

[EXECUTIVE ORDER NO. 363, September 27, 2004]

**BROADENING THE POWERS OF THE COMMISSIONER OF
CUSTOMS TO COMBAT SMUGGLING**

WHEREAS, the prevention and suppression of smuggling is an urgent concern of the administration;

WHEREAS, current laws and regulations limit the power to the Commissioner of the Bureau of Customs (BOC) to combat smuggling only within the Customs area:

WHEREAS, the Economic Intelligence and Investigation Bureau (EIIB) which used to combat smuggling outside the Customs area has been abolished by a previous administration:

WHEREAS, the government re-engineering policy is to avoid creating agencies but rather to consolidate similar or related functions within one agency:

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Anti-Smuggling Functions of the Defunct EIIB. – The anti-smuggling functions of the defunct EIIB shall be exercised by the Commissioner of Customs.

SECTION 2. Powers and Functions. – To combat smuggling, the Commissioner shall exercise the following powers and functions:

1. Prepare and implement appropriate and effective measures to prevent and suppress all forms of smuggling especially: rice, sugar, vegetables, vehicles, alcohol, and dangerous drugs:
2. Effect searches, seizures and arrests on smuggling cases or apply for issuance of judicial warrant as may be necessary:
3. Investigate, file and prosecute criminal, civil and administrative cases against smugglers:
4. Enlist the assistance of any department, bureau, office or agency or instrumentality of the government, including government-owned or controlled corporations to carry out anti-smuggling functions, including its personnel, facilities and resources;
5. Perform such other functions and carry out activities as may be directed by the President.

SECTION 3. Special Team of Prosecutors. – To assist the Commissioner in the expeditious prosecution of criminal and other cases involving smuggling, a Special Team of Prosecutors from the Bureau of Customs shall be organized. The team shall have the following powers and duties: