



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

JAN 25 2002

CUSTOMS MEMORANDUM ORDER

NO: 9-2002

TO: All District Collectors, Division Chiefs,  
Section Chiefs, Appraisers, Examiners, and  
All Other Concerned

SUBJECT: Implementing guidelines on Department  
Order No. 47-98 dated June 23, 1998

To further clarify CMO 39-98 dated October 7, 1998, in view of the shift from Export Value to Transaction Value, certain changes shall constitute part of the original CMO 39-98 which is now republished, viz:

I. OBJECTIVES:

1. To enhance the publication of accurate/ correct Transaction Values.
2. To provide prompt action on requests for assistance in the early resolution of protests cases in connection with the published Transaction values.
3. To efficiently review / evaluate petitions for the publication of a range of Transaction values or Reference Values.
4. To ensure proper / fair collection of Duties and Taxes.

II. ADMINISTRATIVE PROVISION:

A. Composition:

There is hereby created by the Commissioner a Valuation Team (CVT) composed of the Bureau of Customs and the Industry Representatives formed under the Memorandum of Understanding (MOU) OF March 7, 1997 with the PCCI and FPI, hereinafter known as Customs Valuation Team (CVT). The following shall compose the Team:

- 1) Chairman - Deputy Commissioner for Assessment and Operations Group
- 2) First Vice-Chairman - Director, IAS
- 3) Second Vice-Chairman - Director, Planning and System Development

Regular Members:

- 1) Director, Bureau of Import Services (or his authorized representative)
- 2) Chief, Valuation and Classification Division
- 3) Principal Val. And Class Officer- 4 members
- 4) Chief, Formal Entry Division - POM
- 5) Chief, Formal Entry Division - MICP

- 6) Chief, Formal Entry Division – NAIA
- 7) PCCI Representatives – 3 members
- 8) FPI Representatives – 3 members
- 9) Other private sector representatives – Limited to two (2) only

None Voting Members:

- 1) Technical Experts of the Industry
- 2) Other invited guests by the Chairman.

B. Jurisdiction:

The team shall have jurisdiction relative to:

- 1) Petition to review the list of reference transaction values for the purpose of updating the same.
- 2) To study on the applicability or correctness of the transaction values on shipments referred to the Committee for deliberation.
- 3) Evaluation of Request(s) for the publication of Reference Values.

III. GENERAL PROVISIONS:

A. The Valuation Team Shall exercise the following functions:

- 1) To meet regularly every week or at least twice a month or as the need arises.
- 2) To study, evaluate/ review and deliberate on all petitions to review the published transaction values used as reference values and submit its findings and recommendations to the Commissioner or to the duly authorized official for approval.
- 3) To approved the publication and amendment/updating/ corrections of Reference values and submit its findings and recommendations to the Commissioner or to the duly authorized official for approval.
- 4) To invite the attendance of interested and/or affected parties.
- 5) To endorse to the VSWG the approved published transaction value for reference and RO's for its consideration for inclusion in the Value Reference Information System (VRIS).
- 6) To resolve all request for the publication within 2 weeks and not later than 3 weeks.

B. Private Sector:

- 1) To assist the BoC develop a database on the values of articles in their respective industries.
- 2) To assist the BoC if requested, in the formulation of programs in connection with the shift from export value to transaction value or to any other system of customs valuation later in the future.
- 3) To provide technical facilities and know how/ expertise of Technical Experts to the CVT.

IV. OPERATIONAL PROCEDURES:

1. The concerned importer/industry shall submit to the Team his/its request for updating/ correction/ deletion of the published Reference Values together with the necessary evidence to show that the Reference Value is



no longer current. Request for publication of Reference Values should likewise be supported by evidence such as BIS or Commercial attaché report, Invoice values, price list, international publications such as the Platt's Report, etc.

2. Conduct of Meeting


- a) The CVT shall form a Secretariat responsible for the taking of the Minutes, sending of notices to members, and preparing the agenda for the next meeting.
  - b) Before the start of the meeting, the presiding Chairman shall declare if the members in attendance constitute a quorum. In all meetings, the presence in person or by proxy of the voting members of the Team shall constitute a quorum. In this case, the majority is about eleven (11) members.
  - c) Any Resolutions for publications or recommendations to the Commissioner or his duly authorized representative for his approval must be signed by all members present during the meeting.
3. The team can request and such request shall be honored, for data from the MISTG where information from the Single Administrative Document (SAD) and VRIS are necessary to establish price trends giving due consideration to the confidentiality of business information.
  4. The private sector shall likewise submit to the CVT, value information if available.
  5. BIS shall on request, verify value information from Philippine Commercial attaché or other reliable, objective, and internationally accepted sources of value information to assist CVT deliberations.
  6. The Team shall evaluate all the information gathered in order to arrive at the approximate Transaction value.
  7. The Team shall recommend to the Commissioner or his duly authorized representative the amendment/deletion/ inclusion of the Reference values arrived at, for approval.

V. REPEALING CLAUSES:

All Orders, Memorandum, Circular and parts thereof which are inconsistent with this Order are hereby deemed revoked, rescinded and or modified accordingly specifically CMO 39-98

VI. EFFECTIVITY:

This Order shall take effect immediately.

  
TIPUS B. VILLANUEVA  
Commissioner