



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**

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2779754784  
BOC-28-005730

**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  
DECISION AND WARRANT OF SEIZURE AND  
DETENTION (WSD)**

**DATE :** **31 MAY 2024**

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

- 1. SEIZURE IDENTIFICATION NO. 071-2024 (NAIA):** Republic of the Philippines vs. One (1) complete set of poker chips brought in by incoming Chinese traveler **YUNXIANG HUA**;
- 2. SEIZURE IDENTIFICATION NO. 073-2024 (NAIA):** Republic of the Philippines vs. Ninety-eight Thousand Pesos (Php98,000.00) Philippine currency seized from passenger **CHAL JIN PARK** who arrived at NAIA Terminal 1 on 04 May 2024; and
- 3. SEIZURE IDENTIFICATION NO. 074-2024 (NAIA):** Republic of the Philippines vs Two Hundred Fifty Thousand Pesos (Php250,000.00) intercepted from incoming passenger **GEUNDONG KIM** on 01 March 2024, under Held Baggage Receipt No. 001000006333.

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. 071-2024 (NAIA), 073-2024 (NAIA) and 074-2024 (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](mailto:Piad@customs.gov.ph) and [Jessil.garlando@customs.gov.ph](mailto:Jessil.garlando@customs.gov.ph).





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 071-2024 (NAIA)

-versus-

One complete set of poker chips  
brought in by incoming Chinese  
traveler **YUNXIANG HUA**

X-----X

## DECISION

This resolves the seizure and forfeiture proceedings instituted against the above-described one complete set of poker chips for violation of Section 119 (b) in relation to Section 1113 of Customs Modernization and Tariff Act and Section 11 of Presidential Decree No. 956.

A cursory review of the entire records of the instant seizure and forfeiture case reveals the following antecedents, to wit:

1. On 23 January 2024, Chinese traveller Yunxiang Hua, with Passport No. EK5231541 arrived at NAIA Terminal 1 on board Flight No. ZH9011 from China.
2. His hand-carried baggage underwent non-intrusive inspection by X-ray Inspection Project (XIP) personnel Sannilyn Fernandez and was referred to Customs Examiner Pia DG. Reyes for physical examination.
3. Before conducting physical examination, Examiner Reyes asked the traveller to submit his filled-out Customs Baggage Declaration Form (CBDG). Upon review of the completed form, it was noted that the traveller marked "No" for all items on page 3, except item no. 3 which pertains to "Gambling paraphernalia". Customs Examiner Reyes then asked for information on the items he brought to which he declared poker chips.
4. The physical examination led to the discovery of one (1) complete set of poker chips with a gross weight of 9.0kgs.
5. Examiner then explained to the traveller that the item is regulated and thereby should be accompanied with the corresponding import permit from the concerned regulatory agency. For failure of the traveller to present Import Permit/Clearance from the Philippine Amusement and Gaming Corporation (PAGCOR), Held Baggage Receipt No. 00100005387 was issued to Yunxiang Hua and the item was withheld and was turned-over to the In-Bond Unit, Baggage Assistance Division for safekeeping.
6. In a Memorandum dated 23 January 2024 for the District Collector, Customs Examiner Pia DG. Reyes and Ramon F. Rodriguez, Flight Supervisor, thru Asst. Deputy Collector for Passenger Service Mark Jhon O. Almase, Ph.D. and Acting Deputy Collector for Passenger Service Norsalem Raymond Mama-o, submitted their Incident Report and recommended for the submission of Permit from PAGCOR of the subject articles.



7. In a Memorandum dated 25 March 2024, the Baggage Assistance Division, thru the Acting Deputy Collector for Passenger Service, recommended for the issuance of Warrant and Detention against the subject item for lack of Import Permit/Clearance.

## DISCUSSION:

On the basis of the records of the instant case, it is indubitable that the One complete set of poker chips brought in by incoming Chinese traveler **YUNXIANG HUA** are restricted goods under Section 119 (Restricted Importation and Exportation) of the Customs Modernization and Tariff Act (CMTA), to wit:

*“Section 119. **Restricted Importation and Exportation.**- Except when authorized by law or regulation, the importation or exportation of the following restricted goods are prohibited:*

XXX

- (b) Roulette wheels, gambling outfits, loaded dice, marked cards, machines, apparatus or mechanical devices used in gambling or the distribution of money, cigars, cigarettes or other goods when such distribution is dependent on chance, including jackpot and pinball machines or similar contrivances, or parts thereof;” xxx

