

REPUBLIC OF THE PHILIPPINES DEPARTMENT OF FINANCE BUREAU OF CUSTOMS

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4 February 2025

MR. JUNG AE CHOI Manila

Subject:

Seizure Identification No. 048-2025 (NAIA)

Republic of the Philippines vs. Ninety Thousand Pesos (Php90,000.00) intercepted from a Korean traveler named **JUNG AE CHOI** and held in custody under Held Baggage Receipt No.

00100002452

Dear Mr. Jung Ae Choi

This refers to the seized goods which is covered by Seizure Identification No. 048-2025 (NAIA) issued on January 31, 2025 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. EMILIO Y LEGASPI IV Officer-bu-Case

REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION NO. 048-2025 (NAIA)

-versus-

Ninety Thousand Pesos (Php 90,000.00), intercepted from a Korean Traveler named **JUNG AE CHOI** and held in custody under Held Baggage Receipt No. 00100002452.

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 23 October 2024, a Korean traveler named Jung Ae Choi, with Passport Number DH4007208, together with her companion, another Korean traveler named Sunik Kim, with Passport No. M58261582, arrived at NAIA Terminal 1 on board Asiana Airlines Flight OZ703 from Incheon, Korea. Their handcarried luggage underwent the non-intrusive inspection by XIP Inspector Mohamad Jonaid Udasan, who, then referred them to Sybil Charmaine M. Bacyan, Customs Examiner, for verification and physical examination thereof.

WHEREAS, before conducting an actual examination of their handcarried luggages, Customs Examiner Bacyan asked passenger Choi to submit her passport and e-Travel generated QR Code. Going over the said e-Travel, Customs Examiner Bacyan noted that the passenger answered "NO" to all the items in the General Declaration. During the initial check of her handcarried luggage, she found that there was a bundle of Philippine Pesos in One Thousand Peso (Php 1,000.00) bills inside. She further explained to passenger Jung Ae that a passenger is allowed to carry the amount of Fifty Thousand Pesos (Php50,000.00) and any excess thereof will require prior authorization from the Bangko Sentral ng Pilipinas (BSP). Without such prior BSP authorization, the excess amount will be confiscated.

WHEREAS, Customs Examiner Bacyan then invited passenger Jung Ae Choi and her companion to the Exclusion Room at the Arrival Area for the conduct a more thorough physical examination of her handcarried luggage.

WHEREAS, in the presence of passenger Jung Ae Choi and her companion, an actual examination was conducted by Customs Examiner Bacyan which led to the discovery of the total amount of One Hundred Ninety Thousand Pesos (Php190,000.00) in One Thousand (Php1,000.00) Peso bills inside her handcarried luggage. After the verified counting, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to each passenger and Held Baggage Receipt No. 00100002452 was issued for the remaining amount of Ninety Thousand Pesos (Php 90,000.00). Said amount was later on turned over to the In Bond Section, Baggage Assistance Division, for custody and safekeeping.

WHEREAS, on 25 October 2024, Customs Examiner Sybil Charmaine M. Bacyan, Flight Supervisor Sybil Charmaine M. Bacyan 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 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 JUNG AE CHOI 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 3 1 2025, January 2025.

ATTY. MARIA YASMIN M.

District Collector, BOCHNAIA



Wdy/law/moz



4 February 2025

MR. AIMIN ZHENG
Ming Su Hotel F2M4+6XJ
Rogationist, Parañaque
1709 Metro Manila

Subject: Seizure Identification No. 049-2025 (NAIA)

Republic of the Philippines vs. Fifty Thousand Philippine Pesos (Php50,000.00) confiscated from incoming passenger AIMIN ZHENG and held in custody under Held Baggage Receipt No.

00100012105

Dear Mr. Aimin Zheng

This refers to the seized goods which is covered by Seizure Identification No. 049-2025 (NAIA) issued on January 31, 2025 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. EMILIO TELEGASPI IV

DEPARTMENT OF FINANCE BUREAU OF CUSTOMS

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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION NO. 049-2025 (NAIA)

-versus-

Fifty Thousand Philippine Pesos (Php50,000.00) confiscated from incoming passenger AIMIN ZHENG and held in custody under Held Baggage Receipt No. 00100012105

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 15 December 2024, a Chinese traveler named Aimin Zheng, holder of Passport with number EJ9314625, arrived at the Ninoy Aquino International Airport Terminal 3 on board Thai Airways Flight TG 624 from Thailand.

