



Republic of the Philippines
Department of Finance
BUREAU OF CUSTOMS

August 01, 2008

MEMORANDUM to:

**The District Collector of Customs
POM/MICP**

All Others Concerned

**SUBJECT: Disposition of Forfeited, Abandoned or Overstaying Cargoes
through Condemnation/Destruction**

Pending the promulgation of the new revised procedures in the disposition through condemnation of goods under Customs custody and to address the perennial problem of Overstaying Cargoes and its serious consequences on the traffic and/or congestion of containers at the Ports of Manila and at the Manila International Container Port, the following actions of the Condemnation Committee shall no longer require clearance/approval from the Commissioner's Office:

1. Accreditation of garbage or waste contractors
2. Approval/Clearance of the detailed written plans of condemnation
3. Actual condemnation or destruction itself

However, to ensure greater transparency, each Condemnation Committee in the Ports of Manila and MICP shall include as members the representative from the Port Operations Service, Office of the Commissioner and the Association of International Shipping Lines (AISL) to be represented by its General Manager or his duly authorized representative in addition to the regular members thereof.

The Condemnation Committee of each Port shall meet at least once a week until the problem of overstaying cargoes is resolved.

For strict compliance.

NAPOLEON L. MORALES
Commissioner





Republic of the Philippines
Department of Finance
BUREAU OF CUSTOMS
PORT OF MANILA
Customs District II-A
South Harbor, Manila



COMMITTEE ON CONDEMNATION

"IN THE MATTER OF ESTABLISHING
GUIDELINES ON THE ACCREDITATION
OF GARBAGE OR WASTE CONTRACTORS
OF CONDEMNED ITEMS FOR THE PORT
OF MANILA"

RESOLUTION NO. 001-2012

X-----X

RESOLUTION

WHEREAS, per Memorandum dated 01 August 2008 of the Office of the Commissioner, the function of accrediting garbage or waste contractors was delegated to the Port of Manila together with the representatives of the Office of the Commissioner, Port Operations Service and Association of International shipping Lines (AISL);

WHEREAS, the Committee has resolved to issue a set of Guidelines on the Accreditation of Garbage or Waste Contractors who will be tasked by this Committee to condemn forfeited/abandoned goods of this Port;

WHEREAS, the following Guidelines are issued for the Accreditation of Garbage or Waste Contractors, to wit:

- I. Interested applicants/contractors should submit the original or certified true copies of the following documentary requirements to the Auction and Cargo Disposal Division, this Port for consideration/evaluation of the Committee:
 - a.) Letter of Intent (duly signed by the registered owner or authorized representative);
 - b.) Company Profile;
 - c.) List of Services offered;
 - d.) Diagram of Operation for all the services being offered;
 - e.) Plant/Facility Layout;
 - f.) Machineries, equipments and other facilities owned and located at the facility/plant (with photos);
 - g.) Articles of Incorporation, By-Laws and latest General Information Sheet duly received and stamped by the SEC (for corporate entities);
DTI Certificate of Registration and List of Officers (for non-corporate entities)
 - h.) Current Mayor's Permit;

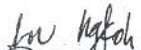
- i.) Current Environmental Compliance Certificate and allied permits;
- j.) Current Transporter Registration Certificate, (if applicable);
- k.) Updated Sanitary Permit to Operate(if applicable);
- l.) Updated City/Municipal Environmental Certificate;
- m.)Duly stamped and received Income Tax Return for the two (2) previous years before application;
- n.) Audited Financial Statement for the two (2) previous years before application;


II. After evaluation of the documents submitted, a Composite Team (assigned by the Committee) will conduct an Ocular Inspection of the applicant's facility and will submit to the Committee a Comprehensive Report indicating therein the evaluation on the capability of the applicant's facility to perform the services being offered;

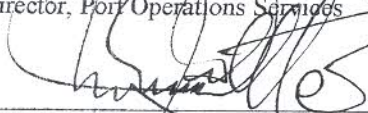
III. Defaulting/erring garbage or waste contractors will be imposed with the following sanctions, to wit:

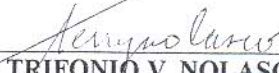
- 1st Offense : Erring/Defaulting Contractor will be asked to explain with stern warning;
- 2nd Offense : Suspension for One Year;
- 3rd Offense : Cancellation with Disqualification for Re-accreditation

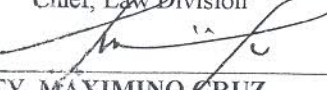
WHEREFORE, the Committee recommends the approval of the same and shall be enforced accordingly.


 ATTY. NOEMI B. ALACALA
 Director, Port Operations Services


 ATTY. TRISTAN ARMANDO III E. LANGCAY
 Deputy Collector for Operations, POM

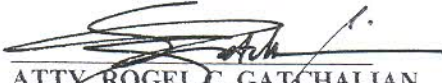

 ATTY. NICKY EARL L. HORTILLAS
 Chief, Law Division


 TRIFONIO V. NOLASCO
 OCOM Representative


 ATTY. MAXIMINO CRUZ
 President, AISL


 ATTY. MARICHELLE DT. DE VERA
 Acting Chief, ACDD

APPROVED BY:


 ATTY. ROGEL C. GATCHALIAN
 District Collector of Customs
 PORT OF MANILA