



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. EMILIO Y. LEGASPI IV**
OIC, Law Division

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

DATE : **17 JULY 2024**

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

1. **SEIZURE IDENTIFICATION NO. 119-2024 (NAIA)** : Republic of the Philippines vs. Two Hundred Ninety-Three Thousand Pesos (Php293,000.00) in 1,000 denomination brought in by incoming passenger **SUPHAKRIT KHEMPET** on 21 June 2024;
2. **SEIZURE IDENTIFICATION NO. 120-2024 (NAIA)**: Republic of the Philippines vs. Forty-Seven Million Japanese Yen Banknotes (JPY47,000,000.00) intercepted from incoming passenger **TAEHYUN KIM** on 27 June 2024;
3. **SEIZURE IDENTIFICATION NO. 121-2024 (NAIA)**: Republic of the Philippines vs. Twenty-Three Thousand Pesos (Php23,000.00) brought in by incoming passenger **PEIJIE KE** on 17 June 2024;
4. **SEIZURE IDENTIFICATION NO. 122-2024 (NAIA)**: Republic of the Philippines vs. Four Hundred Fifty Thousand Pesos (Php450,000.00) intercepted from incoming passenger **SUHARDI** on 11 June 2024 under Held Baggage Receipt No. 00100010541;
5. **SEIZURE IDENTIFICATION NO. 123-2024 (NAIA)** : Republic of the Philippines vs. Fifty Thousand Pesos (Php50,000.00) intercepted from Korean Traveler **JAEGYUNG SIM** on 18 April 2024 under Held Baggage Receipt No. 00100007895; and



6. **SEIZURE IDENTIFICATION NO. 105-2024 (NAIA)** : Republic of the Philippines vs. Thirty Thousand Seven Hundred Fifty Pesos (Php30,750.00) brought in by incoming passenger **XIAOWEI WANG** on 11 June 2024.

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 WSD on **Seizure Identification Nos. 119-2024 (NAIA), 120-2024 (NAIA), 121-2024 (NAIA), 122-2024 (NAIA), 123-2024 (NAIA), and 124-2024**, 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.





REPUBLIC OF THE PHILIPPINES
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REPUBLIC OF THE PHILIPPINES

-versus-

Thirty Thousand Seven Hundred
Fifty Pesos (Php30,750.00)
brought in by incoming passenger
XIAOWEI WANG on 11 June 2024

X-----X

SEIZURE IDENTIFICATION
NO. 124-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 11 June 2024, Chinese passenger Xiaowei Wang with Passport Number EH3160379 arrived at Ninoy Aquino International Airport Terminal 3 on board flight CZ 3077 from China.

WHEREAS, Xiaowei Wang's hand-carried baggage underwent a non-intrusive examination by XIP Operator Edith Valenzuela and was referred to Customs Examiner Nerizza R. Pantaleon for physical inspection.

WHEREAS, Xiaowei Wang presented his Customs Baggage Declaration Form (CBDF) to the assigned Customs Examiner. It was noted that the traveler answered "NO" to all items in the CBDF, except for Item No. 1 which pertains to the Philippine Currency in excess of Php50,000.00. Customs Examiner asked the passenger if he had any Philippine Currency in excess of Fifty Thousand Pesos (Php50,000.00) to which he replied in the affirmative. Customs Examiner Pantaleon further explained that a traveler is allowed to carry only the amount of Php50,000.00 without prior authorization from the Bangko Sentral ng Pilipinas (BSP) and any excess thereof requires an authorization prior to entry into the country.

WHEREAS, in the presence of passenger Wang, SAI Chucky Austria, CIIS Agent Jeffrey Asis and Flight Supervisor Annalyn V. Reyes, Customs Examiner Pantaleon conducted the physical examination which yielded an amount of Eighty Thousand Seven Hundred Fifty Pesos (Php80,750.00). The amount of Php50,000.00 was returned to the passenger representing the total amount allowed to be brought in by incoming passengers. Thereafter, a Held Baggage Receipt No. 00100010530 was issued to Xiaowei Wang for the excess amount of Thirty Thousand Seven Hundred Fifty Pesos (Php 30,750.00). The confiscated Philippine Currencies were turned over to Jonathan Mesa of the In-Bond Unit, Baggage Assistance Division (BAD), for safekeeping.

WHEREAS, in a Memorandum dated 12 June 2024 for the District Collector, this Port, Customs Examiner Nerizza R. Pantaleon 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, recommended for the issuance of Warrant of Seizure and Detention against the amount of Php30,750.00 for violation of Section 117 in relation to Section 1113 (f) 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 Thirty Thousand Seven Hundred Fifty Pesos (Php30,750.00) 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 total amount of Thirty Thousand Seven Hundred Fifty Pesos (Php30,750.00) intercepted from incoming passenger **XIAOWEI WANG** 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.

