



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
BUREAU OF CUSTOMS  
MANILA

SEP 11 1992

CUSTOMS MEMORANDUM ORDER  
NO. 104-92

TO : The Deputy Collector for Operations  
All District Collectors  
Service Chiefs, CIIS and ESS  
All others concerned

SUBJECT : Rules on the Issuance of Alert/Hold Orders

I. OBJECTIVES:

- 1) To promote harmony and complementation in the operations of law enforcement units of the Bureau.
- 2) To expedite completion of action in the clearance of shipments including those subject of derogatory information.

II. SCOPE

This Order shall apply on shipments unloaded at the South Harbor, North Harbor and at the MICP.

III. GENERAL PROVISIONS

The provisions of CMO 92-91 dated 13 November 1991, except in so far as those provisions in conflict with this Order shall be strictly observed.

IV. SPECIFIC PROVISIONS

- 1) It shall be a violation of specific instructions to delay, obstruct and/or impede the clearance, delivery or movement of any shipment unless there is a duly issued and valid Hold/Alert Order.
- 2) For a Hold/Alert Order to be valid, it must be presented to the Duty Officer designated for the purpose at the Office of the Commissioner for recording and the affixing of the Office of the Commissioner's dry seal.

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- 3) A computer file of all Hold Orders issued shall be maintained at the Office of the Commissioner containing the following details:
  - a) Date the Hold Order Request was presented
  - b) Time of the Receipt of the Hold Order
  - c) Requesting Law Enforcement Unit
  - d) Name of Vessel and Voyage Number
  - e) Vessel Registry
  - f) Container Number (if containerized)
  - g) Marks and Numbers (if break bulk)
  - h) Description of goods
  - i) Specific violations believed to have been committed
- 4) The Duty Officer shall, before affixing the seal on the Order, query first the file if a previous order has already been issued. He shall advise the requesting party accordingly of the Order already issued (if any) and of the outcome if already available. If the requesting unit would like that a new Hold Order be issued after an earlier one has been lifted, a written request shall be made for clearance of the Commissioner, stating the reasons why a new order must be issued.
- 5) The law enforcement unit concerned shall endeavor to complete the verification within forty-eight (48) hours from the time the Hold Order was received at the Office of the Commissioner. Should the verification not be completed during the period, a report shall be rendered to the official who issued the order explaining the reason for the non-completion of the verification and requesting for extension of the validity of the order stating the new date within which the verification shall be completed. A copy of the approved extension shall be furnished the duty officer for proper notation in the computer file.
- 6) On or before the expiry of the validity of an Order, the law enforcement unit concerned shall submit a report on the action they have taken to the Collector of Customs concerned which can be in any of the following form:

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- a) Recommendation for the Issuance of a Warrant of Seizure, and Detention
- b) Recommendation for the payment of additional duties and taxes or the presentation of required documents
- c) Recommendation for the lifting of the alert/hold order.

A copy of the recommendation duly received by the Collector shall be presented to the Duty Officer, Office of the Commissioner for appropriate recording.

7) Additional fields in the computer file described in III-A shall be provided to accept the information in 6 above as follows:

- a) Date action was completed
- b) Nature of action taken:
  - b.1 Seizure
  - b.2 Additional duties and taxes
  - b.3 Additional documentation
  - b.4 Lifting

8) Law enforcement units, shall conduct their intelligence operations in the manner that would not impede, obstruct or delay the regular clearance procedure of shipments. Hold Orders shall only be requested whenever a confirmed information is available on the violation(s) committed in the shipment. It is desirable that law enforcement units conduct their operations in a covert manner.

9) A monthly report showing the outcome of Hold/Alert Orders for the month shall be made available to the law enforcement units for their feedback to serve as basis for rating the units and/or fine tuning their operations. The report shall follow the format shown in Annex "A" which forms an integral part of this Order. Another report showing the cumulative results and following the format in Annex "B" shall also be prepared as added feedback to the units.

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V. All previous orders inconsistent with this Order are hereby modified and amended accordingly.

VI. This Order shall take effect immediately.

  
GUILLERMO L. FARAYNO JR.  
Commissioner

\* 1/tpd/alert.cmo





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CMC-104-92

14 September 1992

MEMORANDUM TO :

The Deputy Collector for Operations  
All District Collectors  
Service Chiefs, CIIS and ESS  
All others concerned

Pursuant to CMC No. 104-92 regarding the rules on the issuance of alert/hold orders, the attached formats for the request of such orders are hereby prescribed.

For strict implementation.

  
GUILLERMO L. FARANO JR.  
Commissioner

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