



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 031-2024 (NAIA)

-versus-

Sixty-Eight Thousand Pesos (Php 68,000.00) intercepted from incoming passenger **MOTOTSUGU ANDO** on 25 March 2024, under Held Baggage Receipt No. 00100007222.

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WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 25 March 2024, the hand-carried baggage of a Male Japanese passenger named Mototsugu Ando with Passport Number TR4339412, on board flight ZG095 from Japan, underwent a non-intrusive examination by X-ray Inspection Project SG Sannylyn Fernandez and was referred by Special Agent 1 Noroden M. Tomiara to Customs Examiner Jane A. Celino.

WHEREAS, prior to conducting the physical examination, Customs Examiner Celino asked the passenger to submit his duly filled-out Customs Baggage Declaration Form (CBDF). It was noted that the passenger answered "NO" to all the items in the General Declaration of the CBDF, except for Items No. 1 and 2, which pertains to the Philippine Currency in excess of Ten Thousand US Dollars (USD10,000.00) and Fifty Thousand Pesos (Php50,000.00). He declared in writing on his Currency Declaration Form (CDF) the amount of Philippine Peso he had on his carry-on baggage. Afterwards, Customs Examiner Celino proceeded with the examination.

WHEREAS, examination yielded to the discovery of an envelope of One Thousand-Peso and Five Hundred-Peso bills and one bundle of Ten Thousand-Yen bills. Customs Examiner Celino asked the passenger how much Philippine Peso he brought in. The passenger verbally declared the amount of One Hundred Eighteen Thousand Pesos (Php 118,000.00), which was also written in the CDF. Customs Examiner Celino explained to the passenger that Philippine Currency in excess of Fifty Thousand Pesos (Php50,000.00) requires a prior authorization from the Bangko Sentral ng Pilipinas (BSP).

WHEREAS, Customs Examiner Celino proceeded with the actual counting of the Philippine Currency in the presence of the passenger, Mototsugu Ando and was witnessed by Special Agent II Alex Trespeces, Special Agent I Noroden M. Tomiara, and Acting Flight Supervisor Diana Abigail E. Asilo. The actual amount counted and verified by Customs Examiner Celino is One Hundred Eighteen Thousand Pesos only (Php 118,000.00) and One Million Japanese Yen (JPY1,000,000.00).

WHEREAS, after the verified counting of the Philippine Currency, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to the passenger. A Held Baggage Receipt (HBR) No. 00100007222 was issued for the excess amount of Sixty-Eight Thousand Pesos (Php68,000.00). The confiscated Philippine Currency was turned over to Jonathan T. Mesa of the In-bond Unit, Baggage Assistance Division for safekeeping.

WHEREAS, in a Memorandum dated 26 March 2024, Customs Examiner Jane A. Celino and Acting Flight Supervisor Diana Abigail E. Asilo, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mark Jhon O. Almase, Ph.D., Assistant Deputy Collector for Passenger Service, and Norsalem Raymond M. Mama-o, Acting Deputy Collector for Passenger Service, reported to the District Collector, this Port, the said incident and recommended for the issuance of Warrant of Seizure and Detention against the amount of Sixty-Eight Thousand Pesos



(Php68,000.00) for violation of Section 117 of the Customs Modernization and Tariff Act (CMTA), and Bangko Sentral ng Pilipinas (BSP) Circular No. 1146, series of 2022, entitled "Amendments to the Rules on Cross-Border Transfer of Local and Foreign Currencies";

WHEREAS, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (updated as of May 2023), states:

Section 4. Cross-Border Transfer of Local and Foreign Currencies.

"1. Local Currency. A person may import or export, or bring into or take out of the Philippines, or electronically transfer, 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 without prior authorization by the BSP.

Amounts in excess of aforementioned limit shall require: (a) prior written authorization from the BSP; and (b) in case of Physical cross-border transfer of Philippine currency, declaration of the whole amount brought into or taken out of the Philippines using prescribed Currency Declaration Form (Annex K)."

WHEREAS, after a 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 against the subject Philippine Notes in the amount of Sixty-Eight Thousand Pesos (Php68,000.00) for violation of Bangko Sentral ng Pilipinas (BSP) laws, rules and regulations, in relation to Section 117 of the Customs Modernization and Tariff Act (CMTA).

WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with applicable customs laws, rules and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize the subject Sixty-Eight Thousand Pesos (Php68,000.00) intercepted from Japanese passenger named **MOTOTSUGU ANDO** for violation of Section 117 of the Customs Modernization and Tariff Act, Section 4 of the Manual of Regulations on Foreign Exchange Transactions, and Republic Act No. 7653 dated 14 June 1993 (The New Central Bank Act); and to turn over the same to the Collection Division for custody and safekeeping, pending the resolution of the seizure case by the Law Division, and/or until ordered by the District Collector, this Port.

Strict 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 within the period indicated therein, is likewise directed. Failure to do so shall render this Warrant of Seizure and Detention *ipso facto* considered null and void and shall subject the defaulting officer to the appropriate administrative charges and penalties in accordance with existing laws, rules and regulations.

SO ORDERED.

BOC-NAIA, Pasay City, ^{8 APR 2024} April 2024.


ATTY. MARIA YASMIN M. OBILLOS MAPA
District Collector, BOC-NAIA

Wdy/law/moz