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, JUL 16 2024, July 2024.

ATTY. MARIA YASMIN M. OSILLOS MARRA
District Collector, BOC-NAIA

Law/wady/tsy





REPUBLIC OF THE PHILIPPINES
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17 July 2024

MR. XIAOWEI WANG
Angeles, Pampanga

Subject : Seizure Identification No. 124-2024 (NAIA)
Republic of the Philippines vs. Thirty Thousand Seven
Hundred Fifty Pesos (Php30,750.00) brought in by incoming
passenger **XIAOWEI WANG** on 11 June 2024

Dear **Mr. Xiaowei Wang**

This refers to the seized currency which is covered by Seizure Identification No. 124-2024 (NAIA) issued on July 16, 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. TEODOLFO MARTIN S. YERRO IV
Officer-on-Case



Old MIA Road, NAIA Complex, 1300 Pasay City
+63 (02) 8705-6000, +639776767034 | www.customs.gov.ph | naia@customs.gov.ph



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 123-2024 (NAIA)

-versus-

Fifty Thousand Pesos
(PHP50,000.00) intercepted from
Korean Traveler **JAEGYUNG SIM**
on 18 April 2024, under Held
Baggage Receipt No. 00100007895.

x-----x

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 06 June 2024, at the NAIA Terminal 1, the hand-carried baggage of a male Korean traveler named Jaegyung Sim with Passport Number M99831900, on board flight PR 469 from Incheon, Korea, underwent a non-intrusive examination by XIP Inspector John Michael Martinez and was referred to Customs Examiner Palino by SA1 Chucky Rei Austria for physical inspection.

WHEREAS, Customs Examiner Palino asked the traveler 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 traveler declared the amount of One Hundred Thousand Philippine Pesos (Php100,000.00) 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 traveler, Jaegyung Sim. The procedure was witnessed by ESS Agent SA1 Chucky Rei Austria, CIIS Agent SA1 Christian Paul F. Llovit, and Flight Supervisor Innah Angela Mirano. The actual amount counted and verified by the Customs Examiner Palino is One Hundred Thousand Pesos (PHP 100,000.00). 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 Korean Traveler. A Held Baggage Receipt with number 00100007895 was issued for the excess amount of Fifty Thousand Pesos (Php50,000.00). The confiscated currency was turned over to Annaliza L. Reyes of the In-bond Unit, Baggage Assistance Division.

WHEREAS, in a Memorandum dated 09 June 2024, Customs Examiner Sunshine O. Palino and Flight Supervisor Innah Angela Mirano, 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 Php50,000.00 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 Fifty Thousand Pesos (Php50,000.00) 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 Fifty Thousand Pesos (Php50,000.00) intercepted from Korean traveler named **JAEGYUNG SIM** 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.

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.

JUL 16 2024

BOC-NAIA, Pasay City, _____, July 2024.

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

Wdy/law/moz





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17 July 2024

MR. JAEGYUNG SIM
New Coast Hotel

Subject : Seizure Identification No. 123-2024 (NAIA)
Republic of the Philippines vs. Fifty Thousand Pesos
(Php50,000.00) intercepted from Korean Traveler **JAEGYUNG**
SIM on 18 April 2024 under Held Baggage Receipt No.
00100007895

Dear **Mr. Jaegyung Sim**

This refers to the seized currency which is covered by Seizure Identification No. 123-2024 (NAIA) issued on July 16, 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. MANUEL O. ZURBITO JR.
Officer-on-Case



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REPUBLIC OF THE PHILIPPINES

-versus-

Four Hundred Fifty Thousand
Pesos (Php450,000.00)
intercepted from incoming
passenger **SUHARDI** on 11 June
2024, under Held Baggage Receipt
No.00100010541

X-----X

**SEIZURE IDENTIFICATION
NO. 122-2024 (NAIA)**

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 11 June 2024, the carry-on baggage of a male Indonesian passenger named Suhardi with passport number C9375941, on board flight CX 913 from Hongkong, underwent a non-intrusive inspection and was referred by Enforcement and Security Service (ESS) Special Agent 1 (SA1) Joselito Custodio to Customs Examiner Pia DG. Reyes for physical examination, mentioning that an image appearing to be a bundle of bills was seen inside the bag of the passenger.

