

2015-02-012



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

OFFICE OF THE COMMISSIONER

MEMORANDUM

TO : District Collectors
Deputy Collectors for Operations
Chiefs, Export Division
Chief, Cargo & Container Control Division (CCCD)

FROM : John P. Sevilla
Commissioner


SUBJECT : Clarification on CMO No. 04 2015 – Revisions to Port
Operations Manual Regarding Exports Cargo in Containers

DATE : 12 February 2015

This office received reports on the proper interpretation of Customs Memorandum Order No. 04 – 2015. As such, the following clarifications are hereby issued:

1. All Export Declarations (EDs) of export containers need **NOT** be forwarded to the CCCD for receiving and recording purposes before payment of arrastre charges.
2. Upon issuance of the Authority to Load (ATL) by the Export Division, exporters or their authorized representatives may already proceed to the Billing Division of the arrastre operator for settlement of charges.
3. Export Division shall still furnish CCCD true copies of EDs only for the latter's reference in ensuring that only those with Authority to Load are loaded to the vessel.

For strict compliance.


JOHN P. SEVILLA
Commissioner



FEB 10 2015

Cc:
International Container Terminal Service, Inc.
Asian Terminal Inc.

Encl:a/s
Cccd/02.11.2015

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REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

CUSTOMS MEMORANDUM ORDER

No. 04 -2015

21 January 2015

**To: All District Collectors and Sub-Port Collectors
All Deputy Collectors for Operations
All Export Divisions
All Customs Container Control Divisions
All Deputy Commissioners**

Subject: Revisions to Port Operations Manual regarding Exports Cargo in Containers

1. The Port Operations Manual referred to in CMO 22-2010 is revised as follows:
 - a. Section 16.B.1.1 is repealed in its entirety.
 - b. Section 38.1 (a) (3) is revised as follows: For withdrawal of shut-out containerized export cargo:
 - i. A copy of an export declaration/permit/inquiry is no longer required
 - ii. Instead, either of the following is required:
 1. A copy of the pre-advance notice issued by the shipping line to the port operator showing the date of booking and container number(s) for the relevant container(s).
 2. A certification from the port operator showing the date the container arrived and certifying to the fact that the container arrived from within the Philippine customs territory and not from abroad or as a transshipment from another port
2. The repeal of Section 16.B.1.1 means that there is no longer any requirement for exporters or their brokers to submit a Notice of Stuffing, nor any requirement for a Stuffing Inspector to be present during the stuffing of a container. The Authority to Load issued by the Export Division shall be sufficient basis for an export container to be loaded.
3. To facilitate the smooth implementation of the Port Operations Manual, Section 16.B.1.4 (b), the Export Division shall provide the Customs Container Control

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Division (CCCD) with a running list of all containers for which it has issued an Authority to Load. This list

4. must be kept current at all times. It shall be the responsibility of the Loading Inspector to ensure that no loaded containers for which an Authority to Load has not been issued are allowed to be loaded into any vessel.
5. It shall be the responsibility of the Export Division to ensure that an Authority to Load is issued for the containers forming part of an export declaration only after compliance with all requirements for the issuance of such an Authority to Load, including the requirement to subject any containers or entries which are tagged "red" by the Risk Management Office, and any containers or entries which are the subject of an alert order, to either x-ray or physical inspection, and even then, only if there are no derogatory findings after such inspection.
6. The Bureau of Customs shall not require that export entries be filed prior to the entry of containers into any port. However, no cargo- whether in containers or not- can be loaded into a vessel without an Authority to Load.


JOHN P. SEVILLA
Commissioner



JAN 27 2015