

# REPUBLIC OF THE PHILIPPINES DEPARTMENT OF FINANCE

## **BUREAU OF CUSTOMS**

A modernized and credible customs administration that upholds good governance and is among the world's best

Date:

NOV 219. 2029 AVE CENTER
OFFICE OF THE WATOWAL ADMINISTRATIVE REGISTER
ACHIMICATORY ROTES and Regulations

CUSTOMS MEMORANDUM ORDER NO. 17-2023

DEC 19 2023

SUBJECT:

INTEGRATION OF THE ELECTRONIC CUSTOMS BAGGAGE DECLARATION AND CURRENCIES DECLARATION IN THE ETRAVEL SYSTEM

**Section 1.** Scope. This Order shall cover the operational procedure for the use of the eTravel Customs System for all Travelers and Crew Members arriving at or departing from all airports and seaports of entry and exit.

- **Section 2.** Objectives. To provide the guidelines on the customs clearance process for all Travelers and Crew Members arriving and departing using Electronic Customs Baggage Declaration Form (c-CBDF) and Electronic Currencies Declaration Form (eCDF) in the eTravel System in relation to Customs Administrative Order (CAO) No. 1-2017.
- **Section 3.** <u>Definition of Terms</u>. For purposes of this Order, the following terms are defined accordingly:
  - 3.1. Crew Member shall refer to person/s assigned by an Air or Vessel Operator to render duty during a flight or voyage duty period;<sup>2</sup>
  - **3.2.** Commercial Quantity shall refers to the quantity for a given kind or class of articles which are in excess of what is compatible with and commensurate to the person's normal requirements for personal use;<sup>3</sup>
  - 3.3. Electronic Customs Baggage Declaration Form (e-CBDF)
     shall refer to the electronic form of the Customs Baggage
    Declaration Form in the eTravel System prescribed by the Bureau
    of Customs and to be accomplished by all arriving Travelers and
    Crew Members;

<sup>2</sup> Customs Administrative Order (CAO) No. 1-2017, Section 3.8.

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<sup>&</sup>lt;sup>3</sup> Department of Finance (DOF) Department Order (DO) 57-2011, 2 (b).

- 3.4. Electronic Currencies Declaration Form (e-CDF) shall refer to the electronic form of the Currencies Declaration Form<sup>5</sup> in the eTravel System prescribed by the *Bangko Sentral ng Pilipinas* (BSP) and required to be filled-out by Travelers and Crew Members bringing in or taking out foreign currency in excess of US\$10,000 or its equivalent in other foreign currency and bearer monetary instruments, or bringing in or taking out legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in peso against banks operating in the Philippines in an amount exceeding Php50,000;
- 3.5. eTravel System shall refer to a digital single data collection platform for passengers arriving in and departing from the Philippines, which shall be utilized for border control, health surveillance, and economic data analysis;
- **3.6. eTravel Customs System** shall refer to the integration of the e-CBDF and e-CDF in the eTravel System;
- 3.7. Fraud shall refer to acts knowingly, voluntarily, and intentionally committed or omitted which prejudice the interest of the government, e.g., submitting fake or spurious document, making material untruthful statement(s) or committing any other analogous act(s) or omission(s);6
- **3.8. Non-Resident Filipinos** refer to Filipinos those who have established permanent residency abroad but have retained Filipino citizenship, whether or not they have availed of the benefits under Republic Act No. 9225 or the Citizenship Retention and Re-acquisition Act of 2003;<sup>7</sup>
- 3.9. Owner's Pre-Departure Declaration Form (OPDD) shall refer to a document secured upon departure and issued by the District Collector or any authorized Customs Officer identifying goods to be exported and subsequently brought back by Travelers;
- 3.10. Overseas Filipino Worker (OFW) refers to a holder of a valid passport issued by the Department of Foreign Affairs (DFA) and certified by Department of Labor and Employment (DOLE) or the Philippine Overseas Employment Administration (POEA) for

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 $<sup>^5</sup>$  Customs Memorandum Circular No. 89-2022: Implementation of Bangko Sentral ng Pilipinas Circular No. 1146 series of 2022 or the Amendments to the Rules on Cross-Border Transfer of Local and Foreign Currencies

<sup>&</sup>lt;sup>6</sup> cf. CAO No. 10-2020, Section 3.12.

<sup>&</sup>lt;sup>7</sup> cf. CAO No. s1-2017, Section 3.19

overseas employment purposes. This covers all Filipinos working in a foreign country under employment contracts, regardless of their professions, skills or employment status in a foreign country. For purposes of this CAO, the term OFW includes Filipinos working abroad under job contracts who do not require a certification from the DOLE or POEA; and

3.11. Traveler – shall refer to any person who temporarily enters the territory of a country in which he or she does not normally reside ("non-resident") or who leaves that territory; or any person who leaves the territory of a country in which he or she normally resides ("departing resident") or who returns to that territory ("Returning Resident").

#### Section 4. General Provisions.

- **4.1.** The Bureau shall adopt and utilize the eTravel System to automate the documentation process for all arriving or departing Travelers and Crew Members, thereby facilitating their ingress or egress from immigration and customs in all international airports and seaports of entry or exit.
- 4.2. The eTravel System is an online platform for Travelers or Crew Members to register passenger information for Bureau of Immigration purposes, including health declaration for the Bureau of Quarantine, for arriving passengers.
- 4.3. The eTravel Customs System is also integrated in the eTravel System whereby the arriving or departing Travelers or Crew Members will be required to accomplish the e-CBDF, and/or the e-CDF, if applicable, for customs purposes.
- **4.4.** Travelers and Crew Members can access the eTravel Customs system by logging in at <a href="https://etravel.gov.ph/">https://etravel.gov.ph/</a> within seventy-two (72) hours before arrival or departure.
- **4.5.** Assigned Customs Officer at the Customs Arrival Area shall observe existing lanes catering to different types of Travelers or Crew Members such as the following:
  - **4.5.1.** OFWs, Returning Residents and Non-Resident Filipinos; **4.5.2.** Foreign Travelers and Diplomatic Personnel;

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 <sup>8</sup> cf. CMTA, Title VIII, Chapter 1, Sec. 800 (g), par.2.
 9 cf. CAO No. 1-2017, Section 3.20.

<sup>10</sup> cf. CAO No. 1-2017, Section 3.32.

4.5.3. Airline/Shipping Line Crew Members; and

**4.5.4.** Traveler with Accompanied and/or Unaccompanied Baggage containing goods in Commercial Quantity.

Provided that, Travelers may be routed to the Green or Red Lane as provided under Section 6.2 of this Order based on his/her general declaration or based on derogatory information, reasoned or random selection.

Provided finally, that Crew Members shall be directed to the lane provided for Crew Members for mandatory physical examination of their baggage.

**4.6.** All baggage shall be subject to mandatory non-intrusive inspection.

#### Section 5. Administrative Provisions.

- **5.1.** The eTravel Customs System shall have the following capabilities.
  - **5.1.1.** Uploading of documents and real-time notifications to the users on the status of their e-CBDF and e-CDF (for arrival and departure), if applicable;
  - **5.1.2.** Automatically reflect in the e-CBDF and e-CDF, as applicable, the information provided by the Travelers and Crew Members in the passenger electronic passenger registration and Health Declaration Checklist (HDC); and
  - **5.1.3.** Generate reports such as, but not limited to, the number of passengers, number of e-CBDFs and e-CDFs, duties and taxes collected, examination reports, and other reports as may be required.
- **5.2.** The Management Information System and Technology Group (MISTG) shall provide the technical specifications of the hardware requirements of the system to the ports concerned.
- **5.3.** The system administrator shall be responsible for the account user creation and granting of access to assigned Customs Officers at all ports of entry and exit with international Travelers and Crew Members:

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User	Access I - I		
Customs	User Role	Access Level	
Examiner (COO III/Acting COO III)	Encodes findings or computation in the declarations		
	Upload documents		
	Tags e-CBDF or e-CDF, as applicable, for approval of Supervisor		
	Tags e-CBDF or e-CDF, as applicable, as "Cleared"	,	
Supervisor or equivalent officer (i.e., COO V)	Review findings of examiner  Affix Signature in "Solemnizing Officer for Declaration" in the e-CDF	View, Edit (findings only; attach signatures)	
Cashier	Tag e-CBDF	\/:	
Casillei	Receives Payment  Tags e-CBDF as Paid, if applicable	View, Edit (payment details only;)	

- **5.4.** The system administrator shall be responsible for account user creation and granting of access to the Anti-Money Laundering Council (AMLC), BSP, and other offices and agencies, as applicable, for purposes of monitoring and report generation.
- **5.5.** The eTravel Customs System, as far as practicable, shall adopt and implement an advanced information and traveler record system as a risk management tool in Traveler processing and in preparation for the establishment of the Passenger Name Record System (PNRS).
- **5.6.** Assigned Customs Officers and other offices and agencies concerned shall create a user profile by providing the following details to the system administrator:
  - a. Full Name;
  - b. Designation; and
  - c. Official email address.

