

13TH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*

SENATE  
OFFICE OF THE SECRETARY

04 JUN 30 P11 21

SENATE

RECEIVED BY: 

S. No. 806

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INTRODUCED BY HON. MANUEL B. VILLAR JR.

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### EXPLANATORY NOTE

This measure seeks to introduce particular reforms in the Bureau of Customs by modernizing its operations to elevate the same to the level of modern and efficient customs administration of other countries.

It proposes to amend fifty six (56) sections of the Tariff and Customs Code of the Philippines to legally enable the Bureau to accept documents in electronic form, conduct automated processing of electronic documents, and electronically transmit acknowledgment receipts, approval or response messages.

To ensure data integrity and to prevent the commission of fraud on customs' revenues against the government, it provides for the following safety nets:

(a) compulsory requirement, under pain of fine and imprisonment, for the importers, exporters and customs brokers to keep their records in their principal place of business for a period of five (5) years to enable the bureau to post-audit the same; and

(b) compulsory requirement for the importers, exporters and custom brokers to allow authorized personnel of the bureau to have free access to their records at all times for post-audit and investigations.

For more efficient customs administration, the bill introduces the establishment of a special fund which will be utilized as incentive bonus for customs personnel and purchase of necessary equipment and facilities.

Finally, this bill proposes to limit the authority to make import entries and export declarations to duly-licensed customs brokers, customs brokerage corporations, partnership or associations, so as to improve the service by placing such activities in the hands of professionals who are possessed of the necessary technical training of the said purpose.

In view of the foregoing, early approval of the bill is earnestly requested.

  
MANUEL B. VILLAR, JR.

13TH CONGRESS OF THE  
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S. No. 806

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**AN ACT INTRODUCING REFORMS IN THE OPERATIONS OF THE BUREAU OF  
CUSTOMS AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress  
assembled:*

1 SECTION 1. Subparagraphs (b), (d), (i), (j), (m) and (q) of Section 105, Title I, Book I of the  
2 Tariff and Customs Code of the Philippines, as amended, are hereby further amended to read as  
3 follows:

4 "SEC. 105. *Conditionally-Free Importations.* -

5 "X X X

6 "(b) Equipment for use in the salvage of vessels or aircrafts, not available locally, upon  
7 identification and the giving of a bond in an amount equal to [one and one-half times] the  
8 ascertained duties, taxes and other charges thereon, conditioned for the exportation thereof or  
9 payment of the corresponding duties, taxes and other charges within six (6) months from the date  
10 of acceptance of the import entry: *Provided*, That the Collector of Customs may extend the time  
11 for exportation or payment of duties, taxes and other charges for a term not exceeding six (6)  
12 months from the expiration of the original period;

13 "X X X

14 "(d) Articles brought into the Philippines for repair, processing or reconditioning to be re-  
15 exported upon completion of the repair, processing or reconditioning: *Provided*, That the  
16 Collector of Customs shall require the giving of a bond in an amount equal to [one and one-half  
17 times] the ascertained duties, taxes and other charges thereon, conditioned for the exportation  
18 thereof or payment of the corresponding duties, taxes and other charges within six (6) months  
19 from the date of acceptance of the import entry;

20 "X X X

21 "(i) Articles used exclusively for public entertainment, and for display in public  
22 expositions, or for exhibition or competition for prizes, and devices for projecting pictures and  
23 parts and appurtenances thereof, upon identification, examination, and appraisal and the giving of

1 a bond in an amount equal to [one and one-half times] the ascertained duties, taxes and other  
2 charges thereon, conditioned for exportation thereof or payment of the corresponding duties,  
3 taxes and other charges within six (6) months from the date of acceptance of the import entry:  
4 *Provided*, That the Collector of Customs may extend the time for exportation or payment of  
5 duties, taxes and other charges for a term not exceeding six (6) months from the expiration of the  
6 original period; and technical and scientific films when imported by technical, cultural and  
7 scientific institutions, and not to be exhibited for profit: *Provided, further*, That if any of the said  
8 films is exhibited for profit, the proceeds therefrom shall be subject to confiscation, in addition to  
9 the penalty provided under Section 3610 as amended, of this Code;

10 “(j) Articles brought by foreign film producers directly and exclusively used for making or  
11 recording motion picture films on location in the Philippines, upon their identification,  
12 examination and appraisal and the giving of a bond in an amount equal to [one and one-half  
13 times] the ascertained duties, taxes and other charges thereon, conditioned for exportation thereof  
14 or payment of the corresponding duties, taxes and other charges within six (6) months from the  
15 date of acceptance of the import entry, unless extended by the Collector of Customs for another  
16 six (6) months; photographic and cinematographic films, undeveloped, exposed outside the  
17 Philippines by resident Filipino citizens or by producing companies of Philippine registry where  
18 the principal actors and artists employed for the production are Filipinos, upon affidavit by the  
19 importer and identification that such exposed films are the same films previously exported from  
20 the Philippines.

21 “x x x

22 “(m) Containers, holders and other similar receptacles of any material including kraft paper  
23 bags for locally manufactured cement for export, including corrugated boxes for bananas,  
24 mangoes, pineapples and other fresh fruits for export, except other containers made of paper,  
25 paperboard and textile fabrics, which are of such character as to be readily identifiable and/or  
26 reusable for shipment or transportation of goods shall be delivered to the importer thereof upon  
27 identification, examination and appraisal and the giving of a bond in an amount equal to [one and  
28 one-half times] the ascertained duties, taxes and other charges within six (6) months from the  
29 date of acceptance of the import entry;

30 “x x x

31 “(q) x x x;

32 “Commercial samples, except those that are not readily and easily identifiable (e.g., precious and  
33 semi-precious stones, cut or uncut, and jewelry set with precious or semi-precious stones), the  
34 value of any single importation of which does not exceed Ten thousand pesos (P10,000.00) upon  
35 the giving of a bond in an amount equal to [twice] the ascertained duties, taxes and other charges  
36 thereon, conditioned for the exportation of said samples within six (6) months from the date of

1 acceptance of the import entry or in default thereof, the payment of the corresponding duties,  
2 taxes and other charges. x x x.”

3 SEC. 2. Section 205 of Part 1, Title II, Book I of the Tariff and Customs Code of the  
4 Philippines, as amended, is hereby further amended to read as follows:

5 “SEC. 205. *Entry, or Withdrawal from Warehouse, for Consumption.* – Imported articles  
6 shall be deemed ‘entered’ in the Philippines for consumption when the specified entry forms is  
7 properly filed **OR LODGED IN THE COMPUTER** and accepted[, together with any related  
8 documents required by the provisions of this Code and/or regulations to be filed with such form]  
9 at the time of entry[,] at the port or station by the customs official designated to receive **OR**  
10 **LODGE** such entry paper[s] and any duties, taxes, fees and/or other lawful charges required to  
11 be paid at the time of making such entry have been paid or secured to be paid with the customs  
12 official designated **OR BANKS AUTHORIZED BY THE COMMISSIONER OF**  
13 **CUSTOMS** to receive such monies: *Provided,* That the articles have previously arrived within  
14 the limits of the port of entry.

15 “Imported articles shall be deemed ‘withdrawn’ from warehouse in the Philippines for  
16 consumption when the specified form is properly filed **OR LODGED IN THE COMPUTER**  
17 and accepted[, together with any related documents required by any provisions of this Code  
18 and/or regulations to be filed with such form] at the time of withdrawal[,] by the customs official  
19 designated to receive **OR ACCEPT** the withdrawal entry and any duties, taxes, fees and/or other  
20 lawful charges required to be paid at the time of withdrawal have been deposited with the  
21 customs official designated **OR BANKS AUTHORIZED BY THE COMMISSIONER OF**  
22 **CUSTOMS** to receive such payment.

23 “**THE ENTRY AND WITHDRAWAL FORMS TO BE SPECIFIED BY THE**  
24 **COMMISSIONER OF CUSTOMS MAY BE FILED IN WRITING OR**  
25 **ELECTRONICALLY AND SHALL CONTAIN ALL INFORMATION AND DETAILS**  
26 **REQUIRED FOR THE PROCESSING OF SUCH ENTRY OR WITHDRAWAL. THE**  
27 **DATE OR TIME OF ENTRY SHALL BE BASED ON THE TIME OF FILING OF THE**  
28 **FORMS.”**

29 SEC. 3. New sections to be known as Section 607, Section 608, Section 608-A, Section 608-  
30 B and Section 609 are hereby inserted in Title I, Part 1, Book II of the Tariff and Customs Code  
31 of the Philippines, as amended, to read as follows:

32 “SEC. 607. *POWER OF THE COMMISSIONER TO OPERATE AND MAINTAIN*  
33 *COMPUTER SYSTEMS IN THE BUREAU OF CUSTOMS.* – **THE COMMISSIONER OF**  
34 **CUSTOMS SHALL OPERATE AND MAINTAIN COMPUTER SYSTEMS AND**  
35 **NETWORKS FOR RECEIPTS OF DOCUMENTS IN ELECTRONIC FORM, FOR**  
36 **AUTOMATED PROCESSING OF ELECTRONIC DOCUMENTS, AND FOR**

1 TRANSMISSION OF ACKNOWLEDGMENT RECEIPTS AND APPROVAL OR  
2 RESPONSE MESSAGES.

3 "THE FORMAT, CONTENTS AND MODE OF TRANSMISSION OF THE  
4 ELECTRONIC DOCUMENTS AND MESSAGES TO OR FROM THE COMPUTER  
5 SYSTEMS AND NETWORKS SHALL BE AS PRESCRIBED BY THE  
6 COMMISSIONER.

