



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**  
MANILA 1099

**CUSTOMS MEMORANDUM ORDER**  
NO. 43-2009

**SUBJECT: Expanding the operations of the ATI-Calamba ICD to include servicing the Port of Batangas, in addition to the Port of Manila, amending CMO 11-97 for the purpose**

**1. OBJECTIVES**

- 1.1 To contribute to the improvement of the operations of Port of Manila (PoM)/ Port of Batangas (PoB) by authorizing the operations of an Inland Container Depot (ICD) as an extension of said Ports.
- 1.2 To facilitate the movement and customs clearance through the PoM/PoB of importations made by companies operating in the CALABARZON, and thus help ensure the industrial productivity of said area.
- 1.3 To enhance the existing cargo monitoring system through the use of the state-of-the-art technology known as the Vehicle Tracking System (VTS).

**2. SCOPE**

This Order covers the Customs operations of ATI-Calamba Inland Container Depot (ATI-Calamba ICD) as an extension of the PoM/PoB respectively.

**3. GENERAL PROVISIONS**

- 3.1 As an extension of the PoM/PoB, ATI-Calamba ICD shall be treated as a container terminal and/or CFS inside the Customs zone and thus subject to Customs supervision and control.
- 3.2 In coordination with BoC, ATI, as operator of the Calamba ICD, shall identify and designate a specific area within the ICD to hold/store cargoes coming from the PoM/PoB. There shall be designated a holding/storage area for cargoes from PoM and another for cargoes from PoB. These two areas shall be clearly physically segregated from each other using

permanent materials like interlink wires. In each area, a Designated Examination Area (DEA), for the examination of cargoes; and a Container Holding Area for the cargoes recommended for seizure, or under seizure/abandonment proceedings, shall be segregated.

- 3.3 For better Customs management of the ICD, the District Collector, PoM/PoB, shall assign an ICD Customs Supervisor and as many personnel as may be required for the Customs operations in their respective ICD areas.
- 3.4 ATI, in coordination with BoC, shall install a computer system to handle the documentation, inventory, record-keeping and audit of all transfers to and releases from the ICD.
- 3.5 The ATI shall allocate an office space for BoC at the ICD, equipping the same with computers and dedicated communication facilities linking ICD with PoM/PoB to allow the filing and processing of entries of covered shipments through the Automated Customs Operation System (ACOS) and its applications, such as Selectivity, Automated Computation of Taxes and Duties, Automated Matching of Payables and Payments, and On-Line Release System and the exchange of relevant information relative thereto.
- 3.6 In lieu of underguarding, all transfers to the ICD shall be tracked through the Vehicle Tracking System (VTS). Only trucks/vehicles equipped with a VTS and accredited as such by BoC shall be utilized by ATI in the transfer of cargoes to the ICD. For this purpose, ATI shall assign a liaison officer to the VTS Monitoring Team, CIIS, to receive/transmit messages from the ATI monitoring office to ensure that subject shipments go direct to ICD. The ATI shall be responsible for the upkeep and maintenance of the VTS system. In case the VTS system breaks down, the District Collector concerned shall authorize the underguarding of subject shipment until properly received at the ICD by the ICD Customs Gatekeeper.
- 3.7 ATI shall assume full responsibility for goods lost/damaged during the transit to or storage at the ICD. In case of loss, ATI shall pay the taxes and duties due on said shipment, and in the absence of any definitive documentary basis, such as, entry or invoice, the duties/taxes payable shall not be less than PHP1 million/TEU.

In such instance, the concerned District Collector shall issue a demand letter stating the amount to be paid, and ATI must pay within three (3) *days*

days from the receipt thereof. Failure to pay the amount within the prescribed period shall be sufficient ground for the District Collector concerned to suspend the operation of the ICD. The suspension shall remain in force until such time that the obligation has been fully settled.

4. ACCREDITATION

4.1 To avail of the ICD services, ICD users must be accredited by the concerned District Collector on the basis of the following:

4.1.1 **PROXIMITY:** The plant facilities of the applicant firm must be within the CALABARZON area. Exceptions to this criterion may be recommended to the Commissioner of Customs for approval on a case-to-case basis;

4.1.2 **TRACK RECORD:** The firm's general business reputation must be beyond reproach. The company or any of its officials must not have any delinquency/liabilities with BoC; neither should they be subject of any derogatory information, investigation, or pending criminal/ administrative case;

4.1.3 **CREDIT WORTHINESS:** The applicant firm must present a DUN & BRADSHEET or similar report showing good standing.

