEO Importer and Exporter, their availment of benefits and audit thereof

Definition of Terms

Appeal – the remedy by which a person who is aggrieved or adversely affected by any action, decision, order, or omission of the Bureau or the Secretary of Finance may seek redress before the court of competent jurisdiction

cf. CMTA Title I, Chapter 2, Section 102, Subsection (e)

Authorized Economic Operator (AEO) – the importer, exporter, customs broker, forwarder, freight forwarder, transport provider, and any other entity duly accredited by the Bureau based on the World Customs Organization (WCO) Framework of Standards to Secure and Facilitate Global Trade; WCO Integrated Supply Chain Management Guidelines (ISCM Guidelines); the Convention on the Simplification and Harmonization of Customs Procedures (Revised Kyoto Convention), the WCO Supply Chain Management Guidelines, the WTO Agreement on Trade Facilitation (WTO-ATF) and the various national best practices to promote trade facilitation and to provide a seamless movement of goods across borders through secure international trade supply chains with the use of risk management and modern technology

cf. CMTA, Title I, Chapter 2, Section 102, Subsection (g)

Customs Administration – the Government Service which is responsible for the administration of Customs laws and the application of other laws and regulations relating to the importation, exportation, movement, or storage of goods. As far as the Philippines is concerned, Customs Administration shall refer to the Bureau of Customs.

Exporter – a natural or juridical person engaged in the exportation of any goods or commodities to a foreign country from the Philippines

Importer – a natural or juridical person engaged in the importation of any goods into the Philippines

Mutual Recognition Arrangement (MRA) – a formal document between two or more Customs Administrations outlining the circumstances and conditions in which AEO Programs are recognized and accepted between the signing parties. The MRA sets out the process to implement, evaluate, monitor and maintain mutual recognition and defines the benefits mutually provided to the AEOs by the participating Customs Administrations and lays down the practical arrangements enabling the participating Customs Administrations to provide those benefits

Trade Documents – the timely, accurate, complete and verifiable documents relating to importation and exportation. This may include commercial records of business processes that facilitate a full audit trail of Customs activities or tax relevant movement of goods or accounting entries

Validation – a procedure whereby the supply chain of an AEO, and all relevant processes employed by them to reach that status, are subject to full and transparent review by a Customs Administration

Collection of Fees

The fees to be collected in relation to the application for accreditation and supervision as Authorized Economic Operator, if any, shall be in accordance with the approved rates provided for under Customs Administrative Order on Customs Dues, Service Fees and Charges.

cf. General Annex, Chapter 2, E6 of the Revised Kyoto Convention (RKC)

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 3.9 and cf. CAO 3-2016, Section 3.3

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 3.11 and cf. CAO 3-2016, Section 3.4

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 4.1.1 (c) and WCO Guidelines for Developing a Mutual Recognition Arrangement/Agreement

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 3.18 and of WCO AEO Template Part III, Section 2.2.1.1., p. II/10

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 3.19 and cf. SAFE Framework, Annex IV/2, Definitions

Application of Information and Communications Technology (ICT)

In accordance with international standards, the Bureau shall utilize information and communications technology to enhance customs control and to support a cost-effective and efficient customs operations geared towards a paperless customs environment.

CMTA, Title I, Chapter 2, Section 109

Risk Management

In the implementation of the AEO Program, the Bureau shall employ audit-based controls and risk management systems use automation to the fullest extent possible, and adopt a compliance measurement strategy to support risk management

CMTA, Title III, Chapter 2, Section 301

Audit of AEOs

The audit of AEO shall be made in accordance with the parameters as may be set by the Post Clearance Audit Group (PCAG) of the Bureau.

Organizational Structure

- **Interim AEO Office** – Pending the creation of a permanent AEO Office, an interim AEO Office is hereby created to be headed by a Division Chief, manned by a minimum of five permanent staff and at least five personnel under contract of service, who will be assigned to work full time to implement the AEO program.
- The AEO Office shall be supervised by a Deputy Commissioner to be designated by the Commissioner.
- The Chief, AEO Office and Heads of its Units shall be designated by the Commissioner of Customs.
- The AEO Office shall be composed of the following Units:
 - Accreditation Unit
 - Post Validation Unit, and
 - Mutual Recognition Statistical and Records Management (MRSRM) Unit

- **Functions** – The AEO Office and its Units shall perform the following Functions:
 - **AEO Office**
 - Manage the overall implementation of AEO Program, including the strengthening of the core competency of the Bureau of Customs to effectively operationalize the AEO Program.
 - Make optimum use of information and communication technology in carrying out its mandate under this CMO, in coordination with the Management and Information System Technology Group (MISTG), to help create an AEO database, the configuration, access to, usage, maintenance, and management of which shall be determined by regulation.
 - Establish an efficient, fair, and transparent system of evaluating applications for AEO membership accreditation through a set of criteria laid down in this CMO
 - Accept, evaluate and process AEO application for membership accreditation, and endorse any action thereon to the Chief, AEO Office for approval
 - Monitor and/or post-review the lodgement and processing of AEO shipments in coordination with the Post Clearance Audit Group (PCAG) and other concerned offices as well as the level of compliance with the AEO policies, rules and regulations both by concerned customs personnel and the AEO member
 - Promptly resolve any issue or dispute arising from the implementation of the AEO rules and regulations
 - Initiate study, recommend strategy and negotiate MRAs with other countries
 - Evaluate the performance of the AEO Program through continuous data gathering, research and study, including periodic consultation with customs stakeholders, including groups, AEO program users, other government agencies and other Customs Administration
 - Develop and recommend policies to enhance the AEO Program towards attaining its twin objectives of cargo security and trade facilitation
 - Conduct periodic information and educational campaign to promote the AEO program
 - Conduct continuing education and training program with foreign counterparts to make the AEO Program at par with international standards and best practices

- Ensure the activation and yearly renewal of an AEO member's Client Profile in the Client Profile Registration System (CPRS). For ease of monitoring and operations, the AEO Office shall have access to the CPRS
- Perform such other functions necessary for the effective and efficient implementation of the AEO Program
- **Accreditation Unit**
 - Accept, process, review and recommend for approval applications as required by regulation
 - Create and maintain a database for all accreditation applications filed with the AEO Office and documentary files of each AEO member
 - Validate information with other government institutions, among others, provided in the application through cross referencing with available data, site visit, system or process walk-through, or personal interview of applicant or duly designated and competent representative
 - Evaluate the level of risk to cargo security and customs compliance of the applicant's business profile and operations based on information gathered vis-à-vis the guidelines and criteria set down by policy and recommend action on the application to the Chief, AEO Office
 - Submit on a regular basis to the MRSRM Unit any information on its file as may be required by the latter office in connection with the discharge of its function as provided for in this CMO
- **Post Validation Unit**
 - Monitor and/or post-review compliance of AEO member pursuant to the Accreditation Criteria of this CMO
 - Check and ensure that all critical information, such as those pertaining to the entity's ownership and business profile, import or export process flow, financial status, list of importable items, and the like, as provided by the AEO accredited entity during the application period, are current or are promptly updated
 - Record issues, concerns, and problems encountered in the processing AEO shipments in coordination with the Post Clearance Audit Group and other concerned offices and recommend compliance enhancement measures

- Identify violations and recommend corrective or punitive action as the evidence may warrant, such as suspension or revocation of accreditation, full customs audit and administrative and/or criminal investigation as may be provided in this CMO or other applicable laws, rules and regulations
- Conduct on-site visits to the premises of the AEO entity to ensure continuous compliance with the standards laid down by regulation
- Submit periodic report to the Chief, AEO Office copy furnished the MRSRM Unit on the results of all actions, evaluation, and assessment undertaken in relation to the discharge of the foregoing functions
- Perform such other functions as may be assigned from time to time by the Chief, AEO Office
- **Mutual Recognition, Statistical and Records Management (MRSRM) Unit**
 - Monitor the individual performance of each AEO accredited entity and the performance as a whole of the AEO Program through an ICT-enabled database which may be sourced from the AEO application forms and evaluation reports, data from import clearance system for AEO shipments; reports of the Units under the AEO Office; and such other relevant data or information obtained by the Units from other official sources and generate statistical report on:
 - Number and status of applications filed, accreditations granted or denied, warnings, suspensions or revocations made or any disciplinary action taken
 - Statistics obtained from the individual and collective import operations of the AEO accredited members pertaining, as may be applicable, to the number of entries filed; origin, volume, customs value, and tariff heading declared; and preferential rate availed of, among other relevant customs data
 - Revenue collection statistics involving the individual and collective payment of duties and taxes of the AEO accredited members arising from their operations
 - Average clearance time in the processing of imports under the AEO Program vis-à-vis the standard set down by policy

