

February 2, 2009

CUSTOMS MEMORANDUM ORDER  
NO. 9-2009

To: The District Collector, Ports of Zamboanga & Davao  
The Designated Border Crossing Officers  
And All Others Concerned

Subject: Guidelines in the Implementation of the Border Patrol Agreement and Border Crossing Agreement Between the Government of the Republic of Indonesia and the Government of the Republic of the Philippines

I. Objectives:

1. To define the qualification requirements in the designation of Border Crossing Officers;
2. To provide the guidelines in the monitoring and supervision of Border Crossing Officers; and
3. To prescribe the reportorial requirements that shall be complied with by the designated Border Crossing Officers.

II. Designation of Border Crossing Officers:

1. The designation as Border Crossing Officers shall be issued by the Commissioner of Customs upon recommendation of the concerned District Collector;
2. The following shall be the requirements for designation as such:
  - a. A permanent employce of the Bureau for at least three (3) years holding a plantilla position of not lower than Customs Operations Officer I, SG-11 currently assigned at the Port of Zamboanga or Port of Davao, respectively.
  - b. Physically fit as certified to by a Medical officer in a local government hospital in Zamboanga/Davao and the Chief, Medical and Dental Division, Ocom.
  - c. Endorsement by the immediate family (wife/husband for married employce/ parent for single employce) stating agreement to his/her assignment and likewise stating the members of the family who shall be entitled to benefits as Foreign Service Officer, if any.
3. The regular tour of duty for each designation shall be for six (6) months and can be extended but subject to renewal upon proper evaluation and favorable recommendation of the concerned District Collector which shall, however, be limited to a maximum of three (3) renewals only.
4. After the issuance of appropriate Customs Personnel Order, the designated Customs Border Crossing Officer shall be endorsed to the Department of Foreign Affairs by the Deputy Commissioner, Internal Administration Group for issuance of diplomatic passport and possible conferment of an appropriate Foreign Service Officer Rank and the corresponding entitlement to its benefits, privileges, responsibilities and accountabilities.
5. In accordance with DFA rules and regulations, the Diplomatic Passport shall be subject to annual revalidation. Hence, the designated Customs Border Crossing Officer shall take necessary action to comply with such rule.



6. In accordance with the Agreement, the Customs Border Crossing Officer is part of the Border Committee Team, a multi-agency team with the Military Commander as Head of the Team. Accordingly, the Customs Border Crossing Officer shall immediately report to the Head of the Team upon his assumption, whenever, he will be leaving his post for personal and official reasons and prior to departure in case of recall.

III. Monitoring, Supervision and Reportorial Requirements:

1. As per Agreement, the following shall be the Border Crossing entry and exit stations:
  - a. Indonesian Side
    - Marore
    - Miangas
    - Tarakan
  - b. Philippine Side
    - Mabila, Balut Island
    - Cape San Agustin
    - Bongao, Tawi-tawi
2. Accordingly, the Philippine Customs Border Crossing Officer shall be stationed at the following stations in Indonesia and shall be subject to supervision of the concerned District Collector as indicated:
  - a. Marore, Indonesia – District Collector, Port of Davao
  - b. Miangas, Indonesia – District Collector, Port of Davao
  - c. Tarakan, Indonesia – District Collector, Port of Zamboanga
3. On the other hand, the jurisdiction to supervise the areas in the Philippine side for the enforcement of the tariff and customs laws and the provisions of the Agreement shall be in accordance with the jurisdictional limits of the Collection District and its subport as follows:
  - a. Balut Island – Subport of Dadiangas, Collection District No. XI
  - b. Cape San Agustin – Subport of Mati, Collection District No. XI
  - c. Bongao, Tawi-tawi – Subport of Tawi-tawi, Collection District No. IX
4. As per agreement, the main function of the Customs Border Crossing Officer shall be to manage and execute duties regulating the traffic of people and the flow of goods according to the Border Crossing Agreement. Specifically, he shall be responsible for:
  - a. Countersigning the Border Crossing Cards issued by the Indonesian Border Crossing Officers in Miangas, Marore and Tarakan for Indonesian nationals entering the Philippine borders.
  - b. Strictly implement the rules and regulations in the entry and exit of goods as stated in the Border Crossing System, Annex F of the Agreement;
  - c. Submit monthly reports to the concerned District Collector stating among others, the number of Border Crossing Cards countersigned, apprehensions made on the enforcement of tariff and customs laws and border crossing agreement, duties and taxes collected, other activities conducted in connection with the performance of his duties and such other information that may be

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- useful to the Collection District in relation to the enforcement of tariff and customs laws.
- d. The District Collector concerned shall endorse the report of the Border Crossing Officer to the Office of the Commissioner thru the Chief of International Affairs.
  - e. The submitted report to the Commissioner of Customs will be evaluated by the Director for Administration Office and the Chief of International Affairs for further comments and recommendations to attain better administration and effective implementation of the Border Patrol Agreement.
  - f. The Customs Border Crossing Officer shall coordinate with the BIMP-EAGA CIQS Task force and shall support its initiatives on Integrated Border Management.
5. The submission of monthly accomplishment report and report of attendance duly signed by the Leader, Border Crossing Team shall be attached to the claim for payment of salaries and other allowable allowances as Foreign Service Officers. Request for payment shall be duly endorsed by the concerned District Collector to the Director, Financial Management Office, Office of the Commissioner.

IV. Effectivity.

This Order shall take effect 15 days after its publication. The current designees to the position of Customs Border Crossing Officers shall be subject to re-evaluation and recommendation as per this Order.

NAPOLEON D. MORALES  
Commissioner