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**5.7.** After providing the requested information, username and password to log-in to the eTravel Customs System shall be provided by MISTG. Level of access shall be based on the designation of the officer.

## Section 6. Procedure for Arriving Travelers and Crew Members.

- **6.1.** Fulfillment of the eTravel Customs System. The following operational procedure shall be observed by arriving Travelers and Crew Members in the use of the eTravel Customs System:
  - **6.1.1.** All arriving Travelers and Crew Members shall accomplish the e-CBDF, including the e-CDF, if applicable, in the eTravel Customs System, within 72 hours before arrival in all airports and seaports of entry by logging in at <a href="https://etravel.gov.ph/">https://etravel.gov.ph/</a>.
  - **6.1.2.** In addition to the e-CBDF, the following documents shall be accomplished and/or uploaded in the eTravel Customs System, if applicable:
    - a. e-CDF for Travelers and Crew Members who brings into the Philippines the following:
      - Foreign currency, as well as other foreign currency-denominated bearer money instruments, in excess of USD10,000 or its equivalent<sup>13</sup>; and/or
      - ii. Legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount exceeding Php50,000.00.
    - b. Prior written authorization duly issued by the BSP for Travelers and Crew Members bringing into the Philippines, legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount exceeding Php50,000.00<sup>14</sup>;

13 cf. Bangko Sentral ng Pilipinas Circular No. 1146 series of 2022, Section 4.2
 14 cf. Bangko Sentral ng Pilipinas Circular No. 1146 series of 2022, Section 4.1

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- c. Necessary permits from the regulatory government agency, in case of restricted and regulated goods, in excess of the limits allowed by the agencies; and
- d. Owner's Pre-Departure Declaration Form (OPDD) for goods to be exported and subsequently brought back or returned to the Philippines;
- **6.1.3.** The system shall prompt a notification for "Important Information" which includes reminders for Baggage Declaration, General Declaration, and Currency Declaration. After which, the Traveler and Crew shall tick "I have read and understand the above information".
- **6.1.4.** The General Declaration includes the following, and the required forms/permits/licenses/clearances from regulatory agencies which shall be accomplished or uploaded in the system, to wit:

	B. L. III						
-	Declaration		Requirement				
-	1	Philippine Currency and/or any Philippine Monetary Instrument in excess of Php50,000.00	Accomplish the Electronic Currencies Declaration Form (e-				
			Prior Authorization from the BSP				
2		Foreign Currency and/or Foreign Monetary Instrument in excess of USD	Electronic Currencies				
		10,000.00 or its equivalent	Customs System				
3		Gambling Paraphernalia	Prior import permit/clearance/license from the Philippine Amusement and Gaming Corporation				
4		Cosmetics, skin care products, food supplements and medicines in excess of quantities for personal use;	Prior import permit/clearance/license from the Food and Drug Administration (FDA)				

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		Dangerous drugs suc as morphine marijuana, opium poppies or syntheti drugs	permit/clearance/license from the Philippine Drug c Enforcement Agency		
	6	Firearms, ammunition and explosives	Prior import permit/clearance/license from the Firearms and Explosives Office, Philippine National Police		
	7	Alcohol and/or tobacco products in commercia quantities	Prior import		
	8	Foodstuffs in commercial quantity	Prior import permit/clearance/license from the FDA		
	9	Fruit(s), vegetables	Prior import permit/clearance/license from the Bureau of Plant Industry		
	10	Live animal(s), meat, eggs, etc.	Prior import permit/clearance/license from the Bureau of Animal Industry		
The same of the sa	11	Marine and aquatic product(s), and/or the product(s) and their by-product(s)	Prior import permit/clearance/license from the Bureau of Fisheries and Aquatic Resources		
	12	Mobile phones in excess if quantities for personal use, and radio communication equipment	Prior import permit/clearance/license from the National Telecommunications Commission		
	13	Remains (human ashes), human organs or tissues	Prior import permit/clearance/license from the Bureau of Quarantine		
	14	Jewelry, gold, precious metals or gems	NA		
	15	Other goods, not mentioned above	Other goods which require prior import permit/clearance/license		
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- **6.1.5.** Travelers and Crew Members may take a photo or upload copies of the required permit/clearance/license from the concerned regulatory agency.
- **6.1.6.** Once complete, Travelers and Crew Members shall electronically affix their signature and shall click the "Submit" button to upload the declaration.
- **6.1.7.** A QR Code shall be generated and automatically sent to the Travelers' and Crew Members' registered email address informing successful submission of the e-CBDF.
- **6.1.8.** The QR Code may be downloaded or printed by the Travelers and Crew Members for presentation to the Customs Officer in the Arrival Area for validation.
- **6.2. Clearance Channels.** According to his/her declaration, the Traveler or Crew Member shall proceed to the following channels, as applicable: 15
  - 6.2.1. GREEN LANE For Travelers with Nothing to Declare or having with them only goods which can be admitted free of import duties and taxes and not having with them any goods which are subject to import prohibition, restriction, or regulation; 17
  - **6.2.2. RED LANE** For Travelers and Crew Member with Goods to Declare for purposes of import duties and taxes, or having with them goods above the exempted Customs limit, or having with them any goods or article which are prohibited, controlled, or regulated, for purposes of validation;
  - 6.2.3. Pursuant to the risk management selection process such as random and/or reasoned selection or on account of intelligence information, a Customs Officer may direct any Traveler or Crew Member arriving in all ports of entry to the RED LANE regardless of his/her declaration in the e-CBDF or e-CDF; and

