



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
MANILA

January 16, 1991

CUSTOMS MEMORANDUM ORDER

No. 7-91

TO : ALL DISTRICT COLLECTORS
ALL SUB-PORT COLLECTORS
AND ALL OTHERS CONCERNED

SUBJECT : Authority of Sub-port Collectors and their
Roles and Duties in Seizure and
Abandonment Proceedings

For the guidance of all District Collectors, Sub-port Collectors and all others concerned on the authority of Sub-port Collectors and their roles initiated and duties in seizure and abandonment proceedings at subports. The following guidelines are hereby prescribed:

I. ON SEIZURE PROCEEDINGS

- 1.1. All Sub-port Collectors are authorized to issue Warrant of Seizure and Detention (WSD) against goods within their place of jurisdiction and supervision.
- 1.2. Seizure proceedings shall be heard by the Sub-port Collector or his hearing officer who shall be empowered to rule on incidental motions such as motion for postponement, motion for intervention and similar motions which will not result either in the release or forfeiture of the goods. However, the Sub-port Collector may, in meritorious cases, request the District Collector concerned to send a hearing officer such as in case the Sub-port Collector is not a lawyer

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- 1.3. Proposed orders or decisions which will result either in the release or forfeiture of goods shall be prepared by the Sub-port Collector and/or hearing officer for the signature of the District Collector. Appropriate indorsement of the proposed orders of decision shall be made by the Sub-port Collector to the District Collector who shall, in case of release, secure the usual clearance by the Commissioner of Customs, before signing the same pursuant to CMO No. 20-87.
- 1.4. The Sub-port Collectors shall submit monthly reports on seized goods as well as monthly progress or status reports thereon to the District Collector to comply with CMO No. 25-90.

II. ABANDONMENT PROCEEDINGS

- 2.1. All Sub-port Collectors can initiate the necessary abandonment proceedings against goods within their port of jurisdiction and supervision pursuant to Section 1801 to 1803 of the Tariff and Customs Code of the Philippines, as amended and shall issue the necessary declaration of abandonment.
- 2.2. Lifting of declaration of abandonment shall be approved by the District Collector upon the favorable indorsement of the Sub-port Collector.
- 2.3. The Sub-port Collectors shall submit monthly reports on abandoned goods as well as monthly progress or status reports thereon to the District Collector to comply with CMO No. 25-90.

III. EFFECTIVITY

This Order shall take effect January 16, 1991.


SALVADOR M. MISON
Commissioner