



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-

One Hundred Ninety Eight
Thousand Philippine Pesos
(Php198,000.00) intercepted from
departing Chinese traveler **LU
GOUXIANG** bound for Kuala
Lumpur, Malaysia on 20 November
2024 at Terminal 1

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SEIZURE IDENTIFICATION
NO. 016-2025 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on or about 1710H of 20 November 2024, the carry-on baggage of a Male Chinese citizen named Lu Guoxiang with passport number EF8724926 departing via MH0705 bound for Kuala Lumpur, Malaysia underwent a non-intrusive inspection conducted by X-ray Operator Ma. Christina R. Marterio, supervised by Aubrey Gaile S. Peregrino both from the Office of the Transport Security (OTS) at the Final X-ray Check Departure Area and was referred to Acting Customs Examiner Ferdinand A. Barroquillo Jr. thru Flight Supervisor Inah Angela C. Mirano.

WHEREAS, before conducting the physical examination, the examiner explained to the traveler that his carry-on baggage needed to undergo physical examination. After, in the presence of BOC-ESS Noroden M. Tomiara, BOC-CIIS Christian Paul Lovit, OTS Supervisor Aubrey Gaile S. Peregrin and Malaysian Airline Representative, traveler was invited to the exclusion room at the customs office in the arrival area of NAIA-Terminal for physical examination of his carry-on baggage.

WHEREAS, the physical count yielded to the discovery of undeclared local currency amounting to Two Hundred and Forty Eight Thousand Pesos (Php248,000.00).

WHEREAS for failure to present the necessary prior written authorization from BSP and non-declaration thereof in the e-travel/customs counter, the amount of One Hundred Ninety-Eight Thousand Philippine Pesos (Php198,000.00) was held in-bond and Held Baggage Receipt No. 00100009505 was issued to traveler and the confiscated noted were turned-over to Annaliza Reyes of the In-Bond Unit, Baggage Assistance Division.

WHEREAS, on 20 November 2024, Acting Customs of Ferdinand A. Barroquillo, Jr. and Flight Supervisor Inah Angela C. Mirano thru Acting Deputy Collector for Passenger Service, Assistant Deputy Collector for Passenger Service, and Acting Chief, Departure Operations Division, submitted their incident report to the District Collector and recommended for the issuance of Warrant of Seizure and Detention (WSD) of the subject Philippine 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 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 the Warrant of Seizure and Detention against the subject currencies 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 currencies intercepted from passenger **LU GUOXIANG** 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, JAN 10 2025, January 2025.

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

Wdy/law/ham

