



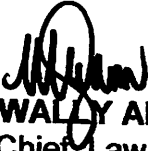
REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**

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

**MEMORANDUM**

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

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

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

**SUBJECT :** **PUBLICATION IN THE BOC WEBSITE OF THE ISSUED  
DECISION OF FORFEITURE**

**DATE :** **11 September 2024**

This refers to the herein attached **Decision with Seizure Identification No. 191-2024 (NAIA): Republic of the Philippines vs. Thirteen (13) packets of Raw Silver** brought in by incoming passenger **CHITA DIONSON MAURSTAD** on 16 March 2024 under Held Baggage Receipt No. 00100006715

As the aforementioned passenger/claimant have indicated insufficient address in the Philippines, the WSD 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 Warrant of Seizure and Detention (WSD) No. 191-2024 (NAIA), be electronically posted with the BOC website for fifteen (15) days. A copy of said warrant is herein attached. Furthermore, scanned copies thereof were also forwarded to [Piad@customs.gov.ph](mailto:Piad@customs.gov.ph) and [Jessil.garlando@customs.gov.ph](mailto:Jessil.garlando@customs.gov.ph).





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

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

REPUBLIC OF THE PHILIPPINES

-versus-

Thirteen (13) packets of Raw Silver brought in by incoming passenger **CHITA DIONSON MAURSTAD** on 16 March 2024 under Held-Baggage Receipt No. 00100006715

X-----X

SEIZURE IDENTIFICATION  
NO. 191-2024 (NAIA)

## DECISION

This resolves the seizure and forfeiture proceedings instituted against the above-described for violation of Section 118 (d), Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA) and Paragraph 9.3 of Customs Administrative Order No. 10-2020, in relation to Section 5 of Bangko Sentral ng Pilipinas (BSP) Circular No. 1124, series of 2021, entitled "Amendments to Foreign Exchange Regulations".

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

1. On 16 March 2024 at about 1805H, a female Norwegian passenger named Chita Dionson Maurstad with Passport Number 32746688 arrived at Ninoy Aquino International Airport Terminal 3 on board Qatar Airways flight QR932 from Doha, Qatar.
2. Chita Dionson Maurstad's checked-in baggage was marked "X" after a non-intrusive examination by X-ray Inspection Project (XIP) and was referred to Customs Examiner Angela Coleen Talactac for physical inspection.
3. Passenger Chita Dionson Maurstad presented her Customs Baggage Declaration Form (CBDF) to the assigned Customs Examiner. It was noted that passenger Maurstad did not answer any of the items listed in the General Declaration of the CBDF.
4. In the presence of passenger Chita Dionson Maurstad, Customs Examiner Talactac conducted the physical examination which yielded Thirteen (13) packets of Raw Silver. Subsequently, a Held-Baggage Receipt No. 00100006715 was issued to passenger Maurstad. The confiscated articles were turned over to Jonathan Mesa of the In-Bond Baggage Assistance Division (BAD), for safekeeping.
5. In a Memorandum for the District Collector, this Port, dated 30 May 2024, Customs Examiner Angela Coleen Talactac and Acting 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 Thirteen (13) packets of Raw Silver for violation of Section 118 (d) in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), and Section 5 of the Bangko Sentral ng



Pilipinas (BSP) Circular No. 1124, series of 2021, entitled " Amendments to Foreign Exchange Regulations".

**DISCUSSION:**

As culled from the records of the instant case, Norwegian passenger Chita Dionson Maurstad brought into the country Thirteen (13) packets of Raw Silver without license, permit/clearance nor authorization from the Bangko Sentral ng Pilipinas (BSP) as required in Section 5 of the Manual of Regulations on Foreign Exchange Transactions which states:

**CHAPTER II**

**FOREIGN MERCHANDISE TRADE TRANSACTIONS**

**"Section 5. General Policy.** As a general rule, all kinds of merchandise imports/exports are allowed. However, the importation and exportation of certain commodities regulated or prohibited by law or rules and regulations issued by the competent authority for reasons of public health and safety, national security/interest, international commitments, development/rationalization of local industry.

- 1. Regulated and Prohibited Commodities involving BSP.** The BSP is involved in the regulation and prohibition of the following import/export commodities:

**B. Prohibited Commodities**

Any goods manufactured in whole or in part of gold, silver or other precious metals or alloys and stamps, brand or mark does not indicate the actual fineness of quality of the metals or alloys.

On this score, Paragraph 9.3 of Customs Administrative Order No. 10-2020 in relation to Section 118 (d) of the Customs Modernization and Tariff Act (CMTA), are instructive and authoritative, to wit:

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

**"Section 118. Prohibited Importation and Exportation.-** The importation and exportation of the following goods are prohibited:

- (d) Any goods manufactured in whole or in part of gold, silver or other precious metals or alloys and stamps, brand or mark does not indicate the actual fineness of quality of the metals or alloys;

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

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

X X X

X X X



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

**WHEREFORE**, the subject Thirteen (13) packets of Raw Silver brought in by passenger **CHITA DIONSON MAURSTAD** are hereby declared *ipso facto* **FORFEITED**, for violation of Section 118 (d) of the Customs Modernization and Tariff Act in relation to Section 5 of Bangko Sentral ng Pilipinas (BSP) Circular No. 1124, series of 2021, entitled "Amendments to Foreign Exchange Regulations"; to turn over the same to the Auction and Cargo Disposal Division (ACDD) for custody and safekeeping and for final disposition thereof pursuant to CAO No. 10-2020 bearing the subject "Seizure and Forfeiture and Appeals Process".

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

**SO ORDERED.**

BOC-NAIA, Pasay City, SEP 10 2024 September 2024.

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

Wdy/law/tsy

