March 24 2000

CUSTOMS ADMINISTRATIVE ORDER
NO. 2-2000

SUBJECT: ESTABLISHING THE SUPER GREEN LANE IMPORT PROCESSING FACILITY

PURSUANT TO SECTIONS 608 AND 3304, TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED, THE FOLLOWING RULES AND REGULATIONS ARE HEREBY PROMULGATED:

I. OBJECTIVE

To further enhance the Green Lane facility by providing an advance-processing mode of clearing import shipments.

II. SCOPE

This Order shall cover shipments to the Philippines by importers qualified for Super Green Lane transactions, as established herein which may be gradually implemented.

III. ORGANIZATION

A. The Commissioner of Customs shall constitute the Super Green Lane Task Group to be headed by a Deputy Commissioner to perform the following functions:

1. Identify importers qualified to avail of the SGL facility and make appropriate recommendations;

2. Conduct post clearance checks on declarations covering shipments released under the SGL facility;

3. Ensure compliance with the rules and regulations governing the establishment and operation of the Super Green Lane Facility; and

4. Such other functions as may be assigned by the Commissioner from time to time.

B. The Commissioner, upon recommendation f the Task Group, may create sub-group/s as may be necessary.

IV. CRITERIA FOR ACCREDITATION

The BOC shall consider, among others, the following criteria:

1. That the importer/SGL user has not been subjected to disciplinary action or similar penalties;

2. That the subject imports are not prohibited; and

3. That the importer has been transacting with the BOC for at least one (1) year and falls within the top 1000 importers in terms of duties and taxes paid.

V. CERTIFICATE OF QUALIFICATION

A. The privileges enjoyed pursuant to a Certificate of Qualification (CQ) shall be subject to the following conditions:

1. That the importer is a registered BOC EDI-user;

2. That the covered shipments may be subject to a duly-authorized random and/or spot check inspection but only at the importer's premises while the goods are being unloaded/stripp thereat;

3. That the importer shall be responsible for any misuse or abuse of the privilege; and

4. That the importer shall enter into a Memorandum of Agreement (MOA) with the BOC.

5. Any violation or contravention of the terms and conditions of the CQ and the MOA shall be a ground for its suspension, revocation or cancellation.

6. The use of the CQ shall be subject to an annual review by the BOC and shall be valid until revoked or cancelled.

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VI.   SUPER GREEN LANE PROCEDURES

The Commissioner of Customs shall issue the necessary rules and regulations for implementing the SGL facility.

VII.   SERVICE FEE

The qualified importer shall pay the amount of Two Thousand Five Hundred Pesos (P2,500.00) for every entry filed through the SGL facility.

VIII.   CONFIDENTIALITY CLAUSE.

All information which is by nature confidential or which is provided on a confidential basis for the purposes of accreditation shall be treated as strictly confidential by the authorities concerned who shall not disclose it without the specific permission of the persons or government providing such information, except to the extent that it may be required to be disclosed in the context of judicial proceedings.
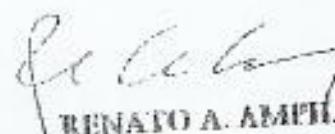
IX.   REPEALING CLAUSE.

All Orders, Memoranda, Circulars or parts thereof which are inconsistent with this Order are hereby deemed revoked, amended and/or modified accordingly, without prejudice however, to the importer's accreditation scheme agreed upon by the Department of Finance and the Department of Trade and Industry.

X.   SEPARABILITY CLAUSE

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

XI.   EFFECTIVITY.

This order shall take effect immediately.

RENATO A. AMPIL.
Acting Commissioner

Date of Approval:

24 March 2000

JOSE T. PARDO
Secretary of Finance.