



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
MANILA

September 29, 1992

CUSTOMS MEMORANDUM ORDER
NO. 108-92

All District Collector
Service/Division Chiefs
All Others Concerned

Subject: Guidelines Implementing Memorandum Order
No. 36 Authorizing the Importation and
Donation of Food, Clothing, Medicine and
Equipment for Calamity Areas.

To ensure expeditious processing and release of all importations under Memorandum Order No. 36, dated September 9, 1992, issued by President Fidel V. Ramos authorizing the importation and donation of food, clothing, medicine and equipment for calamity-affected areas, the following guidelines are hereby promulgated:

1. All importations under Memorandum No. 36 shall be considered as importations of the Office of the President. Accordingly, for fiscal and budgetary purposes, the customs duties and taxes, including VAT, accruing thereto are deemed automatically appropriated as revenue and expenditure of the government in accordance with the provisions of the prevailing General Appropriations Act.
2. All requests for clearance relative to said importations shall be forwarded to the Office of the President (Attention: Presidential Action Center) for evaluation, attaching therewith shipping documents such as bill of lading/airwaybill, packing list, and other pertinent documents like deed of donation, deed of assignment, etc.

AF

CMO-108-92

-2-

3. Importations made under Memorandum Order No. 36 shall be covered by a CLEARANCE duly issued in accordance with said memorandum order and signed by the Senior Deputy Executive Secretary. Importations involving equipment shall in addition to the clearance, be supported by a prior approval of the President.
4. The Clearance shall be hand-carried by an authorized representative of the Presidential Action Center (PACE) to the Office of the Commissioner, Attention: Chief, Collection Service. The Chief, Collection Service shall a) verify the authenticity of the documents b) prepare the necessary indorsement to the Port concerned copy furnished the Chief, Public Information and Assistance Division (PIAD) who shall proceed as in no. 6 below.
5. The District Collector concerned shall cause the immediate processing of entry and examination of the shipment. Toward this end, he shall designate an Action Officer who must ensure that there be no delays in the entry processing, examination and release of said importations. A copy of the duly processed import entry and FDIG shall be forwarded to the Chief, Collection Service for the initiation of tax payment proceedings.
6. The Chief, Public Information and Assistance Division (PIAD) shall serve as the over-all coordinator of all activities related to Memorandum Order No. 36. He shall coordinate with the Chief, Collection Service and such other concerned government and private entities to effect an efficient processing and release of subject shipments. He shall be assisted by the designated Action Officer of the port concerned and shall report directly to the Commissioner of Customs. Toward this end, a weekly report of all shipments cleared and all shipments outstanding shall be made highlighting the number of days elapsed from receipt of documents at the Port.

WR

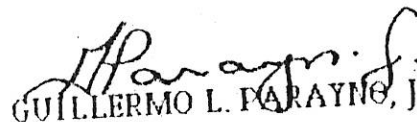
CBDO-108-91

-3-

7. All customs officials and employees are hereby enjoined to give their utmost cooperation and support.

This Order shall take effect immediately.

Please be guided accordingly.


GUILLERMO L. PARAYNO, JR.
Commissioner

Office of the President
of the Philippines
Malacanan

Case 10892
OFFICE ORDER NO. 3
SERIES OF 1992

PREScribing THE INTERNAL OP PROCEDURES TO IMPLEMENT MO NO. 36 WHICH AUTHORIZES THE IMPORTATION OF FOOD, CLOTHING, MEDICINE AND EQUIPMENT FOR USE IN THE GOVERNMENT RELIEF AND REHABILITATION PROGRAMS FOR CALAMITY-AFFECTED AREAS

To implement the provisions of Memorandum Order No. 36, Series of 1992, the following steps and procedures shall be followed by the following offices within the Office of the President (OP):

A. The Presidential Action Center (PACE) shall:

1. Receive favorable endorsements for the issuance of clearance from the Department of Social Welfare and Development (DSWD) in the case of food, clothing and similar relief goods; the Department of Health (DOH) in the case of medicine and medical supplies; and the Department of National Defense (DND) in the case of equipment.
2. Prepare the necessary clearance for each airway bill/bill of lading addressed to the Bureau of Customs (BOC) for signature by the Senior Deputy Executive Secretary (SDES) with the following attachments:

- o endorsement by DSWD/DOH/DND
- o copy of airway bill/bill of lading

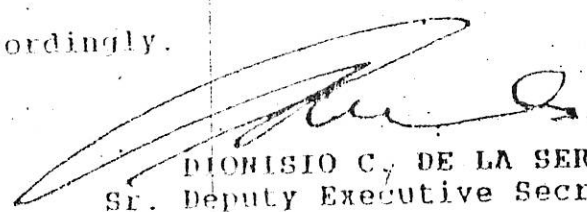
The clearance shall contain the following information:

