



REPUBLIC OF THE PHILIPPINES
Department of Finance
BUREAU OF CUSTOMS
MANILA 1099

JUN 08 2009

Customs Memorandum Order
No. 24-2009

- TO:** District Collectors of Customs, Port of Cebu
Collector of Customs, Mactan International Airport
Chiefs of Divisions and Offices, BOC
PEZA-Registered Economic Zone Locator-Importers
Customs Brokers
All Others Concerned
- SUBJECT:** Amended Guidelines and Procedures for Implementing
BOC-PEZA Joint Memorandum Order No. 03-2002 dated 27
July 2002

The following amendments to Customs Memorandum Order No. 41-2002 on the guidelines and procedures for implementing BOC-PEZA Joint Memorandum Order No. 03-2002 is hereby prescribed for the effective resumption of the implementation of the Automated Cargo Transfer System (ACTS) at the Mactan-Cebu International Airport (MCIA) and the Cebu International Port (CIP)

1 SCOPE

- 1.1 This Order shall have the same scope as CMO 41-2002.

2 GENERAL PROVISIONS

- 2.1 For declaration and cargo transfer purposes, the particulars of import shipments falling under and within the scope of this Order shall be fully declared using the IEIRD-Transit (Model of Declaration 8.8), which shall be in lieu of the following documents: CEWE, Transshipment Permit, Transit Cargo Manifest, Boatnote, Mission Order and telegram. The previously mentioned documents shall no longer be required.
- 2.2 Ecozone Enterprises shall lodge the IEIRD-Transits (henceforth, referred to as Transit Declarations for simplicity) using the Single Administrative Document of Phase 1 e2m Customs (PSAD) through BOC-accredited Value Added Service Providers (VASP) in compliance with CMO 19-2007, Lodgment of Entries Through VASPs. Manual submission of Transit Declarations shall no longer be allowed.
- 2.3 Ecozone Enterprises shall submit, with the Transit Declaration, the following supporting documents:
- 2.3.1 Air Waybill / Bill of Lading
 - 2.3.2 Commercial Invoice or equivalent verifiable document
 - 2.3.3 Packing List (for multiple package shipments)
 - 2.3.4 Valid PEZA Import Permit with a barcode
 - 2.3.5 Import Clearances / Permits from concerned government regulatory agencies, if the imported commodity requires one

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- 2.4 The PEZA Section of the CPCO shall scan the barcode of the Import Permit presented as a supporting document to the transit declaration.
- 2.4.1 Upon retrieval of the electronic Import Permit from the AIP database by scanning the barcode, the PEZA staff compares the presented paper Import Permit with the copy displayed on the screen.
- 2.4.2 If the details match, the PEZA staff tags the electronic Import Permit as "USED" on-line. The same IP cannot be presented as supporting document for a new Transit Declaration.
- 2.5 Only Ecozone enterprises and custom brokers with active registration in ACOS can lodge electronic Transit Declarations.
- 2.6 Ecozone Enterprises shall post with the Bonds Division or equivalent office at the Port of Mactan, a **Surety Bond** issued by a surety company accredited by the BOC at the port of Mactan, to serve as guarantee of payment of taxes and duties. Upon acceptance by the Bonds Division or equivalent office, the acceptance document shall be submitted to CPCO Customs section, for their reference during the transit declaration processing.
- 2.6.1 The value of the Surety Bond shall be equivalent to the average duties and taxes due on importations of the Ecozone Enterprise for a period of 3 days, based on the total duties and taxes due on its actual importations during the three-month period immediately prior to its posting of the surety bond.
- 2.6.2 The Surety Bond shall be accompanied by a Certification under Oath of the Ecozone Enterprise's Import/Export Manager or responsible official attesting to the accuracy of the computation for the basis of the surety bond. Likewise, another certification shall be submitted to the CPCO within a week of the end of a semester.
- 2.6.3 The BOC may require an Ecozone Enterprise to increase the value of its Surety Bond at the end of a semester, upon determination of a significant increase in the level of its actual importations (as against the level of past importations used in the determination of the amount of its surety bond), in order to ensure that its surety bond provides adequate coverage of taxes and duties due on its current importations.
- 2.6.4 The initial Surety Bond to be posted by Ecozone Enterprises shall be valid until 31 December 2009.
- 2.6.5 As clarified in the Memorandum of the Commissioner of Customs dated 16 October 2001, the Surety Bond shall operate as a One-Time-Bond, the filing of which is deemed compliant with the provisions of JMO No. 1-2001 dated 24 August 2001.
- 2.7 Ecozone enterprises shall pay the BOC Cargo Transfer Fees (composed of Transit Service Fee and Import Processing Fee) for their transit goods by automatic debit from Pre-Payment Accounts they have established in the bank / branch designated by the Collector of the Port of Mactan in accordance with CMO 8-2005. An ecozone enterprise

may open several pre-payment accounts, nominating any one of these accounts in the transit declaration.

2.8 For tax and duty-exempt import shipments arriving by sea at the CIP, the transit declaration shall be electronically lodged with the Port of Mactan through the VASP. Processing at the Mactan CPCO for such shipments shall be no different from processing of shipments discharged at CMIA

2.8.1 The duly authorized representative of the Ecozone Enterprise shall bring Copy #2 (Importer's Copy) and Copy #7 (Delivery Permit) of the IEIRD Transit Declaration after completing processing at CPCO Mactan, to the Deputy Collector for Operations of CIP. The Deputy Collector of CIP shall check the authenticity of the documents using Automated Customs Operations System (ACOS) before giving the approval for release.

2.9 For an import shipment containing goods not covered by the tax and duty-exemption incentive granted by PEZA to an Ecozone Enterprise, the duly authorized representatives of the Ecozone Enterprise shall file for an amendment of the manifest at the port of discharge so that separate entries (bills of lading/AWBs) can be issued to cover goods and materials covered by the tax and duty-exemption incentives and those that are not covered by the incentive

3 ADMINISTRATIVE PROVISIONS

- 3.1 The CPCO shall be reconstituted and established at the Customs Office in the Mactan Economic Zone I PEZA Office.
- 3.2 The CPCO shall be constituted solely by Customs and PEZA staff.
- 3.3 PEZA shall be responsible for maintaining the connectivity of the CPCO to the Customs ACOS network.

4 REPEALING CLAUSE

CMO 41-2002 and all other Customs orders, rules and regulations or parts thereof which are inconsistent with this Order are hereby deemed repealed or modified accordingly.

5 EFFECTIVITY

This Order shall take effect fifteen (15) days after publication in a newspaper of general circulation.

NAPOLEON D. MORALES
Commissioner

