



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

1 September 2000

CUSTOMS MEMORANDUM ORDER
No. 11-2000

Subject: Establishing the Committee for the Disposition
Of Abandoned and Overstaying Shipments

1. Objectives:

- 1.1 To provide a mechanism to regularly monitor abandoned and overstaying shipments and ensure their speedy disposition in accordance with law, establishing the responsibility centers therefor.
- 1.2 To prevent abandoned and overstaying shipments from going to waste in terms of their economic value and uses and instead derive benefits therefrom to the maximum in the form of revenues through their sale at public auction and other means of disposition.

2. Scope:

This Order shall cover all shipments classified as abandoned in accordance with existing rules and regulations or otherwise considered overstaying shipments at the Port of Manila (POM), Manila International Container Port (MICP) and NAIA Customs.

3. Administrative Provisions:

- 3.1 There shall be created a Committee for the Disposition of Abandoned and Overstaying Shipments (CDAS) composed of the Director, Port Operations Service, as Chairman, Chief, Port Operations Coordination Division, as Vice Chairman, and the with respective Chiefs, ACDD, of the POM, MICP and NAIA as members.

3.2 It shall be the main responsibility of the CDAS to regularly monitor all abandoned and overstaying shipments in the above ports and ensure their immediate disposition in accordance with law, thereby generating maximum revenues therefrom and other benefits.

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4. Operational Provisions:

- 4.1 The MISTG Site Support Staff of the Port concerned shall provide CDAS through its Chairman a daily computer print out of shipments, by vessel and by Port, for which no entry has been filed after 30 days reckoned from the last discharge of the last package from the carrying vessel.
- 4.2 CDAS Chairman shall cause the posting by his members a copy of the said list in the designated Bulletin Boards of the Port concerned, to serve further notice on the abandonment status of said shipments to all parties concerned.
- 4.3 On the basis of the said list, the CDAS shall convene to draw a Disposal Plan of the subject shipments, giving attention to those that need immediate attention taking into consideration the perishable nature and the shelf life of the goods concerned, among others. The Disposal Plan shall include a final verification on the status of the shipments, their specific location, inventory and examination, appraisal to set floor prices, and auction and other alternative modes of disposition, giving each member specific tasks to accomplish.
- 4.4 To further carry out the above purposes, the CDAS shall form an Inventory Team whose members may be designated by the CDAS Chairman upon the recommendation of the CDAS members. The Inventory Team shall be responsible in carrying out the inventory, examination and appraisal of subject shipments in accordance with the Disposal Plan drawn by the CDAS.
- 4.5 The Inventory Team shall also set the appropriate floor prices of the shipments examined and appraised subject to the approval of the CDAS. Whereupon, the CDAS Chairman shall refer the matter to the concerned Chief, ACCD, who shall then issue the Notice of Sale, stating the time and date of the auction and the respective floor prices as approved by the CDAS and conduct the public auction sale accordingly.
- 4.6 For shipments found by the Inventory Team to be unfit for human consumption or injurious to public health, and thus, liable for destruction or condemnation, the CDAS shall coordinate with the Condemnation Committee of the Port concerned to draw the details of the condemnation. In its absence, the CDAS shall serve as the Condemnation Committee itself for such purpose by complying with the requirements of the law to act as such.

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The Condemnation Order that may be issued thereon shall be subject to the approval of the Commissioner upon the recommendation of the District Collector concerned.

- 4.7 In case of shipments found appropriate and qualified for donation, the CDAS shall prepare all the necessary papers for the turn-over of subject shipments to the Department of Social Welfare and Development (DSWD) and other qualified government charitable organizations in accordance with existing rules and regulations. The donation shall be subject to the approval of the Commissioner upon the recommendation of the District Collector concerned.
- 4.8 To be more effective in carrying out its mandate, the CDAS shall also coordinate its plans and activities with other Port entities, such as the Arrastre Operators, shipping lines, the Association of International Shipping Lines (AISL), to enlist their support and to provide a feedback mechanism of its actions.

5. Repealing Clause:

All Order, Memorandum and Circulars inconsistent herewith is deemed amended, modified or repealed accordingly.

6. Effectivity:

This Order shall take effect immediately.


RENATO A. AMPIL
Commissioner