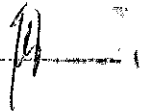


FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES)
Second Regular Session

8 JUL 24 11:34

SENATE

RECEIVED BY 

S.No. **2462**

Introduced by Senator Manny Villar

EXPLANATORY NOTE

This Bill intends to amend several provisions of Republic Act 9280. First, Section 27 is amended to provide that import entry should be signed by a customs broker and the consignee/owner/importer under oath.

Second, Section 29 is amended to make that no firm, company, or association may be registered or licensed with the Professional Regulation Commission for the practice of customs broker profession. However, it would allow a corporation to be registered for purposes of engaging in the business of customs brokerage provided that they shall hire the services of at least one customs broker.

Moreover, for purposes of the law, the phrase 'engaging in the business of customs brokerage' was defined as "making representations in behalf of importer-clients in the Bureau of Customs and other government agencies". It likewise mandates that corporations engaged in the business of customs brokering shall have a minimum paid-up capital of one million pesos (P1,000,000.00) before they are accredited by the Bureau of Customs.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


MANNY VILLAR

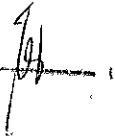
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SENATE

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S. No. **2462**



Introduced by Senator Manny Villar

**AN ACT AMENDING REPUBLIC ACT NO. 9280, OTHERWISE KNOWN AS
THE "CUSTOMS BROKERS ACT OF 2004" AND FOR OTHER PURPOSES**

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

SECTION 1. Section 27 of Republic Act 1 No. 9280 is hereby amended to
read as follows:

"SEC. 27. *Acts Constituting the Practice of Customs Broker
Profession.* – Any single act or transaction embraced within the
provision of Section 6 hereof shall constitute an act of engaging in
the practice of customs broker profession. Import [and export]
entry [declarations] shall be signed [only] by a customs broker
AND THE CONSIGNEE/OWNER/IMPORTER under oath based on
the covering documents submitted by the importers."

SEC. 2. Section 29 of Republic Act No. 9280 is hereby amended to read
as follows:

"SEC. 29. [*Prohibition Against Corporate Practice*]
ADMISSION TO PROFESSIONAL PRACTICE. – The practice of
customs broker is a professional service, admission to which shall
be determined upon the basis of individual and personal
qualifications. **AS SUCH, [N]No** firm, company, or association may
be registered or licensed [as such] **WITH THE PROFESSIONAL
REGULATION COMMISSION (PRC)** for the practice of customs
broker profession.

**"NOTHING IN THIS ACT SHALL PREVENT A
CORPORATION FROM BEING REGISTERED FOR THE
PURPOSE OF ENGAGING IN THE BUSINESS OF CUSTOMS
BROKERAGE: PROVIDED, THAT THEY SHALL HIRE THE
SERVICES OF AT LEAST ONE (1) CUSTOMS BROKER.**

**"FOR PURPOSES OF THIS ACT, THE PHRASE
'ENGAGING IN THE BUSINESS OF CUSTOMS BROKERAGE'
SHALL MEAN MAKING REPRESENTATIONS IN BEHALF OF
IMPORTER-CLIENTS IN THE BUREAU OF CUSTOMS (BOC)
AND OTHER GOVERNMENT AGENCIES: PROVIDED, THAT**

SUCH CORPORATIONS ENGAGED IN THE BUSINESS OF CUSTOMS BROKERING SHALL HAVE A MINIMUM PAID-UP CAPITAL OF ONE MILLION PESOS (P1,000,000.00) BEFORE THEY ARE ACCREDITED BY THE BOC.”

SEC. 3. *Repealing Clause.* – All laws, presidential decrees, executive orders, memorandum orders and other administrative orders, rules and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 4. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in any newspaper of general circulation in the Philippines.

Approved,