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Republic of the Philippines
Department of Finance
Bureau of Customs
1099 Manila

12 November 2015

MEMORANDUM

TO : **District Collectors**
Port of Manila
Port of Batangas
Port of Subic
Manila International Container Port
All Others Concerned

FROM : **ALBERTO D. LINA**
Commissioner

SUBJECT : **Jurisdiction Of Shipments Transferred Pursuant To E.O. 172**

This is with reference to cargo containers transferred to the Port of Batangas (POB) and Subic Bay Freeport (SBFP) from Port of Manila (POM) and Manila International Container Port (MICP) to address port congestion experienced in 2014, pursuant to Executive Order 172, declaring POB and SBFP as extensions of POM and MICP.

Memoranda of Agreement (MOA) were entered into by POM and MICP with Asian Terminals Inc. (ATI) and International Container Terminal Services, Inc. (ICTSI), respectively, to facilitate transfer of cargo containers. Worthy to note is the provision on both MOA which reads:

"Notwithstanding, the transfer of said containers to the ATI terminal in Batangas/ICTSI Terminal in Subic, Section 1206 of the Tariff and Customs Code of the Philippines shall be deemed applicable with respect to the jurisdiction of the District Collector of POM/MICP over said importations entered through his collection district. In view of the same, he shall continue to exercise authority and hold possession of all imported articles upon which duties, taxes, and other charges have not been paid or secured to be paid, disposing of the same according to law."

In the said MOA, the jurisdiction of the cargo containers transferred to POB and SBFP were retained with the District Collectors of POM and MICP. However, for purposes of convenience and to further optimize the utilization of our ports, there is a need for the immediate disposition of subject cargo containers in accordance with law.