- Initiate study, recommend strategy and if authorized by the Commissioner, negotiate MRAs with other countries
- Perform other such functions as may be assigned from time to time by the Chief, AEO Office

Accreditation

- **Criteria**

- General Criteria
 - Business ownership, structure, and organization
 - Corporate or business profile and projected business activity
 - End-to-end import or export process (goods, documentation, and payment flow) and local distribution system, if any
 - Entities involved in foreign supply and/or local distribution chain
 - List of goods imported or exported including the nature, specific description in tariff terms, customs value, preferential rates to be availed of, and volume (over time)
 - Internal customs compliance control
 - Customs compliance history
 - Business process continuity mechanism
 - Financial Viability
 - Other similar factors to be determined by the Commissioner
- Security Infrastructure
 - Cargo handling and safekeeping
 - Record keeping and IT System
 - Supply and trading partner
 - Physical premises and access control
 - Personnel complement
 - Security training, threat awareness and outreach
 - Conveyance Security
 - Other similar factors to be determined by the Commissioner
- The applicant entity must have been in operation for at least one (1) year prior to the date of application
- That none of the executive officers and directors directly engaged in customs procedures and shareholders, as applicable, have not been found to have violated customs laws, Philippine laws, rules and regulations three (3) years from date of application

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 4.3.3

- The applicant must have a dedicated office or unit or responsible officer whose main function is to ensure the applicant's compliance with its duties and responsibilities under the AEO Program as an accredited member
- For applicants with multiple services in the International Supply Chain (e.g. applying an AEO Importer and Exporter), one (1) application form may be submitted for several categories but the AEO Certificate of Accreditation shall be per category.
- **Pre-Screening** – The AEO Office shall conduct a pre-screening process for all interested AEO candidates to determine their readiness and compliance with the criteria and standards set for AEO prior to their application for accreditation.
 - Pre-Screening Procedure
 - An AEO candidate may signify its intention to an AEO by submitting the following through the AEO Online Portal or the office of the supervising Deputy Commissioner for AEO:
 - Notarized Pre-Screening Form
 - Notarized Self-Assessment Questionnaire
 - Risk Evaluation Sheet
 - Notarized Undertaking
 - Financial documents (e.g. Annual BIR Returns, Financial Report, etc.)
 - SEC/DTI Registration, as applicable
 - Mayor's Permit and/or Certificate of Registration (i.e. BOI, PEZA, SBMA, etc.) as applicable
 - General Information Sheet (GIS)
 - Once received, the Chief AEO Office shall assign an Account Manager assisted by AEO Inspector(s). The Account Manager shall review and provide feedback and recommendations to the AEO Candidate within fifteen (15) calendar days from receipt of complete documents.
 - The Account Manager may schedule consultation meetings and inspections to guide the AEO candidate on the standards required to be an AEO Importer and Exporter within five (5) days from issuance of feedback and recommendation.
 - The AEO Candidate shall be given a reasonable period to comply with the recommendations of the Account Manager.
 - The Account Manager shall prepare an evaluation report determining the level of readiness of the applicant and submit the same to the Head, Accreditation Unit within five (5) days from evaluation

- The Chief, AEO Office shall review the recommendation and issue a Pre-screening Clearance to AEO candidates who have been determined to meet the criteria within ten (10) calendar days from receipt of recommendation. The same shall be recommended to proceed for AEO application.
- AEO candidates who fail to meet the criteria of the AEO Program shall be recommended for further trainings and consultations by the AEO Office.
- **Application** – An AEO applicant shall submit its application form together with the following documentary requirements through the AEO online portal:
 - Notarized Application Form
 - Pre-screening Clearance
 - Notarized Self-Assessment Questionnaire
 - Risk Evaluation Sheet
 - Notarized Undertaking
 - Financial Documents (e.g. Annual BIR Returns, Financial Report, etc.)
 - SEC/DTI Registration, as applicable
 - Mayor’s Permit and/or Certificate of Registration (i.e. BOI, PEZA, SBMA, etc.), as applicable
 - General Information Sheet (GIS)
 - Secretary’s Certificate designating the authorized person to process the application
- **Evaluation** – Evaluation shall be conducted within ten (10) calendar days from receipt of complete documents. This may include verification of information with other government institutions and through cross referencing with available data, among others.
- **Validation**
 - The Account manager shall prepare the Validation plan based on the initial findings in the document evaluation and notify the applicant of the required Validation within five (5) calendar days from evaluation.
 - The Validation shall be conducted within fifteen (15) calendar days from receipt of notice through the AEO Online Portal. The notice shall contain the name/s of the authorized inspectors who shall conduct the on-site inspection.
 - The authorized officer of the applicant and the designated Account Manager from the AEO Office may discuss the detailed schedule and other preparations for the on-site inspection.

- During the conduct of the Validation, the Account Manager and/or the authorized AEO inspector shall verify if the security measures and other required criteria are complied with. This may include system walkthrough or personal interview of applicant or duly designated and competent representative.
- In case the applicant has more than one place of business, application should be submitted after preparing and classifying them according to each place of business with respect to the areas directly related to the application for the AEO authorization.
- **Decision**
 - The AEO Inspector shall submit the report of findings within five (5) calendar days from the end of the Validation to the Account Manager.
 - The Account Manager shall prepare document evaluation, Validation reports and their recommendation which shall be submitted to the Head, Accreditation Unit within ten (10) calendar days from the end of the Validation.
 - The Head, Accreditation Unit shall forward the recommendation to the Chief, AEO Office for indorsement to the supervising Deputy Commissioner.
 - The supervising Deputy Commissioner shall meet with the Chief and Unit Heads of the AEO Office and the Account Manager within five (5) calendar days from receipt of the indorsement to deliberate the application.
 - After the deliberation, the Account Manager shall prepare a resolution within five (5) calendar days for signature of the Chief and Unit heads of the AEO Office and supervising Deputy Commissioner who shall review the same within ten (10) calendar days from receipt.
 - If approved, the AEO Office shall notify the applicant in writing of his accreditation as Level 1 AEO member within three (3) calendar days from receipt of the decision and issue an AEO Certification of Accreditation.
 - If disapproved, the AEO Office shall notify the applicant in writing stating the grounds for denial of application within three (3) calendar days from receipt of the decision.
- An AEO applicant whose application for accreditation was disapproved by the supervising Deputy Commissioner may re-apply within one year, allowing the applicant to complete the deficiencies, if any, or upgrade its security systems/requirements, as may be needed.

- The processing of an AEO application may be extended upon reasonable grounds (e.g. further review and validation, etc.) but should not exceed the ninety (90) day period for Level 1 accreditation.
- Complete records of Level 1 AEO members should be provided by the Accreditation Unit to the Post Validation Unit for monitoring and subsequent Validation.

Monitoring of Compliance

- Revalidation of the security measures and supply chain security practices of the accredited Level 1 member shall be in accordance with the Accreditation Criteria of this CMO. It shall include on-site assessments at appropriate foreign locations utilized by the Level 1 member in its supply chain and shall, to the extent practicable, be completed no later than one (1) year after certification as a Level 1 member
- Revalidation shall commence six (6) months from Level 1 accreditation of an AEO member.
- The AEO office, may *motu proprio*, consider a Level 1 Member for upgrading of status to Level 2 or 3 depending on its degree of compliance with the requirements for accreditation as an AEO.
- For an entity which has been in operation for less than three (3) years prior to application, a compliance history or at least three (3) continuous years must be established before being eligible to be upgraded to Level 2 status. As such, the revalidation process shall immediately commence after accreditation as Level 1 member for a period of at least one (1) year. The period shall be extended as may be necessary to establish the required record of compliance.
- **Revalidation Process**
 - Head, Post Validation Unit shall assign Account Manager/s and AEO Inspectors to conduct revalidation of Level 1 AEO members.
 - Local revalidation process shall be conducted pursuant to the Validation process under the Accreditation section of this CMO.
 - Conduct of on-site assessment at appropriate foreign location shall be determined based on the risk determined by the Post Validation Unit after local revalidation and evaluation.