4.1.4 **ECONOMIC CONTRIBUTION:** It is shown that the use of the ICD by the firm will boost the efficiency of its operation and contribute to the economic well-being of the country.

5. REQUESTS FOR ICD TRANSFER

5.1 The authorized representative of the accredited ICD user shall submit to the port operator, at least 36 hours prior to the arrival of the carrying vessel, a copy of the Bill of Lading (B/L) and the Packing List covering the shipment. The Port Operator shall attach said B/L and Packing List to the Inland Clearance Depot Transfer Request (ICDTR), a sample of which is appended as Annex "A".

5.2 The Port Operator shall lodge the fully accomplished ICDTR with attachments at the office of the Deputy Collector for Operation (DCO) of the Port concerned at least 24 hours before the carrying vessel's arrival.

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- 5.3 Upon receipt of the ICDTR and supporting documents, the Document Processor, Office of the DCO, shall ascertain the following:
- 5.3.1 Whether or not the ICD user is accredited by the concerned District Collector of Customs
  - 5.3.2 Whether or not the signature appearing thereon matches with the specimen signature on file
  - 5.3.3 Whether or not the shipment subject of transfer to the ICD is manifested

If in order, the ICDTR is forwarded to the DCO for approval.

- 5.4 The DCO approves the application by affixing his signature on the space provided for on the form.
- 5.5 On the basis of the DCO approval, the OLR5 operator in the office of the DCO shall indicate on the REMARKS portion: "Transfer to ATI - Calamba ICD" and lifts the Duty Stop. He then distributes the approved ICDTR as follows:

- Sheet #1 - Piers & Inspection Division (PID)
- Sheet #2 - ICD Operator
- Sheet #3 - Deputy Collector for Operations
- Sheet #4 - VTS Monitoring Unit, CIIS

- 5.6 The PID Chief, upon receipt of his copy (Sheet #1), shall officially transmit the same to the Customs Gatekeeper.

## 6. EXIT FROM PORT

- 6.1 Upon receipt of the approved ICDTR (Sheet #2), the Port Operator shall accomplish the Transferred Containers Monitoring Report (TCMR), **Annex "B"**, and then cause the loading of subject cargoes onto the carrying trucks for dispatch to the ICD. After completion of the loading, the Port Operator shall sign the TCMR and present the same, together with the approved ICDTR, to the Customs Gatekeeper.

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- 6.2 The Port Operator shall immediately inform the CIIS-VTS Monitoring Team by radio/telephone that the trucks carrying the shipment are about to depart so that the CIIS-VTS Monitoring Team can activate the VTS.
- 6.3 When the carrying trucks reach the exit gate, the Customs Gatekeeper shall verify the accuracy of the information on the approved ICDTR and TCMR as against the cargoes to be transferred. If in order, he/she shall fill up all pertinent boxes in the TCMR and then submit the same with the approved ICDTR to the DCO.
- 6.4 Upon the exit of the cargoes at the gate, the Customs Gatekeeper shall verify with the CIIS-VTS Monitoring Team as to the activation of the VTS with respect to the shipment.

**7. TRANSSHIPMENT TO ATI-ICD OF CARGOES DISCHARGED AT MICP**

- 7.1 In case of ICD-bound cargoes discharged at MICP, the procedures prescribed herein shall apply, specifically, 5.1, 5.2, 5.3 and 5.4, which all be undertaken at the PoM, except for the verification as to whether said shipments are manifested, which task shall be done by the DCO-MICP.
- 7.2 The ICD operator shall thus apply for with the DCO-MICP a Transshipment Permit for the subject cargoes in accordance with existing rules and regulations, attaching thereto the ICDTR approved by PoM.
- 7.3 Upon approval of the Transshipment Permit, the DCO-MICP shall transmit immediately by fax or other fast means of communication the approved Transshipment Permit to the CIIS-VTS Monitoring Team.
- 7.4 At least two (2) hours prior to the departure of the ICD-bound transshipment from MICP, the ICD operator shall also submit in writing to the CIIS-VTS Monitoring Team the following information:
  - 7.4.1 name of trucker/trucking company
  - 7.4.2 name of driver
  - 7.4.3 truck plate number
- 7.5 The procedures herein prescribed in No. 6 pertaining to the exit of ICD-bound shipments shall be complied with, specifically, 6.1, 6.2, 6.3 and 6.4, with the Customs Gatekeeper at MICP doing the assigned task for the Gatekeeper.

