



Republic of the Philippines
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

29 October 2015

CUSTOMS MEMORANDUM ORDER

NO. 39-2015

SUBJECT: GUIDELINES ON THE PILOT IMPLEMENTATION OF THE ELECTRONIC APPLICATION AND ISSUANCE OF PREFERENTIAL AND NON-PREFERENTIAL CERTIFICATE OF ORIGIN (e-CO)

1. Objectives

1.1 This Order is issued for the following purpose:

- a. To provide guidelines and procedures on the electronic application and issuance of preferential and non-preferential Certificate of Origin (e-CO);
- b. To conduct the pilot implementation of the electronic application and issuance of the ASEAN Trade in Goods Agreement (ATIGA) Form D as part of the ASEAN Single Window (ASW) program, for export shipments of PEZA registered enterprises and other exports shipments through the Port of Manila (POM), the Manila International Container Port (MICP), the Ninoy Port of Cebu (Cebu), Aquino International Airport (NAIA) and Mactan International Airport (Mactan), using the BOC-approved e-CO System of authorized value-added service providers (VASPs);
- c. To conduct a review of the procedures adopted during the three (3) months pilot implementation in the electronic application and issuance of the ATIGA Form D for the purpose rolling out the e-CO system in all ports to include the various other Free Trade Agreements (FTAs);
- d. To provide inputs in the formulation policies and procedures, preparatory to the electronic exchange, i.e. submission and receipt, of the e-Certificate of Origin in compliance to the ATIGA exchange of the electronic Certificate of Origin (e-CO), and other e-CO exchange pursuant to the various FTAs as may, and the granting of preferential tariff treatment on the importation of goods on the basis of the e-CO issued and received by the Bureau of Customs.

2. Scope and Coverage

2.1 This Order covers the pilot implementation of the electronic application and issuance of the ATIGA Form D, as follows:

- a. The registration of pilot exporters for the use of the e-CO System and the uploading of their respective qualified export products as compliant to the ATIGA Rules of Origin, based on the BOC issued ruling on the Country of Origin on the said export products;
- b. The electronic submission of the BOC ruling on the compliance of specific export product to the ATIGA Rules of Origin and Operational Certification Procedure, as approved by the Export Coordinating Division (ECD), or the Export Divisions (EDs) at the ports of loading after online confirmation by the ECD, and its inclusion of the said export product to the list of CO qualified products which may be selected by the corresponding exporter in its application for the issuance of the e-CO Form D;
- c. The electronic submission of application of the e-CO Form D and submission of the scanned copies of the export declaration, commercial invoice and the airway bill or bill of lading, for export shipments of authorized pilot exporters, and cleared at the POM, MICP and NAIA;
- d. The online review and approval of the e-CO Form D by authorized customs officers at the Export Coordination Division (ECD), Port Operation Service, AOCG;
- e. The printing of the approved e-CO, in the prescribed ATIGA Form D for signing and submission by the exporter to the ECD;
- f. Upon verification of the ATIGA Form D (hard copy) vis-à-vis the approved e-CO and supporting documents online, the signing of the printed e-CO by the authorized Customs officer at the ECD;
- g. The ATIGA Form D as signed both by the exporter and the authorized Customs Officer at the ECD, shall be scanned and electronic copy stored in the BOC e-CO System; and
- h. The generation of BOC Management Reports on the e-CO issued, i.e. by exporter, product and/or origin criterion used, country of destination and period (date, month or year), and others as may be necessary.

3. Administrative Provisions

- 3.1 The Preferential Tariff Treatment under ATIGA is to reduce or eliminate import duties on certain eligible products exported by the Philippines to other ASEAN Member States.
- 3.2 ASEAN Member states which accept Form D for the purpose of preferential treatment under ATIGA OCP, are as follows: Brunei Darussalaman, Cambodia,

Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam.

- 3.3 The BOC shall advise the respective Customs authorities on the pilot implementation of the electronic Certificate of Origin procedures, and submit the specimen signatures of the authorized customs officers at the ECD.
- 3.4 The BOC MISTG in coordination with the ECD, shall conduct a User Acceptance test (UAT) on the e-CO System as may be provided to the BOC by the accredited VASPs, and upon compliance to technical and functional requirements, shall endorse to the Deputy Commissioner for AOCG, the use of the said e-CO System for the pilot e-CO implementation, as an additional service of the VASP pursuant to existing terms and conditions on the accreditation of VASPs.