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 4.4.1.b

- If a foreign site company used by the Level 1 AEO member in its supply chain is certified in another AEO program by the Customs Administration of said country, on-site assessment may not be conducted.
- The AEO Office shall identify the following, as applicable:
 - Issues pertaining to nature of business, transactions, etc. subject to improvements
 - Required actions to maintain the criteria for its membership in the AEO Program, and
 - Level adjustment, as may be applicable for Level 2 or 3 certification and benefits.
- The decision and approval process of the Level 2 accreditation shall be pursuant to the Decision process under the Accreditation section of this CMO, except that evaluation, inspection report, recommendation and other actionable documents shall be forwarded by the Account Manager of the Head, Post Validation Unit.
- **Level 3 Accreditation** – The Commissioner, subject to the approval of the Secretary of Finance, shall designate criteria for validating an AEO member as a Level 3 member.

AEO Membership Responsibilities

- Maintain the standards set in accordance with Criteria list in the Accreditation section of this CMO
- Update the Bureau on any change in the member's status as recipient of certain official privileges, general information sheet, name of contact person/s and contract number/s and/or email addresses, importation process flow, product sourcing, list of imported items, pricing structure, terms of trade, product description, tariff classification, security policy or profile, and such other information as may be material in enabling the Bureau, to monitor and evaluate the continuing eligibility of the accredited member.
- Full disclosure at all times of information as required or requested by Customs under the AEO Program. Information, particularly those bearing on trade or business secrets or advantage, provided by the member in the course of the application or as a result of AEO import clearance operations shall be deemed confidential and shall not be disclosed to anyone without the written consent of the applicant, except in the context of judicial proceedings.

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 4.5

- Designate an office or unit and personnel is the member's organization that shall be responsible for ensuring full and prompt compliance with AEO regulations and serve as a liaison with the AEO Office to ensure prompt exchange of information and close cooperation necessary for a smooth AEO operation
- Submit a yearly Statement of "No Material Change", if such is the case, in relation to the information referred to in the immediately preceding provision.
- Voluntarily disclose to the Bureau any inadvertent errors or innocent deviation from the AEO procedure with an undertaking and concrete proposal to rectify the lapse. The disclosure is without prejudice to the application of any sanction or action provided for in existing rules and regulations applicable in the premises.
- Complete, up-to-date, and accessible record keeping system for all documents in electronic or hard copies pertaining to business and import operations
- Such other requirements as may be determined by the AEO Office.

cf. SAFE Framework, Annex IV/16, Application and Authorization, 1st par. 4th to 5th sentence.

cf. SAFE Framework, Annex IV/19, Process outline for business involved in the handling of cargo within the international trade supply chain, No. 9.

Suspension and Revocation of Accreditation

Once granted accreditation under the AEO Program shall last until suspended, revoked or cancelled through voluntarily withdrawal from the program as provided in the Withdrawal as Member of AEO Program section of this CMO.

- **Grounds** – The accreditation may be suspended or revoked, depending on the degree of culpability and resulting injury to the government, under any of the following conditions, after due notice and hearing
- **For suspension:**
 - If at any time an AEO member's security measures and supply chain security practices fail to meet any of the requirements laid out by the Criteria in the Accreditation section of this CMO
 - Repeated and unjustified failure or refusal to comply with official directives or mandates from the Bureau
 - Habitual delinquency in complying with AEO regulations or in abiding by the terms and conditions of AEO membership
 - Recommendation based on periodic evaluation by the Post Validation Unit of the member's performance in its AEO operations over a given period of time indicating the existence of significant risk to customs revenue or to the cargo supply chain security

CAO No. 5-2017, "Establishment of Authorized Economic Operator Program (AEO)", Section 4.6.1.

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 4.4.2 (a)

- Member violates any provision of the CMTA, or related laws, rules and regulations
- **For revocation:**
 - Member violates any provision of the CMTA, or related laws, rules and regulations resulting in significant loss of customs revenues or serious injury to public health and welfare
 - If an AEO member knowingly provides false or misleading information to the Bureau during the Validation process provided for under this CMO
 - Any other violations that would constitute fraudulent intent or gross negligence
- **Procedure**
 - **Notice of Violation** – The Post Validation Unit shall prepare a Notice of Violation, for approval of the Chief, AEO Office, specifying the violation/s committed by the AEO member within five (5) calendar days from the determination of the violation/s committed. The AEO member shall submit its response on the Notice of Violation within ten (10) calendar days from receipt of the Notice.
 - **Prior Consultation** – To determine if resolution other than suspension and revocation is appropriate, the Post Validation Unit shall review the response and schedule consultation meeting/s with the AEO member within ten (10) calendar days from receipt thereof. The consultation should be completed not later than fifteen (15) calendar days from the date of the initial consultation.
 - **Recommendation for Suspension and Revocation**
 - If the Post Validation Unit determines under the preceding section that an alternative resolution is not appropriate, it shall prepare a recommendation to the Chief, AEO Office within five (5) calendar days from the end of the consultation recommending the suspension and revocation of an existing AEO accreditation or alternative resolution determined, as applicable
 - The Chief, AEO Office shall review the recommendation and indorse the same to the supervising Deputy Commissioner shall review the recommendation and indorse the same to the supervising Deputy Commissioner within five (5) calendar days from receipt thereof.
 - The supervising Deputy Commissioner shall review and indorse the recommendation to the Commissioner for final approval within five (5) days from receipt thereof.

- The Commissioner shall review the recommendation and issue an Order of Suspension or Revocation, as appropriate, within five (5) calendar days from receipt of the recommendation. Such Order should specifically set forth the grounds for the action, and would be final and conclusive upon the party served unless the AEO member files a written request for reconsideration with the Commissioner.
- **Order of Suspension and Revocation** - The Order of Suspension or Revocation shall specify the grounds for which the AEO membership was suspended or revoked. In case of suspension, the same shall be effective for a maximum period of six (6) months and may be lifted when the reasons of grounds for the suspension have ceased or have been corrected.

Withdrawal as Member of AEO Program

AEO accreditation may be withdrawn at the instance of the accreditation member without prejudice to reapplication, should the AEO member decide in the future. The withdrawal shall, however, be without prejudice to any liability it may have incurred while still a member of the AEO Program.

- **Letter of Withdrawal** - The AEO member shall submit a Letter of Withdrawal to the AEO Office specifying the reason(s) for the withdrawal from the AEO Program.
- **Consultation** - The AEO Office shall review the letter and may schedule consultation meeting/s with the AEO member pursuant to the Prior Consultation under the Suspension and Revocation of Accreditation section of this CMO.
- The withdrawal shall be proceeded pursuant to the procedure defined in the Recommendation for Suspension and Revocation section under the Suspension and Revocation of Accreditation section of this CMO, except that an Order of Cancellation of AEO membership will be issued.

Reconsideration

- In case of suspension or revocation of accreditation of an AEO member for any of the grounds above mentioned, an AEO member may file a request for reconsideration with the Commissioner not later than thirty (30) calendar days from

receipt of the decision, and the Commissioner shall issue a resolution not later than one hundred eighty (180) calendar days after the request for reconsideration is filed

- The request for consideration should set forth the response of the AEO member on the Order of Suspension or Revocation.

- **Procedure**

- The Office of the Commissioner shall indorse the request for reconsideration within three (3) calendar days from receipt thereof to the supervising Deputy Commissioner of the AEO Office for its review and recommendation.
- The supervising Deputy Commissioner shall forward the request within one (1) calendar day from receipt thereof to the AEO Office for review and appropriate action.
- AEO Office shall review the request and schedule a hearing within five (5) calendar days from receipt of the indorsement. The AEO Office shall notify the AEO member of the time and place of the hearing at least five (5) calendar days prior thereto.
- **Conduct of Hearing**
 - The Unit Head, Post Validation Unit shall act as the hearing officer for the proceedings.
 - The AEO member may have a representative of their choice at the hearing for suspension or revocation.
 - All evidence and testimony of witnesses in such proceeding, including substantiation of charges and the answer thereto, should be presented with both parties having the right to cross examination.
 - A record of the proceedings should be made and a copy thereof be delivered to the AEO member within ten (10) calendar days from the end of the hearing(s).
 - Following a hearing and within five (5) calendar days after delivery of a copy of the record, the AEO member may submit additional views and arguments on the basis of such record to the AEO Office.
 - At the conclusion of such proceedings or if neither the AEO member nor any designated representative appears for a scheduled hearing, the hearing officer should conclude the hearing, draft a recommendation and transmit all papers for final action to the Chief, AEO Office within fifteen (15) days from conclusion of the final hearing, as applicable.