7 "SEC. 608. *AUTHORITY TO USE CUSTOMS COMPUTER SYSTEM.* – NO PERSON  
8 SHALL TRANSMIT TO, OR RECEIVE INFORMATION FROM, A CUSTOMS  
9 COMPUTER SYSTEM UNLESS AUTHORIZED/ACCREDITED BY THE  
10 COMMISSIONER OF CUSTOMS. FOR THIS PURPOSE, THE INTENDED USER OF  
11 THE SYSTEM SHALL APPLY FOR REGISTRATION AND/OR ACCREDITATION IN  
12 WRITING AND SHALL COMPLY WITH SUCH REQUIREMENTS AS MAY BE  
13 PRESCRIBED BY THE COMMISSIONER.

14 "THE COMMISSIONER SHALL DECIDE ON SUCH APPLICATION FOR  
15 REGISTRATION/ACCREDITATION WITHIN FIFTEEN (15) WORKING DAYS  
16 FROM RECEIPT THEREOF AND SHALL GIVE NOTICE OF HIS DECISION IN  
17 WRITING TO THE APPLICANT. IF THE DECISION IS UNFAVORABLE, THE  
18 APPLICANT MAY, WITHIN THIRTY (30) WORKING DAYS FROM RECEIPT OF  
19 NOTICE THEREOF, APPEAL THE SAME TO THE SECRETARY OF FINANCE.

20 "SEC. 608-A. *ISSUANCE OF A UNIQUE IDENTIFIER TO A PERSON AUTHORIZED*  
21 *TO USE CUSTOMS COMPUTER SYSTEM.* – A PERSON AUTHORIZED TO USE THE  
22 CUSTOMS COMPUTER SYSTEM SHALL BE ASSIGNED A UNIQUE IDENTIFIER  
23 TO BE PRESCRIBED BY THE COMMISSIONER OF CUSTOMS AND SHALL  
24 EFFECT AND USE SAFEGUARD DEVICES REQUIRED FOR SAFEKEEPING  
25 THEREOF. ANY ELECTRONIC MESSAGE TRANSMITTED TO A CUSTOMS  
26 COMPUTER SYSTEM THROUGH THE USE OF SUCH UNIQUE IDENTIFIER, WHEN  
27 AUTHENTICATED BY THE BUREAU OF CUSTOMS SHALL BE DEEMED ISSUED  
28 BY SUCH AUTHORIZED/REGISTERED PERSON, THE UNIQUE IDENTIFIER  
29 BEING CONSIDERED AS HIS SIGNATURE.

30 "THE COMMISSIONER OF CUSTOMS SHALL PRESCRIBE THE RULES AND  
31 REGULATIONS RELATIVE TO THE USE AND SECURITY OF THE UNIQUE  
32 IDENTIFIER.

33 "SEC. 608-B. *CANCELLATION OF THE AUTHORIZATION TO USE CUSTOMS*  
34 *COMPUTER SYSTEM.* – WHEN THE COMMISSIONER BECOMES SATISFIED THAT  
35 AN AUTHORIZED/REGISTERED USER OF THE CUSTOMS COMPUTER SYSTEM  
36 HAS FAILED TO COMPLY WITH, OR VIOLATED THE CONDITIONS REGARDING  
37 THE USE THEREOF, OR HAS BEEN CONVICTED OF ANY OFFENSE RELATIVE

1 TO THE IMPROPER ACCESS TO OR INTERFERENCE WITH THE CUSTOMS  
2 COMPUTER SYSTEM, HE MAY CANCEL THE AUTHORIZATION GRANTED TO  
3 THE SAID AUTHORIZED/REGISTERED USER AND SHALL SEND NOTICE OF  
4 SUCH CANCELLATION TO THAT PERSON, SETTING OUT THE REASONS  
5 THEREFOR.

6 "ANY AUTHORIZED/REGISTERED USER WHO IS DISSATISFIED WITH THE  
7 DECISION OF THE COMMISSIONER UNDER THIS SECTION MAY, WITHIN  
8 THIRTY (30) WORKING DAYS FROM RECEIPT OF NOTICE THEREOF, APPEAL  
9 THE SAME TO THE SECRETARY OF FINANCE.

10 "SEC. 609. *PRESERVATION OF THE RECORD OF ELECTRONICALLY*  
11 *TRANSMITTED ENTRY.* – WHERE AN ENTRY HAS BEEN MADE BY MEANS OF  
12 TRANSMITTING AN ELECTRONIC MESSAGE TO A CUSTOMS COMPUTER  
13 SYSTEM IN SUCH FORM PRESCRIBED BY THE COMMISSIONER, THE BUREAU  
14 OF CUSTOMS SHALL RETAIN A RECORD OF ALL SUCH TRANSMISSIONS  
15 RECEIVED FROM OR SENT TO A REGISTERED/AUTHORIZED USER OF THE  
16 COMPUTER SYSTEM FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF  
17 RECEIPT OF TRANSMISSION.

18 "A COMPUTER PRINTOUT, CERTIFIED BY OR ON BEHALF OF THE  
19 COMMISSIONER AS A TRUE COPY OF THE RECORD RETAINED BY THE  
20 BUREAU PURSUANT TO THIS SECTION, SHALL BE DEEMED THE ELECTRONIC  
21 MESSAGE RECEIVED FROM OR SENT TO A REGISTERED/AUTHORIZED USER."

22 SEC. 4. Sections 607, 608, 609, 704, 707, 710, 712, 906, 907, 908, 909, 1003, 1004, 1005,  
23 1006, 1007, 1008, 1012, 1016, 1017, 1019, 1021, 1022, 1102, 1105, 1106, 1110, 1111, 1112,  
24 1301, 1303, 1304, 1305, 1306, 1307, 1313, 1405, 1501, 1502, 1504, 1601, 1602, 1906, 1907,  
25 2001, 2003, 2004, 2101, 2102, 2103, 2201, 2504, 3301, 3302, 3303 and 3406 of Book II of the  
26 Tariff and Customs Code of the Philippines, as amended, are hereby further amended to read as  
27 follows:

28 "SEC. [607] 610. *Annual Report of Commissioner.* – The annual report of the Commissioner  
29 to the President shall, among other things, contain a compilation of the (a) quantity and value of  
30 the articles imported into the Philippines and the corresponding amount of customs duties, taxes  
31 and other charges assessed and collected on imported articles itemized in accordance with the  
32 tariff headings and subheadings as appearing in the liquidated customs entries provided for in  
33 this Code, (b) percentage collection of the peso value of imports, (c) quantity and value of  
34 conditionally-free importations, (d) customs valuation over and above letters of credit opened, (e)  
35 quantity and value of tax-free imports, and (f) the quantity and value of articles exported from the  
36 Philippines as well as the taxes and other charges assessed and collected on them for the  
37 preceding year. Copies of such annual report shall be furnished regularly to the Department of

1 Finance, Tariff Commission, NEDA, [Central Bank of the Philippines] **BANGKO SENTRAL**  
2 **NG PILIPINAS, DEPARTMENT OF TRADE AND INDUSTRY**, Board of Investments,  
3 Department of Budget **AND MANAGEMENT**, and other economic agencies of the government,  
4 on or before [December] **JANUARY 30**, of each year. **SAID REPORT MAY ALSO BE**  
5 **MADE AVAILABLE TO ANY PERSON OR INSTITUTION AUTHORIZED TO HAVE**  
6 **ACCESS TO THE COMPUTERIZED DATABASE SYSTEM.**

7 [For more scientific preparation of the annual report, the Commissioner shall cause the  
8 computerization of the data contained in the liquidated entries filed with the Bureau of Customs.]

9 “SEC. [608] **611.** *Commissioner to Make Rules and Regulations.* – The Commissioner shall,  
10 subject to the approval of the Secretary of Finance, promulgate all rules and regulations  
11 necessary to enforce the provisions of this Code. He shall cause the preparation and publication  
12 of a customs manual **IN PAPER OR ELECTRONIC FORM** covering up-to-date rules and  
13 regulations and decisions of the Bureau of Customs. The manual shall be published and made  
14 available to the public at least once every quarter within the first month after the end of every  
15 quarter. The Secretary of Finance and/or Commissioner of Customs shall furnish the [Central  
16 Bank] **BANGKO SENTRAL NG PILIPINAS**, Board of Investments, the NEDA and the Tariff  
17 Commission with at least three (3) copies each of every department order, administrative order,  
18 memorandum circulars and such rules and regulations which are promulgated from time to time  
19 for the purpose of implementing the provisions of this Code.