WHEREAS, passenger Zheng's handcarried luggage passed through the non-intrusive inspection by X-ray Inspector Paul Joseph Lodea, who, thereafter, referred him to Acting Customs Examiner Aslanie G. Mimbantas for verification and physical examination.

WHEREAS, before conducting the physical examination, Acting Customs Examiner Mimbantas requested passenger Zheng to submit his passport and e-Travel QR Code for scanning wherein he noted that the passenger answered "NO" to all the questions in the General Declaration.

WHEREAS, during the initial check of the traveler's handcarried luggage Customs Examiner Mimbantas discovered One Thousand Philippine Peso bills inside. He invited passenger Zheng to the Exclusion Room and in the presence of Flight Supervisor Cyrus Go and the ESS and CIIS Operatives on duty, he conducted an actual examination which yielded the total amount of One Hundred Tousand Pesos (Php100,000.00). After the verified counting of the Philippine currency, Customs Examiner Mimbantas explained to passenger Zheng that if he did not secure a prior Import Permit or Clearance from the Bangko Sentral ng Pilipinas to transport the subject currency, any amount in excess of the Php 50,000 threshold will be confiscated. Passenger Zheng admitted he did not have the said authorization from the BSP. Thus, only the allowable amount of Php 50,000.00 was returned to passenger Zheng and the remaining amount of Php 50,000.00 was withheld from release. Held Baggage Receipt No. 00100012105 was issued to passenger Zheng and the money was turned over to the In Bond Section, Baggage Assistance Division for safekeeping.

WHEREAS, on 27 December 2024, Customs Examiner Aslanie G. Mimbantas, Flight Supervisor Cyrus Victor V. Go 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 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 AIMIN ZHENG 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 3 1 2025, January 2025.

ATTY. MARIA YASMIN M.

District Collector, BOC-NAIA

Wdv/law/EYLIV



4 February 2025

MR. KAZUHIRO SAKAI Las Palmas Hotel de Manila

Subject: Seizure Identification No. 050-2025 (NAIA)

Republic of the Philippines vs. Five Hundred Twenty-Three Thousand Japanese Yen (JPY523,000.00) intercepted from incoming passenger KAZUHIRO SAKAI on 04 December 2024

Dear Mr. Kazuhiro Sakai

This refers to the seized goods which is covered by Seizure Identification No. 050-2025 (NAIA) issued on January 31, 2025 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

REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION NO. 050-2025 (NAIA)

-versus-

Five Hundred Twenty-Three Thousand Japanese Yen (JPY523,000.00) intercepted from incoming passenger KAZUHIRO SAKAI on 04 December 2024

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 04 December 2024, at around 1345H, a Japanese passenger named Kazuhiro Sakai with Passport No. TS1513982 arrived at NAIA Terminal 1 on board flight ZG 095 from Japan.

WHEREAS, Sakai's hand-carry baggage was marked "X" after a non-intrusive examination by XIP Operator Joshua Simoun Anticamara which was then referred to Acting Customs Examiner Jeinalem G. Go for physical examination.

WHEREAS, prior to physical examination, Customs Examiner Go instructed passenger Sakai to scan the e-Travel QR Code and hand over his passport. Upon checking the scanned QR code, Customs Examiner noted that the passenger ticked "NO" to all the items in the General Declaration. During the initial check of the traveler's hand-carry baggage, bundles of Japanese Yen bills were discovered. Subsequently, Customs Examiner Go invited the passenger to the exclusion room for physical counting and verification of currency.

WHEREAS, in the presence of passenger Sakai, representatives from ESS and CIIS, Customs Examiner Go conducted the physical examination which yielded Two Million Thirty-Nine Thousand Japanese Yen (JPY 2,039,000.00). Customs Examiner Go returned the total amount of JPY 1,516,000.00 or equivalent to USD 10,000.00 which represents the total allowable amount to be brought in by passengers. Thereafter, a Held Baggage Receipt No. 00100020069 was issued to passenger Sakai covering the excess amount of Five Hundred Twenty-Three Thousand Japanese Yen (JPY 523,000.00). 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 18 December 2024, Customs Examiner Jeinalem G. Go and Flight Supervisor Cyrus Victor V. Go 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 a Warrant of Seizure and Detention (WSD) against the amount of Five Hundred Twenty-Three Thousand Japanese Yen (JPY 523,000.00) for violation of Section 117 in relation to Section 1113 (I) (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 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 <u>brings into</u> or takes out of <u>the Philippines foreign currency</u>, <u>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 <u>prescribed Currency Declaration Form</u>." (Underline for emphasis)</u>

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 subject currencies 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 subject currencies intercepted from incoming passenger KAZUHIRO SAKAI for violation of Section 117 and Section 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 3 1 2025 January 2025.

