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# BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 004-2023 (NAIA)

-versus-

Two (2) Units Mobile Phones from incoming Chinese Passenger, **HAIRUI YANG**, from Xiamen who arrived at NAIA Terminal 1.

X-----X

## WARRANT OF SEIZURE AND DETENTION

TO: The District Commander  
ESS-CPD, NAIA District Office

### GREETINGS!

WHEREAS, the above-described articles were brought in by passenger Hairui Yang with Passport No. EJ3786610, who arrived at the Ninoy Aquino International Airport on June 10, 2022 on board Flight MF819 from Xiamen;

WHEREAS, after passing his baggage for x-ray scanning at the Arrival Area, it was marked with "X" by XIP and was referred to Customs Examiner Angela Coleen V. Talactac;

WHEREAS, before conducting an actual examination, Custom Examiner Talactac asked Mr. Yang if he accomplished a Customs Baggage Declaration Form (CBDF) and if he had anything to declare. The passenger answered in the affirmative and handed out his passport and accomplished CBDF;

WHEREAS, physical examination yielded and resulted to the discovery of two (2) units of Mobile Phone with a total value of Sixty Nine Thousand Nine Hundred Ninety Eight Pesos (Php 69, 998.00);

WHEREAS, in a Memorandum dated 10 June 2022 for the District Collector Carmelita M. Talusan, from Customs Examiner Angela Coleen V. Talactac; Flight Supervisor Anthony A. Relucio, thru Mr. Roberto A. Quintana, Chief, Arrival Operations Division, and Atty. Ma. Lourdes V. Mangaoang, JD, CSEE, CEO VI, Deputy Collector for Passenger Service, submitted their Incident Report and recommended the presentation of National Telecommunications Commission (NTC) Import Permit of the subject articles;

WHEREAS, in a Memorandum dated 17 October 2022, Mr. Richard S. Rebong, DPA, Chief, Baggage Assistance Division, thru Atty. Ma. Lourdes V. Mangaoang, JD, CSEE, CEO VI, Deputy Collector for Passenger Service, recommended for the issuance of Warrant and Detention against the subject articles for lack of National Telecommunications Commission (NTC) Import Permit;

WHEREAS, after careful evaluation of the documents submitted and applicable customs laws, rules and regulations, the NAIA District Collector finds probable cause for the issuance of Warrant of Seizure and Detention of the subject two (2) units of cellular phones for violation of Section 117 (Regulated Importation and Exportation) in relation to

Section 1113 (Property Subject to Seizure and Forfeiture) of the Customs Modernization and Tariff Act, and National Telecommunication Commission's Memorandum Circular No. 01-01-2012 bearing the subject: "Guidelines in the Importation of non-type approved/accepted Customer Premises Equipment (CPE) for purposes of demonstration and/or testing";

WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with pertinent customs laws, rules and regulations, it is hereby ordered and decreed that the subject two (2) units of cellular phones, as they are hereby ordered seized for violation of Section 117 (Regulated Importation and Exportation) in relation to Section 1113 (Property Subject to Seizure and Forfeiture) of the Customs Modernization and Tariff Act, and National Telecommunication Commission's Memorandum Circular No. 01-01-2012 dated 16 January 2012 bearing the subject: "Guidelines in the Importation of non-type approved/accepted Customer Premises Equipment (CPE) for purposes of demonstration and/or testing", to be turned over to the Auction and Cargo Disposal Division (ACDD), this Port, for inventory, classification and valuation of goods pursuant to Section 1120 of the CMTA, custody and safekeeping pursuant to CAO No. 10-2020 pending resolution of the instant seizure and forfeiture case, or until ordered by the District Collector, this Port.

Compliance with Customs Administrative Order (CAO) No. 10-2020, particularly on the matter of making a return of service and the submission of the Inventory Report or list of the articles seized is to be strictly observed.

SO ORDERED.

JAN 19 2023

NAIA Customhouse, Pasay City, \_\_\_ January 2023.

  
CARMELITA M. TALUSAN, CESO V  
District Collector

Law/dmcjr/ham





# BUREAU OF CUSTOMS

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## MEMORANDUM

**FOR** : **CARMELITA M. TALUSAN, CESO V**  
District Collector

**THRU** : **ATTY. DANILO M. CAMPOS JR.**  
Chief, Law Division

**FROM** : **ATTY. HYACINTH A. MIRANDA**  
Handling Lawyer

**SUBJECT** : **PUBLICATION IN THE BOC WEBSITE OF A COPY OF  
WARRANT OF SEIZURE AND DETENTION (WSD) WITH  
SEIZURE IDENTIFICATION NO. 004-2023 (NAIA)**