- o name of the sender/donor
- o name of the consignee/donee
- o airway bill/bill of lading number
- o date of arrival
- o port of discharge (South Harbor/Manila International Container Port/Ninoy Aquino International Airport)
- o list of goods appearing in the airway bill/bill of lading
- o file control number

Case 108-92

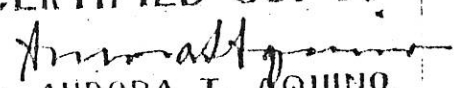
3. Refer to DSWD/DOH/DND, as the case maybe, direct requests for the issuance of clearance from other entities, especially those consigned to private individuals and entities.
 4. Maintain copies of clearances issued.
- B. The Senior Deputy Executive Secretary shall issue the necessary clearances, except in the case of equipment, where prior approval of the President is necessary.
- C. The Presidential Management Staff (PMS) shall:
1. Receive monetary donations and issue official receipts therefor. The money received shall be deposited in a special PNB account and then transferred to the National Treasury under the General Fund. The National Treasury shall then inform the Department of Budget and Management (DBM) of the existence of such monetary donations. For fund withdrawals, the DBM shall issue cash allocation and advice of allotment therefor.
 2. Seek prior Presidential approval for the release of funds from the said account.
 3. Liaise, in coordination with the Department of Foreign Affairs, with the different foreign embassies, consulates and other international organizations with regard to the availment of the facility.

Please be guided accordingly.



DIONISIO C. DE LA SERUA
Sr. Deputy Executive Secretary

September 15, 1992

CERTIFIED COPY:

AURORA T. AQUINO
PRESIDENTIAL STAFF DIRECTOR
1992

BY THE PRESIDENT OF THE PHILIPPINES

MEMORANDUM ORDER NO. 36

AUTHORIZING THE IMPORTATION AND DONATION OF FOOD, CLOTHING, MEDICINE AND EQUIPMENT FOR USE IN THE GOVERNMENT RELIEF AND REHABILITATION PROGRAMS FOR CALAMITY-AFFECTED AREAS UNDER SECTION 105 OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED, AND THE APPLICABLE PROVISIONS OF THE PREVAILING GENERAL APPROPRIATIONS ACT COVERING THE NATIONAL INTERNAL REVENUE TAXES AND IMPORT DUTIES OF THE NATIONAL AND LOCAL GOVERNMENT AGENCIES AND ESTABLISHING A SPECIAL FACILITY THEREFOR.

Pursuant to the powers vested in me by law, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby order:

Section 1. The importations and donations of food, clothing, medicines and equipment for the relief and rehabilitation programs of the Government are hereby authorized, subject to the provisions of Section 3 hereof, in accordance with Section 105 of the Tariff and Customs Code of the Philippines, as amended, and the prevailing provisions of the General Appropriations Act covering national internal revenue taxes and import duties of the national and local government agencies.

For purposes of the aforesaid provisions of the prevailing General Appropriations Act, the importations under this Memorandum Order shall be considered as importations by the Office of the President.

Section 2. There is hereby established a special facility to process importations under this Memorandum Order. Upon favorable endorsement by the Department of Social Welfare and Development (DSWD) with respect to relief clothing and food, the Department of Health (DOH) with respect to medicine, and the Department of National Defense (DND) with respect to rehabilitation equipment, the Office of the President (OP) shall issue the necessary clearances to cover the aforesaid importations which shall serve as basis for the Bureau of Customs to process the papers relative thereto and effect the release of the importations.

In the case of importations and donations of rehabilitation equipment, prior approval by the President is needed before the necessary clearances therefor are issued. Rehabilitation equipment shall be listed as assets in the books of the agency to which the same are assigned by the OP.

(M)

CMO-10891

Section 3. The importations and donations under this Memorandum Order shall be solely intended for use in areas declared by the President of the Philippines to be in a state of calamity. The DSWD, in consultation with the National Disaster Coordinating Council, shall thereafter determine whether the state of calamity in said areas has already ceased to exist,

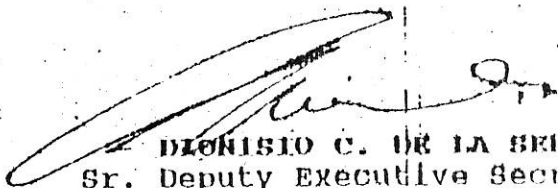
Section 4. Relief importations and donations which have arrived in the country prior to the issuance of this Memorandum Order, which are pending at their ports of entry, may also be processed under this Memorandum Order upon the issuance of the pertinent clearances by the OP; Provided, that such donations are assigned to the DSWD, DOH or the DHD for purposes stated in Section 1 hereof.

Section 5. This Memorandum Order shall take effect upon its publication in a national newspaper of general circulation.

DONE in the City of Manila, Philippine, this 9th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Two.



By the President:



DENISIO C. DE LA BERTHA
Sr. Deputy Executive Secretary

CERTIFIED COPY:


AURORA T. AQUINO
PRESIDENTIAL STAFF DIRECTOR

09/09/92