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**8. ARRIVAL AT ICD**

- 8.1 Upon the arrival of subject cargoes at the ICD, the ICD Customs Gatekeeper shall verify whether the information on the TCMR and, in the case of transshipped cargoes from MICP, the Transshipment Permit, presented by the crew of the delivery truck match the description of cargoes being delivered. If in order, he shall fill up all the pertinent boxes in the TCMR. He shall then confirm (by radio or by phone) with the CIIS-VTS Monitoring Team that the delivery of subject goods to the ICD has been completed and send to the concerned DCO a copy of the TCMR by fax within two (2) hours thereafter.
- 8.2 If for one reason or the other the Customs Gatekeeper fails to report, the CIIS-VTS Monitoring Team shall be the one to immediately initiate the call to verify if the delivery of subject goods has indeed been completed as shown by the VTS.
- 8.3 Upon confirmation that the delivery of subject cargoes has been completed, the CIIS-VTS Monitoring Team shall accordingly update the information in the computer system and then generate a computer print out for transmittal to the DCO concerned.
- 8.4 The DCO shall reconcile, on a daily basis, the approved ICDTR, the accomplished TCMR and the tracking report of the CIIS-VTS Monitoring Team, and with respect to transshipment cargoes from MICP, the Transshipment Permit, to further confirm delivery and receipt of cargoes at the ICD.

**9. PROCESSING OF ENTRIES**

- 9.1 The filing and the processing of the IEIRD covering cargoes transferred to ICD shall be through ACOS in accordance with existing rules and regulations.
- 9.2 The release of shipments from the ICD shall be effected upon instructions issued/transmitted by the concerned Port of Entry to the ICD through the OLRs.

*[Handwritten signature]*

documents to the District Collector with his recommendations through the ICD Customs Supervisor.

- 10.3 The District Collector forwards the necessary documents to the Law Division for issuance of a W-0.

**11. RESPONSIBILITIES AND REPORTING SYSTEM**

- 11.1 The ICD Customs Supervisor shall conduct an audit of all OLRs releases on a weekly basis, and he/she shall report thereon to the District Collector, copy furnished the Commissioner of Customs.

- 11.2 The ICD operator shall submit to the concerned District Collector and the Commissioner of Customs the following reports:

11.2.1 Monthly list of containers received at the ICD under his jurisdiction with the following information: Container number, Vessel, Registry, Importer, ICDTR Number, Date, Date/Time received at ICD.

11.2.2 Monthly list of containers applied for transfer but not actually transferred, providing same information as specified above (except for receipt date) and the reasons for the failure to deliver as well as and the containers' present location in the port.

11.2.3 Monthly list of over-staying containers at ICD containing same details as specified in 10.2.1.

11.2.4 Unusual Incident Report to be submitted within 24 hours from the discovery of such incidents as containers transferred but not received, diversion, pilferage, and unauthorized withdrawal from ICD.

- 11.3 The DCO shall be responsible for the preparation and maintenance of an ICD logbook of all transfers to and disposition of containers from the ICD. The logbook shall contain the following details:

11.3.1 On the left page of the logbook:

- ICDTR Number *Qu*

- Date of Transfer
- Consignee
- Vessel/ Registry Number
- Container Number
- Description of Goods

11.3.2 On the right page of the logbook

- IEIRD Number
- Duties and Taxes Paid
- Date released
- ATI Gatepass Number

- 11.4 The CIIS-VIS Monitoring Team shall be responsible for the printing of the tracking report for submission to the concerned DCO. Any transfer which shows non-arrival at the ICD must be immediately reported to the proper BuC law enforcement unit, to the DCO and District Collector and/or Commissioner of Customs.
- 11.5 The concerned District Collector shall cause a monthly audit of the operations of the ICD for the purpose of immediately detecting illegal activities and taking necessary measures to protect the interest of the government. A copy of the Monthly Audit Report must be submitted to the Commissioner of Customs.

