



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

11 September 2001

CUSTOMS MEMORANDUM ORDER

NUMBER: 24-2001

SUBJECT: Uniform Rates to be charged by Container Yard/
Container Freight Stations-Outside Customs Zone

TO : All Collectors of Customs
Deputy Collectors of Customs
Division/Section Chiefs (POM/MICP)
CY-CFS Operators, Customs Brokers
Freight Forwarders and All Others Concerned

WHEREAS, it has been brought to the attention of the Bureau of Customs that there is non-uniformity of rates charged by CY/CFS-OCZ operators for consolidated import cargo.

WHEREAS, the promulgation of uniform rates as endorsed by the Port Users Confederation and CY/CFS-OCZ Operators Association (ACOP) will level the playing field and enhance the global competitiveness of Philippine Manufacturers.

WHEREAS, Section III-F of Customs Administrative Order No. 11-80 authorizes the Commissioner of Customs to promulgate uniform rates to be charged by CY/CFS-OCZ.

NOW THEREFORE, the following rules and regulations governing uniform rates to be charged by CY/CFS-OCZ operators for consolidated import cargo are hereby promulgated:

Section I - Objective:

To promulgate uniform rates to be charged by CY/CFS-OCZ operators for consolidated import cargo.

Section II - Rates:

The rates to be charged by outside CY/CFS-OCZ operators for consolidated import cargo shall not exceed the following:

a. Storage

Php20.00/Revenue Ton (RT)/day counted
from the date of stripping

C-1792 9/18

- b. Arrastre & Wharfage : Php157.00 per Revenue Ton (Note 1)
- c. Documentation : Php500.00 per Bill of Lading
- d. Stripping & Cargo out Handling : Php500.00 per Revenue Ton
- e. OLRIS : Php100.00 per Bill of Lading
- f. Insurance : Min. Php500.00 per Bill of Lading or 1/8 of cargo value whichever is higher (Note 2)
- g. Heavy Lift/Oversize over Three Revenue Ton single Unit Cargo: Php1,200.00 per Revenue Ton
- h. Dangerous Cargo : 100% Surcharge on Storage, Stripping and handling
- i. VAT : per BIR regulations

Note 1 : Arrastre and Wharfage rates shall be adjusted proportionally in case of any increase in arrastre and wharfage rates as promulgated by the Philippine Ports Authority.

Note 2 : Insurance charge shall be waived by CY/CFS-OCZ Operator if cargo owner/consignee presents a general and continuing waiver of cargo claims against the warehouse operator making the warehouse operator a co-insured party in the marine insurance.

Section III – Measurement and Weight:

Rates based on Revenue Tons (measurement/weight) shall be based on measurements/weights declared in the manifest/bill of lading unless a discrepancy in weight or measurement of more than 12% is officially reported to the Bureau of Customs by the operator and wharfinger, in which case the actual measurement or weight shall be the basis for applying the approved rates.

Section IV – Penalties and Sanctions for violations:

Upon presentation of a complaint showing official receipts of payments made to CY/CFS-OCZ Operators by consignees or their authorized customs representatives/brokers or the Port Users Confederation which indicate a violation of this order, the District Collector shall immediately conduct a summary investigation following herein procedure:

1. A notice of investigation shall be given to the outside CY/CFS-OCZ Operator being complained of with an order to present evidence that actual charges were made in accordance with this Order. A copy of the notice shall be given to ACOP for information.
2. If the District Collector finds a deliberate violation of this order, the following penalties and sanctions shall be imposed:
 - 2.1 For the first offense, a penalty of fifty thousand pesos (Php50,000.00) payable to the Bureau of Customs, and refund to the consignee of 100% of the overcharge. Non-payment of the penalty shall cause the suspension to transfer to the concerned CY/CFS-OCZ operator.
 - 2.2 For the second offense, the District Collector shall order the immediate suspension of transfers of containers to the erring CY/CFS-OCZ operator for a period of one month.
 - 2.3 For the third offense, the District Collector shall order the immediate suspension of transfers of containers to the erring CY/CFS-OCZ operator and the District Collector shall initiate proceedings for the revocation of the permit to operate against the erring operator.
 - 2.3 The Office of the Commissioner shall be furnished a copy of the findings and the penalty or sanctions imposed by the District Collector. Any appeal of said findings and order shall be made to the Commissioner. Any sanction such as suspension or revocation of the permit to operate shall be applicable in both the Port of Manila and MICP.


Section V - Repealing Clause:

All Customs Memorandum Orders, Circulars, rules and regulations inconsistent with this CMO are hereby deemed superseded and/or amended accordingly.



Section VI - Effectivity:

This Order shall take effect one week after the date of the issuance thereof to allow the proper dissemination to all concerned.


RUFUS B. VILLANUEVA
Commissioner