20 “SEC. [609] **612.** *Commissioner to Furnish Copies of Collector’s Liquidated Duplicates.* –  
21 The Commissioner shall regularly furnish the NEDA, the [Central Bank of the Philippines,]  
22 **BANGKO SENTRAL NG PILIPINAS AND** the Tariff Commission a copy of each of all  
23 customs import/export entries as filed with the Bureau of Customs. The Tariff Commission or  
24 its duly authorized agents shall have access to **THE CUSTOMS COMPUTERIZED**  
25 **DATABASE ON IMPORT ENTRIES** and the right to copy all the customs liquidated import  
26 entries and other documents appended thereto as finally filed in the Commission on Audit.

27 “SEC. 704. *Seal of Collector of Customs.* – In the office of the Collector of a collection  
28 district there shall be a seal of such design as the Commissioner shall prescribe, with the  
29 approval of the Secretary of Finance with which shall be sealed all documents and records **IN**  
30 **PAPER OR IN ELECTRONIC FORM** requiring authentication in such office.

31 “SEC. 707. *Succession of Deputy Collector to Position of Acting Collector.* – In the absence  
32 or disability of a Collector at any port or in case of a vacancy in his office, the temporary  
33 discharge of his duties shall devolve upon the deputy collector of the port. Where no deputy  
34 collector is available, an official to serve in such contingency may be designated in writing by the  
35 Collector from his own force. The Collector making such designation shall report the same  
36 without delay to the Commissioner and the Chairman, Commission on Audit, forwarding to them  
37 the signature **IN PAPER OR IN ELECTRONIC FORM** of the person so designated.

1 "SEC. 710. *Records to be Kept by Customs Official.* – District collectors, deputy collectors,  
2 and other customs officials acting in such capacities are required to keep true, correct and  
3 permanent records in **PAPER OR ELECTRONIC FORM** of their official transactions, to  
4 submit the same to the inspection of authorized officials at all times, and to turn over all records  
5 and official papers to their successors or other authorized officials.

6 "SEC. 712. *Reports of Collector to Commissioner.* – A Collector shall immediately make  
7 report to the Commissioner concerning prospective or newly begun litigation in his district  
8 touching matters relating to the customs service; and he shall, in [such form and detail]  
9 **WRITING OR IN ELECTRONIC FORM AND IN SUCH FORMAT AND DETAIL** as  
10 shall be required by the Commissioner make regular monthly reports of all transactions in his  
11 port and district.

12 "SEC. 906. *Requirement of Manifest in Coastwise Trade.* – Manifests **IN PAPER OR**  
13 **ELECTRONIC FORM** shall be required for cargo and passengers transported from one place  
14 or port in the Philippines to another only when one or both of such places is a port of entry.

15 "SEC. 907. *Manifest Required Upon Departure from Port of Entry.* – Prior to departure from  
16 a port of entry, the master of a vessel licensed for the coastwise trade shall make out [and  
17 subscribe duplicate] A manifest[s] **IN PAPER OR ELECTRONIC FORM** of the whole of the  
18 cargo and all of the passengers taken on board such vessels, specifying in the cargo manifests the  
19 marks and numbers of packages, the port of destination and names of the consignees, together  
20 with such further information as may be required and in the passenger manifests the name, sex,  
21 age, residence, port of embarkation, and destination of all passengers, together with such further  
22 information as may be required. He shall deliver **OR ELECTRONICALLY TRANSMIT** such  
23 manifests to the Collector of Customs or other customs officials duly authorized[, before whom  
24 he shall swear to the best of his knowledge and belief, in respect to the cargo manifests],  
25 **SHOWING** that the goods therein described, if foreign, were imported legally and that the  
26 duties, taxes and other charges thereon have been paid or secured to be paid, and with respect to  
27 the passenger manifests, that the information therein contained is true and correct as to all  
28 passengers taken on board. Thereupon, the said Collector of Customs or customs official, shall  
29 [certify the same on the manifests, the original of which he shall return] **SIGNIFY** to the master  
30 [with] a permit specifying thereon, generally, the landing on board such vessel and authorizing  
31 him to proceed to his port of destination [retaining the duplicates].

32 **"THE CONTENTS OF THE MANIFESTS SHALL BE DEEMED TO HAVE BEEN**  
33 **MADE UNDER PENALTIES OF FALSIFICATION OR PERJURY.**

34 "SEC. 908. *Manifests Required Prior to Unlading at Port of Entry.* – Upon arrival at a port  
35 of entry of a vessel engaged in the coastwise trade and prior to the unlading of any part of the  
36 cargo, the master shall deliver **OR ELECTRONICALLY TRANSMIT** to the Collector or other  
37 proper customs official complete manifests **IN PAPER OR ELECTRONIC FORM** of all the



1 cargo and passengers brought into said port, together with the clearance manifests of cargo and  
2 passengers for said port granted at any port or ports of entry from which said vessel may have  
3 cleared during the voyage.

4 “SEC. 909. *Departure of Vessel Upon Detailed Manifest.* – The owner, agents or consignees  
5 of vessels are required to present **OR ELECTRONICALLY TRANSMIT** the proper detailed  
6 manifest **IN PAPER OR ELECTRONIC FORM** before departure of the vessel: *Provided,*  
7 *however,* That the Commissioner of Customs may by regulation permit a vessel to depart  
8 coastwise from a port of entry upon the filing **OR TRANSMISSION** of a general manifest **IN**  
9 **PAPER OR ELECTRONIC FORM** by the master thereof.

10 “SEC. 1003. *Quarantine Certificate for Incoming Vessel.* – Entry of a vessel from a foreign  
11 port or place outside of the Philippines shall not be permitted until it has obtained a quarantine  
12 certificate [issued by] **FROM** the Bureau of Quarantine, **AND PRESENTED BY THE**  
13 **MASTER OR TRANSMITTED ELECTRONICALLY BY SAID BUREAU TO THE**  
14 **CUSTOMS COLLECTOR OR CUSTOMS OFFICIAL CONCERNED.**

15 “SEC. 1004. *Documents to be Produced by Master Upon Entry of Vessel.* – For the purpose  
16 of making entry of a vessel engaged in foreign trade, the master thereof shall present **OR**  
17 **ELECTRONICALLY TRANSMIT** the following documents **IN PAPER OR ELECTRONIC**  
18 **FORM**, [duly certified by him] to the customs boarding officials:

19 “[a] **A.** The [original] manifest of all cargo destined for the port, to be returned with the  
20 endorsement **IN PAPER OR ELECTRONIC FORM** of the boarding officials;

21 [b. Three copies of the same manifest, one of which, upon certification by the boarding  
22 officials as to the correctness of the copy, shall be returned to the master;]

23 “[c] **B.** [A copy of the] Cargo storage plan;

24 “[d] **C.** [Two copies of] [s]Store list;

25 “[e] **D.** [One copy of] [p]Passenger list;

26 “[f] **E.** [One copy of the] [c]Crew list;

27 “[g] **F.** [The original of all] [t]Through cargo manifests[, for deposit, while in port, with  
28 customs officials in charge of the vessel];

29 “[h] **G.** A passenger manifest of all aliens, in conformity with the requirements of the  
30 immigration laws in force in the Philippines;

31 “[i] **H.** [One copy of the original duplicate of] [b]Bills of lading fully accomplished; and

32 “[j] **I.** The shipping articles and register of the vessel of Philippine registry.

33 **“THE CONTENTS OF THE ELECTRONIC TRANSMITTAL SHALL BE DEEMED TO**  
34 **HAVE BEEN MADE UNDER THE PENALTIES OF FALSIFICATION OR PERJURY.**

35 “SEC. 1005. *Manifest Required of Vessel from Foreign Port.* – Every vessel from a foreign  
36 port must have on **BOARD** a complete manifest **IN PAPER OR ELECTRONIC FORM** of all  
37 her cargo.

1 “All of the cargo intended to be landed at a port in the Philippines must be described in separate  
2 manifests **IN PAPER OR ELECTRONIC FORM** from each port of call therein. [Each]  
3 **SUCH** manifest shall include the port of departure and the port of delivery with the marks,  
4 numbers, quantity and description of the packages and the names of the consignees thereof.  
5 Every vessel from a foreign port must have on board complete manifests of passengers and their  
6 baggage, in the prescribed **PAPER OR ELECTRONIC** form, setting forth their destination and  
7 all particulars required by the immigration laws, and every such vessel shall have prepared for  
8 presentation to the proper customs official upon arrival in ports of the Philippines a complete list  
9 **IN PAPER OR ELECTRONIC FORM** of all sea stores then on board. If the vessel does not  
10 carry cargo or passengers, the manifests must show that no cargo or passenger, as the case may  
11 be, is carried from the port of departure to the port of destination in the Philippines.