Further, Section 11 of Presidential Decree 956, provides:

**“Section 11. Importation of Gaming Paraphernalia and Devices. The importation of gaming paraphernalia and devices shall not be allowed, except when the importation is made by the grantee for its exclusive use in the casino and duly authorized by the Commission.**  
xxx”

On this score, having failed to present the necessary permit and/or authority from the regulatory agency, the importation of the subject poker chips is considered prohibited. Under Section 9.3 of Customs Administrative Order No. 10-2020:

**“9.3 If the subject shipment involved has been sufficiently established to be prohibited, the same shall be ipso facto forfeited in favor of the government.”**

Moreover, Section 1113 of the Customs Modernization and Tariff Act (CMTA) provides that:

**“SECTION 1113. Property Subject to Seizure and Forfeiture. – Property that shall be subject to seizure and forfeiture include:**

X X X      X X X

- (f) Goods, the importation or exportation of which are effected or attempted contrary to law, or any goods of prohibited importation or exportation, and all other goods which, in the opinion of the District Collector, have been used, are or were entered to be used as instruments in the importation or the exportation of the former;” xxx (Underline for emphasis)



**WHEREFORE**, the subject one complete set of poker chips from the hand carried baggage of **YUNXIANG HUA** is hereby declared *ipso facto* **FORFEITED** for violation of in relation to Section 1113 of Customs Modernization and Tariff Act and Section 11 of Presidential Decree No. 956 to be turned-over to the Auction and Cargo Disposal Division, this Port, for final disposition thereof pursuant to CAO No. 10-2020 bearing the subject "Seizure and Forfeiture Proceedings and Appeals Processes".

Let copies of this Decision be furnished to the offices and parties concerned for their information, and a copy thereof to be posted on the Bulletin Board of the Law Division and at the Arrival Operations Division, this Port, for information of all concerned.

**SO ORDERED.**

BOC-NAIA, Pasay City ~~MAY 27 2024~~ May 2024.

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

wdy/law/ham





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DEPARTMENT OF FINANCE  
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31 May 2024

**MR. CHAL JIN PARK**  
Solaire Hotel

**Subject : Seizure Identification No. 073-2024 (NAIA)**  
Republic of the Philippines vs. Ninety-eight Thousand Pesos  
(Php98,000.00) Philippine currency seized from passenger  
**CHAL JIN PARK** who arrived at NAIA Terminal 1 on 04 May 2024

Dear Mr. Chal Jin Park

This refers to the seized currency which is covered by Seizure Identification No. 073-2024 (NAIA) issued on May 30, 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](mailto: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. 073-2024 (NAIA)

-versus-

Ninety-eight Thousand Pesos  
(Php98,000.00) Philippine  
Currency seized from passenger  
**CHAL JIN PARK** who arrived at  
NAIA Terminal 1 on 04 May 2024.

X-----X

**WARRANT OF SEIZURE AND DETENTION**

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

WHEREAS, on 04 May 2024, passenger Chal Jin Park, a Korean national and holder of Passport No. M43067370, arrived at the NAIA Terminal 1 on board Philippine Airlines Flight PR 419 from Pusan, Republic of Korea.

WHEREAS, Passenger Park's handcarried luggage underwent the non-intrusive x-ray examination conducted by XIP Inspector Mohamad Junaid Udasan, who, together with ESS Special Agent I Dean Oran and CIIS Agent Christian Paul F. Llovit, referred him to Acting Customs Examiner John Rey M. Falcon for actual physical examination.

WHEREAS, before conducting an actual physical examination, Acting Customs Examiner Falcon asked Passenger Park to submit his duly accomplished Customs Baggage Declaration Form (CBDF). After going over the CBDF, he noted that the latter answered "NO" to all the items on the General Declaration. Thereafter, he proceeded with the actual examination of Mr. Park's handcarried luggage.

WHEREAS, Acting Customs Examiner Falcon conducted an actual examination which yielded Philippine Pesos in Php1,000.00 denomination. He explained to Passenger Park that a traveler is allowed to carry only the amount of Fifty Thousand Pesos (Php50,000.00), and any excess thereof requires the submission of an Authorization from the Bangko Sentral ng Pilipinas (BSP). The actual physical examination by Acting Examiner Falcon was supervised by Flight Supervisor Gaylord Hilario C. Ventura in the presence of Passenger Park and witnessed by ESS SA I Oran and SA Llovit of the CIIS, and which yielded the total amount of One Hundred Forty-Eight Thousand Pesos (Php148,000.00). Thereafter, the whole amount was turned over to the In Bond Section, Baggage Assistance Division, for safekeeping under Held Baggage Receipt No. 001000007626.