ATTY. MARIA YASMIN M. VIBALOS

District Collector, BOC-NAIA

Law/wady/tsylV

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4 February 2025

_--:

MS. EUNHA GIM Okada Hotel, Pasay City

Subject: Seizure Identification No. 051-2025 (NAIA)

Republic of the Philippines vs. Three Hundred Forty-Five Thousand Pesos (Php345,000.00) brought in by a Korean female traveler **EUNHA GIM** on 26 November 2024, and held in custody under Held

Baggage Receipt No. 00100009561

Dear Ms. Eunha Gim

This refers to the seized goods which is covered by Seizure Identification No. 051-2025 (NAIA) issued on January 31, 2025 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
- 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. EMILIO Y DEGASPI IV Officer-on Case



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION NO. 05/-2025 (NAIA)

-versus-

Forty-Five Three Hundred (PHP Thousand Pesos 345,000.00), brought in by a Korean female traveler EUNHA GIM on 26 November 2024, and held in custody under Held Receipt Baggage No. 00100009561.

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 26 November 2024, the hand-carried baggage of a Korean traveler named Eunha Gim with Passport Number M091D2615 arrived on board flight KE623 from South Korea in Ninoy Aquino International Airport Terminal 1. The carry-on carried luggage underwent a non-intrusive inspection conducted by X-ray Inspection Project Inspector Egardo Soriano, and, thereafter, referred to Customs Examiner Kate Betheline Badon for physical examination due to suspicious images of possible currencies shown through x-ray scanning.

WHEREAS, before the hand-carried luggage underwent the physical examination, Customs Examiner Badon asked passenger Gim to present her e-Travel generated QR code and passport. Upon checking the details in the Customs Baggage Declaration Form (e-CBDF), it was seen that the passenger ticked "No" to all questions in the General Document. When asked by the Customs Examiner, the passenger confirmed that she did not declare anything beforehand.

WHEREAS, in the presence of passenger Gim, the initial check of the baggage showed bundles of Philippine Pesos. The Customs Examiner, together with ESS Personnel Chuky Rei Austria and CIIS Agent Christia Paul Llovit, invited the passenger to the Exclusion Room to conduct a more thorough examination.

WHEREAS, together with the passenger, ESS Personnel, CIIS Agent, and Acting Flight Supervisor Ivan Paolo B. Durana, the physical count conducted by Customs Examiner Badon yielded the total amount of Three Hundred Ninety-Five Thousand Philippine Pesos (PHP 395,000.00).

WHEREAS, after the verified counting of the foreign currency, it was explained by the Customs Examiner to the traveler that importation of any amount exceeding PHP 50,000.00 shall be subject to confiscation. Thus, a total of Three Hundred Forty-Five Thousand Philippine Pesos (PHP 345,000.00) was seized in violation of Sections 117 and 1113 of the Customs Modernization and Tariff Act (CMTA) in relation to BSP Circular No. 1146 series of 2022 bearing the subject Amendments to the Rules on Cross Border Transfer of Local and Foreign Currencies. The allowable amount of Fifty Thousand Pesos (PHP 50,000.00) was returned to the traveler while the excess amount was under Held Baggage Receipt Number 00100009561. The confiscated Philippine Peso was turned over to In-bond Unit, Baggage Assistance Division Annaliza Reyes for safekeeping.



WHEREAS, on 08 January 2025, Customs Examiner Kate Betheline T. Badon, Flight Supervisor Ivan Paolo B. Durana 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 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 EUNHA GIM 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 3 1 2025, January 2025

ATTY. MARIA YASMIN M. HIL

District Collector, BOC-NAIA



Wdy/law/moz



4 February 2025

MR. NOBUHIRO TSURUSAKI Manila

Subject: Seizure Identification No. 052-2025 (NAIA)

Republic of the Philippines vs. Thirty Thousand Philippine Pesos (Php30,000.00) confiscated from incoming passenger NOBUHIRO TSURUSAKI and held in custody under Held Baggage Receipt No.