12 “x x x

13 “SEC. 1006. *Translation of Manifest.* – The cargo manifest **IN PAPER OR**  
14 **ELECTRONIC FORM** and each copy thereof shall be accompanied by a translation into the  
15 official language of the Philippines, if originally written in another language.

16 “SEC. 1007. *Manifests for Commission on Audit and Collector.* – *Papers to be Deposited*  
17 *with Consul.* – Immediately after the arrival of a vessel from a foreign port, the master shall  
18 deliver or [mail] **ELECTRONICALLY TRANSMIT** to the Chairman, Commission on Audit,  
19 [Manila] **QUEZON CITY**, a copy of the cargo manifests properly **INDORSED IN PAPER**  
20 **ELECTRONIC FORM** by the boarding officer, and the master shall immediately present **OR**  
21 **SEND** to the Collector the original copy of [the] **SUCH** cargo manifests [properly indoors by]  
22 **WITH PROPER ENDORSEMENT OF** the boarding officer, and, for inspection, the ship’s  
23 register or other documents in lieu thereof, together with the clearance and other papers granted  
24 to the vessel at the port of departure for the Philippines.

25 “SEC. 1008. *Transit Cargo.* – When transit cargo from a foreign port or other local ports is  
26 forwarded from the port of importation, separate manifests, in triplicate, shall be presented **OR**  
27 **TRANSMITTED** by each carrier. **IF IN ELECTRONIC FORM, FURTHER COPIES MAY**  
28 **BE MADE AS AND WHEN NEEDED.**

29 “SEC. 1012. *Record of Arrival and Entry of Vessels.* – A record **IN PAPER OR**  
30 **ELECTRONIC FORM** shall be made and kept open to public inspection in every customhouse  
31 of the dates of arrival and entry of all vessels.

32 “SEC. 1016. *Entrance of Vessel Through Necessity.* – When a vessel from a foreign port is  
33 compelled by stress of weather or other necessity to put into any other port than that of her  
34 destination, the master within twenty-four hours after her arrival, shall make protest [under oath]  
35 **IN PAPER OR IN ELECTRONIC FORM** setting forth the causes or circumstances of such  
36 necessity. This protest, if not made before the Collector, must be produced to him, and a copy  
37 thereof lodged with him.

1 “Within the same time, the master shall make report **IN PAPER OR IN ELECTRONIC**  
2 **FORM** to the Collector if any part of the cargo was unladen from necessity or lost by casualty  
3 before arrival[, and such fact should be made to appear by sufficient proof to the Collector who  
4 shall give his approval thereto and the unloading shall be deemed to have been lawfully effected].  
5 **WHEN THE COLLECTOR GIVES HIS APPROVAL THERETO ON SUFFICIENT**  
6 **PROOF, THE UNLOADING SHALL BE DEEMED TO HAVE BEEN LAWFULLY**  
7 **EFFECTED.**

8 **“THE CONTENTS OF THE PROTEST AND REPORT TO THE COLLECTOR SHALL**  
9 **BE DEEMED TO HAVE BEEN MADE UNDER PENALTIES OF FALSIFICATION OR**  
10 **PERJURY.**

11 “SEC. 1017. *Unloading of Vessel in Port from Necessity.* – If the situation is such as to  
12 require the unloading of the vessel pending sojourn in port, the Collector, shall, upon sufficient  
13 proof of the necessity, grant a permit therefor **IN PAPER OR IN ELECTRONIC FORM**, and  
14 the articles shall be unladen and stored under the supervision of the customs authorities.

15 “At the request of the master of the vessel or of the owner thereof, the [c]Collector may grant  
16 permission **IN PAPER OR ELECTRONIC FORM** to enter and pay the duties, taxes and other  
17 charges on, and dispose of, such part of the cargo as may be of perishable nature or as may be  
18 necessary to defray the expenses attending the vessel.

19 “Upon departure, the cargo, or a residue thereof, may be reladen on board the vessel, and the  
20 vessel may proceed with the same to her destination, subject only to the charge for storing and  
21 safekeeping of the articles and the fees for entrance and clearance.

22 “No port charges shall be collected on vessels entering through stress of weather or other causes  
23 above described.

24 “SEC. 1019. *Clearance of Vessel for Foreign Port.* – Before a clearance shall be granted to  
25 any vessel bound to a foreign port, the master, or the agent thereof, shall present **IN PAPER OR**  
26 **IN ELECTRONIC FORM** to the Collector the following [properly authenticated] documents:

27 “a. x x x.

28 “b. [Three copies of] [t]The manifest of export cargo[, one of which, upon certification by  
29 the customs official as to the correctness of the copy, shall be returned to the master].

30 “c. [Two copies of] [t]The passenger list, showing alien and other passengers.

31 “d. x x x.

32 “e. x x x.

33 “f. x x x.

34 “SEC. 1021. *Manifest of Export Cargo to be Delivered to Chairman, Commission on Audit.*  
35 – The master shall, prior to departure, deliver or mail to the Chairman, Commission on Audit,  
36 [Manila] **QUEZON CITY**, the returned copy **IN PAPER OR IN ELECTRONIC FORM** of  
37 the manifest of export cargo.

1 "THE PRESENTATION SHALL BE DEEMED A MANIFESTATION THAT ALL  
2 DOCUMENTS WERE DULY ISSUED UNDER PENALTIES OF FALSIFICATION OR  
3 PERJURY.

4 "SEC. 1022. *[Oath] STATEMENT of Master of Departing Vessel.* – The master of such  
5 departing vessel shall [state under oath to the effect] **MANIFEST THE FOLLOWING IN**  
6 **PAPER OR IN ELECTRONIC FORM TO THE COLLECTOR:**

7 "a. x x x.

8 "b. That he has [mailed] **ELECTRONICALLY TRANSMITTED** or delivered to the  
9 Chairman, Commission on Audit a true copy of the outgoing cargo manifest.

10 "c. x x x.

11 "d. x x x.

12 "THE CONTENTS OF THE STATEMENT SHALL BE DEEMED TO HAVE BEEN  
13 **MADE UNDER PENALTIES OF FALSIFICATION OR PERJURY.**

14 "SEC. 1102. *Advance Notice of Arrival.* – (a) Non-scheduled Arrivals. – Before an aircraft  
15 comes into any area in the Philippines from any place outside thereof, a timely notice **IN PAPER**  
16 **OR IN ELECTRONIC FORM** of the intended flight shall be [furnished] **MADE** to the  
17 Collector or other customs officer in charge at or nearest the intended place of first landing in  
18 such area, and to the quarantine and immigration officers in charge at or nearest such place of  
19 landing. If dependable facilities for giving notice are not available before departure, any radio  
20 equipment of the place shall be used if this will result in the giving of adequate and timely notice  
21 during its approach, otherwise a landing shall be made at a place where the necessary facilities do  
22 exist before coming into any area in the Philippines. If, upon landing in any area, the  
23 government officers have not arrived, the pilot-in-command shall hold the aircraft and any  
24 baggage and article thereon intact and keep the passengers and crew members in a segregated  
25 place until the inspecting officers arrive."

26 "(b) x x x.

27 "SEC. 1105. *Documents Required in Making Entry.* –

28 "a. For the purpose of making entry, there shall be presented **OR ELECTRONICALLY**  
29 **TRANSMITTED** to the customs boarding officer [four copies] a general declaration **IN PAPER**  
30 **OR IN ELECTRONIC FORM** which shall contain the following data, unless any of such data  
31 is otherwise presented on a separate official form:

32 "1. x x x;

33 "2. x x x;

34 "3. x x x;

35 "4. x x x;

36 "5. x x x;

37 "6. x x x;

1 “7. Cargo manifest showing information as to airway bill number, the number of packages  
2 related to each airway bill number, nature of goods, destination, and gross weight[, together with  
3 a copy of each airway bill securely attached thereto]; and

4 “8. x x x.

5 “b. The general declaration shall be written **OR MANIFESTED** in English and [duly]  
6 signed **IN PAPER OR ELECTRONIC FORM** by the pilot-in-command or operator of the  
7 aircraft, or the authorized agent. The Health Section thereon, however, shall be signed only by  
8 the pilot-in-command or when necessary, by a crew member when the general declaration itself  
9 has been signed by a non-crew member. If the aircraft does not carry cargo or passengers, such  
10 facts must be shown in the manifests.

11 “c. Cargo manifest shall in no case be changed or altered after entry of the aircraft, except  
12 by means of an amendment by the pilot-in-command or authorized agent thereof[, under oath,  
13 and attached to the original manifest]: *Provided*, That after the invoice and/or entry covering an  
14 importation have been received and recorded in the office of the appraiser, no amendment shall  
15 be allowed except when it is obvious that a clerical error or any other discrepancy has been  
16 committed without any fraudulent intent in the preparation of the manifest, discovery of which  
17 could not have been made until after examination of the importation has been completed.

