



Republic of the Philippines
Department of Finance
Bureau of Customs
1099 Manila

14 March 2005

CUSTOMS MEMORANDUM ORDER

No. *14-2005*

TO : Deputy Commissioners
Service Directors
District Collectors
Chiefs, Sections/Units
All Others Concerned

SUBJECT: Amendment of CMO No. 35-2004, Creation of the Anti-Smuggling Unit for Motor Vehicles (AS-U-MOVE).

Considering the fact that the objectives and functions of the Anti-Smuggling Unit for Motor Vehicles (AS-U-MOVE) are well within the mandate and responsibility of the Intelligence and Enforcement Group (IEG), the function to manage, supervise and control of the said unit is hereby transferred from the Office of the Commissioner to the Office of the Deputy Commissioner, IEG.

The Deputy Commissioner, IEG is hereby directed to evaluate the unit's activities and recommend measures to ensure that its operation dovetails with the larger operational framework of IEG.

Accordingly, No. 3.1 of CMO No. 35-2004 is hereby amended with respect to the supervision and control of AS-U-MOVE.

This Order shall take effect immediately.


ALBERTO D. LINA
Commissioner



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

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CUSTOMS MEMORANDUM ORDER

NO. 35-2004

TO : District Collectors;
Chiefs; Division Heads; Vehicle Importation Compliance
Monitoring Unit; and All Others Concerned

SUBJECT: **CREATION OF THE ANTI-SMUGGLING UNIT FOR
MOTOR VEHICLES (AS-U-MOVE) PURSUANT TO
EXECUTIVE ORDER NO. 363, DEFINING ITS
POWERS AND FUNCTIONS.**

1. OBJECTIVES:

- 1.1. To prepare and implement effective measures to prevent and suppress smuggling of motor vehicles.
- 1.2. To combat smuggling of motor vehicles outside the Customs area pursuant to E.O. No. 363.
- 1.3. To pursue smuggled motor vehicles in places considered as hot zones, including but not limited to, Clark, Subic, Batangas, Cebu, Davao.

2. SCOPE AND COVERAGE:

- 2.1. This Order shall cover all smuggled motor vehicles.

3. ADMINISTRATIVE PROVISIONS:

- 3.1. There is hereby created an Anti-Smuggling Unit for Motor Vehicles (AS-U-MOVE) which shall be attached to the Office of the Commissioner;

- 3.2. The AS-U-MOVE shall have the following powers and functions, to wit:
- 3.2.1. Prepare and implement an effective campaign against smuggling of motor vehicles;
 - 3.2.2. Coordinate with VICMU-IEG and the Land Transportation Office in identifying imported motor vehicles released from Customs territory which have not passed or complied with the requirement of the TCCP and other laws.
 - 3.2.3. Enlist the assistance of other law enforcement agencies, i.e., Land Transportation Office (LTO), Traffic Management Group – Philippine National Police (TMG-PNP), Metro Manila Development Authority (MMDA), etc. in going after smuggled motor vehicles;
 - 3.2.4. Recommend the issuance and effect the service of Warrant/s of Seizure and Detention against smuggled motor vehicles, or apply for judicial warrant when necessary;
 - 3.2.5. Effect seizure and recommend forfeiture of motor vehicles pursuant to Section 2536 of the TCCP;
 - 3.2.6. Shall organize AS-U-MOVE Sub-units, upon approval of the Commissioner, in areas identified as hot zones and in the outports whenever warranted;
 - 3.2.7. Issue such other internal guidelines that are necessary to effectively enforce the objectives of this Order; and
 - 3.2.8. Perform such other functions as may be directed by the Commissioner.

4. REPEALING CLAUSE:

All rules, regulations, orders and other issuances inconsistent herewith are hereby deemed repealed, superseded or modified accordingly.

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5. EFFECTIVITY:

This Order shall take effect immediately.



GEORGE M. JEREOS
Commissioner

1.
LRO-14-2005

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into by and between:

The **BUREAU OF CUSTOMS**, a government agency tasked to enforce the Tariff and Customs Code of the Philippines, represented herein by its Commissioner, **GEORGE M. JEREOS**, with office address at OCOM Bldg., South Harbor, Port Area, Manila, hereinafter referred to as "BOC";

- and -

The **LAND TRANSPORTATION OFFICE**, a government agency tasked to implement the Land Transportation and Traffic Code, represented herein by its Assistant Secretary, **ANNELI R. LONTOC**, with office address at East Avenue, Quezon City, hereinafter referred to as "LTO";

WITNESSETH THAT:

WHEREAS, the smuggling of motor vehicles committed on a large scale or by criminal syndicates continue to pose a direct and serious threat to government revenues;

WHEREAS, coordinated efforts by the BOC and LTO is indispensable in order to conduct an effective campaign to curtail smuggling of motor vehicles in the country;

WHEREAS, for this purpose, an **Anti-Smuggling Unit for Motor Vehicles (AS-U-MOVE)** has been created to go after illegally imported motor vehicles outside customs territory;

WHEREAS, there have been reported cases of illegally imported motor vehicles which were registered with the LTO in spite of lack of Certificate of Payment of Duties and Taxes (CPs) issued by the BOC or through the use of spurious CPs and other fraudulent means;

WHEREAS, there is an important and immediate need to flush out/interdict the smuggled motor vehicles in order to prevent smuggling in the country and improve revenue collections of government agencies concerned;

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DEC 22 2004

END - 14.2005 ✓

NOW, THEREFORE, for and in consideration of the foregoing premises, the parties hereto hereby agrees as follows:

1. SHARING OF INFORMATION

- A. The LTO shall provide the BOC printouts of necessary information for suspected smuggled vehicles identified by the BOC. The parties concerned shall treat such information with utmost confidentiality.
- B. The LTO and BOC mutually agree that they shall furnish each other, from time to time or as requested, such other necessary information to effectively carry out the purpose of this Agreement.

2. ASSISTANCE IN OPERATIONS AND ENFORCEMENT

- A. An operation plan shall be carried out to flush out/interdict all motor vehicles identified to have been registered in violation of customs and land transportation laws.
- B. The LTO shall provide the necessary assistance to the BOC- AS-U-MOVE for the effective implementation of the operation plan.
- C. Actual operations and enforcement actions shall be conducted by the BOC with the primary support of the LTO and other law enforcement agencies such as, but not limited to, the PNP-TMG and the MMDA.

3. SEIZURE

- A. Seizure of the motor vehicles under the operation plan shall be in accordance with Section 2301, 2530 and other pertinent provisions of the Tariff and Customs Code of the Philippines, customs laws, rules and regulations.
- B. All seized and forfeited vehicles shall be transferred and turned over to the Bureau of Customs, which shall determine the proper disposition of the said vehicles.

4. CREATION OF A TECHNICAL WORKING GROUP

- A. A Technical Working Group shall be formed and its composition shall be determined by the Commissioner for the BOC and by the Assistant Secretary for the LTO.

END 14-2005 ³

- B. The Head of the BOC-AS-U-MOVE, with the full support of the Technical Working Group, shall be responsible for overseeing the smooth and efficient implementation of the Anti-Smuggling Campaign for Motor Vehicles by the BOC and the LTO.
- C. The Technical Working Group shall meet periodically to review and assess the performance of the campaign and correspondingly recommend measures for its improvement.

EFFECTIVITY:

This Agreement shall take effect upon the signing by both parties. This Agreement may be modified and/or amended upon mutual consent of the parties.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____ 2004 at _____, Philippines.

**BUREAU OF CUSTOMS
(BOC)**

**LAND TRANSPORTATION OFFICE
(LTO)**

By:

By:


GEORGE M. JEREOS
Commissioner


ANNEL R. LONTOC
Assistant Secretary

SIGNED IN THE PRESENCE OF:

 _____  _____

DEC 22 2004

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ACKNOWLEDGMENT

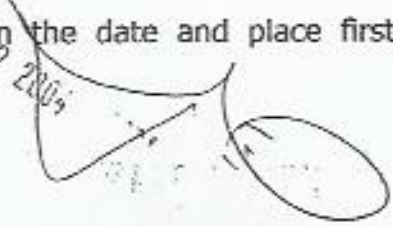
REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

BEFORE ME, a Notary Public in and for the City of _____ this 27 day of _____ 2004, personally appeared with their respective Community Tax Certificates:

	CTC No.	ISSUED AT/ON
George M. Jereos	<u>13874481</u>	<u>Q.C. 2-26-04</u>
Anneli R. Lontoc	<u>24131798</u>	<u>Las Pinas 6/28/04</u>

known to me to be the same persons who executed the foregoing MEMORANDUM OF AGREEMENT consisting of _____ pages including the page on which this Acknowledgment is written and they both acknowledged before me that the same are their free and voluntary act and deed.

WITNESS MY HAND AND SEAL on the date and place first above written.

DEC 22 2004


NOTARY PUBLIC

DOC. NO. 705
PAGE NO. 1
SEC. NO. 11
SERIAL NO. 244