



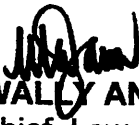
REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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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. WALCY ANN D. YUMUL
Acting Chief, Law Division

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

DATE : **20 SEPTEMBER 2024**

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

- 1. SEIZURE IDENTIFICATION NO. 204-2024 (NAIA) :** Republic of the Philippines vs. One Million Korean Won (KRW1,000,000.00) brought in by incoming traveler **WEON KI CHUNG** on 14 June 2024;
- 2. SEIZURE IDENTIFICATION NO. 205-2024 (NAIA) :** Republic of the Philippines vs. One Million Fifty Thousand Japanese Yen (JPY1,050,000.00) intercepted from incoming passengers **YONGYU XU** on 12 August 2024; and
- 3. SEIZURE IDENTIFICATION NO. 206-2024 (NAIA) :** Republic of the Philippines vs. Thirty-Four Thousand Two Hundred US Dollars (USD34,000.00) brought in by incoming passenger **HEE JOO KIM** on 09 May 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. 204-2024 (NAIA), 205-2024 and 206-2024 (NAIA)**, respectively, be electronically posted with the BOC website for fifteen (15) days. A copy of said warrant is herein attached. Furthermore, scanned copies thereof were also forwarded to Piad@customs.gov.ph and Jessil.garlando@customs.gov.ph.





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REPUBLIC OF THE PHILIPPINES

-versus-

One Million Korean Won
(KRW1,000,000.00) brought in by
incoming traveler **WEON KI
CHUNG** on 14 June 2024

X-----X

SEIZURE IDENTIFICATION
NO. 204-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 14 June 2024, Korean traveler Weon Ki Chung with Passport Number M769D9278 arrived at Ninoy Aquino International Airport Terminal 3 on board Philippine AirAsia flight Z2 885 from Incheon, Korea.

WHEREAS, Weon Ki Chung hand-carried baggage underwent a non-intrusive examination by XIP Inspector Sannylyn Fernandez and was referred to Customs Examiner Angela Coleen V. Talactac for physical inspection.

WHEREAS, Customs Examiner Talactac asked Mr. Chung if he had completed a Customs Baggage Declaration Form (CBDF), Mr. Chung submitted his duly filled out CBDF and passport. It was noted that he answered "NO" to all items in the CBDF, except for item No. 2 which pertains to foreign currency in excess of USD10,000.00. Customs Examiner Talactac asked the Traveler to fill out the Currency Declaration Form (CDF).

WHEREAS, the declared amount of Foreign Currency brought in by Mr. Chung is Fourteen Million Korean Won (KRW14,000,000.00) but upon counting it was found to be Fifteen Million Korean Won (KRW15,000,000.00) which is equivalent to Ten Thousand Eight Hundred Forty Three US Dollars and Eighty Seven Cents (\$10,843.87) using the prevailing BSP exchange rate of 1,383.27 KRW per USD which is more than the threshold of Ten Thousand US Dollars allowed by law. The Customs Examiner confiscated the undeclared One Million Korean Won (KRW1,000,000.00)

WHEREAS, Customs Examiner Talactac proceeded with the actual counting in the presence of traveler Weon Ki Chung, ESS Muhammad Benito, CIIS Alex Trespeces and Flight Supervisor Patrick Guerrero.

WHEREAS, after verified counting of the Foreign Currency, the amount of Fourteen Million Korean Won (KRW14,000,000.00) was returned to the Korean Traveler. A Held Baggage Receipt No. 00100007963 was issued for the undeclared amount of One Million Korean Won (KRW1,000,000.00). The confiscated Foreign Currency was turned over to the In-bond Unit, Baggage Assistance Division for safekeeping.