WHEREAS, before conducting the physical examination, Customs Examiner Reyes explained to the passenger that based on the image of the x-ray, a bundle of bills was seen inside his bag. The Examiner subsequently asked the passenger if he had money to declare, to which he replied in the affirmative. The passenger handed over his filled-out Customs Baggage Declaration Form (CBDF) and Currencies Declaration Form (CDF). It was noted that the passenger replied "YES" to Item No. 1 of the CBDF, which pertains to "Philippine Currency and/or any Philippine Monetary Instrument in excess of Php50,000." He declared the amount of Five Hundred Thousand Pesos (Php500,000.00) in the CDF.

WHEREAS, the passenger was invited to the exclusion room, together with ESS SA1 Joselito Custodio, CIIS SA1 Hashoba Sarip and Flight Supervisor Belinda C. Copioso. Before proceeding with the examination, the Customs Examiner explained to the passenger that there should be a prior authorization from the Bangko Sentral ng Pilipinas for Philippine Currency in excess of Php50,000.00, otherwise the excess shall be confiscated. The passenger initially questioned the procedure but eventually yielded after a clear explanation from the Customs Examiner. The physical count discovered the total amount of Five Hundred Thousand Pesos (Php500,000.00), which coincided with the amount declared by the passenger in the CDF.

WHEREAS, after the verified counting, the amount of Four Hundred Fifty Thousand Pesos (Php450,000.00) was held in-bond due to the passenger's failure to present a prior authorization from the Bangko Sentral ng Pilipinas (BSP). A Held Baggage Receipt with number 00100010541 was issued to the passenger. The confiscated Philippine notes were turned over to Norhamida Macalangcom of the In-bond Unit, Baggage Assistance Division. The amount of Fifty Thousand Pesos (Php50,000.00) was returned to the passenger. The procedure was done in the presence of the passenger Suhardi, witnessed by ESS SA1 Joselito Custodio, CIIS SA1 Hashiba Sarip, and supervised by Flight Supervisor Belinda C. Copioso.

WHEREAS, in a Memorandum dated 14 June 2024, Customs Examiner Pia DG. Reyes, Sr. and Flight Supervisor Belinda C. Copioso, 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 Php450,000.00 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 Four Hundred Fifty Thousand Pesos (Php450,000.00) 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 Four Hundred Fifty Thousand Pesos (Php450,000.00) intercepted from Indonesian passenger named **SUHARDI** 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.

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, _____, July 2024.

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

Wdy/law/moz





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17 July 2024

MR. SUHARDI
Okada

Subject : Seizure Identification No. 122-2024 (NAIA)
Republic of the Philippines vs. Four Hundred Fifty Thousand Pesos (Php450,000.00) intercepted from incoming passenger **SUHARDI** on 11 June 2024 under Held Baggage Receipt No. 00100010541

Dear **Mr. Suhardi**

This refers to the seized currency which is covered by Seizure Identification No. 122-2024 (NAIA) issued on July 16, 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. MANUEL O. ZURBITO JR.
Officer-on-Case



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REPUBLIC OF THE PHILIPPINES

-versus-

Twenty-Three Thousand Pesos
(Php23,000.00) brought in by
incoming passenger **PEIJIE KE** on
17 June 2024

x-----x

SEIZURE IDENTIFICATION
NO. 121-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 17 June 2024, Chinese passenger Peiji Ke with Passport Number EF3590694 arrived at Ninoy Aquino International Airport Terminal 3 on board flight TG 620 from Thailand.

WHEREAS, Peiji Ke's hand-carried baggage underwent a non-intrusive examination by XIP Inspector Joshua Zurbito and was referred to Customs Examiner Sunshine O. Palino for physical inspection.

WHEREAS, passenger Ke presented his Customs Baggage Declaration Form (CBDF) to the assigned Customs Examiner. It was noted that the traveler answered "NO" to all items in the CBDF, except Item No. 1 which pertains to the Philippine Currency in excess of Php50,000.00. In the duly filled-out Currency Declaration Form, passenger Ke declared the amount of Seventy-Three Thousand Pesos (Php73,000.00). Customs Examiner Palino authorization traveler is allowed to carry only the amount of Php50,000.00 without prior authorization from the Bangko Sentral ng Pilipinas (BSP) and any excess thereof requires an authorization prior to entry into the country.

WHEREAS, in the presence of passenger Ke, representatives from ESS, CIIS, and Flight Supervisor Annalyn V. Reyes, Customs Examiner Palino conducted the physical examination which yielded a total amount of Seventy-three Thousand Pesos (Php73,000.00). The amount of Php50,000.00 was returned to Mr. Ke representing the total amount allowed to be brought in by incoming passengers. Thereafter, a Held Baggage Receipt No. 001000010619 was issued for the excess amount of Twenty-Three Thousand Pesos (Php23,000.00). The confiscated Philippine Currencies were turned over to Jonathan Mesa of the In-Bond Unit, Baggage Assistance Division (BAD), for safekeeping.

WHEREAS, in a Memorandum for the District Collector, this Port, dated 20 June 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, recommended for the issuance of Warrant of Seizure and Detention (WSD) against the amount of Php23,000.00 for violation of Section 117 in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), and Bangko Sentral ng Pilipinas (BSP) Circular No. 1146, series of





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17 July 2024

MR. PEIJIE KE
One Roxas Triangle Penthouse

Subject : Seizure Identification No. 121-2024 (NAIA)
Republic of the Philippines vs. Twenty-Three Thousand Pesos
(Php23,000.00) brought in by incoming passenger **PEIJIE KE**
on 17 June 2024

Dear **Mr. Peijie Ke**

This refers to the seized currency which is covered by Seizure Identification No. 121-2024 (NAIA) issued on July 16, 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:

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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. TEODOLFO MARTIN S. YERRO IV
Officer-on-Case



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REPUBLIC OF THE PHILIPPINES

-versus-

Forty-Seven Million Japanese Yen
Banknotes (JPY47,000,000.00)
intercepted from incoming
passengers **TAEHYUN KIM** on 27
June 2024.

X-----X

SEIZURE IDENTIFICATION
NO. 120-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, passenger Taehyun Kim, a Korean National and holder of Passport No. M243R5915, arrived at the Ninoy Aquino International Airport (NAIA) on 27 June 2024 on board Flight NH 869 from Japan;

WHEREAS, during routine x-ray screening, the Baggage of passenger Taehyun Kim, exhibited suspicious image from the x-ray monitor, hence was marked "X" and was referred to Customs Examiner Kyle Christian U. Vitoria for physical examination.

WHEREAS, before conducting the physical examination, COO III Vitoria asked Mr. Kim if he accomplished a Customs Baggage Declaration Form (CBDF) or e-Travel QR Code to which he replied in the affirmative. Mr. Kim handed his passport and was asked to scan the QR Code for the electronic CBDF (e-CBDF). Upon checking that the traveler ticked "No" to all items in the General Declaration, Examiner Vitoria asked him if he had anything to declare, to which he replied in the negative.

WHEREAS, Examiner Vitoria proceeded with the physical examination. Initial examination of the marked baggage yielded bundles of Japanese Yen Banknotes contained in a black cloth bag alongside the traveler's diving gears.

WHEREAS, to avoid unnecessary attention from other arriving travelers, Mr. Kim was invited to the exclusion room for physical counting and verification of the foreign currency together with ESS SA1 Mark Jason A. Japuri, CIIS Edix D. Liwanag, XIP Personnel Joshua Zurbito, and Flight Supervisor Ramon S. Calleja Jr.

WHEREAS, to ensure that traveler Kim understood the procedure, another traveler who is equally fluent in Korean and English language assisted in translating and explaining the procedure in cross border transfer of foreign currency.

WHEREAS, thereafter, Examiner Vitoria proceeded with the actual physical counting of the foreign currency which yielded to a total amount of Forty- Seven Million Japanese Yen (JPY47,000,000.00) which is equivalent to USD295,771.00 based on the Bangko Sentral ng Pilipinas (BSP) Reference Exchange Rate Bulletin dated June 21, 2024 providing for the exchange rate USD 0.006293 to JPY 1.00 applicable for the week June 22, 2024 to June 28, 2024.

WHEREAS, after the verified counting, the total amount of Forty-Seven Million Japanese Yen (JPY47,000,000.00) was confiscated. Held Baggage Receipt No. 00100010754 was issued to Mr. Kim while the subject Banknotes were turned-over to Jonathan Mesa of the In-bond Unit, Baggage Assistance Division.



WHEREAS, on 28 June 2024, Kyle Christian U. Vilorio, Flight Supervisor Ramon Calleja Jr. thru Acting Deputy Collector for Passenger Service, Assistant Deputy Collector for Passenger Service, and Chief, Arrival Operation Division, submitted their incident report to the District Collector and recommended for the issuance of Warrant of Seizure and Detention (WSD) of the subject foreign currency for violation of Section 1400 (Misdeclaration) in relation to Section 1113 (Property Subject to Seizure and Forfeiture) of the Customs Modernization and Tariff Act (CMTA) and Bangko Sentral ng Pilipinas (BSP) Circular No. 1146 Series of 2022-Amendments to the Rules on Cross-Border Transfer of Local and Foreign Currencies.