18 **“THE CONTENTS OF THE AMENDMENT SHALL BE DEEMED TO HAVE BEEN**  
19 **MADE UNDER PENALTIES OF FALSIFICATION OR PERJURY.**

20 “SEC. 1106. *Manifest for Commission on Audit.* – The pilot-in-command or authorized  
21 agent of an aircraft, upon arrival from a foreign port, shall deliver or [mail] **TRANSMIT** to the  
22 Chairman, Commission on Audit, a copy of the general declaration properly indorsed **IN PAPER**  
23 **OR ELECTRONIC FORM** by the customs Boarding Officer.

24 “SEC. 1110. *Manifest for Transit Cargo.* – When transit cargo from a foreign port for other  
25 local ports is forwarded from the port of importation, separate manifest[, in triplicate,] **IN**  
26 **PAPER OR ELECTRONIC FORM** shall be presented[,] **IN TRIPLICATE OR MORE**  
27 **NUMBER OF COPIES AS WHEN NEEDED, OR ELECTRONICALLY TRANSMITTED**  
28 by each carrier.

29 “SEC. 1111. *Clearance of Aircraft for Foreign Port.* –

30 “a. Any aircraft bound to a foreign port shall, before departure, clear **IN PAPER OR**  
31 **ELECTRONIC FORM** at an airport of entry or at the same place where such aircraft has been  
32 authorized to make its landing by the Commissioner.

33 “b. Before clearance shall be granted to an aircraft bound to a foreign port, there shall be  
34 presented **OR TRANSMITTED** to the Collector or to the customs officer detailed at the place  
35 of departure [four copies of] a general declaration signed **IN PAPER OR ELECTRONIC**  
36 **FORM** by the pilot-in-command or authorized agent of an aircraft which shall contain the  
37 following data:

1 "1. x x x;

2 "2. x x x;

3 "3. x x x;

4 "4. x x x;

5 "5. x x x;

6 "6. x x x;

7 "7. Export cargo manifest showing information as to airway bill number, the number of  
8 packages related to each airway bill number, nature of goods, destination, and gross weight[,  
9 together with a copy of each airway bill securely attached thereto]; and

10 "8. x x x.

11 "SEC. 1112. *[Oath] STATEMENT of Person in Charge of Departing Aircraft.* – The pilot-  
12 in-command or authorized agent of such departing aircraft shall also state [under oath] to the  
13 effect that:

14 "a. x x x.

15 "b. He has [mailed] **TRANSMITTED** or delivered to the Commission on Audit a true  
16 copy of the outward general declaration.

17 "c. x x x.

18 "d. x x x.

19 "A record shall be made and kept open to public inspection in every customhouse at an airport of  
20 entry the dates of arrival and entry of all aircraft.

21 **"THE CONTENTS OF THIS STATEMENT SHALL BE DEEMED TO HAVE BEEN**  
22 **MADE UNDER PENALTIES OF FALSIFICATION OR PERJURY.**

23 "SEC. 1301. *Persons Authorized to Make Import Entry.* – Imported articles must be entered  
24 in the customhouse at the port of entry within thirty (30) days, which shall not be extendible,  
25 from the date of discharge of the last package from the vessel or aircraft either (a) by the  
26 importer, being holder of the bill of lading; **AND** (b) by a duly licensed customs broker acting  
27 under authority from a holder of the bill [or (c) by a person duly empowered to act as agent or  
28 attorney-in-fact for each holder]: *Provided,* That where the entry is filed by a party other than the  
29 importer, said importer shall himself be required to declare under oath and under the penalties of  
30 falsification or perjury that the declaration and statements contained in the entry are true and  
31 correct: *Provided, further,* That such statements under oath shall constitute *prima facie* evidence  
32 of knowledge and consent of the importer of violation against applicable provisions of this Code  
33 when the importation is found to be unlawful (Republic Act No. 6511, June 4, 1993).

34 **"THE AUTHORITY TO MAKE OR FILE THE FORMAL ENTRY OR THE EXPORT**  
35 **DECLARATION IN PAPER OR ELECTRONIC FORM WITH THE BUREAU OF**  
36 **CUSTOMS SHALL BE LIMITED TO SAID IMPORTERS AND DULY-LICENSED**  
37 **CUSTOMS BROKERS.**

1 "SEC. 1303. *Entry of Article in Part for Consumption and in Part for Warehousing.* –  
2 Import entries or articles covered by one bill of lading **IN PAPER OR ELECTRONIC FORM**  
3 may be made simultaneously for both consumption and warehousing. Where an intent to export  
4 the articles is shown by the bill of lading and invoice, the whole or a part of a bill of lading (not  
5 less than one package) may be entered for warehousing and immediate exportation. Articles  
6 received at any port from another port in the Philippines on any entry for immediate  
7 transportation may be entered at the port of delivery either for consumption or warehousing.

8 "SEC. 1304. *Declaration of the Import Entry.* – Except in case of informal entry, no entry of  
9 imported article shall be effected until there shall have been submitted **OR TRANSMITTED IN**  
10 **PAPER OR ELECTRONIC FORM** to the Collector a [written] declaration [under penalties of  
11 falsification or perjury, in such form] as shall be prescribed by the Commissioner, containing  
12 statements in substance as follows:

13 "x x x.

14 "SEC. 1305. *By Whom to be Signed.* – The declaration shall be signed **IN PAPER OR**  
15 **ELECTRONIC FORM**], under penalties of falsification or perjury,] by the importer, consignee  
16 or holder of the bill, by or for whom the entry is effected if such person is an individual, or in  
17 case of a corporation, firm or association, by its manager, or by a licensed customs broker duly  
18 authorized to act for either of them.

19 **"THE CONTENTS OF THE DECLARATION SHALL BE DEEMED TO HAVE BEEN**  
20 **MADE UNDER PENALTIES OF FALSIFICATION OR PERJURY.**

21 "SEC. 1306. *Forms and Contents of Import Entry.* – Import entries shall be in the required  
22 number of copies [in such form] as prescribed by regulations **TO BE ISSUED BY THE**  
23 **COMMISSIONER OF CUSTOMS.** [They] **IF IN PAPER FORM, THEY** shall be signed by  
24 the person making the entry of the articles, and shall contain the names of the importing vessel or  
25 aircraft, port of departure and date of arrival, the number and marks of packages, or the quantity,  
26 if in bulk, the nature and correct commodity **CLASSIFICATION CODE OR NUMBER AND**  
27 description of the articles contained therein and its value as set forth in proper invoice [to be  
28 presented in duplicate with the entry]. **IF IN ELECTRONIC FORM, THE ENTRIES**  
29 **SHALL BE TRANSMITTED WITH THE UNIQUE IDENTIFIER OF THE PERSON**  
30 **MAKING THE ENTRY, CONTAINING THE INFORMATION AND IN THE FORMAT**  
31 **PRESCRIBED BY THE COMMISSIONER OF CUSTOMS.**

32 "SEC. 1307. *Description of Articles.* – The description of the articles in the import entry  
33 must be in sufficient detail to enable the articles to be identified both for tariff classification and  
34 statistical purposes, and if specifically classified in this Code, in the tariff description of terms of  
35 the headings or subheadings of this Code and in the currency of the invoice; and the quantity and  
36 values of each of the several classes of articles shall be separately declared **IN PAPER OR**

1 **ELECTRONIC FORM** according to their respective headings or subheadings and the totals of  
2 each heading or subheading shall be duly shown.

3 “SEC. 1313. *Information Furnished on Classification and Value.* –

4 “a. As to classification. – When an article imported or intended to be imported is not specifically  
5 classified in this Code, the interested party, importer or foreign exporter may submit to the Tariff  
6 Commission a sample together with a full description of its component materials and uses, and  
7 request it in [writing] **PAPER OR ELECTRONIC FORM** to indicate the heading under which  
8 the article is or shall be dutiable, and the Tariff Commission shall comply with such requests  
9 within thirty (30) days from receipt thereof if it is satisfied that the application is made in good  
10 faith, in which case classification of the article in question upon the particular importation  
11 involved shall be made according to the heading indicated by the Tariff Commission: *Provided,*  
12 *however,* That such rulings of the Tariff Commission on commodity classification, shall be  
13 binding upon the Bureau of Customs, unless the Secretary shall rule otherwise.