WHEREAS, in a Memorandum for the District Collector, this Port, dated 25 June 2024, Customs Examiner Angela Coleen V. Talactac and Flight Supervisor Patrick G. Guerrero, 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 One Million Korean Won (KRW1,000,000.00) 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 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*"

WHEREAS, after a careful evaluation of the documents submitted and applicable customs laws, rules, and regulations, the District Collector, this Port, finds probable cause for the issuance of Warrant of Seizure and Detention (WSD) against the amount of One Million Korean Won (KRW1,000,000.00) for violation of Bangko Sentral ng Pilipinas (BSP) Circular No. 1146, series of 2022, in relation to Section 117 of the Customs Modernization and Tariff Act (CMTA).

WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with applicable customs laws, rules, and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize the total amount of One Million Korean Won (KRW1,000,000.00) intercepted from incoming traveler **WEON KI CHUNG** 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, SEP 19 2024, September 2024.

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

Law/wady/moz





REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
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20 September 2024

MR. WEON KI CHUNG
Okura Hotel

Subject : Seizure Identification No. 204-2024 (NAIA)
Republic of the Philippines vs. One Million Korean Won
(KRW1,000,000.00) brought in by incoming traveler **WEON KI CHUNG** on 14 June 2024

Dear **Mr. Weon Ki Chung**

This refers to the seized goods which is covered by Seizure Identification No. 204-2024 (NAIA) issued on September 19, 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 seized goods, 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. MANDEL O. ZURBITO JR.
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

-versus-

One Million Fifty Thousand
Japanese Yen (JPY1,050,000.00)
intercepted from incoming
passengers YONGYU XU on 12
August 2024.

X-----X

SEIZURE IDENTIFICATION
NO. 205-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 12 August 2024 at around 0618H, the carry-on baggage of a male Chinese traveler named Yongyu Xu, holder of a Chinese passport with number EF1607482, together with his wife, on board flight JL77 from Japan, underwent non-intrusive inspection by Fajad Pacasum of the X-Ray Inspection Project (XIP) and was referred by ESS SA1 Chuky Rei Austria to Customs Examiner Shiela May V. Asis for physical examination.

WHEREAS, Customs Examiner Asis explained to the traveler that based on the image of the x-ray, a bundle of bills was seen inside his bag. The examiner subsequently asked the traveler if he had money to declare, to which he replied in the negative. The traveler showed his accomplished E-Travel Customs Baggage Declaration Form (CBDF). It was noted that the traveler answered "No" to all items in the General Declaration of the CBDF. Eventually, he verbally declared that he was bringing in Four Million Japanese Yen (JPY4,000,000.00). The traveler was then invited to the exclusion room, together with ESS SA1 Chuky rei Austria and Flight Supervisor Jennifer Ivy M. Orbeta.

WHEREAS, before conducting the physical examination, COO III Asis explained to the traveler that cross border transport of foreign currency in excess of Ten Thousand US Dollars (USD10,000.00) or its equivalent in other foreign currency must be declared in writing using the Bureau of Customs' (BOC) prescribed Foreign Currency and Other FX-Denominated Bearer Money Instrument Declaration Form and failing to declare, the excess shall be confiscated.

WHEREAS, the physical count yielded a total amount of Four Million Japanese Yen (JPY4,000,000.00) equivalent to Twenty Thousand One Hundred Seventy-Six US Dollars (USD27,176.00) using the prevailing exchange rate of JPY1=USD0.006794 published by the Bangko Sentral ng Pilipinas (BSP).

WHEREAS, after the verified counting of the foreign currency in the amount of One Million Fifty Thousand Japanese Yen (JPY1,050,000.00), a Held baggage Receipt with Number 00100008661 was issued to traveler Yongyu Xu and the subject foreign notes were held in-bond and were turned-over to Annaliza Reyes of the in-bond Unit, Baggage Assistance Division. On the other hand, the amount of Two Million Nine Hundred Fifty thousand Japanese yen (JPY2,950,000.00) equivalent to Twenty Thousand US Dollar (USD20,000.00) was turned-over to the traveler and his wife.

