



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

IFEB 2 1 2014

CUSTOMS MEMORANDUM ORDER NO. 04-2014

SUBJECT: Policies, guidelines and procedures for the Accreditation of Importers and Customs Brokers with the Bureau of Customs (BOC) pursuant to DOF Department Order No. 12 - 2014

1. OBJECTIVES

- 1.1 To implement DOF Department Order No. 12 - 2014;
- 1.2 To prescribe a simplified rule on the application, processing, approval, revocation or cancellation of accreditation of an importer or customs broker; and
- 1.3 For other purposes.

2. ADMINISTRATIVE PROVISIONS

- 2.1 Coverage. Unless otherwise, this Order shall apply to all importers and customs brokers intending to or transacting with the Bureau of Customs, except:
 - a. Once-a-year importation;
 - b. Importation by parcel post or by informal entry;
 - c. Importation of the Philippine Government, its agencies and instrumentalities; and
 - d. Importation of foreign embassies, consulates, legations, agencies of other foreign governments and international organizations with diplomatic status and recognized by the Philippine government (e.g. Asian Development Bank, World Health Organization).

Unless otherwise provided for as an exception above, the term "importer" covered by these rules refers to any person who brings goods into the Philippines, whether or not made in the course of his trade or business. It includes non-exempt persons or entities who acquire tax-free imported goods from exempt persons, entities or agencies.

A "once-a-year" importer may, at any time, opt to apply for accreditation as a regular importer as provided in this Order.

Similarly, a regular importer may apply for the cancellation of its accreditation and subsequently avail of the "once-a-year" importation arrangement as provided herein.

2.2 Submission of Additional Documents. An importer shall be allowed to accredit with the BOC upon submission of the following documents with the Account Management Office (formerly I-CARE):

- a. Application Form
- b. BIR Importer Clearance Certificate (BIR-ICC)
- c. List of Importables with clear description in both technical and tariff terms as provided in existing rules and regulations including estimated volume and values for the incoming 12 months

In case the list of importables includes regulated items, the corresponding accreditation/license/permit from the government agency concerned shall also be submitted. i.e., food (LTO & CPR), rice (NFA), sugar (SRA), etc.

- d. Sworn Undertaking to accept notice by electronic mail and to strictly abide with existing rules and regulations on the Statement of Full Description of Imported Articles covered by entry declarations
- e. Corporate Secretary Certificate or Special Power of Attorney for Designated Signatories (with sample original signatures) in the import entries
- f. For sole proprietorship, original copy of NBI Clearance issued within the last three (3) months prior to the date of application for accreditation. In case of corporations, the responsible officers and majority stockholder shall also submit the original copy of the NBI Clearance.
- g. For new individual applicants, bank statement for the last three (3) months prior to the date of application for accreditation, when applicable
- h. Two (2) Valid government I.D. with picture i.e. passport, driver's license, SSS, GSIS I.D only
- i. Printed CPRS Application profile of applicant

In the case of customs brokers, the same shall be allowed to accredit with the BOC upon submission of the following documents with the Account Management Office (AMO):

- a. Application Form
 - b. BIR Customs Broker Clearance Certificate (BIR-BCC)
 - c. Sworn Undertaking to accept notice by electronic mails and to strictly abide with existing rules and regulations on the Statement of Full Description of Imported Articles covered by entry declarations
 - d. Sample Original Signature
 - e. Sworn undertaking that the broker has actual knowledge of the contents of the declaration and attests to its truthfulness
- 2.3 Processing Fee. All importers and customs brokers shall pay a processing fee equivalent to One Thousand Philippine Pesos (PhP1,000) upon submission of its application.
- 2.4 Approval of Accreditation Application. Accreditation of importers and customs brokers shall be approved by the Chief, AMO. Applicants may file a request for reconsideration on any adverse decision of the Chief, AMO. Any request for reconsideration of the adverse decision of the Chief, AMO, shall be elevated to the Deputy Commissioner, RMCG for proper disposition, which shall be final and executory.
- 2.5 Validity of Accreditation. Accreditation of the importer or customs broker through the BOC-CPRS shall be valid unless its accreditation as importer or customs broker is revoked or cancelled as provided in this rules or upon expiration, revocation or cancellation of the BIR-ICC or BIR-BCC.
- 2.6 Account Management Office (AMO). The Account Management Office (formerly I-CARE) shall be principally responsible for the managing and maintaining information on accredited importers and customs brokers as accredited. This Office shall likewise be responsible for the CPRS registration of importations and customs brokers as provided in paragraph 2.2. In the case of importers and customs brokers located outside Metro Manila, the application, together with the supporting documents, may be coursed through the Office of the District Collector/Port Collector concerned, who shall then indorse said application to AMO.
- 2.7 Maintenance of Database. AMO shall maintain a database of the importer's list of importables which shall be linked with the E2M (directly or through existing VASPs) as a requisite for filling out import entries, as well as other records of importer/broker i.e. alerts, WSD,

derogatory records, etc. which shall be used as a tool in the evaluation of application of importers/brokers and risk profiling.

