

[BOC MEMORANDUM ORDER NO. 29-2009, July 31, 2009]

STREAMLINING THE PROCEDURES FOR THE EXAMINATION OF SHIPMENTS APPREHENDED BY THE PRESIDENTIAL ANTI-SMUGGLING GROUP

I. OBJECTIVE:

1. To provide procedures for the smooth joint examination of shipments apprehended by the Presidential Anti-Smuggling Group (PASG)
2. To ensure that such joint examination of shipments shall be conducted in a secure place and by trained personnel.
3. To enhance the collection revenue efforts of government without restricting trade facilitation.

II. OPERATIONAL PROVISIONS:

1. Upon receipt of the apprehension report of PASG by the District Collector of the port concerned, the same shall be forwarded to the Chief, Formal Entry Division (FED) or equivalent unit thereof who shall request for the recall of the specific entry of the apprehended shipment.
2. The Chief, FED or of the equivalent unit shall assign the examiner (COO III) who will conduct the examination and bring the needed entry and proceed to the PASG impounding area where the apprehended articles/cargoes are for examination, together with the PASG operatives.
3. For the foregoing purpose. PASG shall provide a designated and secure examination area with sufficient equipment and personnel for the conduct of stripping and/ or stuffing of cargoes. Such examination area should be sufficient to ensure the security of the cargo and prevent the deterioration thereof.
4. Upon completion of the examination, the COO III shall prepare an After Examination Report (AER) following the format in the return of findings portion at the back of the Import Entry which shall be signed by both COO III and the PASG operative/s who witnessed the actual physical examination conducted. In the event the PASG representative/s refuses to sign the AER, he shall state in writing his reason/s for not signing the same for the information and consideration of the District Collector.
5. Any additional duties and taxes imposable on the apprehended shipment shall be made based on the examination result, not on the voluntary offer made by the importer, broker or duly authorized representative.