4. Operational Provisions

4.1 Manual Pre-Export Verification

- a. The exporter shall request in writing for pre-export verification of the origin of the goods to the BOC issuing authority [Chief, Export Coordination Division (ECD)/ Chief, Export Division (ED) of the port concerned] at least five (5) working days prior to the exportation of the products.
- b. The exporter must submit also the following documents as a basis for the issuance of Certificate of Origin Form D for a particular shipment on particular time:
- Full description of the Products for Exportation;
 - Final Country of Destination of the Products;
 - Complete List of materials, parts or components used in the manufacture of finished products;
 - Breakdown of ex-factory cost, ex-factory price and FOB price of the finished product; and,
 - Process Flow Chart.
- c. The BOC issuing authority may conduct inspection of the export products, evaluate whether the said export product will qualify for ATIGA treatment, and review the submitted documents as supporting evidence in determining the origin of the good to be exported thereafter.
- d. The approved ruling shall be the basis for the approval and issuance of the e-CO Form D. The goods specified in the said ruling shall be added in the database of the exporter's listing of goods compliant for to the ATIGA Rules of Origin/Operational Certification Procedures (ROO/OCP).

4.2 Online Application for e-CO

- a. E2M registered exporters may register to the e-CO System for purposes of the application and issuance of the ATIGA Form D.
- b. The registered exporter shall upload its list of export goods, together with the scanned copy of the corresponding Ruling on Country of Origin, into the e-CO System, for review and the approval for use in the validation of the application of the ATIGA Form D, by the ECD.
- c. The registered exporter shall log into the e-CO System for the preparation and submit its application for ATIGA Form D, together with the submission of the scanned copies of the following documents as support to the application:
 - Export Declaration
 - Commercial Invoice; and
 - Airway Bill or Bill of Lading.

4.3 Review and Approval of e-CO Application

- a. Upon submission of the application for the ATIGA Form D, the e-CO System shall send an email alert notification to the Export Coordinating Division (ECD) or Export Division (ED) of the port concerned, to review and verify as follows:
 - Whether the export products have been pre-qualified for ATIGA ROO/OCP; and
 - Verification of the scanned documents submitted, as pertaining to the corresponding application for the ATIGA Form D.
- b. The ECD or ED shall reject the e-CO application, on the following grounds:
 - If any of the goods specified in the application for the ATIGA Form D is not in the pre-qualified goods of the exporter as compliant to the ATIGA ROO/OCP, or the corresponding ruling has already expired; or
 - The submitted scanned documents does not pertain to the application for the ATIGA Form D.

If the e-CO application is rejected, the ECD or ED shall indicate the reason for the rejection, and subsequently, the e-CO System shall send an email alert notification to exporter on the rejection of the application with specified

reason for rejection. The exporter may correct the deficiency or error, and resubmit another application.

- c. The ECD or ED shall approve the e-CO application, whenever:
- The details in the application conform to the goods is qualified under a ruling, and
 - The submitted scanned support documents are complete and pertaining to the application for the ATIGA Form D.

Upon approval, the e-CO System sends an email alert notification to exporter on the approval of their e-CO application.

4.4 Payment of the Documentary Stamp Tax (DST)

- a. Before the exporter can print the approved ATIGA Form D, the exporter shall ensure the necessary payment of the DST for the processing of e-CO application.
- b. Exporters duly registered with the Philippine Economic Zone Authority (PEZA) and the Board of Investments (BOI) are exempt from the payment of the DST.
- c. Upon approval of the e-CO Form D application by the ECD or ED, the e-CO System automatically trigger the electronic payment of the P115.00 DST, either through the auto-debit, ATM or advanced payment mechanism, and the electronic remittance of said DST amount to the Landbank account of the BOC;

4.5 Printing of the e-CO Form D

- a. Upon receipt of the payment confirmation, the e-CO System shall send an email alert notification to exporter, as an advice that the e-CO Form D may be printed online, with the corresponding system generated e-CO Reference number and barcode.
- b. The exporter subsequently prints the approved e-CO Form D, signs and submits the signed copy to the ECD for the signature of the authorized customs officer.

4.6 Issuance of e-CO Form D

- a. The e-CO Form D duly signed by both the exporter and the authorized Customs Officer, shall be scanned and uploaded into the e-CO System, and indicating the e-CO serial number.

- b. The scanned Form D shall be tagged as "Issued" by the ECD or ED in the e-CO System.

4.7 Response to Queries or Retro-verification

- a. Customs Authorities in the importing country may request for retro-verification to the ECD or ED if reasonable doubt exists in the authenticity of the Certificate of Origin and the accuracy of the information regarding the origin criterion used.
- b. The ECD or ED shall reply to the request for retro-verification based on information in the e-CO System.

4.8 Management Reports

The e-CO System will generate the following reports:

- COs issued, by type/form (e.g. Form D)
- COs issued, per exporter
- COs issued, by origin criterion used
- COs issued per port of loading
- COs issued, by product (AHTN/HS Code)
- COs issued, by destination country
- COs issued, by destination port
- COs issued, by date, month or year

5. **Repealing Clause.**

All Customs Memorandum Orders inconsistent with the provisions of this Order are hereby deemed modified and/or amended accordingly.

6. **Effectivity.**

This Order shall take effect immediately and shall be implemented at the Port of Manila (POM), the Manila International Container Port (MICP), Ninoy Aquino International Airport (NAIA), Port of Cebu (Cebu) and the Mactan International Airport (Mactan).


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