

**MEMORANDUM**

TO : ALL DISTRICT COLLECTORS
ALL SUPPORT COLLECTOR
ALL CHIEF, EXPORT DIVISIONS
ALL OTHER CONCERNED

SUBJECT : Guidelines in the Implementation of CAO 1-2020 and strict Compliance with the Provision of CMO No. 27-2017.

DATE : 14 September 2020

In the interest of the service, and for the purpose of monitoring the SAD Cancellation and strict implementation of CAO 1-2020 re; Fines and Surcharges for Clerical Errors, Misdeclaration, Misclassification, and Undervaluation in accordance with the provision under section 108 and 1400 of the CMTA, and Customs Memorandum Order 27-2017 re: Revocation of CMO No. 19-2017 dated September 22, 2017 and Amendment of CMO 53-2010 Entitled Supplemental Guidelines in the Implementation of CMO 27-2009 re: Post Entry Modification of SAD (PMS) and SAD Cancellation (SC).

Relative thereto, the following provisions are hereby reiterated regarding the implementation of fines for clerical error in goods declaration for export:

CAO 1-2020 Section 4. General Provision describes below.

4.1 Fine(s) for clerical Error(s) in Goods Declaration. To discourage repetition, the concerned District Collector, through the Deputy Collector for Assessment, shall, in addition to the assessed duties, taxes, fees fines or surcharge due, collect a fine of Five Thousand Pesos (Php5,000) for every clerical error determined to have been committed in the covering Goods Declaration upon the Lodgement thereof.

Further, Customs Memorandum order 27-2019 states the following:

4.4 Clearance of SAD Cancellations (SC) by the Assessment & Operations Coordinating Group (AOCG).

4.4.1 All SAD Cancellation Forms after complete staff work from the corresponding District shall be forwarded to the Office of the Deputy Commissioner, AOCG for approval. An appropriate unit in the said Group shall approve the SC request then return it to the District Collector concerned.

4.5 SC request on the ground of e2M exceptional errors or other MISTG related errors.

4.5.1 If the ground relied on for the request of SC is e2m error or MISTG related errors, the approval of the Deputy Commissioner, AOCG shall no longer be required.

4.5.2. Instead, the District Collector must ensure that a Certification from the proper office from the MISTG is acquired before the SC is effected.

4.5.3. All certifications issued by MISTG personnel shall be strictly monitored by the Technical Support Division, Technology Management Service, MISTG. Such reports shall be forwarded to the AOCG for monitoring and review.

Section 5 of CMO No. 53-2010 is reiterated "Failure of the concerned parties to comply with the foregoing provisions shall subject the erring parties to the imposition of appropriate sanction, administrative, civil and/or criminal, as may be warranted under the circumstances.

For strict compliance.


ATTY. EDWARD JAMES A. DY BUCO
Deputy Commissioner
Assessment Operations Coordinating Group