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 4.4.3 (a).

WCO Appeal Procedures 2010

- **Decision**

- The Chief, AEO Office shall review the recommendation and indorse the same to the supervising Deputy Commissioner within fifteen (15) calendar days from receipt thereof.
- The supervising Deputy Commissioner shall review and indorse the recommendation to the Commissioner for final approval within fifteen (15) calendar days from receipt thereof.
- In case the Commissioner fails to act on the reconsideration within thirty (30) calendar days from receipt of complete records, the decision of the supervising Deputy Commissioner shall be deemed affirmed
- The Bureau, after the completion of the process, may publish a list of members who have been suspended or expelled from the AEO Program pursuant to this CMO, and shall make such list available to AEO members

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)", Section 4.4.3 (c)

CAO No. 5-2017 "Establishment of Authorized Economic Operator Program (AEO)" Section 4.4.2. (b)

Appeal

The decision of the Commissioner affirming the suspension or revocation of the member's accreditation may be appealed to the Secretary of Finance within fifteen (15) calendar days, pursuant to the doctrine of exhaustion of administrative remedies. An AEO member adversely affected by the decision of the Bureau or the Secretary of Finance may seek redress before the court of competent jurisdiction.

CMTA, Title I, Chapter 2, Section 114

Confidentiality of Information

- All business document and/or propriety information are for BOC purposes only. It shall remain confidential and will not be disclosed to a third party without the companies' prior written consent.
- Every officer, agent, or employee of the Bureau who shall be found guilty of unlawfully disclosing confidential information gained during any investigation or audit, or using such information for personal gain or to the detriment of the government

cf. CMTA Title XIV, Chapter 2, Section 1431 (j)

Benefits

Level 1 Benefits

- **Exemption from Renewal of Accreditation** – An AEO member shall not be required to renew its membership under any customs accreditation system. In lieu of the annual renewal of accreditation, AEO member shall only be required to periodically update its information and corresponding documentary requirements pursuant to the membership responsibilities of an AEO member listed in the AEO Membership Responsibilities section.
- For AEO members with a satisfactory system for managing their Trade Documents, the Bureau may allow the use of Trade Documents (e.g. bill of lading, invoice) to self-assess their duty and tax liability and, where appropriate, to ensure compliance with other customs requirements. For this purpose, information declared by an AEO member in its Goods Declaration based on its self-assessment shall be accepted by the Bureau of Customs, provided that information declared thereto are consistent with the Trade Documents provided by an AEO member. Nothing in this Order shall prevent the Bureau from the conduct of compliance audit of an AEO member pursuant to the CMTA and other existing laws, rules and regulations.
- Dedicated help desk for AEO applicants:
 - An AEO online portal shall be created for exclusive use of AEO members and interested applicants which shall handle the acceptance and processing of AEO applications.
 - The AEO Help Desk shall also utilize the online portal to answer all customs related concerns of AEO members in coordination with the concerned offices of the Bureau of Customs.
 - The Management Information system and Technology Group (MISTG) shall assist the AEO Office in setting-up said on-line facility.
- AEO members shall be accorded recognition by the BOC as trusted trade partners. The AEO Office, through the Public Information and Assistance Division, shall publish the list of approved AEO Importers and Exporters at the official website, social media accounts and other available information platform of the Bureau of Customs.

Level 2 and 3 Benefits

Supplementary rules and regulations shall be issued to operationalize Level 2 and Level 3 Benefits pursuant to CAO 5-2017.

Periodic Review

Unless otherwise provided, this CMO shall be reviewed every three (3) years and be amended or revised, if necessary.

Separability Clause

If any part of this CMO is declared by Courts as unconstitutional or contrary to existing laws, the other parts not so declared shall remain in full force and effect.

Repealing Clause

Customs Memorandum Orders (CMOs) 11-2012 and 14-2013 are deemed revoked, amended and/or modified accordingly.

Effectivity

This CMO shall take effect immediately.

OCOM MEMORANDUM 40-2020

Issue Date: March 10, 2020

On 25 March 2019, CMO No. 16-2019 was signed and issued providing for the guidelines of sending due notice as prescribed under Section 1129 of the Customs Modernization and Tariff Act (CMTA) of 2016.

It has been observed, however, that several access on appeal have been resolved in favor of the appellants because of the failure of the District Collectors to comply with the due notice requirement. While reversal of decrees of abandonment *per se* is not detrimental to the interest of the government, giving paramount importance to the adherence of legal processes should be strictly observed.

In view thereof, all concerned are hereby directed to strictly comply with CMO No. 16-2019, mindful of the provision that failure to comply shall constitute administrative liability against any employee or official of the Bureau.

For strict compliance.

OCOM MEMORANDUM 42-2020

Issue Date: March 2, 2020

This is to remind all assessment personnel that it is their responsibility to ensure that all goods declarations are compliant with the provisions of CMO No. 49-2019 or the "Mandatory Filling Up of Box 41 (Supplementary Units) in the Lodgement of the Goods Declaration in the E2M".

This CMO mandates the strict filling-up of Box No. 41 in the goods declaration of certain commodities listed in its Annex "A". Thus, customs officers, should not only see to it that the goods declaration is completely filled-up but more importantly, they shall update the same, if erroneous, to reflect the correct number of units/pieces as shown in the supporting import documents.

Furthermore, all stakeholders are advised as CAO 01-2020 which provides for the imposition of fine in the amount of five thousand pesos (Php 5,000.00) shall be imposed, among others, against importers/declarants with errors in the goods declaration relative to CMO 49-2019 (i.e. incorrect input of data in the number and/or marks of packages, or quantity) **effective March 16, 2020**.

For strict compliance.

OCOM MEMORANDUM 53-2020

Issue Date: March 18, 2020

Effective immediately, goods declaration involving donations for relief consignment may be provisionally declared in accordance with Customs Memorandum No. 07-2020 subject to the following conditions:

- The Donee must be a national government agency, such as the Department of Health
- The Consignee, through its responsible officer, shall issue an Undertaking to comply with the following:
 - Submit the lacking document within forty five (45) days from release of the shipment
 - Use or distribute the goods only upon clearance from the Food and Drugs Administration (FDA) or other regulatory agencies, if required

The lacking document may include, among others, the Tax Exemption Indorsement (TEI) from the Department of Finance. For exigency in the release of the goods, the received copy of the application for TEI shall be dispensed with.

The goods shall be considered as relief consignment, as defined in Section 120 of the Customs Modernization and Tariff Act (CMTA), imported during a state of calamity and intended for a specific calamity area for the use of the calamity victims therein. As such these shall be exempt from duties and taxes pursuant to Section 121 of the CMTA. While the goods shall be released under tentative assessment, the posting of bond for the release thereof is not required.

Upon receipt of the documents within the prescribed period, the assessment shall be deemed completed.

The District Collector shall immediately clear the goods for release to the consignee upon receipt of the Undertaking. Pursuant to Section 120 of the CMTA, the port shall allow the following:

- Lodging, registering and checking of the provisional goods declaration and supporting documents prior to the arrival of the goods, and their release upon arrival

- Clearance beyond the designated hours of business or away from customs offices and waiver of any corresponding charges
- Examination and/or sampling of goods only in exceptional circumstances

For strict compliance.