14 “b. As to Value. – Upon [written] application **IN PAPER OR ELECTRONIC FORM** of  
15 owner or his agent, the Collector shall furnish any importer within [thirty] **FIFTEEN (15)** days  
16 from receipt thereof the latest information in his possession as to the dutiable value of the articles  
17 to be entered at his port, after arrival or upon satisfactory evidence that they have been exported  
18 and are enroute to the Philippines: *Provided,* That the information shall be given only if the  
19 Collector is satisfied, after questioning the importer and examining all pertinent papers presented  
20 to him, such as invoices, contracts of sale or purchase, orders and other commercial documents  
21 that the importer is acting in good faith and is unable to obtain proper information as to the  
22 dutiable value of the articles on the date of exportation due to unusual conditions: And,  
23 *Provided, further,* That the information so given is in no sense an appraisal or binding upon the  
24 Collector’s action on appraisal. **IN LIEU OF THE APPLICATION OF THE OWNER OR**  
25 **HIS AGENT, HE MAY BE GRANTED BY THE COLLECTOR ACCESS TO THE**  
26 **VALUATION DATABASE, AND OTHER SUCH FACILITIES TO PERFORM QUERY**  
27 **FUNCTIONS.**

28 “SEC. 1405. *Proceedings and Report of Appraisers.* – Appraisers shall, by all reasonable  
29 ways and means, ascertain, estimate and determine the value or price of the articles as required  
30 by law, any invoice or affidavit thereto or statement of cost, or of cost of production to the  
31 contrary notwithstanding, and after revising and correcting the report of the examiners as they  
32 may judge proper, shall report in writing on the face of the entry **OR IN ELECTRONIC FORM**  
33 **IN THE SPACE PROVIDED ON THE SINGLE ADMINISTRATIVE DOCUMENT**  
34 **(SAD) SCREEN FOR SAID REPORT** the value so determined, irrespective of whether such  
35 value is equal, higher or lower than the invoice and/or entered value of the articles.

36 “Appraisers shall describe all articles on the face of the entry **OR ON THE SAD SCREEN** in  
37 tariff and such terms as will enable the collector to pass upon the appraisal and classification of



1 the same, which appraisal and classification shall be subject to his approval or modification, and  
2 shall note thereon the measurements and quantities, and any disagreement with the declaration.

3 “SEC. 1501. *Delivery of Articles to Holder of Bill of Lading.* – A Collector who makes a  
4 delivery of a shipment, upon the surrender of the bill of lading **IN PAPER OR ELECTRONIC**  
5 **FORM**, to a person who by the terms thereof appears to be the consignee or lawful holder of the  
6 bill shall not be liable on account of any defect in the bill or irregularity in its negotiation, unless  
7 he has notice of the same.

8 “SEC. 1502. *Delivery of Articles Without Production of Bill of Lading.* – No Collector shall  
9 deliver imported articles to any person without the surrender by such person of the bill of lading  
10 covering said article, except on [written] order **IN PAPER OR ELECTRONIC FORM** of the  
11 carrier or agent of the importing vessel or aircraft, in which case neither the Government nor the  
12 Collector shall be held liable for any damages arising from wrongful delivery of the articles:  
13 *Provided, however,* That where delivery of articles is made against such [written] order of the  
14 carrier or agent of the importing vessel or aircraft, the Collector may, for customs purposes,  
15 require the production of an exact copy of the bill of lading therefor.

16 “SEC. 1504. *Delivery Upon Order of Importer.* – An importer of record may authorize  
17 delivery to another person by writing upon the face of the warehouse withdrawal entry **OR**  
18 **INDICATE ON THE SAD SCREEN** his orders to that effect. Such authority to deliver the  
19 article entered for warehousing in accordance with section nineteen hundred and four shall not  
20 relieve the importer and his cash deposit, irrevocable domestic letter of credit, bank guarantee or  
21 bond from liability for the payment of the duties, taxes and other charges due on the said article  
22 unless the person to whom delivery was authorized to be made assumes such liability by  
23 complying with the requirements of above mentioned section.

24 “SEC. 1601. *Liquidation and Record of Entries.* – If the Collector shall approve the returns  
25 of the appraiser and the report of the weights, gauge or quantity, the liquidation shall be made on  
26 the face of the entry **OR ON THE SAD SCREEN** showing the particulars thereof, initialed by  
27 the customs assessors, approved by the chief customs assessor, and recorded in the record of  
28 liquidations. **THE INITIAL, APPROVAL AND RECORDING MAY BE DONE IN PAPER**  
29 **OR ELECTRONIC FORM.**

30 “x x x.

31 “SEC. 1602. *Tentative Liquidation.* – If to determine the exact amount due under the law in  
32 whole or in part some future action is required, the liquidation shall be deemed to be tentative as  
33 to the item or items affected and shall to that extent be subject to future and final readjustment  
34 and settlement within a period of six (6) months from date of tentative liquidation. The entry in  
35 such case **IF IN PAPER FORM** shall be stamped ‘Tentative liquidation.’ **IF THE ENTRY IS**  
36 **IN ELECTRONIC FORM, SAID STAMP SHALL BE INDICATED ON THE SAD**  
37 **SCREEN.**

1 “SEC. 1906. *Entry of Articles for Warehousing.* – The entry of articles for warehousing shall  
2 be in the required number of copies in the prescribed form[, and shall be verified] as in the entry  
3 of articles for consumption. No warehousing entry shall be accepted for any article if from the  
4 entry, supporting documents and/or information such article is imported contrary to law.

5 “SEC. 1907. *Withdrawal of Articles from Bonded Warehouse.* – Articles entered under  
6 irrevocable domestic letter of credit, bank guarantee or bond may be withdrawn at any time for  
7 consumption, for transportation to another port, for exportation or for delivery on board a vessel  
8 or aircraft engaged in foreign trade for use on board such vessel or aircraft as sea stores or aircraft  
9 stores after liquidation of the entry. The withdrawal must be made by a person or firm duly  
10 authorized by the former, whose authority must appear in writing **OR IN ELECTRONIC**  
11 **FORM** upon the face of the withdrawal entry.

12 “SEC. 2001. *Establishment of Bonded Manufacturing Warehouses.* – All articles  
13 manufactured in whole or in part of imported materials, and intended for exportation without  
14 being charged with duty, shall, in order to be so manufactured and exported, be made and  
15 manufactured in bonded manufacturing warehouses under such rules and regulations as the  
16 Commissioner of Customs with the approval of the Secretary of Finance, shall prescribe:  
17 *Provided,* That the manufacturer of such articles shall first file **BY PAPER OR BY**  
18 **ELECTRONIC MEANS** a satisfactory bond for the faithful observance of all laws, rules and  
19 regulations applicable thereto.

20 “SEC. 2003. *Procedure for Withdrawal.* – Articles received into such bonded manufacturing  
21 warehouse or articles manufactured therein may be withdrawn or removed therefrom for direct  
22 shipment and for immediate exportation in bond under the supervision of the proper customs  
23 officer, who shall **IN PAPER OR ELECTRONIC FORM** certify to such shipment and  
24 exportation, or lading for immediate exportation as the case may be, describing the articles by  
25 their mark or otherwise, the quantity, the date of exportation, in the name of the vessel or aircraft:  
26 *Provided,* That the waste and by-products incident to the process of manufacture in said bonded  
27 warehouse may be withdrawn for domestic consumption upon payment of duty equal to the duty  
28 which would be assessed and collected pursuant to law as if such waste or by-products were  
29 imported from a foreign country: *Provided, further,* That all waste materials may be disposed  
30 under government supervision. All labor performed and services rendered under these provisions  
31 shall be under the supervision of a proper customs officer and at the expense of the manufacturer.

32 “SEC. 2004. *Verification by the Commissioner.* – A careful account shall be kept by the  
33 Collector of all articles delivered by him to any bonded manufacturing warehouse, and a sworn  
34 monthly return **IN PAPER OR ELECTRONIC FORM**, verified by the customs officer in  
35 charge, shall be made by the manufacturer containing a detailed statement of all imported articles  
36 used by him in the manufacture of the exported articles.

37 “x x x

1 "SEC. 2101. *Entry for Immediate Transportation.* – Articles entered for constructive  
2 warehousing and immediate transportation under transit manifest to other ports of the Philippines  
3 without appraisalment may be transported under irrevocable domestic letter of credit, bank  
4 guarantee or bond **EFFECTED BY PAPER OR ELECTRONIC MEANS**, upon proper  
5 examination and consigned to the Collector at the port of destination, who will allow entry to be  
6 made at his port by the consignee.

7 "x x x.

8 "SEC. 2102. *Bonding of Carrier Transporting Articles Under the Preceding Section.* – A  
9 carrier engaged in conveying imported articles under the preceding section from a port of  
10 importation to other ports shall give **BY PAPER OR ELECTRONIC MEANS** A security in the  
11 nature of a general transportation bond, in a sum not less than Ten thousand pesos (P10,000.00)  
12 conditioned that the carrier shall transport and deliver without delay, and in accordance with law  
13 and regulations, to the Collector at the port of destination all articles delivered to such carrier and  
14 that all proper charges and expenses incurred by the customs authorities or at their instance by  
15 reason of such transshipment shall be duly paid.

16 "SEC. 2103. *Articles Entered for Immediate Exportation.* – Where an intent to export the  
17 articles is shown by the bill of lading, invoice, manifest, or other satisfactory evidence **IN**  
18 **PAPER OR ELECTRONIC FORM**, the whole or a part of a bill (not less than one package)  
19 may be entered for immediate exportation under bond. The Collector shall designate the vessel  
20 or aircraft in which the articles are laden constructively as a warehouse to facilitate the direct  
21 transfer of the articles to the exporting vessel or aircraft.

