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MEMORANDUM

TO

KARREN APRIL A. NOROÑIO-GABION

Officer-in-Charge

Public Information and Assistance Division (PIAD)

THRU

ATTY. MARIA YASMIN M. OBILLOS-MAPA

District Collector, BOC-NAIA

FROM

ATTY. EMILION. LEGASPI IV

OIC, Law Division

SUBJECT

PUBLICATION IN THE BOC WEBSITE OF THE ISSUED

WARRANT OF SEIZURE AND DETENTION (WSD)

DATE

27 AUGUST 2024

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

- SEIZURE IDENTIFICATION NO. 163-2024 (NAIA): Republic of the Philippines
 vs. Ninety-Two Thousand Pesos (Php92,000.00) Philippine Currency, seized
 from incoming passenger SOETSU KOBAYASHI, who arrived on 08 July 2024,
 and held in custody at the In Bond Section, Baggage Assistance Division, under
 Held Baggage Receipt No. 00100006368;
- SEIZURE IDENTIFICATION NO. 164-2024 (NAIA): Republic of the Philippines
 vs. Twenty-Eight Thousand Seven Hundred Pesos (Php28,700.00) intercepted
 incoming traveler CHAN VUI MIN on 07 June 2024;
- SEIZURE IDENTIFICATION NO. 165-2024 (NAIA): Republic of the Philippines
 vs. Eighty-Seven Thousand Philippine Peso Bill (Php87,000.00) intercepted from
 incoming traveler NATHAN TRENT ANDERSON on 25 July 2024;
- SEIZURE IDENTIFICATION NO. 166-2024 (NAIA): Republic of the Philippines
 vs. Forty-Five Thousand Pesos (Php45,000.00) intercepted from incoming
 traveler BINGJIE WANG on 26 June 2024;
- SEIZURE IDENTIFICATION NO. 167-2024 (NAIA): Republic of the Philippines vs. Two Hundred Nineteen Thousand and One Hundred Pesos (Php219,100.00) brought in by incoming passenger HARRISON DAVID EVANS on 25 July 2024;

6. SEIZURE IDENTIFICATION NO. 168-2024 (NAIA): Republic of the Philippines vs. Forty-Eight Million Three Hundred Thousand Indonesian Ringgit (IDR48,300,000.00); Sixty Thousand Chinese Yuan (CNY60,000.00); Ten Million Iraqi Dinar (IQD10,000,000.00) One Hundred Thousand Hongkong Dollars (HKD100,000.00); One Hundred Million Vietnamese Dong (VND100,000,000.00); and Seven Hundred One Thousand New Taiwanese Dollars (TWD701,000.00), brought in by one AHMAD WADZHAR AMIL 05 July 2024 and held in custody under Held Baggage Receipt No. 00100008302;

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. 163-2024 (NAIA), 164-2024 (NAIA), 165-2024 (NAIA), 166-2024 (NAIA), 167-2024 (NAIA) and 168-2024 (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.



DEPARTMENT OF FINANCE BUREAU OF CUSTOMS

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REPUBLIC OF THE PHILIPPINES

\$EIZURE IDENTIFICATION NO. _/63-2024 (NAIA)

-versus-

Ninety-Two Thousand **Pesos** (Php92,000,00) Philippine Currency, seized from incoming passenger SOETSU KOBAYASHI, who arrived on 08 July 2024, and held in custody at the In Bond Section. Baggage Assistance Division. under Held Baggage Receipt No. 00100006368.

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 08 July 2024, Soetsu Kobayashi, a Japanese traveler and holder of Passport No. TR6297241, arrived at the Ninoy Aquino International Airport (NAIA) on board flight ZG095 from Japan.

WHEREAS, passenger Kobayashi's handcarried luggage underwent a non-intrusive examination conducted by XIP Inspector Sannylyn Fernandez, who, thereafter referred him to Angela Coleen V. Talactac, Customs Examiner on duty, for the physical examination of his handcarried luggage.

WHEREAS, before conducting an actual physical examination, Customs Examiner Talactac asked Passenger Kobayashi if he has completed the E-Travel QR Code for scanning to which the latter affirmed and then he submitted his passport. She noted that Mr. Kobayashi answered "NO" to all the items in Customs Baggage Declaration Form (ECBDF). brought with him Philippine Currency in the Thousand Pesos (Php192,000.00), thus, he was to accomplish the Currency Declaration Form. When asked if he had prior authorization from the Bangko Sentral ng Pilipinas (BSP), passenger Kobayashi replied in the negative.