OCOM MEMORANDUM 54-2020

Issue Date: March 18, 2020

Pursuant to the Memorandum dated March 16, 2020 from Executive Secretary Salvador Medialdia, Office of the President, restricting land, air and sea travel of all employees of the Executive Branch, the following measures shall be undertaken:

- The conduct of actual and face-to-face hearings are temporarily suspended in all ports until April 12, 2020. The BOC lawyer who is designated by the District Collector as the Hearing Officer shall not require the presence of the PLD Government Lawyer to appear before them at the port.
- Instead, the Hearing Officer shall require the claimant to file its Position Paper with a longer period of seven (7) working days from receipt of the notice to file the same. The Hearing Officer shall ensure that the parties are properly guided by Customs Memorandum Order (CMO) No. 4-2018 (A), particularly Section 6.3 to 6.6 thereof, quoting *en toto* the said provisions in the notice.
- All the issues which are supposed to be adduced during the preliminary conference pursuant to Section 6 of Customs Memorandum (CMO) No. 4-2018 (A) shall be discussed in the Position Paper to be submitted by the Claimant/s, and the Comment to be filled by the assigned PLD Government prosecutor.
- Unless a Reply or Rejoinder is filed by the parties, the case shall be submitted for resolution by the hearing officer within the prescribed period upon receipt of these pleadings.
- All pleadings to be filed by the PLD government prosecutor shall be forwarded to the acting Chief, PLD for review.

For strict compliance.

OCOM MEMORANDUM 55-2020

Issue Date: March 20, 2020

References

- Memorandum dated March 17, 2020 issued by Atty. Edward James A. Dy Buco on the Revised Guidelines in the Implementation of Alternative Work Arrangements re; State of Public Health Emergency
- Civil Service Commission (CSC) Memorandum Circular No. 05, s. 2020 with the subject "Interim Guideline on the Use of Leave Credits for Absences due to Self-Quarantine and/or Treatment Relative to the Corona Virus Disease (COVID-19)"
- Department of Health (DOH) Memorandum No. 2020-0090 with the subject "Interim Guidelines on the Management of Persons Under Monitoring (PUMs) suspected with COVID-19 for Home Quarantine"
- DOH Memorandum No. 2020-0068 with the subject "Interim Guidelines on Contact Tracing for Confirmed 2019 Novel Corona Virus (2019-nCoV ARD) Cases"

Definition of Terms

Person Under Investigation (PUI) – any person, regardless of nationality, race and age, who exhibits fever and/or cough, and has at least one of the following: 1) history of travel to China 14 days prior to onset of symptoms, and 2) has a history of exposure 14 days prior to onset of symptoms, and shall be referred to hospital quarantine

Person Under Monitoring for Facility Quarantine (PUM-F) – any person, regardless of nationality, race and age, who does not exhibit fever and/or cough, and has at least one of the following: 1) history of travel to Hubei, China and/or a history of exposure, and shall be referred to facility quarantine

Person Under Monitoring for Home Quarantine (PUM-H) – any person, regardless of nationality, race and age, who does not exhibit fever and/or cough, and has at least one of the following: 1) history of travel to other areas of China and/or has a history of exposure, and shall be referred to home quarantine

General Guidelines

As part of the precautionary measures being implemented by the Bureau relative to the management of COVID-19 (i.e. averting the spread of said virus in the workplace), the following guidelines shall be observed:

- All BOC officials and employees who will be identified PUIs, PUM-Fs, and PUM-Hs based on the said criteria shall strictly comply with the prescribed measures set by the DOH, reiterated as follows:
 - A PUI shall be referred to hospital quarantine
 - A PUM-F shall be referred to facility quarantine
 - A PUM-Q shall be required to undergo monitored home quarantine
 - A person who exhibits fever or any symptom of lower respiratory illness, and has history of travel to other countries with confirmed case of COVID-19 but without any history of exposure shall be advised to undergo monitored home quarantine
- In case a BOC employee, however, feels sick with COVID-19-like symptoms such as fever, coughing, shortness of breath or difficulty breathing, chills, body aches, sore throat, headache, diarrhea, nausea/vomiting, and runny nose, and who is not covered by the abovementioned categories, **must** follow procedures stated below:
 - Notify their respective immediate supervisors, thru any mode of communication, on their condition
 - Voluntarily seek immediate medical attention
 - Go on self-quarantine, as deemed necessary upon the advice and certification of a licensed government/private physician
- In case an employee does not have access to any medical facility, the MDD is directed to facilitate and refer the case to any government-accredited medical institution. MDD may be reached thru mobile number **09159812092**.
- Further, an employee who will be categorized based on the foregoing circumstances is required to submit to the HRMD, within three (3) working days, a Medical Certificate issued by any licensed government/private physician that they shall undergo quarantine. A scanned copy of such may be sent through HRMD official email: hrmd@customs.gov.ph

Failure to submit said certification, the absence/s from work incurred by the concerned employees shall be charged against their earned leave credits.

- All Division/Office/Unit Heads/Chiefs shall immediately report to the HRMD and the Medical and Dental Division (MDD) the circumstances surrounding any COVID-19-related cases who had physical contact with a BOC personnel or was at the BOC premises/offices.
- The BOC MDD is directed to coordinate with the DOH, designated authorities and/or other government units on any relevant COVID-19-related cases that may occur within the Bureau.
- For emergency situations, the **Human Resource Management Division** may be reached thru **09356283731**.

For guidance and compliance.

OCOM MEMORANDUM 56-2020

Issue Date: March 23, 2020

Everyone is reminded of the following guidelines:

- During this time of crisis, we need to ensure that we stay in touch in order to respond to any exigency. Hence, whether you are part of the skeletal workforce or working from home, you are directed to establish contact with the Central Office and BOC Officers Viber Group every 9:00 o'clock in the morning and 1:00 o'clock in the afternoon on a daily basis.
- A Daily SMS report is required following the prescribed format: Date/Collection District/total emergency shipments processed for the day/total number of BOC personnel reported sick. Copy format, edit relevant portion and submit to Viber Group at 1700H daily.
- Cellular phones and internet connection are our main lines of communication during this time of crisis. Ensure all cellular phones are open and charged at all times. Check for messages on your phone or email every thirty (30) minutes for updating on directives and tasking.
- Ensure strict compliance with the Enhanced Community Quarantine (ECQ) by BOC Personnel. Comply with guidelines on travel restrictions to avoid compromising the health and safety of our workforce.
- Frontline area is considered a high risk area. Wearing of masks and other necessary protective gear is mandatory for frontline personnel. The General Services Division (GSD) is tasked to ensure that front liners are provided with Personal Protective Equipment (PPE).
- Donated emergency supplies shall be expeditiously processed and released within twenty-four (24) hours. District Collectors must closely coordinate with Assessment and Operations Coordinating Group (AOCG) to ensure that this is complied with.
- Guard against entry of illegal goods. Recent discoveries of illegal drugs in packages prove that unscrupulous individuals are taking advantage of the crisis to smuggle prohibited/regulated goods.
- Collect lawful and rightful duties and taxes. Our mandate of revenue collection is important at this time when government needs funds for contingency purposes.

- Be proactive in dispelling rumors that shipments of medical supplies are being held at various ports. Reply, take action and engage stakeholders keeping them informed of the number of emergency shipments released by BOC on a regular basis.
- Coordinate with Public Information and Assistance Division (PIAD) in posting photos and articles of front liners diligently performing their tasks despite risk to their health. Post it in your websites, Viber Groups, social media accounts for widest dissemination.
- Check of abandoned/forfeited goods in your respective ports that can be donated to Department of Social Welfare and Development (DSWD).
- Expedite processing of all pending donations to DSWD.
- Monitor the health of our workforce. Report to Internal Administration Group (IAG) any case of personnel encountering health problems. Make sure that they receive proper medical attention. IAG to consolidate reports for submission to Department of Finance (DOF).

For guidance and strict compliance.

OCOM MEMORANDUM 57-2020

Issue Date: March 19, 2020

In light of the declaration of the Enhanced Community Quarantine (ECQ) by the President, all customs accreditation of BOC Stakeholders that will expire during the period of implementation of the ECQ, starting 17 March 2020, shall remain valid.

The extension shall cover accreditation of BOC Stakeholders, such as but not limited to importers, customs brokers, Super Green Lane importers, Customs Bonded Warehouses (CBW), Customs Facilities and Warehouses (CFW), or any other third party transacting and accredited with the Bureau.

All stakeholders with expired accreditation during the said period will be given one (1) month from the lifting of the ECQ to submit application for renewal of their accreditation.

All offices concerned are hereby directed to ensure effective implementation of this Order and submit inventory of all accreditations with extended validity.

For your guidance.

OCOM MEMORANDUM 58-2020

Issue Date: March 24, 2020

In order to ensure the health and welfare of all personnel of the Manila International Container Port (MICP), its service providers, and stakeholders, you are hereby informed that the MICP Building shall be placed on **temporary closure** immediately and until further notice.