WHEREAS, on 21 August 2024, Customs Examiner Sheila May V. Asis, Flight Supervisor Jennifer Ivy M. Orbeta 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, 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*"

WHEREAS, after a careful evaluation of the documents submitted and applicable customs laws, rules, and regulations, the NAIA District Collector found probable cause for the issuance of Warrant of Seizure and Detention against the amount of One Million Fifty Thousand Japanese Yen (JPY1,050,000.00) 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"

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 total amount of One Million Fifty Thousand Japanese Yen (JPY1,050,000.00) intercepted from incoming traveler YONGYU XU 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, SEP 19 2024, September 2024.

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

Wdy/law/ham





REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
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20 September 2024

MR. HEE JOO KIM
Makati City

Subject : Seizure Identification No. 206-2024 (NAIA)
Republic of the Philippines vs. Thirty-Four Thousand Two
Hundred US Dollars (USD34,000.00) brought in by incoming
passenger **HEE JOO KIM** on 09 May 2024

Dear **Mr. Hee Joo Kim**

This refers to the seized goods which is covered by Seizure Identification No. 206-2024 (NAIA) issued on September 19, 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 seized goods, 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

-versus-

Thirty-Four Thousand Two
Hundred US Dollars
(USD34,200.00) brought in by
incoming passenger **HEE JOO
KIM** on 09 May 2024

SEIZURE IDENTIFICATION
NO. 206-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 12 June 2024, at about 1145H, a male Korean passenger named Hee Joo Kim with Passport Number M23413839 arrived at NAIA Terminal 1 on board flight PR 467 from Korea.

WHEREAS, Kim's hand-carried baggage underwent a non-intrusive examination by XIP Operator Sannilyn Fernandez and was referred to Customs Examiner Maedine Kieth G. Palacio for physical inspection.

WHEREAS, since passenger Kim was unable to submit an E-travel Qr code for scanning, he presented his Customs Baggage Declaration Form (CBDF) as well as the Currency Declaration Form (CDF) to the assigned Customs Examiner. It was noted that the traveler answered "NO" to all items in the CBDF, except for Item No. 2 which pertains to "Foreign Currency and/or Foreign Monetary Instrument in excess of USD10,000.00 or its equivalent". In the submitted Currency Declaration Form (CDF), passenger Kim declared the amount of One Hundred Thousand US Dollars (USD100,000.00).

WHEREAS, in the presence of passenger Kim, representatives from ESS, CIIS, and Acting Flight Supervisor, Customs Examiner Palacio conducted the physical examination which yielded US Dollars amounting to One Hundred Thirty-Four Thousand Two Hundred (USD134,200.00). The amount of One Hundred Thousand US Dollars (USD100,000.00) was returned to Mr. Kim representing the total amount declared in the Currency Declaration Form (CDF). Thereafter, a Held Baggage Receipt No. 00100007671 was issued to Mr. Kim for the undeclared amount of Thirty-Four Thousand Two Hundred US Dollars (USD34,200.00). The confiscated Foreign Currencies were turned over to Annaliza Reyes of the In-Bond Unit, Baggage Assistance Division (BAD), for safekeeping.

WHEREAS, in a Memorandum for the District Collector, this Port, dated 31 July 2024, Customs Examiner Maedine Kieth G. Palacio and Acting Flight Supervisor Ivan Paolo B. Durana 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 Thirty Four Thousand Two Hundred US Dollars (USD34,200.00) for violation of Section 117 in relation to Section 1113 (l) (2) 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 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.

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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"

WHEREAS, after a careful evaluation of the documents submitted and applicable customs laws, rules, and regulations, the NAIA District Collector found probable cause for the issuance of Warrant of Seizure and Detention against the amount of Thirty Four Thousand Two Hundred US Dollars (USD34,200.00) 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"

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 total amount of Thirty Four Thousand Two Hundred US Dollars (USD34,200.00) intercepted from incoming passenger **HEE JOO 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, SEP 19 2024, September 2024.

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

Law/wady/tsy