22 "Unless it shall appear by the bill of lading, invoice, manifest, or other satisfactory evidence **IN**  
23 **PAPER OR ELECTRONIC FORM**, that articles arriving in the Philippines are destined for  
24 transshipment, no exportation thereof will be permitted except under entry for immediate  
25 exportation under irrevocable domestic letter of credit, bank guaranty or bond in an amount equal  
26 to the ascertained duties, taxes and other charges.

27 "x x x.

28 "SEC. 2201. *Trespass or Obstruction of Customs Premises.* – No person other than those  
29 with legitimate business with, or employees of, the port or the Bureau of Customs shall be  
30 allowed to enter the customs premises without a [written] permission **IN PAPER OR**  
31 **ELECTRONIC FORM** of the Collector. No person shall obstruct a customhouse, warehouse,  
32 office, wharf, street or other premises under the control of the Bureau of Customs, or in any of  
33 the approaches to that house or premises.

34 "SEC. 2504. *Failure or Refusal of Party to Give Evidence or Submit Documents for*  
35 *Examination.* – When the owner, importer or consignee or any imported articles, or the agent of  
36 either, fails or refuses, upon lawful demand in writing by any customs official to appear, make  
37 oath or submit himself to examination, or to answer any material question or refuses to produce

1 **IN PAPER OR ELECTRONIC FORM** records, accounts or invoices in his possession  
 2 pertaining to the value, classification or disposition of the article in question and deemed material  
 3 in appraising the same, the Collector shall assess a surcharge of twenty *per centum* (20%) *ad*  
 4 *valorem* on the article which is the subject of the importation.

5 “SEC. 3301. *Customs Fees and Charges.* – For services rendered and documents issued by  
 6 the Bureau of Customs the following fees shall be charged and collected, by affixing **IN PAPER**  
 7 **OR ELECTRONIC FORM** documentary customs stamps in the correct amount upon the  
 8 document or any other paper which is the subject of the charge and by the cancellation of such  
 9 stamps in the manner prescribed by the Commissioner, and no such document or any other paper  
 10 shall be issued or granted by any customs officials until the correct amount of stamps shall have  
 11 been affixed and canceled[: *Provided, however,* That fees of Twenty pesos (P20.00) or over may  
 12 be paid in cash].

13	For each amendment allowed to a foreign inward	
14	manifest . . . . . P	[30] 50
15	For each permit (other than passengers) to take	
16	cigars aboard ship, per thousand cigars . . . . .	[30] 50
17	For each permit (other than passengers) to take	
18	cigarettes aboard ship, per thousand cigarettes . . . . .	[30] 50
19	For each original import or export entry exceeding	
20	fifty pesos in value . . . . .	[30] 50
21	For each entry for immediate transportation in	
22	bond . . . . .	[30] 50
23	For each original internal revenue entry . . . . .	[30] 50
24	For each original withdrawal entry from any bonded	
25	warehouse . . . . .	[30] 100
26	For each bond accepted or renewed . . . . .	[30] 100
27	For each approval of application in respect to	
28	transaction covered by general bond . . . . .	[30] 50
29	For every formal protest filed before the	
30	Collector of Customs . . . . .	[50] 110
31	For each appeal in protest and seizure cases . . . . .	[50] 110
32	For each certificate no hereinabove specified,	
33	exclusive of such are made in the course of	
34	routine administration in the Bureau which	
35	do not subserve any special pecuniary interest	
36	of the party concerned therein . . . . .	[30] 50

1 "SEC. 3302. *Other Charges.* – When any article is sold or any service rendered by the  
2 Bureau of Customs in any matter for which a charge may be collected legally, no fee therefor  
3 having been fixed by law, such charge shall be on such amount as may from time to time be fixed  
4 by regulations or order of the Commissioner and approved by the Department of Finance, and the  
5 payment of such charge may be made by affixing and cancelling **IN PAPER OR**  
6 **ELECTRONIC FORM** the documentary customs stamps.

7 "SEC. 3303. *Effect of Failure to Affix Stamp upon Document.* – No document or any other  
8 paper upon which no documentary customs stamps have been affixed and cancelled shall be  
9 received or recognized by any customs officials, **EXCEPT THOSE DOCUMENTS IN**  
10 **ELECTRONIC FORM WHERE THE AFFIXING AND CANCELLATION OF THE**  
11 **DOCUMENTARY STAMP ARE INDICATED ON THE SAD SCREEN BY THE**  
12 **COLLECTOR.**

13 "SEC. 3406. *Annual License Fee.* – Any person who is a holder of a customs broker's  
14 certificate, desiring to establish a customs brokerage business at any port in the Philippines shall  
15 apply for an annual license from the Collector of the port concerned.

16 **"THE APPLICATION FOR A LICENSE TO OPERATE A CUSTOMS BROKERAGE**  
17 **BUSINESS IN ONE PORT OF ENTRY SHALL BE APPROVED BY THE COLLECTOR**  
18 **OF THE PORT CONCERNED AND THE APPLICATION FOR A LICENSE FOR A**  
19 **CUSTOMS BROKERAGE COVERING TWO OR MORE PORTS OF ENTRY SHALL**  
20 **BE APPROVED BY THE COMMISSIONER OF CUSTOMS.**

21 "x x x."

22 SEC. 5. New Sections to be known as Section 3507 and Section 3508 are hereby inserted in  
23 Part 2, Title VIII, Book II of the Tariff and Customs Code of the Philippines, as amended, to read  
24 as follows:

25 **"SEC. 3507. *DOCUMENTS PRODUCED BY A COMPUTER WHEN USED AS***  
26 ***EVIDENCE IN ANY CRIMINAL OR CIVIL PROCEEDING.* – A DOCUMENT**  
27 **PRODUCED BY A COMPUTER PURSUANT TO THE PROVISIONS OF THIS CODE**  
28 **OR A STATEMENT CONTAINED IN SUCH DOCUMENTS SHALL BE EVIDENCE OF**  
29 **ANY FACT STATED THEREIN IF THE DOCUMENT WAS PRODUCED BY THE**  
30 **COMPUTER IN THE COURSE OF ITS ORDINARY USE, WHETHER OR NOT THE**  
31 **PERSON PRESENTING THE SAME IS THE MAKER OF SUCH DOCUMENT OR**  
32 **STATEMENT AND WHETHER OR NOT IT WAS PRODUCED BY THE COMPUTER**  
33 **AFTER THE COMMENCEMENT OF ANY CRIMINAL, CIVIL OR**  
34 **ADMINISTRATIVE PROCEEDING OR AFTER THE COMMENCEMENT OF ANY**  
35 **INVESTIGATION OR INQUIRY.**

36 **"FOR PURPOSES OF THIS SECTION, A DOCUMENT IS DEEMED TO HAVE BEEN**  
37 **PRODUCED BY A COMPUTER WHETHER OR NOT IT WAS PRODUCED BY IT**

1 DIRECTLY OR BY MEANS OF ANY APPROPRIATE EQUIPMENT, AND WHETHER  
2 OR NOT THERE WAS ANY DIRECT OR INDIRECT HUMAN INTERVENTION:  
3 *PROVIDED*, THAT A DOCUMENT IS DEEMED TO HAVE BEEN PRODUCED IN THE  
4 COURSE OF ITS ORDINARY USE WHEN A CERTIFICATE STATING THAT THE  
5 CONTENTS OF SUCH DOCUMENT ARE TRUE AND CORRECT IS EXECUTED  
6 UNDER OATH BY A PERSON WHO EITHER BEFORE OR AFTER THE  
7 PRODUCTION OF THE DOCUMENT BY THE COMPUTER IS RESPONSIBLE FOR  
8 THE MANAGEMENT OF THE OPERATION OF THAT COMPUTER, OR FOR THE  
9 CONDUCT OF THE ACTIVITIES FOR WHICH THAT COMPUTER WAS USED.  
10 SUCH CERTIFICATE SHALL BE DEEMED *PRIMA FACIE* EVIDENCE THAT THE  
11 COMPUTER PRODUCING THE DOCUMENT WAS IN GOOD WORKING ORDER OR  
12 WAS OPERATING PROPERLY IN ALL RESPECT THROUGHOUT THE MATERIAL  
13 PART OF THE PERIOD DURING WHICH THE DOCUMENT WAS PRODUCED:  
14 *PROVIDED, FURTHER*, THAT IN ANY CRIMINAL PROCEEDING, SUCH  
15 DOCUMENT OR A STATEMENT CONTAINED THEREIN SHALL NOT BE  
16 EVIDENCE OF ANY FACT STATED THEREIN WHERE IT IS GIVEN IN EVIDENCE  
17 BY OR ON BEHALF OF THE PERSON CHARGED WITH AN OFFENSE INVOLVING  
18 VIOLATIONS OF ANY APPLICABLE PROVISIONS OF THIS CODE, WHO WAS: (A)  
19 RESPONSIBLE FOR THE MANAGEMENT OF THE OPERATION OF THAT  
20 COMPUTER OR FOR THE CONDUCT OF THE ACTIVITIES FOR WHICH THAT  
21 COMPUTER WAS USED; OR (B) IN ANY MANNER OR TO ANY EXTENT  
22 INVOLVED, DIRECTLY OR INDIRECTLY, IN THE PRODUCTION OF THE  
23 DOCUMENT BY THE COMPUTER.