WHEREAS, in the presence of passenger Kobayashi, Flight Supervisor Jericho E. Flores and the representatives of the ESS and the CIIS. Customs Examiner Talactac conducted a thorough examination of former's handcarried luggage which yielded the total amount of One Hundred Ninety-Two Thousand Pesos (Php192,000.00). Thereafter, the amount of One Hundred Thousand Pesos (Php100,000.00) was returned to passenger Kobayashi and his companion as the amount allowed for every passenger without the required BSP Clearance. Thereafter, Customs Examiner Talactac issued Held Baggage Receipt No. 00100006368 to passenger Kobayashi for the excess amount of Php92,000.00 which she later on turned over to the In Bond Section, Baggage Assistance Division, this Port, for custody and safekeeping.

WHEREAS, in a Memorandum dated 10 July 2024, Customs Examiner Angela Coleen V. Talactac and Flight Supervisor Jericho E. Flores, with concurrence of 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 that the amount of Php92,000.00 be seized 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 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 subject Ninety-Two Thousand Pesos (Php92,000.00) 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 Ninety Two Thousand Pesos (Php92,000.00) Philippine Currency intercepted from incoming passenger SOETSU KOBAYASHI for violation Modernization and Tariff Act, Section 4 of 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 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, _____, August 2024.

ATTY. MARIA YASMIN M. OB District Collector, BO

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DEPARTMENT OF FINANCE BUREAU OF CUSTOMS

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27 August 2024

MR. SOETSU KOBAYASHI

Okada Manila

Subject: Seizure Identification No. 163-2024 (NAIA)

Ninety-Two Thousand Pesos (Php92,000.00) Philippine Currency, seized from incoming passenger SOETSU KOBAYASHI, who arrived on 08 July 2024, and held in custody at the In Bond Section, Baggage Assistance Division,

under Held Baggage Receipt No. 00100006368

Dear Mr. Soetsu Kobayashi

This refers to the seized currency which is covered by Seizure Identification No. 163-2024 (NAIA) issued on August 27, 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@gustoms.gov.ph.

Very truly yours,

ATTY. TEODOLFO MARTIN S. YERRO IV



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SEIZURE IDENTIFICATION NO. 164-2024 (NAIA)

REPUBLIC OF THE PHILIPPINES

-versus-

Twenty-Eight Thousand Seven Hundred Pesos (Php28,700.00)

intercepted from incoming traveler CHAN VUI MIN on 07 June 2024.

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on or about 2255HH of 07 June 2024, at the NAIA Terminal 3, the carryon baggage of a male Malaysian traveler named Chan Vui Min with passport number H54899676, on board flight Z293 from Macau, underwent non-intrusive inspection, and thereafter was referred by X-ray Inspection Project (XIP) Operator Michael Martinez and was referred by the Enforcement and Security Service (ESS) Special Agent 1 (SA1) Joselito Custodio and SA1 Hashoba Sarip to Customs Examiner Lee Anne A. Perez for physical examination.

WHEREAS, before conducting the physical examination, the Customs Examiner Perez asked the traveler to submit his duly filled out Customs Baggage Declaration Form (CBDF). It was noted that the traveler answered "NO" to all the items in the General Declaration of the CBDF, except for Item Nos. 1 and 2 which pertains to the Philippine Currency which is more than Fifty Thousand Pesos (Php50,000.00) and Foreign Currency in excess of USD10,000, respectively. The Customs Examiner asked the traveler if he had Philippine Currency of more than Fifty Thousand Pesos (Php50,000.00) and foreign currency of more than Ten Thousand US Dollars (USD10,000.00) to which the traveler replied in the affirmative. Afterwards, the examiner proceeded with the examination.

WHEREAS, the traveler verbally declared the amount of Eighty Thousand Pesos (Php80,000.00) and foreign currency in the amount of Six Thousand and Fifty US Dollars (USD6,050.00) and Thirty Thousand Hong Kong Dollars (HKD30,000.00). The Customs Examiner explained that Philippine Currency in excess of Fifty Thousand pesos (Php50,000.00) requires prior authorization from the Bangko Sentral ng Pilipinas (BSP).