15 cf. CAO No. 2-2014, Section 2.1
 17 cf. CAO No. 2-2014, Section 2.1 (A).

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**6.2.4.** A Crew Member, regardless of his/her declaration in the e-CBDF or e-CDF shall be directed to the lane provided for Crew Members or in the absence thereof, to the RED LANE, for mandatory physical examination of their baggage. <sup>18</sup>

#### 6.3. Clearance Procedure under Green Lane.

- **6.3.1.** The Traveler shall present the QR Code together with his or her passport to the assigned Customs Examiner at the Arrival Area at the port of entry.
- **6.3.2.** The assigned Customs Examiner shall scan the QR Code which shall reflect the following details for reference and validation:
  - a. Name of Traveler or Crew Member;
  - b. Passport Number;
  - c. Nothing to Declare or Goods to Declare;
  - d. Date and Time of Declaration;
  - e. Flight Number; and
  - f. Date of Arrival or Departure.
- **6.3.3.** The Customs Examiner shall verify the information in the passport as against the e-CBDF, and e-CDF if applicable.
- **6.3.4.** The Customs Examiner shall verbally ask the Traveler if he/she has anything to declare.
- **6.3.5.** If the Traveler confirms that he has goods to declare, the examiner shall request the Traveler in correcting the entries in the e-CBDF, or render assistance if necessary. Thereafter, the Traveler shall be directed to proceed to the red lane or secondary examination room for the conduct of physical examination.
- **6.3.6.** If the Traveler has nothing to declare and the assigned Customs Examiner is convinced with the statement of the Traveler, the Customs Examiner shall clear the Traveler and authorize the release of the accompanied baggage, if any.
- **6.3.7.** If the Customs Examiner is not satisfied with the declaration of the Traveler due to intelligence

<sup>18</sup> CAO No. 1-2017, Section 5.2.

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information, reasoned or random selection, he/she shall escort the Traveler to the red lane or secondary examination room for physical examination of the Traveler and/or accompanied baggage.

#### 6.4. Clearance Procedure under Red Lane.

- **6.4.1.** For arriving Travelers and Crew Member proceeding to or was directed to the RED LANE, the assigned Customs Examiner or the Examiner who escorted the Traveler to the RED LANE or secondary examination room shall conduct an examination and report his/her findings and assessment under the column "FOR CUSTOMS USE ONLY" of the e-CBDF indicating therein all the necessary information, such as quantity, description of articles, dutiable value, rate and amount of duty and tax, among others.
- **6.4.2.** For a Crew Member who has nothing to declare, the assigned Customs Examiner shall conduct physical examination. If the declaration is validated, the Customs Examiner shall clear the Crew Member and release the baggage.
- **6.5. Clearance without Payment.** Baggage not containing any dutiable or taxable goods shall be cleared immediately by the Examiner by attaching his/her electronic signature to the e-CBDF.
- 6.6. Clearance with Payment. Baggage found to contain dutiable or taxable goods shall be assessed with duties, taxes, and other charges and shall be processed in the eTravel Customs System as follows:
  - and report his or her findings under the column "For Customs Use Only" of the e-CBDF indicating therein all the necessary information, such as quantity, description of articles, dutiable value, rate and amount of duty and tax among others.
  - **6.6.2.** Thereafter, the Customs Examiner shall sign the e-CBDF and tag the same for approval of his or her supervisor.
  - **6.6.3.** The Supervisor or equivalent Customs officer shall review the assessment and findings of the assigned Customs Examiner. If the Supervisor or equivalent Customs officer