During the period of the temporary closure of the MICP Building, the District Collector, MICP shall ensure an efficient work plan to provide unhampered service to our stakeholders. Thus, all port operations of MICP which remain unaffected by the temporary closure of the MICP Building shall continue to function such as but not limited to the boarding of vessel, examination of goods at the designated examination area, x-ray inspection and transfer of goods to the CY/CFS.

All other transactions such as processing of goods declaration which may be affected by the temporary closure of the MICP Building shall temporarily be processed through the ancillary support of the Port of Manila (POM) and utilization of the Bureau's online facilities.

In the interim, processing of goods declaration and other necessary functions which may require submission of hardcopies of documents or physical presence or appearance of the stakeholder in the MICP Building shall be processed by the POM through the Customer Care Center (CCC).

The District Collector, MICP is hereby directed to submit within twenty-four (24) hours a detailed plan of action to include the working arrangement such as "Work from Home" in order to make fully functional the online facilities for MICP personnel and the transacting public.

The District Collectors of MICP and POM are hereby directed to ensure the effective implementation of this contingency plan and that all transactions and concerns of the MICP shall be attended to with dispatch.

For strict implementation.

OCOM MEMORANDUM 60-2020

Issue Date: March 23, 2020

In light of the declaration of the Enhanced Community Quarantine (ECQ) by the President, the prescribed period of seven (7) days to lodge goods declaration is hereby suspended for the duration of the emergency.

At any time during the declaration of ECQ, lodgement and filing of goods declaration may be made within fifteen (15) days from the date of discharge of last package. The period to file goods declaration may be extended for another fifteen (15) days on valid grounds upon request, which may be done personally or online by opening a Ticket at the Customer Care Portal System (CCPS) at client customs.gov.ph, duly acknowledged by the Bureau.

This Order shall cover shipments with date of discharge of last package starting 10 March 2020.

All offices concerned are hereby directed to ensure effective implementation of this Order and submit list of all importations with extended period to lodge and file goods declaration.

For strict implementation.

OCOM MEMORANDUM 61-2020

Issue Date: March 24, 2020

Pursuant to the President's declaration of "ECQ" and in line with the mandate of the Bureau to facilitate trade in goods and optimize revenue generation, in the *interim*, an "ONLINE FILING OF GOODS DECLARATION" is hereby implemented.

Scope

This Order shall cover the interim implementation of the Online Filing of Goods Declaration in all Collection Districts involving goods declaration processed at the formal Entry Division (FED), Informal Entry Division (IED) or equivalent units.

Objectives

- Ensure the unhampered and complete service of the Bureau during the Enhanced Community Quarantine (ECQ) and the implementation of alternative working arrangements
- Provide an option for Bureau stakeholders to avail of the Online Filing of Goods Declaration considering the restriction of movement brought about the declaration of ECQ

Definition of Terms

Assigned Appraiser – a Customs Operations Officer V (COO V) who is a Customs Appraiser, or duly designated as such, performing their function through a "Work from Home" arrangement and who shall review the assessment of an Assigned Examiner

Assigned Examiner – a Customs Operations Officer III who is a Customs Examiner, or duly designated as such, performing their function through a "Work from Home" arrangement and with the primary responsibility and accountability in evaluating and assessing the goods declaration and import documents submitted through the Online Filing of Goods Declaration

Assignment of Ticket – the transfer or routing of an existing Ticket to and from an assigned Customs Officer or office

Bureau – the Bureau of Customs

Customer Care Portal System (CCPS) – the Bureau’s **online** facility with support ticketing system and utilized to allow Bureau stakeholders to avail of the Online Filing of Goods Declaration

Customs Officer – Bureau personnel authorized to perform a specific function as provided in this Order, including but not limited to Customs Examiners, Appraisers, and personnel from the Entry Processing Unit

Duty Examiner – a Customs Operations Officer III who is a Customs Examiner, or duly designated as such, performing their function as part of the **skeletal workforce** and designated to physically inspect shipments, if the circumstances may so warrant. A Duty Examiner is also tasked to evaluate and assess goods declaration manual filed by Bureau stakeholders without availing of the Online Filing of Goods Declaration

Duty Appraiser – a Customs Operations Officer V (COO V) who is a Customs Appraiser, or duly designated as such, performing their function as part of the **skeletal workforce** and designated to review the assessment of a Duty Examiner

EPU Evaluator – a Customs Officer of the EPU or its equivalent unit performing their function through a “**Work from Home**” arrangement and who shall review the completeness of the import documents submitted by Bureau stakeholders availing of the Online Filing of Goods Declaration

E2M Trigger Officers - a group of Customs Examiners and Appraisers specifically designated to update the E2M System with the findings or assessment of the Assigned Examiner and Assigned Appraiser

Online Filing of Goods Declaration – the temporary acceptance of electronic copy of goods declaration and its supporting documents subject to the submission of the original copy thereof after 12 April 2020 or upon lifting of the Declaration of ECQ, whichever comes earlier

Ticket – the electronic means utilized to identify issues, concerns and requests of the Bureau stakeholders. A ticket shall cover a message thread which may include the status and/or resolution of issues, concerns and requests, and may also Bureau stakeholders to upload relevant documents

Ticket Number – a system-generated unique reference number assigned to a Ticket

User – a Bureau stakeholder who will avail of the Online Filing of Goods Declaration. The user's account shall have the same email address registered in the Bureau Client Profile Registration System (CPRS)

Validating Officers – a group of Customs Officers from EPU or equivalent unit specifically designated to validate the submitted online and hard copies of import documents

Updating of E2M – the procedure done by E2M Trigger Officer of registering and final assessment in the E2M System which is solely a system requirement

Provisional Goods Declaration – the type of declaration used in lodgement of goods declaration pursuant to Section 403 of the Customs Modernization Tariff Act (CMTA) and CMO 7-2020 where the declarant undertakes to submit the original copy of the supporting documents uploaded in the CCPS after 12 April 2020 or upon lifting of the Declaration of ECQ, whichever comes earlier. For this purpose, the following procedure codes shall be used for goods declaration: **4404** for Formal Consumption and **4504** for Informal entry Commercial Goods.

Bureau stakeholders, who after online submission can file or submit on or before 12 April 2020 the hard copies of the notarized goods declaration and its supporting documents, shall lodge the goods declaration following the model of declaration for regular goods declaration or provisional goods declaration (**4400**).

General Provisions

- The Online Filing of Goods Declaration can only be availed by Bureau accredited Importers, Licensed Customs Brokers and Declarants.

- For purposes of this interim guidelines, Bureau stakeholders who opt to avail of the Online Filing of Goods Declaration and undertakes to submit the original copy of the supporting documents uploaded in the CCPS after 12 April 2020 or upon lifting of the Declaration of ECQ, whichever comes earlier, shall lodge a Provisional Goods Declaration (PGD) pursuant to Sections 403 and 426 of the Customs Modernization and Tariff Act (CMTA) and CMO 7-2020 on the Interim Procedure on PGD **but using procedure code 4404 for Formal Consumption and 4505 for Informal Entry Commercial Goods**. Provided that, the Bureau stakeholder may, in the interim, attach a scanned copy of a letter of commitment and undertaking (Annex "A") in lieu of the required notarized Undertaking together with the Request for Release under Tentative Assessment (Annex "B"). Provided, further, that the notarized Undertaking shall be submitted together with the original copy of the other supporting documents after 12 April 2020 or upon lifting of the Declaration of ECQ, whichever comes earlier.
- Lodgement of PGD (using procedure code **4404** for Formal Consumption and **4505** for Informal Entry Commercial Goods) shall only be allowed for purposes of this Order where the declarant is incapable of submitting the original copy of the supporting documents uploaded in the CCPS during the ECQ. Bureau stakeholders who can submit the original copies of the supporting documents on or before 12 April 2020, may file either a normal PGD using procedure code **4400** for Formal Consumption or regular consumption goods declaration.
- Tentative assessment of duties, taxes and other charges of goods declaration processed under this Order shall only be completed upon the submission of the original copy of the supporting documents uploaded in the CCPS after 12 April 2020 or upon lifting of the Declaration of ECQ, whichever comes earlier, and that the said documents are duly validated by the Bureau.
- The Online Filing of Goods Declaration under this Order shall be made within forty-eight (48) hours from lodgement of provisional goods declaration of regular consumption goods declaration in the E2M.
- The E2M lodgement of the provisional goods declaration shall be in accordance with the provisions set forth under Sections 4.1 to 4.3 of CMO No. 07-2020 on the Interim Procedure on Provisional Goods Declaration. However, the filing and processing shall be governed by the Operational Procedures under this Order.