WHEREAS, Customs Examiner proceeded with the actual counting of the Philippine and Foreign Currencies in the presence of traveler Chan Vui Min. The procedure was witnessed by ESS Custodio, CIIS Agent Sarip, and supervised by Flight Supervisor Rosalinda Ros. The actual amount counted and verified by customs examiner is Seventy-Eight Thousand Seven Hundred Pesos (Php78,700 00), Six Thousand and Fifty US Dollars (USD6,050.00) and Thirty Thousand Hong Kong Dollars (HKD30,000.00).

WHEREAS, after the verified counting of the Philippine Currency, a total amount of Fifty Thousand Pesos (Php50,000.00) was returned to the traveler and a Held Baggage Receipt with number 00100010518 was issued for the excess amount of Twenty-Eight Thousand Seven Hundred pesos (Php28,700.0d). The confiscated Philippine Currency was turned-over to Kate Badon of the In-bond Unit, Baggage Assistance Division for safekeeping.

WHEREAS, in a Memorandum dated 07 Perez and Flight Supervisor Rosalinda Ros, thru 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 Twenty Eight Thousand Seven Hundred Pesos (Php28,700.00) in violation of Section 117 of the CMTA on Regulated Importation and Exportation; and 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 Twenty-Eight Thousand Seven Hundred Pesos (Php28,700.00) 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 Twenty Eight Thousand Seven Hundred Pesos (Php28,700.00) intercepted from Malaysian passenger named CHAN VUI MIN 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,	27	August 2024.

ATTY. MARIA YASMIN M. Q

District Collector, BOC-NAIA



Wdv/law/ham



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27 August 2024

MR. CHAN VUI MIN Hilton Hotel, Pasay City

Subject: Seizure Identification No. 164-2024 (NAIA)

Republic of the Philippines vs. Twenty-Eight Thousand Seven Hundred Pesos (Php28,700.00) intercepted incoming traveler

CHAN VUI MIN on 07 June 2024

Dear Mr. Chan Vui Min

This refers to the seized currency which is covered by Seizure Identification No. 164-2024 (NAIA) issued on August 27, 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@gustoms.gov.ph.

Very truly yours,

ATTY. HYACINTH A. MIRAND

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REPUBLIC OF THE PHILIPPINES

-versus-

SEIZURE IDENTIFICATION NO. 165-2024

Eighty-Seven Thousand Philippine Bill (Php87,000,00) intercepted from incoming traveler NATHAN TRENT ANDERSON on 25 July 2024.

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on or about 0230H of 25 July 2024, the carry-on baggage of a male Australian traveler named Nathan Trent Anderson, with passport number PB1800954, on board flight 5J 040 from Sydney, Australia, underwent a non-intrusive inspection by Inspector Jayson Billante of the X-ray Inspection Project (XIP). The traveler and his accompanied baggage were subsequently directed to Customs Examiner Jewel Iris G. Abuejela for physical examination which was based on the image of bills seen in the traveler's baggage

WHEREAS, before conducting the physical examination, Customs Examiner Jewel Iris G. Abuejela asked the passenger to hand over his passport and his E-Travel generated QR Code and passport. Upon checking the information in the electronic Customs Baggage Declaration Form (CBDF), it was noted that the traveler answered "NO" to all the questions in the General Declaration except item no. 1 and item no. 2 which pertains to Philippine Currency and/or Philippine Monetary Instrument in excess of Php50,000.00 and Foreign Currency and/or Foreign Monetary Instrument in excess of USD10,000.00 or its equivalent.

WHEREAS, the Customs Examiner, together with ESS Edmon James Mozo, CIIS Giovanni Villa and Flight Supervisor Princess Tanya Atienza invited the traveler to the exclusion room for the physical examination of the latter's baggage.

WHEREAS, the physical count yielded to a total amount of Fifteen Thousand Australian Dollars (AUD15,000.00) and One Hundred Thirty-Seven Thousand Pesos (Php137,000.00).