WHEREAS, in a Memorandum dated 06 May 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 One Hundred Forty Eight Thousand Pesos (Php148,000.00) for failure to declare the same by passenger Park and 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 Ninety-Eight Thousand Pesos (Php98,000.00) Philippine Currency for violation of 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), in relation to Section 117 and 1113 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 Ninety Eight Thousand Pesos (Php98,000.00) intercepted from incoming passenger **CHAL JIN PARK** 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, MAY 3 0 2024, May 2024.

**ATTY. MARIA YASMIN M. OBILLUS-MAZA**  
District Collector, BOC-NAIA

Law/wady/eyllV







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31 May 2024

**MR. GEUNDONG KIM**  
Seda Manila Bay

**Subject : Seizure Identification No. 074-2024 (NAIA)**  
Republic of the Philippines vs. Two Hundred Fifty Thousand Pesos (Php250,000.00) intercepted from incoming passenger **GEUNDONG KIM** on 01 March 2024, under Held Baggage Receipt No. 001000006333

**Dear Mr. Geundong Kim**

This refers to the seized currency which is covered by Seizure Identification No. 074-2024 (NAIA) issued on May 30, 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](mailto:lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph).

Very truly yours,

  
**ATTY. MANUEL O. ZURBITO JR.**  
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 074-2024 (NAIA)

-versus-

Two Hundred Fifty Thousand  
Pesos (Php250,000.00)  
intercepted from incoming  
passenger **GEUNDONG KIM** on 01  
March 2024, under Held Baggage  
Receipt No. 00100006333.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on of 01 March 2024, at the NAIA Terminal 1, the hand-carried baggage of a male Korean passenger named Geundong Kim with Passport Number M93393301, on board flight OZ 703 from Korea, approached Custom Examiner Ferdinand R. Carungcong with the intention to declare currency.

WHEREAS, before conducting the physical examination, Customs Examiner Carungcong asked the passenger to submit his duly filled-out Customs Baggage Declaration Form (CBDF). It was noted that the passenger 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. Customs Examiner Carungcong asked the traveler if he had Philippine Currency which is more than Fifty Thousand Pesos (Php50,000.00), to which the traveler replied in the affirmative. Customs Examiner Carungcong asked the traveler to fill out the Currency Declaration Form (CDF). Afterwards, Customs Examiner Carungcong proceeded with the examination.

WHEREAS, examination yielded to the discovery of three bundles of One Thousand-Peso bills Philippine Currency. When inquired, the traveler verbally declared the amount of Three Hundred Thousand Pesos (Php300,000.00), which was also written in the CDF. Customs Examiner Carungcong explained to the traveler 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 Carungcong proceeded with the actual counting of the Philippine Currency in the presence of the traveler. The procedure was witnessed by Special Agent 1 Archer Peniza, CIIS Agent Christian Paul F. Llovit, and was supervised by Acting Flight Supervisor Clark E. Villa. The actual amount counted and verified by the Customs Examiner is Three Hundred Thousand Pesos only (Php300,000.00).

WHEREAS, after the verified counting of the Philippine Currency, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to the traveler. A Held Baggage Receipt with number 00100006333 was issued for the excess amount of Two Hundred Fifty Thousand Pesos (Php250,000.00). The confiscated Philippine Currency was turned over to Annaliza L. Reyes of the In-bond Unit, Baggage Assistance Division for safekeeping.

WHEREAS, in a Memorandum dated 12 March 2024, the Customs Examiner and Acting Flight Supervisor, thru the Chief, Arrival Operations Division, Assistant Deputy Collector for Passenger Service, and 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 Php250,000.00 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 Two Hundred Fifty Thousand Pesos (Php250,000.00) for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions, in relation to Sections 117 and 1113 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 Php1,000.00 denomination in total amount of Two Hundred Fifty Thousand Pesos (Php250,000.00) intercepted from Korean passenger named **GEUNDONG KIM** 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, \_\_\_\_\_, May 2024.

ATTY. MARIA YASMIN M. OBERLOS  
District Collector, BOC-NAIA

Wdy/law/moz