- The District Collectors, in coordination with the Public Information and Assistance Division (PIAD) shall ensure the proper information dissemination to Bureau stakeholders and encourage them to avail of the Online Filing of Goods Declaration.
- The District Collectors and Customs Officers concerned are hereby directed to observe extreme care and caution in securing the credibility of this online service facility.
- The District Collectors are likewise enjoined to supervise and monitor the Customs Officers in their respective ports and ensure that the timeliness in performing their assigned tasks is at all times observed.
- Failure to comply with any provisions of this Order shall be dealt with administratively and/or criminally, as the circumstances may so warrant.
- A post clearance audit shall be conducted on all provisional goods declarations lodged pursuant to this Order.

Operational Provisions

- The following operational procedure shall be performed by the User or Bureau stakeholder:
 - User will register and log-in with the CCPS at client.customs.gov.ph with their username and password and select **"Open A Ticket"**.
 - The User shall select **"FILING OF GOODS DECLARATION"** from the drop-down menu of the **"Help"** topic.
 - In the form page, select Port, Declaration Type (Consumption or Informal), and Section. The user must also conform with the following by checking the corresponding checkboxes:
 - Identify Verification
 - BOC Data Privacy Consent Form
 - File Authenticity
 - Enter the Goods Declaration Reference number as used in the lodgement, importer's complete name as shown in the Single Administrative Document (SAD) and DECLARANT'S name in the field box.
 - Upload the files by clicking **"choose them"** in the grayed box to the right of the document description.
 - Fields with red asterisks are mandatory field. The creation of new ticket will not proceed without attaching the required document.

- Click the green button at the bottom of the form to create the Ticket and upload the import documents.
- Uploaded import documents, such as but not limited to the faithful reproduction of the original Bill of Lading (BL), Commercial Invoice, Packing List, Certificate of Origin (CO), and Import Permit. Uploaded files must be in Portable Document Format (PDF) and the file size shall not exceed 16 MB.
- The User is likewise required to accomplish a written commitment and undertaking to submit the original copy of the supporting documents uploaded in the CCPS. The said forms can be downloaded in the links located below the "Related Resources" of the Upload Section in the ticket page.
- Pursuant to Sec. 412 of the CMTA and in relation to Republic Act (RA) No. 8792, otherwise known as the "Electronic Commerce Act of 2020", all uploaded files, under penalties of falsification or perjury, must be faithful reproduction of the original documents and shall be considered as actionable documents for purposes of prosecuting a declarant/importer If the uploaded files are found to be fraudulent.
- Once the scanned copies of the documents are transmitted to the Bureau, the User must keep the original hardcopy for submission through a courier, through the Customs Customer Care (CCC), a designated receiving station or drop box. The User may submit the documents either:
 - Before 12 April 2020, if the lodgement of the goods declaration was made in line with the Lodgement of PGD item above, or
 - After 12 April 2020 or upon lifting of the Declaration of ECQ, whichever comes earlier

The hard copies of the goods declaration and the supporting documents (bill of lading, invoice, packing list, etc.) must be placed in a long brown envelope properly labeled using size 16 Arial font with the following details, all in capital letters:

- Date (ex. OCTOBER 2, 2019)
- Port Code and Goods Declaration Reference Number (Entry Number) following the format in the SAD (ex. P02A-C-12345-2019)
- Consignee (ex. INTERNATIONAL LOCAL TRADING INC)
- Importer's Email address (ex. ilti@gmail.com)
- Declarant (ex. JOSE DE LA CRUZ)

- Declarant's email address (ex. jdic@gmail.com)
- List of Documents submitted separated by Comma (ex. SAD, TEMPORARY ASSESMENT NOTICE INVOICE, PACKING LIST, BL, INSURANCE RECEIPT), and
- Ticket No.
- Non-compliance of the written commitment and undertaking to submit the hardcopy of the original documents may cause the suspension of the Bureau Accreditation or the importer, licensed Customs broker or declarant to be barred from transacting with the Bureau.
- The following operational procedure shall be performed by the Customs Officers:
 - The Ticket will automatically be assigned or routed to the concerned Port or its Assessment Division based on the input from the User.
 - The assigned EPU Evaluator shall then review the completeness of the uploaded import documents.
 - Upon evaluation and review of the assigned EPU Evaluator, should there be any lacking documentary requirements, the assigned evaluator shall inform the stakeholder indicating it in the message thread of the ticket.
 - Once complete, the Assigned EPU Evaluator shall enter the required details in the Goods Declaration Verification System (GDVS) and transfer the Ticket to the Assigned Examiner and Assigned Appraiser of the designated Section for review and assessment.
 - The Assigned Examiner shall evaluate and assess the import documents submitted, should there be any findings, the Assigned Examiner shall inform the User by indicating it in the message thread of the Ticket. If the Assigned Examiner finds the Goods Declaration to be in order, the Ticket shall then be routed to the Assigned Appraiser for evaluation and review.
 - Upon review of the Assigned Appraiser, should there be any findings, the Assigned Appraiser shall inform the User by indicating it in the message thread. If the Assigned Appraiser finds the Goods Declaration to be in order, the Ticket shall then be routed to the E2M Trigger Office.
 - If in case the User shall lodge a regular goods declaration and the original copy of the supporting documents uploaded in the CCPS were already received by the Bureau, the Ticket shall then be routed by the Assigned Appraiser to the Validating Officer to check if the uploaded files are similar to the submitted hard copies of documents. The Validating Officer shall immediately inform the User for

any lacking documents or should there be any suspect of perjury or falsification, shall immediately report the same to the District Collector. If found to be complete and accurate, the Validating Officer shall route the Ticket to the E2M Trigger Officer for updating in the E2M System.

- The E2M Trigger Officer shall input the assessment of the Assigned Examiner and Assigned Appraiser in the E2M System and shall enter the names of Assigned Examiner and Assigned Appraiser and the ticket number in the Inspection Act. If applicable, the E2M Trigger Officer shall ensure that the uploaded import documents are validated prior to updating in the E2M System.
- Once updated in the E2M System, the E2M Trigger Officer shall fill out the “**Electronic Examination Return**” and enter the findings of the Assigned Examiner and Assigned Appraiser therein. A PDF file of the said examination return shall be attached/uploaded to the message thread. The Electronic Examination Return shall serve as the official examination return being accomplished in Box No. 56, 60, 61, 62 and 64 of SAD prior to the implementation of this Order. This will also serve as replacement of the frequently asked scanned back-to-back copy of the goods declaration by the stakeholder.
- If the goods declaration shall be subject of an Alert Order or physical examination, the ticket shall be routed to the Duty Examiner of the conduct of the physical examination and the assessment of goods declaration, as the case may be.
- The Duty Examiner shall conduct the physical examination. Should there be any findings, the Assigned Examiner shall inform the User by indicating it in the message thread and/or the District Collector in case there be a recommendation for issuance for a Warrant of Seizure and Detention (WSD). If the Duty Examiner finds it to be in order, the procedures set above shall be followed.
- For Goods Declaration which shall require clearance from other Bureau offices, the responsible Customs Officer shall route the Ticket to concerned Bureau office or unit for their appropriate action.
- The responsible Customs Officers shall ensure that the User is informed for the status of the ticket by updating and posting messages in the message thread.

Transitory Provision

All Online Filing of Goods Declaration submitted prior to the effectivity of this Order but not earlier than 17 March 2020 shall be accepted and processed in accordance with the provisions of this Order.

For immediate and strict implementation.

OCOM MEMORANDUM 62-2020

Issue Date: March 25, 2020

Pursuant to the President's declaration of the "Enhanced Community Quarantine" (ECQ), the authority granted by the Inter-Agency Task Force (IATF) for the Management of Emerging Infectious Disease to all government agencies in the executive branch to Issue Accreditation Orders for critical services operating during the duration of the ECQ, and in line with mandate of the Bureau of Customs (BOC) to facilitate trade in goods and optimize revenue generation, the "**Guidelines For The Application and Issuance of Accreditation Pass to BOC Stakeholders**" is hereby implemented.