WHEREAS, after the verified counting, Customs Examiner Jewel Iris G. Abuejela asked the passenger if he secured a prior written authorization from the Bangko Sentral ng Pilipinas (BSP), to which he replied in the negative. The amount of Eighty-Seven Thousand Pesos (Php87,000.00) was confiscated in violation of Section 117 of the CMTA in relation to BSP Circular No. 922 as amended by BSP Circular No. 1146. The declared Fifteen Thousand Australian Dollars (AUD15,000.00) and the allowable Fifty Thousand Pesos (Php50,000.00) were returned to the traveler. A Held Baggage Receipt Number 00100011036 was issued for the excess amount of Eighty-Seven Thousand Pesos (Php87,000.00). The confiscated Philippine notes were turned over to Jonathan Mesa of the In-bond Unit, Baggage Assistance

WHEREAS, in a Memorandum dated 26 July 2024, Acting Customs Examiner Jewel Iris G. Abuejela and Acting Flight Supervisor Princess Tanya R. Atienza, 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 Eighty-Seven Thousand Pesos (Php87,000.00) in violation of Section 117 of the CMTA on Regulated Importation and Exportation; and 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 Eighty-Seven Thousand Pesos (Php87,000.00) 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 Eighty-Seven Thousand Pesos (Php87,000.00) intercepted from Australian passenger named NATHAN TRENT ANDERSON for violation of Sections 117 and 11 13 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, ______, August 2024.

ATTY. MARIA YASMIN M. OFILLO
District Collector, BOO-NAI

Wdy/law/ham





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27 August 2024

MR. NATHAN TRENT ANDERSON

1300 Seaside Blvd. Pasay

Subject: Seizure Identification No. 165-2024 (NAIA)

Republic of the Philippines vs. Eighty-Seven Thousand Philippine Peso Bill (Php87,000.00) intercepted from incoming traveler NATHAN TRENT ANDERSON on 25 July 2024

Dear Mr. Nathan Trent Anderson

This refers to the seized currency which is covered by Seizure Identification No. 165-2024 (NAIA) issued on August 27, 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,



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REPUBLIC OF THE PHILIPPINES

-versus-

SEIZURE IDENTIFICATION NO. 166-2024 (NAIA)

Forty-Five Thousand Pesos (Php45,000.00) intercepted from incoming traveler **BINGJIE WANG** on 26 June 2024.

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on or about 0514H of 26 June 2024, the carry-on baggage of a male Chinese traveler named Bingjie Wang with passport number EC4623205, on board flight PR 522 from Phnom Penh, Cambodia, underwent non-intrusive inspection by X-ray Inspection Project (XIP) Operator SA 1 Jade Perez and the same was referred by the Customs Police on-duty SA1 Chucky Rei Austria to Customs Examiner John Carlo M. Baura for physical examination.

WHEREAS, before conducting the physical examination, the above-signed Customs Examiner asked the passenger to hand over his passport and his E-Travel QR code to be scanned. Upon checking the data in the E-travel data of the passenger, the passenger answered "No" to all items in the general declaration part and has no recorded data in the currency declaration part. Customs Examiner Baura proceeded with the physical examination of the passenger's bag, leading to the discovery of ninety-five (95) pieces of 1000-peso bills amounting to Ninety-five Thousand Pesos (Php95,000.00)

WHEREAS, when the Customs Examiner asked if the passenger had a prior authorization from the Bangko Sentral ng Pilipinas (BSP), as he was carrying more than Fifty Thousand Pesos (Php50,000.00), the traveler responded in the negative. The Customs examiner then proceeded to explain the BSP regulations to the passenger.

WHEREAS, the physical count yielded to a total amount of Ninety-Five Thousand Pesos (Php95,000.00).

WHEREAS, after the verified counting of the Philippine Currency, a total amount of Fifty Thousand Pesos (Php50,000.00) was returned to the traveler while Held Baggage Receipt No. 00100008223 was issued for the excess amount of Forty-Five Thousand Pesos (Php45,000.00). The confiscated Philippine Currency was turned over to Arbe Amama of the In-bond Unit, Baggage Assistance Division for safekeeping.

WHEREAS, in a Memorandum dated 26 July 2024, Acting Customs Examiner John Carlo M. Baura and Acting Flight Supervisor Jennifer Ivy Orbeta, 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 Forty-Five Thousand Pesos (Php45,000.00) in violation of Section 117 of the CMTA on Regulated Importation and Exportation; and 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 Forty-Five Thousand Pesos (Php45,000.00) 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 Forty-Five Thousand Pesos (Php45,000.00) intercepted from Chinese passenger named BINGJIE 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,27	, August 2024.
A-7	TY. MARIA YASMIN M. OBILLOS MAPA.
aw/ham	District Collector, BOO-NAIA

Wdy/law/ham



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27 August 2024

MR. BINGJIE WANG

Concorde Hotel

Subject: Seizure Identification No. 166-2024 (NAIA)

Republic of the Philippines vs. Forty-Five Thousand Pesos (Php45,000.00) intercepted from incoming traveler BINGJIE

WANG on 26 June 2024

Dear Mr. Bingjie Wang

This refers to the seized currency which is covered by Seizure Identification No. 166-2024 (NAIA) issued on August 27, 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@gustoms.gov.ph.