00100012194

Dear Mr. Nobuhiro Tsurusaki

This refers to the seized goods which is covered by Seizure Identification No. 052-2025 (NAIA) issued on January 31, 2025 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. EMILIO V. LEGASPI IV. Officer-on-Case



REPUBLIC OF THE PHILIPPINES DEPARTMENT OF FINANCE BUREAU OF CUSTOMS

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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION NO. 052-2025 (NAIA)

-versus-

Thirty Thousand Philippine Pesos (Php30,000.00) confiscated from incoming passenger **NOBUHIRO TSURUSAKI** and held in custody under Held Baggage Receipt No. 00100012194.

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 25 December 2024, a Japanese traveler named Nobuhiro Tsurusaki and holder of Passport with number TT1486083, arrived at the Ninoy Aquino International Airport Terminal 3 on board Flight Z2 193 from Japan.

WHEREAS, after scanning the e-Travel QR Code, Customs Examiner Minette Elizabeth R. Bermundo noted that passenger Tsurusaki answered "NO" to all the items in the General Declaration of the electronic Customs Baggage Declaration Form (e-CBDF) except for Items 1 and 2 which pertains to Philippine Currency in excess of the allowable amount of Php50,000.00 and Foreign Currency in excess of the threshold of US\$10,000.00.

WHEREAS, Customs Examiner Bermundo explained to passenger Tsurusaki that any amount in excess of the allowable amount of Php50,000.00 in Philippine currency requires prior authorization from the Bangko Sentral ng Pilipinas. Moreover, Customs Examiner Bermundo noted that passenger Tsurusaki declared in his Currency Declaration Form the Philippine currency and foreign currency he had in his handcarried luggage.

WHEREAS, Customs Examiner Bermundo conducted an actual examination of the currencies in the presence of passenger Tsurusaki and Flight Supervisor Diana Abigael E. Asilo and witnessed by ESS and CIIS operatives on duty, which yielded the total amount of Eighty Thousand Philippine Pesos (Php80,000.00) and Eight Million Japanese Yen (JPY8,000,000.00). After the verified counting, Customs Examiner Bermundo returned the amount of JPY8,000,000.00 and PHP 50,000.00, which is allowed to be carried by the passenger without the need to present prior authorization from the Bangko Sentral ng Pilipinas (BSP). However, the amount of Php30,000.00 was withheld from release, for lack of the required prior authorization from the BSP. Thereafter, Held Baggage Receipt No. 00100012194 was issued to passenger Tsurusaki for the excess amount and was then turned over to the In Bond Section, Baggage Assistance Division for safekeeping.

WHEREAS, on 26 December 2024, Customs Examiner Minette Elizabeth R. Bermundo, Flight Supervisor Diana Abigael E. Asilo 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



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 NOBUHIRO TSURUSAKI 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 3 1 2025, January 2025.

ATTY. MARIA YASMIN M. OB

District Collector, BOC-NAIA

Wdy/law/EYLIV



4 February 2025

MR. DONALD TAN CHOON KIANG Marriott Hotel, Manila

Subject: Seizure Identification No. 053-2025 (NAIA)

Republic of the Philippines vs. Fifty Thousand Philippine Pesos (Php50,000.00) confiscated from incoming passenger DONALD TAN CHOON KIANG and held in custody under Held Baggage

Receipt No. 00100011979

Dear Mr. Donald Tan Choon Kiang

This refers to the seized goods which is covered by Seizure Identification No. 053-2025 (NAIA) issued on January 31, 2025 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. EMILIO Y LEGASPI IV Officer-on Case

REPUBLIC OF THE PHILIPPINES DEPARTMENT OF FINANCE BUREAU OF CUSTOMS

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REPUBLIC OF THE PHILIPPINES

W.

SEIZURE IDENTIFICATION NO. <u>053-2020</u> (NAIA)

-versus-

Fifty Thousand Philippine Pesos (Php50,000.00) confiscated from incoming passenger **DONALD TAN CHOON KIANG** and held under Held Baggage Receipt No. 00100011979.

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 04 November 2024, a Singaporean traveler named Donald Tan Choon Kiang, holder of Passport with number K3242347H, arrived at the Ninoy Aquino International Airport on board Singapore Airlines Flight SQ912 from Singapore. Thereafter, XIP Inspector Officer Marie Janica Arboleda referred him to Customs Examiner Sheila May V. Asis for verification of his handcarry luggage after it underwent the non-intrusive X-ray inspection.

