


FOURTEENTH CONGRESS OF THE )  
 REPUBLIC OF THE PHILIPPINES )  
 First Regular Session )

7 JUL 31 2015

SENATE  
 S. No. 1409

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Introduced by **Senator Richard J. Gordon**

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### EXPLANATORY NOTE

The business of a customs broker is a specialized field that usually covers transactions with the Bureau of Customs concerning the release of cargo. This has been the traditional role of customs brokers, not only in the Philippines, but also throughout the world.

The present definition of the scope of the practice of customs brokers in Section 6 of Republic Act No. 9280, otherwise known as the Customs Brokers Act of 2004, however, not only expands the field of customs brokers, contrary to the traditional role of customs brokers, but it also encroaches upon other professions, most especially the practice of law, when it includes "consultation" and "representing importers and exporters before any government agency and private entities in cases related to valuation and classification of imported articles and rendering of other professional services in matters relating to customs and tariff laws, its procedures and practices."

This puts customs brokers on an even keel with members of the Bar without the requisite qualification to protect the public from the incompetence or dishonesty of those unlicensed to practice law. It also deprives other customs service providers such as tax consultants of their livelihood. For this and the foregoing reasons, the passage of this bill is earnestly sought.




**RICHARD J. GORDON**  
 Senator *lg*

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**AN ACT AMENDING SECTION 6 OF REPUBLIC ACT NO. 9280, OTHERWISE KNOWN AS THE CUSTOMS BROKERS ACT OF 2004**

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

1           **SECTION 1.** Section 6 of Republic Act 9280, otherwise known as the Customs  
2 Brokers Act of 2004, is hereby amended to read as follows:

3                   “SEC. 6. *Scope of the Practice of Customs Brokers.* – Customs Broker  
4 Profession involves services consisting of [consultation,] preparation of  
5 customs requisite documents for imports and exports, declaration of customs  
6 duties and taxes, preparation, signing, filing, lodging and processing of import  
7 and export entries[; representing importers and exporters before any  
8 government agency and private entities in cases related to valuation and  
9 classification of imported articles] and rendering of other professional services  
10 in matters relating to [customs and tariff laws, its procedures and practices]

11           THE ABOVE.

12                   X X X”

13           **Sec. 2. Repealing Clause.** – All laws, decrees, orders, rules and regulations or  
14 other issuances or parts thereof inconsistent with Sec. 1 of this Act are hereby repealed or  
15 modified accordingly.

16           **Sec. 3. Effectivity Clause.** - This Act shall take effect after fifteen (15) days  
17 following the completion of its publication either in the Official Gazette or in a newspaper of  
18 general circulation in the Philippines.

19           Approved,