WHEREAS, after 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 Forty Seven Million Japanese Yen (JPY47,000,000.00) 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 April 18, 2013, 874 dated April 8, 2015; 922 dated August 23, 2016 and 1146 dated May 26, 2022), and Republic Act No. 7653 dated June 14, 1993 (The New Central Bank Act);

WHEREAS, Section 4 of BSP Circular No. 1146, Series of 2022, with the subject "Amendments to the Rules on Cross-Border Transfer of Local and Foreign Currencies", as implemented by the Bureau of Customs by virtue of Customs Memorandum Circular (CMC) No. 89-2022 dated July 5, 2022, states:

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

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. Xxx*"

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 Forty Seven Million Japanese Yen (JPY47,000,000.00) intercepted from incoming passenger TAEHYUN 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, JUL 16 2024 July 2024.

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

Wdy/law/ham





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17 July 2024

MR. TAEHYUN KIM
8E Cluster 2, Holland Park
Southwoods, Biñan, Laguna 4027

Subject : Seizure Identification No. 120-2024 (NAIA)
Republic of the Philippines vs. Forty-Seven Million Japanese
Yen Banknotes (JPY47,000,000.00) intercepted from incoming
passenger **TAEHYUN KIM** on 27 June 2024

Dear **Mr. Taehyun Kim**

This refers to the seized currency which is covered by Seizure Identification No. 120-2024 (NAIA) issued on July 16, 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. HYACINTH A. MIRANDA
Officer-on-Case



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REPUBLIC OF THE PHILIPPINES

-versus-

Two Hundred Ninety-Three
Thousand Pesos (Php293,000.00)
in 1,000 denominations brought in
by incoming passenger
SUPHAKRIT KHEMPET on 21
June 2024

X-----X

SEIZURE IDENTIFICATION
NO. 119-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 21 June 2024 at around 1930H, Thai passenger Sucharit Khempet with Passport Number AC6439483 arrived at Ninoy Aquino International Airport Terminal 1 on board flight PR 731 from Thailand.

WHEREAS, Khempet's carry-on baggage underwent a non-intrusive examination by XIP Inspector Mohamad Jonaid Udasan and was referred to Customs Examiner Jewel Iris Abuejela for physical inspection.

WHEREAS, passenger Khempet presented his electronic Customs Baggage Declaration Form (e-CBDF) to the assigned Customs Examiner. It was noted that the traveler answered "NO" to all items in the e-CBDF. Customs Examiner Abuejela explained that a traveler is allowed to carry only the amount of Php50,000.00 without prior authorization from the Bangko Sentral ng Pilipinas (BSP) and any excess thereof requires an authorization prior to entry into the country.

WHEREAS, in the presence of passenger Khempet and his companion, together with the representatives from ESS, CIIS, and Flight Supervisor Manuel J. Mendoza, Customs Examiner Abuejela conducted the physical examination which yielded a total amount of Three Hundred Ninety-Three Thousand Pesos (Php393,000.00). The amount of Php100,000.00 was returned to Mr. Khempet and his companion representing the total amount allowed to be brought in by incoming passengers. Thereafter, a Held Baggage Receipt No. 00100008100 was issued for the excess amount of Two Hundred Ninety-Three Thousand Pesos (Php293,000.00). The confiscated Philippine Currencies were turned over to Hamimah H. Mangondaya of the In-Bond Unit, Baggage Assistance Division (BAD), for safekeeping.

WHEREAS, in a Memorandum for the District Collector, this Port, dated 24 June 2024, Customs Examiner Jewel Iris Abuejela and Flight Supervisor Manuel J. Mendoza, 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, recommended for the issuance of Warrant of Seizure and Detention (WSD) against the amount of Php293,000.00 for violation of Section 117 in relation to Section 1113 (f) 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 Ninety-Three Thousand Pesos (Php293,000.00) 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 Ninety-Three Thousand Pesos (Php293,000.00) intercepted from incoming passenger **SUPHAKRIT KHEMPET** 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.

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, JUL 16 2024, July 2024.

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

Law/wady/tsylV





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17 July 2024

MR. SUPHAKRIT KHEMPET
Okada

Subject : Seizure Identification No. 119-2024 (NAIA)
Republic of the Philippines vs. Two Hundred Ninety-Three
Thousand Pesos (Php293,000.00) in 1,000 denomination
brought in by incoming passenger **SUPHAKRIT KHEMPET** on
21 June 2024

Dear **Mr. Suphakrit Khempet**

This refers to the seized currency which is covered by Seizure Identification No. 119-2024 (NAIA) issued on July 16, 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. TEODOLFO MARTIN S. YERRO IV
Officer-on-Case



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