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- conforms with the findings of the Customs Examiner, he or she shall sign the e-CBDF.
- **6.6.4.** If the Supervisor or equivalent Customs officer does not conform with the assessment, he or she shall indicate her remarks in the e-CBDF and return the same to the Customs Examiner for re-assessment.
- **6.6.5.** The Customs Examiner shall check the returned e-CBDF and start re-assessment and indicate remarks, accordingly. After re-assessment, the Customs Examiner shall then affix his or her signature in the e-CBDF and tag the same for approval of the Supervisor or equivalent Customs officer.
- **6.6.6.** Once the assessment is approved by the Supervisor or equivalent Customs officer, the Customs Examiner shall inform the Travelers or Crew Members of the total amount of the assessed duties, taxes, and other charges. If the Traveler or Crew Member agrees to pay the total amount of duties, taxes, and other charges, the Customs Appraiser or equivalent officer shall tag the e-CBDF for payment.
- **6.6.7.** The Traveler or Crew Member shall proceed to the Cashier or Collecting Officer for payment.
- 6.6.8. The Cashier or Collecting Officer shall view the e-CBDF and collect payment of the taxes due in the findings. Once paid, he/she shall give the original copy of the Bureau of Customs Official Receipt (BCOR) to the Traveler or Crew Member and tag the e-CBDF as "Paid".
- **6.6.9.** The Traveler or Crew Member shall then return to the Customs lane and present the BCOR to Customs Examiner who shall verify the correctness of the amount paid and shall tag the e-CBDF as "Cleared".
- 6.6.10. In case the Traveler or Crew Member refuses to pay duties, taxes and other charges or does not have sufficient funds, the baggage and the goods shall be held in the In-Bond Room of the Baggage Assistance Division and a Held Baggage Receipt (HBR) shall be issued to the Traveler or Crew Member as provided under Section 6.9.1 (a) of this Order.

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### 6.7. Clearance with Currency Declaration.

- **6.7.1.** Travelers and Crew Members need not declare in the e-CDF if they are bringing into or taking out of the Philippines:
  - a. Foreign currency, as well as other foreign currencydenominated bearer money instruments, in an amount of USD10,000 and below or its equivalent<sup>20</sup>; and/or
  - b. Legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount not exceeding Php50,000.00.
- **6.7.2.** For Travelers and Crew Members bringing into or taking out foreign or local currency exceeding the threshold provided in Section 6.7.1, the whole amount of local or foreign currency, as well as other currency-denominated bearer money instrument brought into or taken out of the Philippines should be declared using the e-CDF or the physical copy of the Currencies Declaration Form (Annex K of BSP Circular No. 1146, series of 2022).
- **6.7.3.** Upon the Traveler or Crew Member's presentation of the duly accomplished e-CDF or CDF, as applicable, the Customs Officer who has jurisdiction to administer oath pursuant to Section 1505 of Republic Act No. 10863 (Customs Modernization Tariff Act) shall receive and administer the oath<sup>21</sup>.
- **6.7.4.** If the Traveler or Crew Member declares in the e-CBDF or verbally declares that he is carrying foreign currency or monetary instruments in excess of USD10,000 or its equivalent, the Examiner shall verify whether the Traveler or Crew Member filled out the e-CDF. If the Traveler or Crew Member filled out the e-CDF, the Examiner shall verify the information provided by the Traveler or Crew Member in the e-CDF with the information in the passport.

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<sup>20</sup> cf. Bangko Sentral ng Pilipinas Circular No. 1146 series of 2022, Section 4.2 CENTRAL RECORDS VIGIL DIVISION 21cf. Bangko Sentral ng Pilipinas Circula No. 1146 series of 2022, Annex K

- **6.7.5.** The Examiner shall print a copy of the e-CDF in three (3) sets.
- 6.7.6. In case the Traveler or Crew Member failed to fill out the e-CDF, the Examiner shall provide a hardcopy of the CDF and ask the Traveler or Crew Member to completely accomplish all the boxes in the form. The Examiner shall assist the Traveler or Crew Member in filling out of all the boxes in the CDF.
- **6.7.7.** Upon submission of the CDF, the Examiner shall check the information in the CDF as filled out by the Traveler or Crew Member as against the information contained in the Traveler or Crew Member's passport. The Examiner shall ensure that the amount of declared currency shall be written in words and in figures.
- **6.7.8.** Before counting the currency, the Examiner shall verify with the Traveler or Crew Member whether the amount written in the CDF is the actual amount he/she is bringing in.
- **6.7.9.** The counting of the currency shall be conducted in the secondary examination room in the presence of the Traveler or Crew Member or his/her authorized representative, including the Customs Intelligence & Investigation Services (CIIS) and Enforcement and Security Service (ESS) as witnesses under the supervision of the Flight Supervisor. The X-ray Inspection Project (XIP) Operative shall also act as a witness if the currency was discovered as a result of x-ray scanning. Multi-currency counting machines shall be used, if practicable, in the counting and verification of the currency.
- **6.7.10.** After the counting of the currency, and the declaration is found to be correct, the Examiner, Flight Supervisor, ESS Witness, and CIIS Witness shall affix their signatures in the CDF. The Traveler or Crew Member shall be cleared and the currencies shall be released.
- **6.7.11.** The first copy of CDF shall be retained and filed at the Arrival Operations Division. The Examiner shall give the second copy to the Traveler or Crew Member. The third copy shall be transmitted to the AMLC.