- 2.8 Risk Profiling of Accounts. AMO shall provide internal guidelines for the risk profiling of importers and customs brokers (high/medium/low risk). The risk profile of importers shall form as basis for membership under the Super Green Lane program or its equivalent. High risk importers and brokers shall be the subject to strict standards for processing entries with BOC. AMO shall likewise conduct monitoring of activities of all importers/ brokers which shall aide in the risk profiling of importers/customs brokers.

3. OPERATIONAL PROVISIONS

- 3.1 Application for Accreditation. All importers and customs brokers shall submit their BIR-ICC or BIR-BCC within application for accreditation within ninety (90) days from issuance of this Order, otherwise the existing accreditation of the importer or customs broker shall be deemed automatically expired after the lapse of said period. Within thirty (30) days prior to expiration of the existing and current accreditation, all importers and customs brokers shall submit their application for accreditation as provided in this Order.
- 3.2 Client Profile Registration System (CPRS). All importers and customs brokers are required to apply for registration under the CPRS. After the application is "STORED" in the system, the applicant shall then print the CPRS profile which shall form part of the application. Upon approval of the application, AMO shall then update and approve the CPRS of the importer or customs broker. Thereafter, the importers or customs broker shall be allowed to transact with BOC.
- 3.3 Change in Registration Information. An importer or customs broker shall revise its registration in the CPRS within thirty (30) days from substantial change in the material information previously submitted to the CPR such as the following:
- a. Change of telephone number, e-mail address, and physical address, i.e. office address and/or warehouse address;
 - b. Change of ownership, Corporate Directors and Officers / Partners/ Cooperative Directors and Officers;
 - c. Amendment/s to Articles of Incorporation/ Partnership / Cooperation and By-Laws, as approved by the appropriate government agencies;
 - d. Dissolution or closure / stoppage of business;

- e. Change in the Signatories, and;
- f. Mergers/Insolvencies.
- g. Change of list of importables

Failure to change the registration information can be a ground for suspension, revocation or cancellation of registration.

- 3.4 Registration Passwords. Passwords or codes in whatever form given to the applicant as a consequence of the accreditation shall be personal only to the accredited importer or customs broker. Any use, misuse or unauthorized use of this password shall be the sole responsibility of the importer or customs broker.
- 3.5 Suspension, Revocation or Cancellation of Accreditation. The existing accreditation of the importer or customs broker may be suspended, revoked or cancelled based on any of the following grounds:
 - a. Violation of the Sworn Undertaking to strictly abide with existing rules and regulations on the Statement of Full Description of Imported Articles covered by entry declarations;
 - b. Failure to change registration information within the period required as provided in paragraph 3.3 above;
 - c. Submission of false information and / or material misrepresentation in the registration submitted in the BOC CPRS;
 - d. Failure to report to the proper customs authorities any fraud upon customs revenue which has come to the importer's knowledge or cognizance, or knowingly assisting or abetting the importation or exportation or entry of prohibited or any article the importation of which is contrary to law; and
 - e. Commission of any act in violation of the TCCP.
- 3.6 Automatic Cancellation. The accreditation of importers or customs brokers who fail to make a valid transaction with the BOC for the past 12 months shall automatically be cancelled. Importers or customs brokers with cancelled registration due to inactivity shall be allowed to activate its accreditation upon compliance with the requirements of par. 2.2 provided above.
- 3.7 Complaint for Suspension, Revocation and Cancellation. Any complaint or recommendation for suspension, revocation or cancellation and reactivation of the accreditation of the importer or customs broker shall be filed with the Legal Service, RCMG. Any

recommendation for suspension, revocation or cancellation, including a recommendation for activation of previous registration after a previous decision to suspend, revoke or cancel, shall be subject to approval of the Deputy Commissioner, RCMG. The final order on the matter shall be endorsed to the AMO for immediate implementation.




3.8 Transmittal of Data to BIR. The AMO shall regularly provide the BIR, thru the ARMD, the following list:

- a. List of importers and customs brokers that were able to secure a BIR-ICC and/or BIR-BCC but were nevertheless disqualified from accreditation under these rules.
- b. List of importers and customs brokers whose accreditations were suspended or cancelled by the BOC.

The ARMD, BIR shall likewise provide the AMO the list of importers/brokers which were issued BIR ICC and/or BIR BCC as the case may be.

4. REPEALING CLAUSE

Any order, rule or regulation contrary or inconsistent with this order or any of its provisions are hereby repealed or amended accordingly.


JOHN P. SEVILLA
Commissioner
 Bureau of Customs
JOHN P. SEVILLA
Commissioner

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