## 12. ACCOUNTABILITIES

- 12.1 The Customs officers and personnel are directed to perform their responsibilities as required herein, otherwise they shall be liable to administrative/criminal sanctions as mandated by law:
- 12.2 The District Collectors shall ensure that this Order shall be implemented efficiently.
- 12.3 The examiners/appraisers shall be liable for any error caused by/emanating from their examination/appraisal.
- 12.4 All signatories to any document/certificate/report required under this Order shall be liable for any flaw/defect found therein. *W*

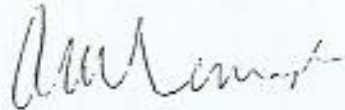


13. REPEALING CLAUSE

CMO 11-97 is modified accordingly and any order, memorandum and circulars not consistent with this Order is also hereby repealed, modified or amended accordingly.

14. EFFECTIVITY CLAUSE

This order shall take effect upon approval.



ANTONIO M. BERNARDO  
Commissioner

Date signed:  
10/10/2003  
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# INLAND CLEARANCE DEPOT TRANSFER REQUEST

ANNEX "A"

*2010.23.03*

ASIAN TERMINALS, INC. - INLAND CLEARANCE DEPOT  
Calamba, Laguna

The Deputy Collector for Operations  
Port of \_\_\_\_\_  
Sir / Madam :

ICDTR# \_\_\_\_\_  
Date: \_\_\_\_\_

The following cargoes are requested to be transferred to the ATI-ICD in Calamba, Laguna:

ITEM	VESSEL		BOC REG#	CONTAINER #		SEAL NBR	B/L NBR	CONSIGNEE	ETD SH		ETA ICD	
	VSL/VOY	ARRIVAL		PREF	NBR				DATE	TIME	DATE	TIME
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												

Asian Terminals, Inc. hereby guarantees to pay the duties and taxes of any and all of the goods above which may be lost during transit or after transfer to ICD.

	PRINTED NAME	POSITION	SIGNATURE	DATE	TIME
REQUESTED BY :	_____	_____	_____	_____	_____
APPROVED BY :	_____	_____	_____	_____	_____

**Distribution:**

- #1 Piers & Inspection Div., BOC
- #2 Asian Terminals, Inc.

- #3 Deputy Collector for Operations, BOC
- #4 VTS Monitoring Unit, CIRS, BOC

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TRANSFERRED CONTAINERS MONITORING REPORT

ANNEX "B" 12

CRD-23-03

ASIAN TERMINALS, INC. - INLAND CLEARANCE DEPOT  
CALAMBA, LAGUNA

TRAIN TRIP #: ORIGINAL TERMINAL DESTINATION: TCMR#: 000001

SHIPPING INFORMATION								AT ORIGIN TERMINAL				TRUCK IN TRANSIT				AT DESTINATION							
CONTAINER NBR		SEAL NBR		VESSEL		TRAIN CAR		TRUCKER		MOUNTED	DEPARTED	ARRIVED	DISCHARGED										
ITEM	PRFX	NBR	CK	PRFX	NBR	ARRIVAL	REG#	NBR	N	S	CO NAME	PLATE#	DRIVER	SIGNATURE	DATE	TIME	DATE	TIME	DATE	TIME	DATE	TIME	
1																							
2																							
3																							
4																							
5																							
6																							
7																							
8																							
9																							
10																							

	SIGNED AT ORIGIN TERMINAL		SIGNED AT DESTINATION TERMINAL			
	ICD SUPERVISOR	CUSTOMS GATEKEEPER	ICD SUPERVISOR	CUSTOMS GATEKEEPER	CUST SERV REP	BILLING
PRINTED NAME						
SIGNATURE						
DATE/TIME						
COMPANY/DEPT						

Distribution:  
 orig = BOC, Dest      trip = BOC, Orig  
 dup = ICD, Dest      quad = ICD, Orig

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