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- **6.7.12.** The Examiner shall input a digital entry in the eTravel Customs System and encode the details of the currency declaration in behalf of the Traveler or Crew Member.
- **6.7.13.** If the passenger did not make any foreign currency declaration, but after examination of the baggage and counting of the currency an amount in excess of USD10,000 is found, the USD10,000 or its equivalent shall be returned and the excess amount shall be held in the In-Bond Room of the Baggage Assistance Division and HBR shall be issued to the Traveler or Crew Member.
- **6.7.14.** In case there is a discrepancy between the declared amount of foreign currency and that which is found after counting due to false declaration, the total amount declared shall be returned to the Traveler or Crew Member and the undeclared amount shall be held in the In-Bond Room of the Baggage Assistance Division and HBR shall be issued to the Traveler or Crew Member.
- 6.7.15. If fraud is apparent in the false declaration or non-declaration, such as concealment of the undeclared amount or there was an attempt on the part of the Traveler or Crew Member to avoid customs examination or clearance, the Traveler or Crew Member shall be turned over to the ESS for investigation. In the absence of fraud, the Traveler or Crew Member shall be cleared.
- **6.7.16.** If the Traveler or Crew Member declares in the e-CDF or verbally declares that he is carrying Philippine currency or monetary instruments in excess of PhP 50,000.00, the Examiner shall require the submission of prior authorization from the BSP.
- **6.7.17.** In case of non-declaration of Philippine currency in excess of PhP50,000.00, whether written or verbal, the Philippine currency shall be held in the In-Bond Room of the Baggage Assistance Division and HBR shall be issued to the Traveler or Crew Member.
- **6.7.18.** If evidence of fraud exists, such as concealment or attempt to avoid customs examination and clearance, the Traveler and Crew Member shall be turned over to the ESS for investigation.

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**6.7.19.** The procedure provided under the preceding section shall likewise apply to the counting, release, or holding in bond of Philippine currency.

#### 6.8. Clearance of Restricted, Regulated, or Prohibited Goods.

- **6.8.1.** Travelers or Crew Members bringing in restricted or regulated goods shall be required to present/submit the original copy of the import clearances/licenses/permits from the concerned regulatory agency. Upon submission of the verified permits/licenses/clearances, the Traveler and Crew Member shall be cleared, and the goods shall be released, subject to payment of duties, taxes, and other charges, if applicable.
- **6.8.2.** If the Traveler or Crew Member fails to submit the required import clearances/licenses/permits, the restricted or regulated goods shall be held in the In-Bond Room of the Baggage Assistance Division and HBR shall be issued to the Traveler or Crew Member. If evidence of fraud exists, such as concealment or attempt to avoid customs examination and clearance, the latter shall be turned over to the ESS for investigation. In the case of regulated perishable goods, such as fruits, vegetables, raw meat, they shall immediately be turned over to the concerned regulatory agency without issuance of HBR.
- **6.8.3.** Prohibited goods shall be immediately held in the In-Bond Room of the Baggage Assistance Division and HBR shall be issued to the Traveler or Crew Member. The Traveler or Crew Member shall be turned over to the ESS for investigation.
- **6.8.4.** The same procedure for examination, inventory of the goods, assessment and payment of duties, taxes and other charges, if applicable shall be done in case of regulated, restricted or prohibited goods.
- **6.8.5.** Provided that, in case of drugs and other items covered under Republic Act 9165, as amended, the protocol in the inventory and transfer of custody of the seized drugs shall be strictly enforced.

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#### 6.9. Issuance of Held-Baggage Receipt (HBR).