Very truly yours,



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REPUBLIC OF THE PHILIPPINES

-versus-

Two Hundred Nineteen Thousand and One Hundred Pesos (Php219,100.00) brought in by incoming passenger HARRISON DAVID EVANS on 25 July 2024

SEIZURE IDENTIFICATION NO. <u>/67-2024</u> (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 25 July 2024, at around 0220H, Australian passenger with Passport Number RA5704529 arrived at Ninoy Aquino International Airport Terminal 3 on board Cebu Pacific flight 5J 040 from Sydney, Australia.

WHEREAS, Evan's hand-carried baggage underwent a non-intrusive examination by XIP Inspector Jayson Billante and was referred to Customs Examiner Jewel Irish G. Abuejela for verification.

WHEREAS, passenger Evan 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 Evan declared the amount of Two Hundred Sixty-Nine Thousand and One Hundred Pesos (Php269,100.00). 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 Evan, representatives from ESS, CIIS, and Acting Flight Supervisor Princess Tanya Atienza, Customs Examiner Abuejela conducted the physical examination which yielded a total amount of Two Hundred Sixty-Nine Thousand and One Hundred Pesos (Php269,100.00). 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. 00100011025 was issued for the excess amount of Two Hundred Nineteen Thousand and One Hundred Pesos (Php219,100.00). 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 26 July 2024, Customs Examiner Jewel Irish G. Abueiela and Acting Flight Supervisor Princess Tanya R. Atienza, 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 Php219,100.00 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 impφrt 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 I mit 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 Two Hundred Nineteen Thousand and One Hundred Pesos (Php219,100.00) 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 Two Hundred Nineteen Thousand and One Hundred Pesos (Php219,100.00) intercepted from incoming passenger HARRISON DAVID EVANS 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, ______, August 2024.

ATTY. MARIA YASMIN M. 🖼

District Collector, BÖC-NAIA

Law/wady/tsy

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27 August 2024

MR. HARRISON DAVID EVANS

Grand Westside Hotel

Subject: Seizure Identification No. 167-2024 (NAIA)

Republic of the Philippines vs. Two Hundred Nineteen Thousand and One Hundred Pesos (Php219,100.00) brought in by incoming passenger HARRISON DAVID EVANS on 25

July 2024

Dear Mr. Harrison David Evans

This refers to the seized currency which is covered by Seizure Identification No. 167-2024 (NAIA) issued on August 27, 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@dustoms.gov.ph.

Very truly yours,

ATTY. TE

) MARTIN S. YERRO IV

Officey/on/Case



DEPARTMENT OF FINANCE BUREAU OF CUSTOMS

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

REPUBLIC OF THE PHILIPPINES

-versus-

Forty-Eight Million Three Hundred Thousand Indonesia Ringgit (IDR 48,300,000.00); Sixty Thousand Chinese Yuan (CNY 60,000.00); Ten Million Iragi Dinar (IQD10,000,000.00); One Hundred Thousand Hongkong Dollars (HKD100,000.00): One Hundred Million Vietnamese Dong (VND100,000,000.00); and Seven Hundred One Thousand New Taiwanese Dollars (TWD701,000.00). brought in by one WADZHAR AMIL 05 July 2024 and held in custody under Held Baggage Receipt No. 00100008302.

SEIZURE IDENTIFICATION NO. ___/68 - 2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 05 July 2024, a male filipino traveler named Ahmad Wadzhar Amil, and holder of Passport No. P6391138C, arrived at the Ninoy Aquino International Airport (NAIA) Terminal 1 on board Philippine Airlines Flight PR 319 from Hongkong.

WHEREAS, the handcarried luggage of Mr. Amil passed through the non-intrusive examination conducted by XIP Inspector Junaid Udasan, and thereafter he was referred by ESS SA I Archer Peniza to Customs Examiner Maedine Kieth G. Palacio for physical examination of the passenger's handcarried luggage.

