



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

MANILA
BOX NO. 443
ZIP CODE NO. 1099

31 March 1993

CUSTOMS MEMORANDUM ORDER
NO. 13-93

TO : The Collector of Customs (POM, MICP)
Service Chiefs, CIIS and ESS
All Others Concerned

Subject : Access to Areas Considered as Exclusive
Customs Zone

In line with Presidential Memorandum Order No. 225 and in view of the persistent reports of harassment of brokers at areas considered as exclusive Customs Zone it is hereby reiterated that:

1. All areas considered as customs zone are exclusive area for customs personnel pursuant to paragraph 1 of Presidential Memorandum Order No. 225 hereto attached as Annex "A".
2. Other government agencies may be allowed access provided that they should secure the written permission of the District Collector pursuant to the Joint Memorandum of Agreement executed by and between the Bureau of Customs (BOC), Economic Intelligence and Investigation Bureau (EIIB) the Philippine National Police (PNP) and other law enforcement agencies implementing Presidential Memorandum Order No. 225 dated 17 March 1989.
3. BOC law enforcement personnel must wear their official uniforms when operating in areas considered as exclusive Customs Zone otherwise, they shall not be allowed to enter the premises.
4. Detail of plainclothes enforcement personnel may be allowed on a case-to-case basis and only when the Mission Order so requires, but in no case shall they be allowed to interfere in the processing, loading and releasing of any shipment in the absence of a valid Alert/Hold Order.

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5. Shipments coming out of the port can only be placed on hold if there is an existing, valid hold order issued pursuant CMO No. 104-92.

This order shall take effect immediately.


GUILLERMO L. PARAYNO, JR.
Commissioner.

FORM 222

MALACANANG
MANILA

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MEMORANDUM ORDER NO. 225

INTENSIFICATION OF ANTI-SMUGGLING OPERATIONS AND
DELINEATING RESPONSIBILITIES THEREFOR

The economic recovery program of the country is anchored on the enhancement of a healthy business climate and the facilitation of commerce and trade. However, this freer and more liberal economic and social system may be taken advantage of by certain sectors of our society to intensify their smuggling activity and to engage in other forms of economic crimes. There is, therefore, a need to intensify our anti-smuggling operations and to impress upon everyone our Government's seriousness in stamping out these maladies

For this purpose, all government agencies and functionaries are called upon to contribute in the fight against smuggling and other forms of fraud upon customs revenue. To achieve harmony of efforts and to prevent possible conflicts between agencies in the course of anti-smuggling operations, the following guidelines are hereby issued:

1. The Bureau of Customs (BOC) shall have exclusive jurisdiction over all anti-smuggling operations within the ports in all principal ports and subports of entry as well as all areas considered as customs zones, such as Customs Bonded Warehouse, and as such may call upon all other agencies of government for assistance in the conduct of operations within these areas of sole jurisdiction.
2. The Economic Intelligence and Investigation Bureau (EIB) shall be the agency of primary responsibility for anti-smuggling operations in all land areas and inland waters and waterways outside the areas of sole jurisdiction of the Bureau of Customs and as such may call upon the assistance of all other government agencies particularly military and police assistance in the conduct of anti-economic subversion operations within these areas of primary responsibility.
3. The Philippine Coast Guard (PCG) shall be the agency of primary responsibility for all anti-smuggling operations conducted in maritime waters within the territorial jurisdiction of the Republic of the Philippines and as such may call upon the assistance of all government agencies in the conduct of anti-smuggling operations within these areas of primary responsibility.
4. All government agencies and functionaries authorized by law to engage in anti-smuggling activities shall turn over to the Bureau of Customs all confiscated or seized articles, for the appropriate seizure and forfeiture proceedings as authorized under the Tariff and Customs Code.
5. All law enforcement agencies mandated by law to fight smuggling and other fraud on customs revenue shall undertake their anti-smuggling operations within the joint guidelines agreed upon by the agencies

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concerned. The following general principles must be followed in the preparation of the joint guidelines:

- a. The joint guidelines must promote harmony and cooperation among agencies in the conduct of operations to obtain optimum results;
- b. Operations must be coordinated to achieve widest coverage possible and thus maximize utilization of resources;
- c. The joint guidelines must give due consideration for the rights of informers and apprehending officers to rewards provided for under existing laws and orders;
- d. A mechanism should be provided for the coordination of operations and the settling of disputes that may arise among units in the conduct of operations;
- e. The joint guidelines must be consistent with all existing laws as well as with the overall national defense doctrines, plans and standard operating procedures against insurgency, criminality and other enemies of the State.
6. In order for the PC/INP to concentrate on its primary duty of promoting peace and order, it shall not engage in the enforcement of customs laws, rules and regulations unless specifically deputized by proper authorities or requested to provide assistance by law enforcement agencies mandated to operate against smuggling.

This Memorandum Order shall take effect immediately.

Corazon S. Aquino

Manila, March 17, 1989

CERTIFIED COPY:

Aurora T. Aquino

AURORA T. AQUINO
Presidential Staff Director
Malacañang Executive Office

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2. The operation must be conducted in a respectful and courteous manner insuring that the rights and dignity of subject/s is/are upheld at all times. The authority and proper identification of the operating elements must be presented to the concerned parties during the operation.
3. There shall be designated offices/officers to serve as coordinating centers in the conduct of operations. All anti-smuggling operations must be coordinated with these centers to insure harmony among law enforcement agencies in the conduct of operations and in order that necessary assistance can be extended to the operating unit by the other agencies.
4. After every completion of an operation, the operating unit shall render a report to the coordinating center concerned on the completion of the operation.
5. Goods apprehended for violation of customs laws, rules and regulations must be turned over to the Bureau of Customs within three(3) working days from the time of apprehension (unless a longer period of time to document the seizure is necessary. Goods apprehended pursuant to a judicial warrant must be turned over to the court which issued the warrant. However, a leave of court must be immediately obtained in order that the goods may be turned over to the Bureau of Customs accordingly.
6. All concerned agencies operating in a particular area of primary responsibility shall maintain a file of all operations conducted and share information on these operations to serve as a guide for future actions or reference in future operations.
7. Coordinating conferences among concerned law-enforcement agencies shall be done regularly to better achieve the objectives set forth in the Presidential Memorandum Order..
8. The hearing of seizure cases shall be conducted by the Bureau of Customs in coordination with the counsels from the government agencies concerned.

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guidelines set herein shall be covered by a Memorandum of Agreement to be entered into by the heads of the law-enforcement agencies concerned.

Salvador M. Mison

SALVADOR M. MISON
Bureau of Customs

by: [Signature]

[Signature]
JOSE T. AIMONTE
Economic Intel and
Investigation Bureau

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PIO H. GARRIDO JR.
Phil. Coast Guard

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RAMON E. MONTANO
PC/INP

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