

[BOC CUSTOMS MEMORANDUM ORDER NO. 32-2010, August 23, 2010]

**ENHANCED AUTOMATED CARGO TRANSFER SYSTEM (E-ACTS)
FOR TRANSIT GOODS CONSIGNED TO FREEPORT AREA OF
BATAAN LOCATOR ENTERPRISES DISCHARGED AT PORTS AND
AIRPORTS WITH OPERATING ACOS AND WITH THE FREEPORT
AREA OF BATAAN AS FINAL DESTINATION**

I. Objectives

To define and clarify details of the provisions of JMO No. 03-2010 pertaining to the processing of the Enhanced Automated Cargo Transfer System (E-ACTS) in the ports of discharge for shipments destined for the Freeport Area of Bataan (FAB).

II. Scope

This Order shall apply to transit cargoes consigned to FAB locator enterprises discharged at the Port of Manila (POM), Manila International Container Port (MICP), Ninoy Aquino International Airport (NAIA), Subic International Airport (SIA), and Port of Subic (POS), and the Diosdado Macapagal International Airport (DMIA) as provided under BOC-AFAB Joint Memorandum Order No. 03-2010 dated 14 July 2010.

III. General Provisions

The electronic Transit Admission Permit lodged and approved through AFAB's Electronic Transit Admission Permit System (eTAPS) is the one and only document to be accepted by the Bureau of Customs as proof of AFAB's authorization of the importation of a FAB locator enterprise.

1. Transit Cargo Transfer Documentary Requirements

1.1 Transit-Single Administrative Documents (Transit-SAD).

In lieu of the Warehousing Entry lodged at the FAB, transshipment Permit (BOC Form 199), Transit Cargo Manifest, Boat Note and other documents required under other Customs Orders and issuances, the Single Administrative Document (SAD) with Model of Declaration 8-8, Supported by the Bill of Lading/Airway Bil, Invoice, Packing List and printed AFAB electronic Transit Admission Permits (e-TAPs) shall be the documents to be submitted to the Customs Freeport Zone/Area Office (CFZO/CFAO) in the port of discharge, together with any license, authorization, clearance or permit issued by the designated government regulatory office for any regulated or controlled commodity included in an import shipment,

following established procedures. The documents required herein must be presented to the Customs Freeport Zone/Area Office (CFZO/CFAO) as provided in Section 3.

The Transit-SAD printout shall replace the Import Entry and Internal Revenue Declaration (IEIRD) as the entry form and shall be submitted in two copies.

1.2 General Transportation Surety Bond (GTSB)

1.2.1 The District Collector of a port of discharge shall have the authority to require an increase in the amount of the GTSB posted by a FAB locator enterprise where the values of current transit-cargoes discharged at the port have significantly increased beyond the level during the last three (3) months of the current year, which level was used as the basis for the determination of the amount of the existing GSTB posted by the FAB locator enterprise.

1.2.2 In the event that duties and taxes of a particular shipment exceed the face value of the GSTB, the FAB enterprise shall be given two options: (a) increase the face value of the GSTB; or (b) arrange for Customs under-guarding or the shipment instead of upgrading the face value of the GTSB, so as not to delay the transfer of the cargo to FAB.

1.3 Payment of the Cargo Transfer Fee

1.3.1 FAB locators shall open and maintain pre-payment accounts at the Cash Division of the port of discharge following existing procedures. Customs brokers shall also be allowed to open and maintain pre-payment accounts at the Cash Division of the port of Discharge, following the same procedure employed by client-locators, which will be used to pay Cargo Transfer Fees on transit cargoes of their client-locators.

2. Required Electronic Submissions

2.1 AFAB-accredited VASPs shall provide CFZO/CFAO access to the e-TAPS and barcode scanning capability to enable CFZO/CFAO officials to authenticate (hard copies of) e-TAPS submitted with the transit-SAD.

2.2 CFZO/CFAO shall not honor nor process the manual transshipment form except in cases where a FAB locator is not registered in ACOS.

3. Establishment of a Customs Freeport Zone/Area Office (CFZO/CFAO)

3.1 In ports of discharge where the staff of the Office of the Deputy Collector for Operations is currently processing cargo transfer to the Subic Freeport and the Clark Freeport, such personnel may be considered as forming the CFZO/CFAO, until a Customs Personnel Order establishing the CFZO/CFAO and assigning personnel therein has been used by the District Collector.

3.2 CFAOs shall be responsible for the following processing of the Transit-SADs, issuing release instructions to the temporary storage facility, and monitoring the direct and faithful transfer of the cargo to FAB.

3.2.1 The Deputy Collector for Operations shall designate a staff and an alternate to perform the functions of a COO III in the processing of the Transit-SAD, namely, updating the SAD in ACOS after a review of the Transit-SAD and its supporting documents.

3.2.2 The Deputy Collector for Operations shall designate a staff and an alternate to perform the functions of a COO V in the processing of the Transit-SAD, namely, re-routing and assessment of the selected Transit-SAD.

3.3 Deputy Collectors for Operations in the ports of discharge shall designate alternate officers and personnel in CFZO/CFAOs to ensure uninterrupted processing of transit documents and release of transit cargoes of FAB locator enterprises.

4. Physical examination may be undertaken on transit-cargo when there is derogatory information received from competent authorities, in which case an authority to undertake physical examination must be obtained from BOC officers authorized to issue Hold and Alerts under current regulation/s. Existing regulations for x-ray of containerized transit cargo shall prevail.

IV. Administrative Provisions

1. Customs under-guarding of an enterprise locator's transit cargoes shall be discontinued under two conditions: