




REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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MEMORANDUM

TO : **KARREN APRIL A. NOROÑO-GABION**
Officer-in-Charge
Public Information and Assistance Division (PIAD)

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

FROM : 
ATTY. WALLY ANN D. YUMUL
Acting Chief, Law Division

SUBJECT : **PUBLICATION IN THE BOC WEBSITE OF THE ISSUED
WARRANT OF SEIZURE AND DETENTION (WSD)**

DATE : **21 MAY 2024**

This refers to the herein attached Warrant of Seizure and Detention (WSD):

1. **SEIZURE IDENTIFICATION NO. 060-2024 (NAIA):** Republic of the Philippines vs. Thirty-Eight Thousand Pesos (Php38,000.00) intercepted from incoming passenger **QINGPEI LIU** on 18 April 2024;
2. **SEIZURE IDENTIFICATION NO. 061-2024 (NAIA):** Republic of the Philippines vs. One Hundred Thirty-Four Thousand Pesos (Php134,000.00) in Php1,000.00 denomination intercepted from incoming passenger **NATHAN SVEN LIN** on 16 April 2024, under Held Baggage Receipt No. 001000010013;
3. **SEIZURE IDENTIFICATION NO. 062-2024 (NAIA):** Republic of the Philippines vs. Fifty Thousand Pesos (Php50,000.00) Philippine currency, seized from incoming passenger **BYUNGYUN WOO** on 10 April 2024, and held in custody under Held Baggage Receipt No. 00100007402; and
4. **SEIZURE IDENTIFICATION NO. 063-2024 (NAIA):** Republic of the Philippines vs. One Thousand Four Hundred Chinese Yuan Renminbi (CNY1,400.00) and Ninety-Five Thousand Eight Hundred Ninety Hongkong Dollars (HKD95,890.00) seized from incoming passenger **JINZHONG XU**.

As the aforementioned passengers/claimants have indicated insufficient addresses in the Philippines, the WSDs must be served by posting in the bulletin board of this Port and by electronic posting in the BOC website for fifteen days, as provided under Section 6.5.2 of CAO No. 10-2020, to wit:

6.5.2. To the owner of the goods or his authorized representative.

For the purpose of serving the WSD, the importer, consignee, named in the bill of lading or airway bill, or possessor shall be deemed the owner of the goods.



If the owner is unknown, with insufficient address, or a foreign entity or individual, service shall be effected by posting of the WSD by the ESS in the bulletin board of the concerned collection district office, **and by electronic posting through the BOC website, or printed publication, for fifteen (15) days.**

In view of the foregoing, this Office respectfully requests that the copy of the Decision and WSD on **Seizure Identification Nos. 060-2024 (NAIA), 061-2024 (NAIA), 062-2024 (NAIA) and 063-2024 (NAIA)**, respectively, be electronically posted with the BOC website for fifteen (15) days. A copy of said warrant is herein attached. Furthermore, scanned copies thereof were also forwarded to Piad@customs.gov.ph and Jessil.garlando@customs.gov.ph.





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 060-2024 (NAIA)

-versus-

Thirty-Eight Thousand Pesos
(Php38,000.00) intercepted from
incoming passenger **QINGPEI LIU**
on 18 April 2024.

X-----X

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 18 April 2024, at the NAIA Terminal 1, the hand-carried baggage of a male Chinese passenger named Qingpei Liu with Passport Number EC0157032, on board flight MF 817 from China, underwent a non-intrusive examination by XIP Mohamad Jonaid Udasan and was referred to Customs Examiner Sunshine O. Palino by SA1 Archer Peniza for physical inspection.

WHEREAS, Customs Examiner Palino asked the passenger if he had completed a Customs Baggage Declaration Form (CBDF). The passenger submitted his duly filled-out Customs Baggage Declaration Form wherein he ticked "NO" on all items except item number 1, which pertains to "Philippine Currency and/or Philippine Monetary Instrument in excess of Php50,000.00. The passenger declared the amount of Eighty-eight Thousand Philippine Pesos (Php88,000.00) in the duly filled-out Currency Declaration Form (CDF).

WHEREAS, Customs Examiner Palino proceeded with the actual counting of the Philippine Currency in the presence of the passenger, Qingpei Liu and witnessed by ESS Agent SA1 Archer Peniza, CIIS Agent SA1 Christian Paul F. Llovit, and Flight Supervisor Annalyn V. Reyes. The actual amount counted and verified by the Customs Examiner Palino is Eighty-eight Thousand Pesos (Php88,000.00). Customs Examiner Palino 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, after the verified counting of the Philippine Currency, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to the Chinese passenger. A Held Baggage Receipt No. 00100007525 was issued for the excess amount of Thirty-eight Thousand Pesos (Php38,000.00). The confiscated currency was turned over to Annaliza L. Reyes of the In-bond Unit, Baggage Assistance Division.

WHEREAS, in a Memorandum dated 18 April 2024, Customs Examiner Sunshine O. Palino and Flight Supervisor Annalyn V. Reyes, 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 Php38,000.00 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 Thirty-Eight Thousand Pesos (Php38,000.00) Philippine Currency for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions (as amended by BSP Circular Nos. 794 dated 18 April 2013, 874 dated 08 April 2015, 922 dated 23 August 2016 and 1146 dated 26 May 2022), and Republic Act 7653 dated 14 June 1993 (The New Central Bank Act), in relation to Section 117 of the Customs Modernization and Tariff Act (CMTA).

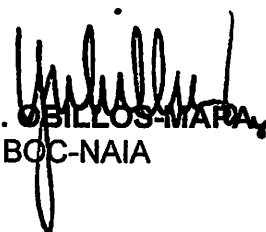
WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with applicable customs laws, rules and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize the subject Philippine Notes in the total amount of Thirty-Eight Thousand Pesos (Php38,000.00) intercepted from Chinese passenger named QINGPEI LIU, for violation of Section 117 of the Customs Modernization and Tariff Act, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (as amended by BSP Circular Nos. 794 dated 18 April 2013, 874 dated 08 April 2015; 922 dated 23 August 2016 and 1146 dated 26 May 2022), 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, 20 May 2024.

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



Wdy/taw/moz





REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
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21 May 2024

MR. QINGPEI LIU
Valenzuela City

Subject : Seizure Identification No. 060-2024 (NAIA)
Republic of the Philippines vs. Thirty-Eight Thousand Pesos
(Php38,000.00) intercepted from incoming passenger **QINGPEI**
LIU on 18 April 2024

Dear Mr. Qingpei Liu

This refers to the shipment which is covered by Seizure Identification No. 060-2024 (NAIA) issued on May 20, 2024 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

As part of the on-going seizure and forfeiture proceedings for the aforementioned shipment, you are hereby directed to submit a Verified Position Paper **within seven (7) days** from receipt hereof, copy furnished the Government Prosecutor, Prosecution and Litigation Division, Legal Service, Bureau of Customs, Port Area, Manila, to discuss the following:

1. Issues of the Case;
2. Proposed Stipulation and Admission;
3. Arguments;
4. Exhibits; and
5. Possibility of settlement.

Kindly send your Verified Position Paper, with pertinent attachments to lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph.

Very truly yours,

Manuel O. Zurbito Jr.
ATTY. MANUEL O. ZURBITO JR.
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 061-2024 (NAIA)

-versus-

One Hundred Thirty-Four Thousand
Pesos (Php134,000.00) in
Php1,000.00 denomination
intercepted from incoming
passenger **NATHAN SVEN LIN** on
16 April 2024, under Held Baggage
Receipt No. 001000010013

X-----X

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 16 April 2024, at the NAIA Terminal 3, the hand-carried baggage of a male Singaporean passenger Nathan Sven Lin with Passport Number K3274649H, on board flight SQ912 from Singapore, underwent a non-intrusive examination.

WHEREAS, the passenger was then escorted by ESS Officer SA1 Chucky Austria to Customs Examiner Cabanillas for physical inspection of the baggage.

WHEREAS, Customs Examiner Cabanillas asked the passenger if he had completed a Customs Baggage Declaration Form (CBDF). The passenger submitted his duly filled-out CBDF and passport. It was noted that the passenger answered "NO" to all the items in the General Declaration of the CBDF, except for Item No.1 which pertains to the Philippine Currency in excess of Php50,000.00. Customs Examiner Cabanillas asked the passenger to fill out the Currency Declaration Form (CDF). It was noted that the declared amount of Philippine Currency brought in by the passenger is One Hundred Eighty-Four Thousand Pesos (Php184,000.00). The Customs Examiner asked the passenger for prior authorization from the Bangko Sentral ng Pilipinas to which the latter replied in the negative.

WHEREAS, Customs Examiner Cabanillas proceeded with the actual counting of the Philippine Currency in the presence of the passenger, Nathan Sven Lin. The procedure was witnessed by ESS Agent SA1 Chucky Austria, CIIS Agent Ediex D. Liwanag, and was supervised by Acting Flight Supervisor Clark E. Villa. The physical count yielded an actual amount of One Hundred Eighty-Four Thousand Pesos (Php184,000.00).

WHEREAS, after the verified counting of the Philippine Currency the amount of Fifty Thousand Pesos (Php50,000.00) was returned to the Singaporean passenger. A Held Baggage Receipt with number 001000010013 was issued for the excess amount of One Hundred Thirty-Four Thousand Pesos (Php134,000.00). The Confiscated Philippine Currency was turned over to Jonathan T. Mesa of the In-Bond Unit, Baggage Assistance Division.

WHEREAS, in a Memorandum dated 18 April 2024, Customs Examiner Edgardo P. Cabanillas, Sr. and Acting Flight Supervisor Clark E. Villa, 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 Php134,000.00 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 One Hundred Thirty-Four Thousand Pesos (Php134,000.00) Philippine Currency for violation of BSP rules and regulations in relation to the Customs Modernization and Tariff Act.

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 Philippine Notes in the total amount of One Hundred Thirty-Four Thousand Pesos (Php134,000.00) from incoming passenger **NATHAN SVEN LIN**, for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions (as amended by BSP Circular Nos. 794 dated 18 April 2013, 874 dated 08 April 2015, 922 dated 23 August 2016 and 1146 dated 26 May 2022), and Republic Act 7653 dated 14 June 1993 (The New Central Bank Act), in relation to the Customs Modernization and Tariff Act, and to turn over the same to the Collection Division, this Port, for custody and disposition pursuant to CAO No. 10-2020 bearing the subject "Seizure and Forfeiture Proceedings and Appeals Process".

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, 20 May 2024.

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

Wdy/law/moz





REPUBLIC OF THE PHILIPPINES
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21 May 2024

MR. NATHAN SVEN LIN
Solaire Hotel

Subject : Seizure Identification No. 061-2024 (NAIA)
Republic of the Philippines vs. One Hundred Thirty-Four
Thousand Pesos (Php134,000.00) in Php1,000.00 denomination
intercepted from incoming passenger **NATHAN SVEN LIN** on 16
April 2024, under Held Baggage Receipt No. 001000010013

Dear **Mr. Nathan Sven Lin**

This refers to the shipment which is covered by Seizure Identification No. 061-2024 (NAIA) issued on May 20, 2024 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

As part of the on-going seizure and forfeiture proceedings for the aforementioned shipment, you are hereby directed to submit a Verified Position Paper **within seven (7) days** from receipt hereof, copy furnished the Government Prosecutor, Prosecution and Litigation Division, Legal Service, Bureau of Customs, Port Area, Manila, to discuss the following:

1. Issues of the Case;
2. Proposed Stipulation and Admission;
3. Arguments;
4. Exhibits; and
5. Possibility of settlement.

Kindly send your Verified Position Paper, with pertinent attachments to lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph.

Very truly yours,

Manuel O. Zurbito Jr.
for **ATTY. MANUEL O. ZURBITO JR.**
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 062-2024 (NAIA)

-versus-

Fifty Thousand Pesos
(Php50,000.00) Philippine
Currency, seized from incoming
passenger **BYUNGYUN WOO** on
10 April 2024, and held in custody
under Held Baggage Receipt No.
00100007402.

X-----X

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 10 April 2024, Mr. Byungyun Woo, a Korean national and holder of Passport No. M638K6845, arrived at the NAIA Terminal 1 on board Korean Airlines Flight KE 621 from Incheon, Korea.

WHEREAS, Passenger Woo's handcarried luggage passed through the non-intrusive x-ray examination conducted by XIP Inspector Jade Perez and thereafter he was referred to Acting Customs Examiner Sunshine O. Palino for actual physical examination.

WHEREAS, before conducting an actual physical examination, Acting Customs Examiner Palino asked Passenger Woo to submit his duly accomplished Customs Baggage Declaration Form (CBDF) wherein she noted that the latter answered "NO" to all the items on the General Declaration, except for Item No. 1 thereof which refers to Philippine Currency and/or Philippine Monetary Instrument in excess of Php50,000.00". She also noted that passenger Woo declared the Php100,000.00 Philippine pesos he had in his carry-on bag in his Currency Declaration Form (CDF). Customs Examiner Palino thus advised Mr. Woo that a traveler is allowed to carry only the amount of P50,000.00 Philippine Currency and any excess thereof will require a prior authorization from the Bangko Sentral ng Pilipinas.

WHEREAS, Acting Customs Examiner Palino conducted an actual examination which yielded the total amount of One Hundred Thousand Pesos (Php100,000.00). Thereafter, the amount of Php50,000.00 was returned to passenger Woo and the remaining amount of Php50,000.00 was withheld for lack of prior authorization from the Bangko Sentral ng Pilipinas. Acting Customs Examiner Palino then issued to Passenger Woo Held Baggage Receipt No. 00100007402 for the excess amount of Php50,000.00 which she turned over to the In Bond Section, Baggage Assistance Division, this Port, for custody and safekeeping.

WHEREAS, in a Memorandum dated 10 April 2024, the Acting Customs Examiner and Flight Supervisor, thru the Chief, Arrival Operations Division, Assistant Deputy Collector for Passenger Service, and Deputy Collector for Passenger Service, reported their findings to the District Collector, this Port, and recommended the issuance of Warrant of Seizure and Detention against the amount of Fifty Thousand Pesos (Php50,000.00) for lack of the required Import Permit from the Bangko Sentral ng Pilipinas pursuant to BSP Circular No. 1146 series of 2022 bearing the subject "Amendments to



the Rules on Cross-Border Transfer of Local and Foreign Currencies”, in relation to Section 117 of the Customs Modernization and Tariff Act (CMTA).

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 Fifty Thousand Pesos (Php50,000.00) Philippine Currency for violation of Bangko Sentral ng Pilipinas (BSP) 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 Philippine Notes in the total amount of Fifty Thousand Pesos (Php50,000.00) from incoming passenger **BYUNGYUN WOO**, for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions (as amended by BSP Circular Nos. 794 dated 18 April 2013, 874 dated 08 April 2015, 922 dated 23 August 2016 and 1146 dated 26 May 2022), and Republic Act 7653 dated 14 June 1993 (The New Central Bank Act), in relation to the Customs Modernization and Tariff Act, and to turn over the same to the Collection Division, this Port, for custody and disposition pursuant to CAO No. 10-2020 bearing the subject “Seizure and Forfeiture Proceedings and Appeals Process”.

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, 20 May 2024.


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

Law/wady/eyllv





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21 May 2024

MR. BYUNGYUN WOO
Hillton Hotel

Subject : Seizure Identification No. 062-2024 (NAIA)
Republic of the Philippines vs. Fifty Thousand Pesos
(Php50,000.00) Philippine currency, seized from incoming
passenger **BYUNGYUN WOO** on 10 April 2024, and held in
custody under Held Baggage Receipt No. 00100007402

Dear Mr. Byungyun Woo

This refers to the shipment which is covered by Seizure Identification No. 062-2024 (NAIA) issued on May 20, 2024 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

As part of the on-going seizure and forfeiture proceedings for the aforementioned shipment, you are hereby directed to submit a Verified Position Paper **within seven (7) days** from receipt hereof, copy furnished the Government Prosecutor, Prosecution and Litigation Division, Legal Service, Bureau of Customs, Port Area, Manila, to discuss the following:

1. Issues of the Case;
2. Proposed Stipulation and Admission;
3. Arguments;
4. Exhibits; and
5. Possibility of settlement.

Kindly send your Verified Position Paper, with pertinent attachments to lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph.

Very truly yours,


ATTY. EMILIO Y. LEGASPI IV
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 063-2024 (NAIA)

-versus-

One Thousand Four Hundred
Chinese Yuan Renminbi
(CNY1,400.00) and Ninety-Five
Thousand Eight Hundred Ninety
Hongkong Dollars (HKD95,890.00),
seized from incoming passenger
JINZHONG XU

X-----X

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 01 March 2024, Jinzhong Xu, a male Chinese traveler and holder of Passport Number EA5027073, arrived at the Ninoy Aquino International Airport (NAIA) Terminal 3 on board China Southern Airlines Flight CZ3091 from China.

WHEREAS, the handcarried luggage of Passenger Xu passed through the non-intrusive examination conducted by XIP Inspector Joshua Zurbito who then referred him to Acting Customs Examiner Jeinalem Go for physical examination.

WHEREAS, before conducting an actual physical examination, Customs Examiner Go asked Passenger Xu to submit his duly accomplished Customs Baggage Declaration Form (CBDF). Passenger Xu responded that he had nothing to declare.

WHEREAS, Customs Examiner Go conducted an actual examination of Mr. Xu's handcarried luggage which yielded several bundles of Chinese Yuan Renminbi and Hongkong Dollars. An actual count of the foreign currencies yielded the amount of One Thousand Four Hundred Chinese Yuan Renminbi (CNY1,400.00) which is equivalent to US\$194.62, and Ninety-Five Thousand Eight Hundred Ninety Hongkong Dollars (HKD95,890.00) which is equivalent to US\$12,258.67 when added together.

WHEREAS, Customs Examiner Go informed Passenger Xu that a traveler is only allowed to carry the amount of US\$10,000.00 equivalent in any foreign currencies and that the excess thereof will be confiscated if not duly declared. However, the entire amount of One Thousand Four Hundred Chinese Yuan Renminbi (CNY1,400.00) and Ninety-Five Thousand Eight Hundred Ninety Hongkong Dollars (HKD95,890.00) was seized considering the non-declaration of the passenger.

WHEREAS, Customs Examiner Go then issued to passenger Xu Held Baggage Receipt No. 00100006614 for the CNY1,400.00 and HKD95,890.00 which she turned over to the In-Bond Section, Baggage Assistance Division, this Port, for custody and safekeeping.

WHEREAS, in a Memorandum dated 01 March 2024, Customs Examiner Jeinalem G. Go and Flight Supervisor Jennifer Ivy M. Orbeta, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mr. Mark Jhon O. Almase, Assistant Deputy Collector for Passenger Service, and Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported their findings to the District Collector, this Port, and recommended the issuance of Warrant of Seizure and Detention against the amount of One Thousand Four Hundred Chinese Yuan Renminbi (CNY1,400.00) and Ninety Five Thousand Eight Hundred Ninety Hongkong Dollars (HKD95,890.00) for lack of the required Import Permit from the



Bangko Sentral ng Pilipinas pursuant to BSP Circular No. 1146 series of 2022 bearing the subject "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.

XXX

2. Foreign Currency. Any person, who brings into or takes out of the Philippines foreign currency, as well as other foreign currency-denominated bearer monetary instruments, in excess of USD10,000 or its equivalent is **required to declare the whole amount** brought into or taken out of the Philippines using the prescribed Currencies Declaration Form

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 One Thousand Four Hundred Chinese Yuan Renminbi (CNY1,400.00) and Ninety Five Thousand Eight Hundred Ninety Hongkong Dollars (HKD95,890.00) for violation of Sections 117 and 1113 of the Customs Modernization and Tariff Act, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (as amended by BSP Circular Nos. 794 dated 18 April 2013, 874 dated 08 April 2015; 922 dated 23 August 2016 and 1146 dated 26 May 2022), 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.

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 One Thousand Four Hundred Chinese Yuan Renminbi (CNY1,400.00) and Ninety-Five Thousand Eight Hundred Ninety Hongkong Dollars (HKD95,890.00) from Passenger **JINZHONG XU** for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions (as amended by BSP Circular Nos. 794 dated 18 April 2013, 874 dated 08 April 2015, 922 dated 23 August 2016 and 1146 dated 26 May 2022), and Republic Act 7653 dated 14 June 1993 (The New Central Bank Act), in relation to the Customs Modernization and Tariff Act, and to turn over the same to the Collection Division, this Port, for custody and disposition pursuant to CAO No. 10-2020 bearing the subject "Seizure and Forfeiture Proceedings and Appeals Process".

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, 20 May 2024.

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

Law/wady/ey/IV





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

21 May 2024

MR. JINZHONG XU
U-29-E Anchor Skysuites Cond.
Ongpin, Manila

Subject : Seizure Identification No. 063-2024 (NAIA)
Republic of the Philippines vs. One Thousand Four Hundred
Chinese Yuan Renminbi (CNY1,400.00) and Ninety-Five
Thousand Eight Hundred Ninety Hongkong Dollars
(HKD95,890.00) seized from incoming passenger **JINZHONG XU**

Dear Mr. Jinzhong Xu

This refers to the shipment which is covered by Seizure Identification No. 063-2024 (NAIA) issued on May 20, 2024 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

As part of the on-going seizure and forfeiture proceedings for the aforementioned shipment, you are hereby directed to submit a Verified Position Paper **within seven (7) days** from receipt hereof, copy furnished the Government Prosecutor, Prosecution and Litigation Division, Legal Service, Bureau of Customs, Port Area, Manila, to discuss the following:

1. Issues of the Case;
2. Proposed Stipulation and Admission;
3. Arguments;
4. Exhibits; and
5. Possibility of settlement.

Kindly send your Verified Position Paper, with pertinent attachments to lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph.

Very truly yours,

ATTY. EMILIO Y. LEGASPI IV
Officer-on-Case