- **6.9.1.** The HBR is an accountable form bearing a serial number which is issued by the warehouseman of the In-Bond Section, Baggage Assistance Division to the Traveler or Crew Member whose baggage is held for any of the following reasons:
  - **a.** Insufficient Funds for payment of duties, taxes, and other charges;
  - **b.** Traveler or Crew Member is required to submit clearances/permits/licenses;
  - **c.** Traveler or Crew Member refuses to pay the assessed duties and taxes;
  - d. Goods are prohibited;
  - e. Baggage to be claimed by the real owner;
  - f. Violations of the CMTA and related laws exist; or
  - q. Other valid reasons.
- 6.9.2. The following information shall be indicated in the HBR:
  - a. Tag number, if any;
  - b. Number of pieces of baggage;
  - c. Description and color of baggage (suitcase, balikbayan box, plastic container, etc.);
  - d. Weight of each baggage:
  - e. Nature of goods/contents of the baggage;
  - f. Serial number of the goods, if any;
  - g. Remarks, if any;
- 6.9.3. The HBR shall be signed by the Traveler or Crew Member, Baggage Assistance Division personnel, Examiner, Flight Supervisor and XIP witness, if discovered through x-ray scanning. If the goods are currencies, the CIIS and ESS shall be required to sign as witnesses.

The copies of the HBR shall be distributed as follows:

- a. White copy to the Traveler or Crew Member;
- b. Blue copy to the Arrival Operations Division; and
- c. Pink copy to the Baggage Assistance Division

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#### Section 7. Procedure for Departing Travelers and Crew Members.

- **7.1.** For departing Travelers and Crew Members which shall take out of the Philippines:
  - Foreign currency, as well as other foreign currencydenominated bearer money instruments, in excess of USD10,000 or its equivalent; and/or
  - **b.** Legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount exceeding Php50,000.00.

The e-CDF should be accomplished in the eTravel Customs System within 72 hours before departure from all airports and seaports of entry by logging in at <a href="https://etravel.gov.ph/">https://etravel.gov.ph/</a>.

- **7.2.** The system shall prompt a notification for "Important Information" which includes the Currency Declaration Reminder. After which, the Traveler and Crew Member shall tick "I have read and understand the above information".
- **7.3.** In addition to the e-CDF, a prior written authorization duly issued by the BSP should be uploaded by Travelers and Crew Members taking out from the Philippines, legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount Php50,000.00.
- **7.4.** Once complete, Travelers and Crew Members shall electronically affix their signature and shall click the **"Submit"** button to upload the declaration.
- **7.5.** The QR Code may be downloaded or printed by the Travelers and Crew Members for presentation to the Customs Officer in the Departure Area, together with the original copy of the prior written authorization issued by the BSP for validation.
- **7.6.** The assigned Customs Examiner shall scan the QR Code which shall reflect the following details for reference and validation:
  - a. Name of Traveler or Crew Member;
  - b. Passport Number;
  - c. Nothing to Declare or with Currencies to Declare;
  - d. Date and Time of Declaration;

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- e. Flight Number; and
- f. Date of Departure.
- 7.7. The procedure provided for arriving Travelers or Crew Members in relation to the examination and inventory of currency shall be applied in the same manner for departing Travelers or Crew Members, including the submission of prior written authorization from the BSP for Philippine currency or monetary instrument for amounts exceeding Php50,000 and/or the investigation of the Traveler or Crew Member in case of fraud.
- **7.8.** The findings shall be reflected in the "Examiner's Findings Box" in the e-CDF. In case of CDF, the examiner shall reflect his/her findings in the "GOVERNMENT USE ONLY" portion of the CDF.
- **7.9.** If the Traveler or Crew Member has presented the CDF, the Examiner shall input a digital entry in the e-CDF and encode the details of the currency declaration on behalf of the Traveler or Crew Member.
- **7.10.** Departing Travelers and Crew Members with goods for export in commercial quantities shall manually accomplish and file with the Bureau of Customs a Special Permit to Load (SPL). For goods that will be returned, the Traveler shall manually accomplish the Owner's Pre-Departure Declaration Form or Certificate of Identification for presentation upon his or her return to the Customs Officers assigned at the Arrival Area<sup>23</sup>.
- **Section 8. eTravel Customs System Process Flow.** The detailed system process flow chart of eTravel Customs System is hereto attached as **"Annex A"**
- **Section 9. eTravel Customs System Kiosk.** In cases when the Traveler or Crew was not able to accomplish the e-CBDF or e-CDF, as applicable in the eTravel Customs System within 72 hours prior to arrival or departure, the Assigned Customs Officer shall assist Travelers and Crew Members in using the eTravel Customs System Kiosk located in the Arrival or Departure Area.
- Section 10. <a href="Paper Form">Paper Form</a>. The paper form of the CBDF/CDF shall likewise be available at the arrival/departure Customs counter for manual filling-out of the Travelers and Crew Members who are not capable of accessing or using the eTravel Customs System or in cases of system breakdown, unstable internet connection, among others.

<sup>23</sup> Customs Administrative Order (CAO) 1-2017, Section 4.10

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The assigned Customs officer shall assist the Travelers in accomplishing the e-CBDF/e-CDF or its paper form.

The assigned Customs officer shall encode the details of the declaration in the system and upload the scanned copy of the paper form.

Travelers are strongly encouraged to accomplish the e-CBDF or e-CDF to avoid delays in the clearance of the goods or currency.

Section 11. <u>eTravel Customs System Help Desk</u>. An eTravel Customs System Help Desk shall be made available in the Customs Client Portal System which can be accessed at <a href="https://client.customs.gov.ph">https://client.customs.gov.ph</a> to provide assistance for Travelers and Crew Members intending to use the e-CBDF and e-CDF.

#### Section 12. Confidentiality of Information.

- 12.1. The Bureau recognizes its responsibilities under Republic Act No. 10173, also known as the Data Privacy Act of 2012 and CMO No. 16-2021 or the Bureau of Customs Data Privacy Manual, with respect to the data they collect, record, organize, update, use, consolidate or destruct from its stakeholders.
- **12.2.** All personal data and/or proprietary information obtained from the system entered and stored in the eTravel Customs System are for BOC, AMLC and BSP purposes only. It shall remain confidential and will not be disclosed to third parties without the consent of the Traveler and Crew Member.
- 12.3. Every officer, agent or employee of the Bureau who shall be found guilty or unlawfully disclosing confidential information gained during any investigation or audit, or using such information for personal gain or detriment to the government, the Bureau or third parties shall be penalized pursuant to Section 1431 of the Customs Modernization and Tariff Act and the Data Privacy Act.
- Section 13. <u>Periodic Review and Updating</u>. Unless otherwise provided, this Order and the eTravel Customs System shall be reviewed every three (3) years and be amended and/or updated as necessary.
- **Section 14.** Repealing Clause. Customs Memorandum Order No. 11-2022, all other Orders, Memoranda, Circulars or parts thereof which are inconsistent with this Customs Memorandum Order are hereby deemed repealed and/or modified accordingly.

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- **Section 15.** <u>Separability Clause</u>. If any part of this Order is declared by Courts as unconstitutional or contrary to existing laws, the other parts not so declared shall remain in full force and effect.
- Section 16. Effectivity. This Order shall take effect immediately.

The Office of National Administrative Register (ONAR) of the University of the Philippines Law Center shall be provided with three (3) certified copies of this Order.

BIENVENIDO Y. RUBIO
Commissioner

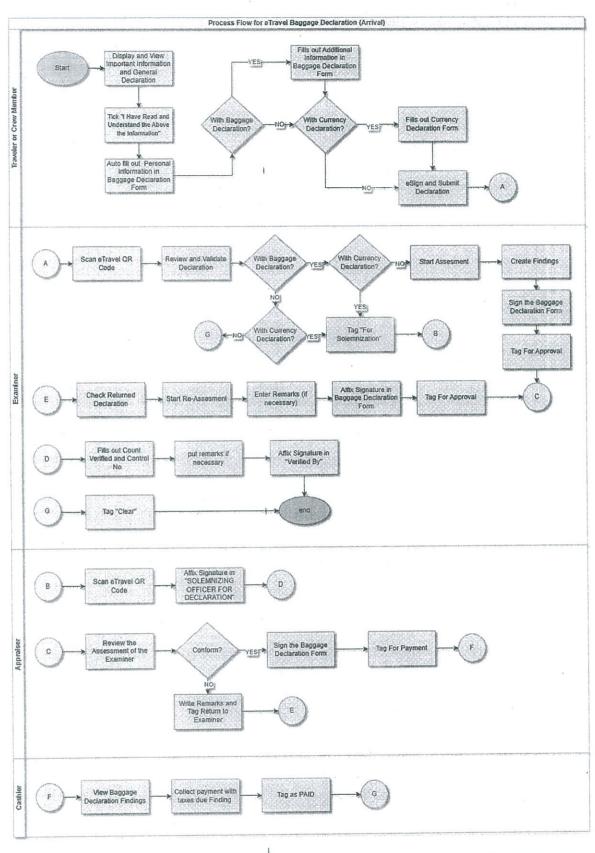
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