24 "SEC. 3508. *PRESERVATION OF ALL RECORDS OF IMPORTATIONS AND/OR*  
25 *EXPORTATIONS BY IMPORTERS, EXPORTERS AND BROKERS.* – ALL IMPORTERS,  
26 EXPORTERS AND BROKERS ARE REQUIRED TO KEEP AT THEIR PRINCIPAL  
27 PLACE OF BUSINESS ALL THE RECORDS AND FILES OF THEIR IMPORTATIONS  
28 AND EXPORTATIONS FOR PURPOSES OF POST AUDIT EXAMINATION,  
29 INSPECTION, VERIFICATION AND INVESTIGATION THEREOF FOR A PERIOD  
30 OF FIVE (5) YEARS FROM THE DATE OF THE IMPORTATION OR  
31 EXPORTATION, IN THE MANNER TO BE PRESCRIBED BY THE COMMISSIONER  
32 OF CUSTOMS."

33 SEC. 6. Section 3514 or Part 2, Title VIII, Book II of the Tariff and Customs Code of the  
34 Philippines, as amended, is hereby further amended to read as follows:

35 "SEC. 3514. *Words and Phrases Defined.* – As used in this Code:

36 "x x x

1 “ ‘Duly Registered’ as used in this Act, refers to a person, natural or juridical, [which is]  
2 registered with the proper government agencies, such as the [Bureau of Commerce]  
3 **DEPARTMENT OF TRADE AND INDUSTRY, GARMENTS AND TEXTILES EXPORT**  
4 **BOARD, DEPARTMENT OF ENERGY, Securities and Exchange Commission, [NACIDA,]**  
5 Board of Investments, [Export Incentives Board on Oil Commission] as now or may hereinafter  
6 be required by law.

7 “ ‘COMPUTER’ MEANS ANY DEVICE FOR RECORDING, STORING, PROCESSING,  
8 RETRIEVING OR PRODUCING INFORMATION OR OTHER MATTER, OR FOR  
9 PERFORMING ANY ONE OR MORE OF THOSE FUNCTIONS, BY WHATEVER  
10 NAME OR DESCRIPTION SUCH DEVICE IS CALLED; AND WHERE TWO OR  
11 MORE COMPUTERS CARRY OUT ANY ONE OR MORE OF THOSE FUNCTIONS IN  
12 COMBINATION OR IN SUCCESSION OR OTHERWISE HOWSOEVER  
13 CONJOINTLY, THEY SHALL BE TREATED AS A SINGLE COMPUTER.

14 “ ‘DOCUMENT’ MEANS ANY MATTER EXPRESSED, DESCRIBED, OR  
15 HOWSOEVER REPRESENTED, UPON ANY SUBSTANCE, MATERIAL, THING OR  
16 ARTICLE, INCLUDING ANY MATTER EMBODIED IN A DISC, TAPE, FILM, SOUND  
17 TRACK OR OTHER DEVICE WHATSOEVER, BY MEANS OF:

18 “(A) LETTERS, FIGURES, MARKS, SYMBOLS, SIGNALS, SIGNS, OR OTHER  
19 FORM OF EXPRESSION, DESCRIPTION OR REPRESENTATION WHATSOEVER;

20 “(B) ANY VISUAL RECORDING (WHETHER OF STILL OR MOVING IMAGES);

21 “(C) ANY SOUND RECORDING, OR ANY ELECTRONIC, MAGNETIC,  
22 MECHANICAL OR OTHER RECORDING WHATSOEVER AND HOWSOEVER  
23 MADE, OR ANY SOUNDS, ELECTRONIC IMPULSES, OR OTHER DATA  
24 WHATSOEVER;

25 “(D) A RECORDING OR TRANSMISSION, OVER A DISTANCE OF ANY  
26 MATTER BY ANY OR ANY COMBINATION OF THE MEANS MENTIONED IN  
27 PARAGRAPHS (A), (B) OR (C); OR

28 “(E) BY MORE THAN ONE OF THE MEANS MENTIONED IN PARAGRAPHS  
29 (A), (B), (C), AND (D), INTENDED TO BE USED OR WHICH MAY BE USED FOR THE  
30 PURPOSE OF EXPRESSING, DESCRIBING, OR HOWSOEVER REPRESENTING  
31 THAT MATTER.”

32 SEC. 7. New Sections to be known as Section 3610, Section 3611 and Section 3612 are  
33 hereby inserted in Part 3, Title VIII, Book II of the Tariff and Customs Code of the Philippines,  
34 as amended, to read as follows:

35 “SEC. 3610. *FAILURE TO KEEP RECORD OF IMPORTATIONS AND/OR*  
36 *EXPORTATIONS. – ANY PERSON WHO WILLFULLY VIOLATED THE PROVISIONS*  
37 *OF SECTION 3508 ON KEEPING OF RECORDS OF IMPORTATIONS AND/OR*

1 EXPORTATIONS OF THIS CODE SHALL BE PUNISHED WITH A FINE OF NOT  
2 LESS THAN ONE HUNDRED THOUSAND PESOS (P100,000.00) NOR MORE THAN  
3 TWO HUNDRED THOUSAND PESOS (P200,000.00) AND IMPRISONMENT OF NOT  
4 LESS THAN EIGHT (8) YEARS AND ONE (1) DAY NOR MORE THAN TWELVE (12)  
5 YEARS.

6 "SEC. 3611. *FAILURE TO SECURE UNIQUE IDENTIFIER.* – EVERY  
7 AUTHORIZED/REGISTERED USER OF A CUSTOMS COMPUTER SYSTEM WHO  
8 FAILS TO COMPLY WITH OR PERFORMS ACTS IN CONTRAVENTION OF THE  
9 REQUIREMENTS SET FORTH BY THE COMMISSIONER REGARDING THE  
10 SECURITY OF HIS/HER UNIQUE IDENTIFIER SHALL BE PUNISHED WITH THE  
11 SAME PENALTY PROVIDED FOR IN THE PRECEDING SECTION UNLESS HE/SHE,  
12 PRIOR TO ANY UNAUTHORIZED USE OF THAT UNIQUE IDENTIFIER, NOTIFIES  
13 THE COMMISSIONER OF CUSTOMS OF THE LOSS OF SECURITY THEREOF. IN  
14 ADDITION, HIS/HER AUTHORIZATION TO USE THE CUSTOMS COMPUTER  
15 SYSTEM SHALL BE SUBJECT TO CANCELLATION BY THE COMMISSIONER AS  
16 PROVIDED FOR IN SECTION 608-B OF THIS CODE.

17 "SEC. 3612. *UNLAWFUL USE OF UNIQUE IDENTIFIER.* – EVERY PERSON  
18 WHO, WITHOUT LAWFUL AUTHORITY, USES A UNIQUE IDENTIFIER TO  
19 AUTHENTICATE A TRANSMISSION OF INFORMATION TO THE CUSTOMS  
20 COMPUTER SYSTEMS SHALL BE PUNISHED WITH THE SAME PENALTY  
21 PROVIDED FOR IN SECTION 3610 OF THIS CODE."

22 SEC. 8. The former Section 3610 on Violations of Tariff and Customs Laws and  
23 Regulations in General, Part 3, Title VIII, Book II of the Tariff and Customs Code of the  
24 Philippines, as amended, is hereby renumbered as Section 3613.

25 SEC. 9. *Bureau of Customs (BOC) Productivity Incentive Fund.* – There is hereby  
26 established a BOC productivity incentive fund to be created out of the increase in total collection  
27 achieved during the immediately preceding year over that of the previous year. Said fund which  
28 is equivalent to five percent (5%) of the excess of actual collections over the collection goal shall  
29 be considered as receipts automatically appropriated and shall be made available for additional  
30 incentive allowance of BOC personnel as may be authorized by the president upon  
31 recommendation of the Secretary of Finance: *Provided,* That the approved collection targets  
32 originally used in the formulation of the budget as proposed by the President to Congress shall  
33 have been attained. The rules and regulations to implement this provision shall be jointly issued  
34 by the Secretary of Finance and Secretary of Budget and Management.

35 SEC. 10. *Implementing Rules and Regulations.* – The Secretary of Finance shall, upon  
36 recommendation of the Commissioner of Customs, promulgate the rules and regulations  
37 necessary for the effective implementation of this Act.



1 SEC. 11. *Repealing Clause.* – Section 3505 on Supervision over Attorneys-in-fact, of Part 2,  
2 Title VIII, Book II of the Tariff and Customs Code of the Philippines, as amended, is hereby  
3 repealed.

4 All laws, executive orders, decrees, rules and regulations, and other issuances or parts thereof  
5 inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

6 SEC. 12. *Effectivity.* – This Act shall take effect after fifteen (15) days from its publication  
7 in the *Official Gazette* or in at least two (2) national newspapers of general circulation whichever  
8 date comes earlier.

Approved,