

**[ VRB MEMORANDUM CIRCULAR NO. 95-0006, July 12, 1995 ]**

**GUIDELINES ON THE IMPORTATION/EXPORTATION OF VIDEOGRAMS**

Pursuant to Board Resolution No. 95-05-76 and the authority of the Board under Section 3, paragraph 1, in relation to paragraph 9 of the same section, to regulate the importation and exportation of videograms, the following are the guidelines on the importation/exportation of videograms inclusive of laser discs, vhs tapes, beta tapes, U-matic Formats, and any other technical variation thereof, for personal and commercial purposes:

These guidelines are applicable to the importation or exportation of videograms, inclusive of video cassette tapes, discs, similar software or other technical variation thereof, containing prerecorded visual images and sounds of any cinematographic art or work, performance or event that can be reproduced on television screens and other projects equipment.

1. No videogram, inclusive of video cassette tapes, discs similar software or other technical variation thereof, shall be imported or exported whether for personal or commercial use without permit or clearance from the Videogram Regulatory Board.

2. All passengers bringing into or outside the country videograms of any quantity shall declare the same before the customs officer at the arrival or departure area such items, presenting before the said officer clearances issued by the Videogram Regulatory Board relative to such importation or exportation.

3. All videograms being imported or exported which are covered by clearances or permits by the Videogram Regulatory Board, shall be allowed for importation or exportation by the Bureau of Customs, after assessment of importation or exportation fees by the Bureau, if any, and payment thereof by the importer or exporter, in accordance with the tenor of the covering clearance or permit.

4. All videograms being imported or exported without clearances or permits issued by the Videogram Regulatory Board, shall be referred to the VRB Officer or deputy assigned at the Airport or Seaport who will make an initial evaluation in accordance with paragraph 7 hereof.

(4bis) If the videograms imported exceed the limits provided for under the said provision, the Bureau of Customs shall hold the same and issue Held Baggage Receipt to the passenger or consignee who shall then be advised to comply with the clearance or permit requirements of the Videogram Regulatory Board. Likewise, all videograms, notwithstanding of quantity, imported by persons engaged in the disposition of videograms, licensed or otherwise, shall be held by the Bureau of Customs and given the same treatment under this paragraph.

(4ter) If the videograms imported are twelve (12) pieces or less of different titles of non-pornographic materials for personal use under VRB Resolution Nos. 92-11-33 and 93-03-16, the VRB Officer or deputy assigned at the Airport or Seaport shall then proceed to collect an amount of P15.00 per piece of videogram for the Videogram Regulatory Board on the importation and issue a receipt thereto. The official receipt issued by the VRB Officer shall serve as proof of compliance with clearance requirements of the Videogram Regulatory Board. All pornographic materials shall be a subject of a separate application for importation before the Videogram Regulatory Board by the importer or consignee.

The Chairman, the Executive Director, any of the Chiefs of Inspection and Intelligence Division, Legal Services Division and the Licensing Registry and Classification Division of the Videogram Regulatory Board or their duly authorized representatives may conduct personal supervision on the work at the airport or seaport.

5. The passenger applying for clearance shall present before the Board the following items:

- a. Held Baggage Receipt
- b. Passport and photocopies of the following:
  - i. Page wherein picture is located
  - ii. Page wherein personal circumstance of passport holder
  - iii. Page wherein stamp of arrival or departure from R.P.

(5bis) The consignee applying for clearance shall present any identification card to the Board and inform the latter of the purpose or purposes for which the videograms are imported.

6. The passenger shall likewise notify the Videogram Regulatory Board the number of persons traveling with him or her who have interests on the videograms being imported or exported. Photocopies of their passports shall also be submitted before the Board in accordance with the preceding paragraph. Photocopies of customs declaration of said accompanying passengers before the customs may be required for presentation at the discretion of the Videogram Regulatory Board.

7. The Chairman of the Videogram Regulatory Board, pursuant to his powers, shall then make a ruling on the merits of the application by issuing resolution and/or the necessary clearance therefor.

All claims of importations for personal use shall then be resolved on the basis of the following guidelines issued by the Board:

#### Board Resolution No. 92-11-33

"Resolved, as it is hereby resolved, that the guidelines herein below provided has been adopted by the Board to be utilized in the determination of the use (commercial or personal) of incoming importation of videograms.

1. Videograms (in laser disc format) of different film titles numbering more than twelve (12) pieces, which are being imported into the country would automatically be considered to be used for commercial purposes;