



IN THE MATTER OF ABANDONMENT
PROCEEDING AGAINST A SHIPMENT
SAID TO CONTAIN "WHEELCHAIR"
CONSIGNED TO CATHERINE
LABRADOR WHICH ARRIVED ON
NOVEMBER 18, 2018

Abandonment Proceeding
Nos. 507-2021

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DECREE OF ABANDONMENT

WHEREAS, on 14 April 2021, this office received a Memorandum dated 12 April 2021 from Mr. Julius Caesar Godisan, Cargohaus Officer-in-Charge, forwarding the Inventory List of Overstaying / Abandoned Shipments at the Cargohaus Clark and a letter dated 19 April 2021 certifying that consignees of the said shipments were formally informed and notified of their cargo arrival and are subject of abandonment due to overstaying.

WHEREAS, on 27 April 2021, notice to lodge/file goods declaration, pay duties and taxes and claim goods were posted at the Bulletin Board of this office and Bureau of Customs' website for the shipment said to contain WHEELCHAIR consigned to Catherine Labrador which arrived at Cargohaus on 18 November 2018 with details as follows .

DATE OF DISCHARGE	FLIGHT NO.	AIRWAY BILL NO.	IMPORTER/ CONSIGNEE	COMMODITY DESCRIPTION	NO. OF PACKAGE	WEIGHT
18 November 2018	EK 338	17688106710	CATHERINE LABRADOR	WHEELCHAIR	1	121 kgs

WHEREAS, to date, no consignee has filed the goods declaration, payed duties and taxes and claimed the said article.

WHEREAS, the provision of Sections 1129 and 407 of the CMTA, are authoritative:

Sec. 1129. Abandonment, Kinds and Effects of. – Imported goods are deemed abandoned under any of the following circumstances:

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(b) When the owner, importer, consignee, or interested party after due notice, fails to file the goods declaration within the prescribed period in Section 407 of this Act: Provided, That the term goods declaration shall include provisional or incomplete goods declaration deemed valid by the Bureau as provided in Section 403 of this Act. For this purpose, it is the duty of the District Collector to post a list of all packages discharged and their consignees, whether electronically or physically in the District

Office, or send a notice to the consignee within five (5) days from the date of discharge; or

(c) Having filed such goods declaration, the owner, importer, consignee or interested party after due notice, fails to pay the assessed duties, taxes and other charges thereon, or, if the regulated goods failed to comply with Section 117 of this Act, within fifteen (15) days from the date of final assessment: Provided, That if such regulated goods are subject of an alert order and the assessed duties, taxes and other charges thereof are not paid within fifteen (15) days from notification by the Bureau of the resolution of the alert order, the same shall also be deemed abandoned; or

(d) Having paid the assessed duties, taxes and other charges, the owner, importer or consignee or interested party after due notice, fails to claim the goods within thirty (30) days from payment. For this purpose, the arrastre or warehouse operator shall report the unclaimed goods to the District Collector for disposition pursuant to the provisions of this Act; or

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Sec. 407. Goods Declaration and Period of Filing

Goods declaration must be lodged within fifteen (15) days from the date of discharge of the last package from the vessel or aircraft. The period to file the goods declaration may, upon request, be extended on valid grounds for another fifteen (15) days: Provided, That the request is made before the expiration of the original period within which to file the goods declaration: Provided, however, That the period of the lodgement of the goods declaration maybe adjusted by the Commissioner.

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WHEREAS, pursuant to the abovementioned provisions, the above-described shipments are deemed abandoned for failure of the consignees or their authorized representatives to lodge/file goods declaration, pay duties and taxes and claim the goods within the period prescribed by law despite due notice.

IN VIEW OF THE FOREGOING, by virtue of the authority vested in me by law, the above-described shipments are hereby declared **ABANDONED** in favor of the government to be disposed of in the manner provided for by law.

Let copies of this Decree of Abandonment be furnished all parties and offices concerned for their information and guidance.

SO ORDERED.

Port of Clark, Clark Freeport Zone, Pampanga, 14 May 2021.


 BOC-22-00627
WILNORA L. CAWILE
Officer-in-Charge

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Copy furnish:


JULIUS CAEZAR GODISAN
Officer-in-Charge, Cargohaus

5/17/21 @ 0600 Hrs

ERNIE ORTIZ

eortiz_20@yahoo.com
Operations Supervisor, Cargohaus

5/17/21