Scope

This Order shall cover the implementation of the *Guidelines For the Application and Issuance of Accreditation Pass to BOC Stakeholders* for BOC Accredited Importers, Licensed Customs Brokers, Declarants, or any of their authorized representatives, to facilitate the processing of any new and pending official BOC transactions requiring physical submission of documents or physical presence of the client in the authorized BOC premises.

Objectives

- Grant an exemption from the implementation of the ECQ to authorized BOC Stakeholders, subject to the guidelines as herein provided, in order to ensure the unhampered and complete service of the BOC during the entire duration of the ECQ
- Grant BOC Stakeholders physical access to authorized BOC premises to facilitate the processing of any official transaction, such as but not limited to the immediate release of shipments

Definition of Terms

Accreditation Pass – the Order issued to a qualified BOC Stakeholder allowing physical access to BOC authorized premises which may be presented at any establishment checkpoints during the implementation of the ECQ. An Accreditation Pass shall be valid only for a one-time use depending on the time and date indicated therein

Assignment of Ticket – the transfer or routing of an existing Ticket to and from an assigned validating officer or office

Customer Care Portal System (CCPS) – the BOC Online facility with support ticketing system and utilized to allow BOC Stakeholders to avail of the Online Application for Accreditation Pass and other online transactions

Ticket – the electronic means utilized to identify issues, concerns and requests of the BOC Stakeholders. A ticket shall cover a message thread which may include the status and/or resolution of issues, concerns and requests, and may also allow BOC Stakeholders to upload relevant documents.

Ticket Number – a system-generated unique reference number assigned to a Ticket

User/Client/Applicant – BOC Stakeholders who shall apply for the issuance of an Accreditation Pass. The user's account shall have the same email address registered in the **BOC Client Profile Registration (CPRS)**

Validating Officers – a group of Customs Officers specifically designated to validate the submitted application for the issuance of Accreditation Pass

General Provisions

- Those guidelines shall only be availed by BOC Accredited Importers, Licensed Customs Brokers, Declarants, or any of their duly authorized representative/s.

- These guidelines shall cover all BOC official transactions requiring physical submission of documents for any pending application, or any transaction requiring physical presence or appearance of the Client within the authorized BOC premises.
- All applications by BOC Stakeholders for the issuance of the Accreditation Pass shall be made at least 72 hours or 3 days prior the intended visit to the BOC.
- All BOC Stakeholders are encouraged to use the CCPS for applications or transactions which do not require the physical presence of the client in the BOC premises, such as communication for following-up of documents, renewal of accreditation, electronic submission of letter requests such as lifting of abandonment, among others.
- The District Collectors, in coordination with the Public Information and Assistance Division (PIAD), shall ensure the proper information dissemination of this Order to all BOC Stakeholders.
- The District Collectors and Customs Officers concerned are hereby directed to observe extreme care and caution in securing the credibility of this online service facility.
- Failure to comply with any provisions of this Order may cause the suspension or revocation of your accreditation and shall be dealt with administratively and/or criminally, as the circumstances may so warrant.

Operational Provisions

- The following operational procedure shall be performed by the **User or BOC Stakeholder**:
 - User will register and log-in with the CCPS at client.customs.gov.ph with their username and password and select **"Open A Ticket"**
 - The User shall select **"APPLICATION FOR ACCREDITATION PASS"** from the drop-down menu of the **"Help Topic"**.
 - In the **Application Details**, the User shall fill-up the following:
 - Name
 - E-mail address
 - Business Address
 - Port intended to be visited
 - Issue Summary

- The User shall select the Port of intended appointment. The Online System shall automatically route the Client's concerns to the concerned Port, and to the corresponding Validating Officer.
- Under the **Issue Summary**, the User shall indicate the purpose of his intended visit to the BOC.

Examples:

a. Payment of duties for Goods Declaration

Reference No. 12345; or

b. Submission of hardcopy of documents for Goods Declaration Reference No. 12345

- Fields with red asterisks are mandatory fields.
- Click the green button at the bottom of the form to create the Ticket.
- Only one (1) Accreditation Pass per transaction shall be issued to an Accredited Importer, Declarant, Licensed Customs Broker, or any of their duly authorized representatives.
- Upon validation and approval of the application, the Accreditation Pass will be sent via electronic mail to the e-mail address duly registered by the Client in its application.
- The Client shall be responsible for printing a hardcopy of the Accreditation Pass which may be presented at any ECQ established checkpoint on route to the authorized BOC premises.
- The following operational procedure shall be performed by the Customs Officers:
 - The Ticket will automatically be assigned or routed to the concerned Office or Port based on the input from the Client.
 - The assigned Validating Officer shall evaluate and verify whether the application covers a transaction requiring personal appearance or presence of the Client in the authorized BOC premises.
 - The Validating Officer shall ensure that the Client informed of the status of the ticket by updating and posting messages in the message thread.
 - An Accreditation Pass shall be processed within twenty-four (24) hours from the time of submission of an online application. If the Validating Officer finds the application in order, the Ticket shall then be routed to the Office of the Deputy Commissioner – AOCG for approval.

- Upon review and approval of the Deputy Commissioner – AOCG, a **One-time Accreditation Pass** shall be issued to the Client, indicating therein the following:
 - Name of applicant
 - Date and time of travel (Validity Period), and
 - Unique Identification Number QR Code
- All Accreditation Pass shall be subject to a color-coding scheme which will vary on a daily basis, as may be determined by the Deputy Commissioner, AOCG
- Upon approval of the Deputy Commissioner, AOCG, the one-time Accreditation Pass shall be sent via electronic mail in the indicated e-mail address of the Client under Application Details.

Repealing Clause

All orders, memoranda, circulars and issuance inconsistent herewith are hereby repealed and/or deemed modified accordingly.

Separability Clause

If any part or provision of this Order is later declared invalid or illegal, the remaining portion shall remain valid and enforceable.

Effectivity

This Order shall take effect immediately and shall last until repealed or revoked.

OCOM MEMORANDUM 69-2020

Issue Date: March 24, 2020

With the increasing number of COVID-19 positive cases and the reported case of COVID-19 positive BOC employees, the Bureau shall give priority to the "Work from Home" (WFH) arrangement for all its personnel, including those under existing Contracts of Service and Job Orders.

To ensure the expeditious release of goods or commodities classified as essential items and despite the WFH arrangement to be implemented, the District Collectors of the Port of Manila (POM) and the Manila International Container Port (MICP) are directed to assign a skeletal workforce in all sections where the following identified essential goods are being processed:

- Food stuff (Section 1A and 1B)
- PPEs, masks, gloves, etc. (Section 2)
- Medicines and Vitamins (Section 11)
- Hygiene Products, eg. Soap, detergents, diapers, tissue paper/wipes, disinfectant (Sections 12, 13 and 14)
- Packaging products for finished food products (Section 14)
- Diagnostic Test instruments and COVID Test Kits (Section 12 and 13, and 14)

The District Collectors are hereby directed to strictly implement the Work from Home arrangements as prescribed under guidelines already existing or to be issued.

Offices involved in airport and seaport operations, the Enforcement and Security Services, the Customs Intelligence and Investigation Service are exempted from the coverage of this Memorandum.

For strict compliance.

ABOUT US

Nague Malic Magnawa & Associates Customs Brokers (NMM) is a general professional partnership of customs brokers duly registered by the Securities and Exchange Commission and the Bureau of Customs. As the first general professional partnership of customs brokers registered with SEC and BOC, it complies with RA 9280, or the Customs Brokers Act of 2004. It has offices in Metro Manila and Cebu, and brokers in Clark, Subic, Davao, Cagayan de Oro, Batangas, and other major ports and special economic zones in the Philippines.

To learn more about the company, please visit our website at:

<http://www.nmmcustomsbrokers.com/>

If you have questions or comments, you may send them to:

Atty. Ferdinand Nague

Managing Partner
rnague@nmm.ph

© 2020 Nague Malic Magnawa & Associates Customs Brokers

Digital copies of this Gazette may be viewed and downloaded from:

<http://www.nmmcustomsbrokers.com/content/nmm-gazette>