**DATE** : **20 JANUARY 2023**

### REFERENCE:

1. Warrant of Seizure and Detention (WSD) with Seizure Identification No. 004-2023 (NAIA);

### BACKGROUND:

2. On January 19, 2023, this Port issued a Warrant of Seizure and Detention (WSD) with Seizure Identification No. 004-2023 (NAIA) against Two (2) Units of Mobile Phones which were seized from incoming Chinese Passenger HAIRUI YANG from Xiamen, China who arrived at NAIA Terminal 1 on June 10, 2022, for violation of Section 117 (Regulated Importation and Exportation) in relation to Section 1113 (Property Subject to Seizure and Forfeiture) of the Customs Modernization and Tariff Act (CMTA) and National Telecommunication Commission's Memorandum Circular No. 01-01-2012 dated 16 January 2012 bearing the subject "Guidelines in the Importation of non-type approved/accepted Customer Premises Equipment (CPE) for purposes of demonstration and/or testing;

### DISCUSSION:

3. As the aforementioned passenger/claimant has insufficient address, a copy of Warrant of Seizure and Detention (WSD) with Seizure Identification No. 004-2023 (NAIA) must be posted in the bulletin board of this Port and by electronic posting through the BOC website for fifteen (15) days, as provided for under Section 6.5.2. of CAO No. 10-2020, which provides, viz:

**6.5.2.** To the owner of the goods or his authorized representative.

For the purpose of serving the WSD, the importer, consignee, named in the bill of lading or airway bill, or possessor shall be deemed the owner of the goods.

If the owner is unknown, with insufficient address, or a foreign entity or individual, service shall be effected by posting of the WSD by the ESS in the bulletin board of the concerned collection district office, and **by electronic posting through the BOC website**, or printed publication, for **fifteen (15) days**.

**RECOMMENDATION:**

- 4. In view of the foregoing, it is hereby respectfully recommended that this Port submits a Memorandum to the Public Information and Assistance Division, this Bureau, requesting for the posting of a copy of the Warrant of Seizure and Detention (WSD) with Seizure and Identification No. 004-2023 (NAIA) for fifteen (15) days. Attached herewith is a draft Memorandum, for your signature, if in accord.

**DECISION MATRIX**

**APPROVED**

**DISAPPROVED**

**CARMELITA M. TALUSAN, CESO V**  
District Collector

Remarks:

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**MEMORANDUM**

**FOR** : **KARREN APRIL A. NOROÑO-GABION**  
Officer-in-Charge  
Public Information and Assistance Division (PIAD)

**FROM** : **CARMELITA M. TALUSAN, CESO V**  
District Collector

**SUBJECT** : **PUBLICATION IN THE BOC WEBSITE OF A COPY OF WARRANT OF SEIZURE AND DETENTION (WSD) WITH SEIZURE IDENTIFICATION NO. 004-2023 (NAIA)**

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**REFERENCE:**

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**BACKGROUND:**

2. On January 19, 2023, this Port issued a Warrant of Seizure and Detention (WSD) with Seizure Identification No. 004-2023 (NAIA) against Two (2) Units of Mobile Phones which were seized from incoming Chinese Passenger HAI RUI YANG from Xiamen, China who arrived at NAIA Terminal 1 on June 10, 2022, for violation of Section 117 (Regulated Importation and Exportation) in relation to Section 1113 (Property Subject to Seizure and Forfeiture) of the Customs Modernization and Tariff Act (CMTA) and National Telecommunication Commission's Memorandum Circular No. 01-01-2012 dated 16 January 2012 bearing the subject "Guidelines in the Importation of non-type approved/accepted Customer Premises Equipment (CPE) for purposes of demonstration and/or testing;

**DISCUSSION:**

3. As the aforementioned passenger/claimant has insufficient address, a copy of Warrant of Seizure and Detention (WSD) with Seizure Identification No. 004-2023 (NAIA) must be posted in the bulletin board of this Port and by electronic posting through the BOC website for fifteen (15) days, as provided for under Section 6.5.2. of CAO No. 10-2020, which provides, viz:

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**REQUEST:**

4. In view of the foregoing, it is hereby respectfully requested that a copy of the Warrant of Seizure and Detention with Seizure Identification No. 004-2023 (NAIA) be electronically posted with the BOC website for fifteen (15) days. A copy of said warrant is herein attached. Furthermore, scanned copy thereof was also sent to [Piad@customs.gov.ph](mailto:Piad@customs.gov.ph) and [Jessil.garlando@customs.gov.ph](mailto:Jessil.garlando@customs.gov.ph).

Respectfully submitted.

**DECISION MATRIX**

**APPROVED**

**DISAPPROVED**

**KARREN APRIL A. NOROÑO-GABION**  
Officer-in-Charge  
Public Information and Assistance Division

Remarks:

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