WHEREAS, before conducting the physical examination, Customs Examiner Sheila May V. Asis explained to passenger Kiang that based on the image of the x-ray screening, there appeared to be a bundle of bills seen inside his handcarried luggage. Customs Examiner Asis likewise asked the passenger if he had money to declare to which the latter answered in the negative. She then required passenger Kiang to show his accomplished e-travel Customs Baggage Declaration Form (e-CBDF) wherein she noted that the passenger answered "NO" to all the questions in the General Declaration. Thereafter, Customs Examiner Asis invited passenger Kiang to the Customs exclusion room for physical examination of his handcarried luggage.

WHEREAS, Customs Examiner Asis conducted an actual examination in the presence of passenger Kiang, Flight Supervisor Regencia and the ESS and CIIS Agents on duty at the Arrival Area wherein she found inside the total amount of Php100,000.00. She explained to passenger Kiang that he should have an Import Permit from the Bangko Sentral ng Pilipinas (BSP) if the Philippine pesos in his handcarried bag exceeds the threshold of Php 50,000.00. After the verified counting, the amount of Php 50,000.00 was returned to passenger Kiang and the excess amount was withheld from release after Customs Examiner Asis issued Held Baggage Receipt No. 00100011979 to him.

WHEREAS, on 02 January 2025, Customs Examiner Sheila May V. Asis, Flight Supervisor Felipe Maria T. Regencia 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 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 DONALD TAN CHOON KIANG 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 3 1 2025, January 2025.

ATTY. MARIA YASMIN M. OPHLESS!

District Collector, BDC-NAIA

Wdy/law/EYLIV



4 February 2025

Messrs. VERNALYN NICOL and DAVID HILL Davao

Subject: Seizure Identification No. 054-2025 (NAIA)

Republic of the Philippines vs. Four Hundred Thousand Philippine Pesos (Php400,000.00) intercepted from departing Filipino travelers **VERNALYN NICOL** and **DAVIL HILL** bound for Hongkong on 05

December 2024

Dear Messrs. Vernalyn Nicol and David Hill

This refers to the seized goods which is covered by Seizure Identification No. 054-2025 (NAIA) issued on January 31, 2025 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. HYACINTH A. MIRANDA
Officer-on-Case

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SEIZURE IDENTIFICATION NO. 059-2025 (NAIA)

-versus-

Four Hundred Thousand Philippine Pesos (Php400,000.00) intercepted from departing travelers **VERNALYN NICOL and DAVID HILL** bound for Hongkong on 05 December 2024.

.WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on or about 1315H of 05 December 2024, the carry-on baggage of a Filipino traveler named Vernalyn Nicol with Passport Number P8085372B and David Hill with Passport Number 127952342 departing via PR318 bound for Hongkong underwent a non-intrusive inspection by TSRMS Quince, Thomas Anthony S. of the Office for Transportation Security (OTS) at the Final X-Ray Check Area and was referred to Customs Examiner Shenandoah S. Capili.

WHEREAS, before conducting the physical examination, Examiner Capili explained to the traveler that her carry-on baggage needed to undergo physical examination. The traveler was asked to show her Bangko Sentral ng Pilipinas (BSP) Permit, and was noted that the traveler answered "NONE". Thereafter, the traveler was invited to the exclusion room for physical examination of his baggage.

WHEREAS, the physical count yielded to the discovery of undeclared local currency amounting to Five Hundred Thousand Pesos (Php500,000.00).

WHEREAS, Fifty Thousand Pesos (Php50,000.00) were returned to each traveler Vernalyn Nicol and David Hill and for failure to present the necessary prior written authorization from BSP and non-declaration thereof in the e-travel/customs counter, the amount of Four Hundred Thousand Philippine Pesos (Php400,000.00) was held in-bond and Held Baggage Receipt No. 00100009606 was issued. The confiscated notes were turned-over to Annaliza Reves of the In-Bond Unit, Baggage Assistance Division.

WHEREAS, on 05 December 2024, Customs Examiner Shenandoah S. Capili, Flight Supervisor Innah Angelah C. Mirano thru Acting Deputy Collector for Passenger Service, Assistant Deputy Collector for Passenger Service, and Chief, Departure 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 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 passengers VERNALYN NICOL and DAVID HILL 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 3 1 2025, January 2025.

ATTY. MARIA YASMIN M. PRIMOSA District Collector, EQC-NAIA

Wdv/lew/hem