WHEREAS, before conducting an actual physical examination, Customs Examiner Palacio asked Passenger Amil if he had completed an E-Travel QR Code for scanning which he replied in the affirmative and submitted his passport. Customs Examiner Palacio noted that Mr. Amil answered "No" to all the items in the General Declaration, and thereafter he was invited to the Customs Exclusion Room for the conduct of a thorough physical examination of his handcarried luggage.

WHEREAS, Customs Examiner Palacio conducted an actual physical examination of Mr. Amil's handcarried luggage in the presence of the passenger, Flight Supervisor Ivan Paulo Durana and witnessed by SAI Archer Peniza and SAI Christian Llovit, and she found the following foreign currencies contained therein, to wit:

- 1) Forty Eight Million Three Hundred Thousand Indonesia Ringgit (IDR 48,300,000.00);
- 2) Sixty Thousand Chinese Yuan (CNY 60,000.00);
- 3) Ten Million Iraqi Dinar (IQD10,000,000.00);



4) One Hundred Thousand Hongkong Dollars (HKD100,000.00);

5) One Hundred Million Vietnamese Dong (VND100,000,000.00); and

6) Seven Hundred One Thousand New Taiwanese Dollars (TWD701,000.00)

WHEREAS, the corresponding existing exchange rate in US Dollar are applied to determine the actual value of the above-enumerated foreign currencies, as follows:

- 1) IDR 48,300,000.00 x USD 0.000061
- 2) CNY 60,000.00 x USD 0.137574
- 3) IQD10,000,000.00 x USD 0.000763
- 4) HKD100,000.00 x USD 0.128057
- 5) VND100,000,000.00 x USD 0.000039
- 6) TWD 701,000.00 x USD 0.030757

WHEREAS, the total amount which when taken altogether is more than the threshold of Ten Thousand US Dollars (USD10,000.00) which is allowed by law to be carried by a traveler.

WHEREAS, after the verified counting of the subject foreign currencies, Customs Examiner Palacio withheld the release of the subject foreign currencies and issued Held Baggage Receipt No. 00100008302 to passenger Amil and thereafter turned them over to the In Bond Section, Baggage Assistance Division, for custody and safekeeping.

WHEREAS, in a Memorandum dated 05 July 2024, Customs Examiner Maedine Kieth G. Palacio and Flight Supervisor Ivan Paolo B. Durana, with concurrence of 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, Deputy Collector for Passenger Service, this Port, and recommended for the issuance of Warrant of Seizure and Detention against the above-enumerated foreign currencies for violation of Section 1404 in relation to Section 1113 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), is instructive and authoritative, and provides that:

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

XXX 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 US\$10,000.00 or its equivalent is required to declare the whole amount brought into or taken out of the Philippines using the prescribed Currency Declaration Form." (Underline for emphasis)

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 various foreign currencies found inside the handcarried luggage of passenger Ahmad Wadzhar Amil upon his arrival at NAIA Terminal 1 on 05 July 2024 for violation of Sections 117 and 1113 (f) of the Customs Modernization and Tariff Act (CMTA), in relation to BSP Circular No. 1146, Transactions.



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 various foreign currencies intercepted from passenger AHMAD WADZHAR AMIL 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,

27

, August 2024.

ATTY. MARIA YASMIN M.

District Collector, BOC-NAIA

Law/wady/moz



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

27 August 2024

MR. AHMAD WADZHAR AMIL Unit 909 Barangay 76 Pasay Metro Manila

Subject:

Seizure Identification No. 168-2024 (NAIA)

Republic of the Philippines vs. Forty-Eight Million Three Hundred Thousand Indonesian Ringgit (IDR48,300,000.00); Sixty Thousand Chinese Yuan (CNY60,000.00); Ten Million Iraqi Dinar (IQD10,000,000.00) One Hundred Thousand Hongkong Dollars (HKD100,000.00); One Hundred Million Vietnamese Dong (VND100,000,000.00); and Seven Hundred One Thousand New Taiwanese Dollars (TWD701,000.00), brought in by one AHMAD WADZHAR AMIL 05 July 2024 and held in custody under Held Baggage Receipt No. 00100008302

Dear Mr. Ahmad Wadzhar Amil

This refers to the seized currency which is covered by Seizure Identification No. 168-2024 (NAIA) issued on August 27, 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