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REGULATIONS FOR ACCREDITATION OF PEZA LOCATORS IN ACCORDANCE WITH DEPARTMENT OF FINANCE DEPARTMENT ORDER 107-2014

BOC Customs Memorandum Order No. 03-2015, January 13, 2015

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A. Introduction, Repealing Clauses, Transitory Provisions, and General Principles

- This Customs Memorandum Order (CMO) are the rules and regulations for implementation of Department of Finance Department Order (DOF-DO) No. 107- 2014, as referred to in Section 4 of that order.

- PEZA locators who have obtained BOC importer accreditation in accordance with CMO 4-2014, as amended by CMO 11-2014, are not covered by this CMO. Their accreditations will continue to be valid.

- PEZA locators who have not yet obtained BOC importer accreditation in accordance with CMO 4-2014, as amended by CMO 11-2014, but have submitted complete requirements as per those two CMOs to the Bureau of Customs, are not covered by this CMO. Their applications will continue to be processed in accordance with those two CMOs.

- PEZA locators who have not yet submitted complete requirements as per CMO 4-2014, as amended by CMO 11-2014, or who have not applied for applied for BOC importer accreditation as of 12 January 2015, are covered by this CMO.

- Effective 12 January 2015, this CMO repeals CMO 4-2014 and CMO 11-2014, as they relate to PEZA locators who have not submitted complete requirements for importer accreditation in accordance with CMO 4-2014 and CMO 11-2014, or who have not applied for importer accreditation with the BOC.

- All other orders and issuances the provisions of which are inconsistent herewith are hereby revoked/modified accordingly.

- Company or companies as referred to in this CMO refer to corporations, partnerships cooperatives, or sole

proprietorships which are PEZA locators.

- A corporation, partnership, or cooperative applying for accreditation must designate:

- The Applicant, who will sign the Application for Accreditation and Registration. The Applicant will be the main point of contact between the company and the Bureau of Customs throughout the validity of the company's accreditation. The Applicant shall receive notices from the Bureau of Customs regarding the application for accreditation, ensure that the Bureau of Customs is notified of any changes in the information contained in the application for accreditation, including change in business name and personalities of the most Senior Officers and Responsible Officers. For Corporations or Cooperatives, the Applicant must be a Responsible Officer. For Partnerships, the Applicant must be a Partner.

- The two most Senior Officers of the company. The two most Senior Officers of the company will be responsible for notifying the Bureau of Customs of any changes in Responsible Officers, including the Applicant, throughout the validity of the company's accreditation.

- Responsible Officers, who will be responsible and liable for the actions of the company.

- For corporations and cooperatives: the two most senior officers of the company must be designated as Responsible Officers; there is no limit to the number of Responsible Offices a corporation or cooperative may designate.

- For partnerships, at least two of the Partners, must be Senior Officers and Responsible Officers.

- At least one Authorized Signatory for Import Entries to be filed with the Bureau of Customs. Each authorized signatory must be a Responsible Officer.

- For Sole Proprietorships, the Proprietor will automatically fulfill the role of the two most Senior Officers, Responsible Officer, Authorized Signatory, and Applicant as described in Section A.3 A Sole Proprietorship may, but need not, designate additional Authorized Signatories.

For Sole Proprietorships, the proprietor will be the main point of contact between the company and the Bureau of Customs throughout the validity of the company’s accreditation. The proprietor shall receive notices from the Bureau of Customs regarding the application for accreditation, ensure that the Bureau of Customs is notified of any changes in the information contained in the application for accreditation, including change in business name and personalities of the Authorized Signatories.

B. Procedures for Application

- All importers and customs brokers are required to apply for registration under the BOC Client Profile Registration System (CPRS) through one of the BOC’s Value-Added Service Providers (VASPs). After the

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application is “STORED” in the system, the applicant shall then print the CPRS profile which shall form part of the application.

- All applicants shall pay a processing fee equivalent to One Thousand Philippine Pesos (PhP1,000.00) upon submission of its application. The fee can be paid at any BOC office’s Collection Division. Thereafter, a Bureau of Customs Official Receipt (BCOR) shall be issued upon payment of said processing fee.

- Documents to be submitted, as listed in Sections C and D must be original copies, except when it is indicated in those Sections that certified true copies are acceptable. The original copies may be required for presentation by the BOC-AMO for purposes of comparison in case of doubt as to the authenticity of the certified true copies.

- Documents should be submitted to:

Account Management Office
Bureau of Customs
Ground Floor, Port of Manila Building
Gate 3, South Harbor, Port Area, Manila

C. Documents to be Submitted by a Corporation, Partnership, or Cooperative

- A completely filled up Application for Accreditation and Registration (found in Appendix A)

- An executed and notarized Sworn Certification and Undertaking (found in Appendix B)

- For Corporations and Cooperatives: An executed and notarized Secretary’s Certificate (found in Appendix C-1).

For Partnerships: An executed and notarized Certificate of Partnership Resolution (found in Appendix C-2)

- Bureau of Customs Official Receipt evidencing payment of the Application Fee (Certified True Copy acceptable)

- One of the following: (Certified True Copy acceptable)

For Corporations: Certificate of Incorporation issued by the Securities and Exchange Commission

For Partnerships: Certificate of Partnership issued by the Securities and Exchange Commission

For Cooperatives Certificate of Incorporation issued by the Cooperative Development Authority

- General Information Sheet, stamped “received” by the Securities and Exchange Commission or Cooperative Development Authority and dated not more than 12 months before application with the Bureau of Customs. (Certified True Copy acceptable)

- Company Profile, with pictures of the company’s office with signage and storage facilities.

- Print-out of CPRS profile (Certified True Copy acceptable)

- Updated e-mail notification of “Stored CPRS” (Certified True Copy acceptable)

- Valid PEZA Certificate of Registration (Certified True Copy acceptable)

- Previous Certificate of BOC Accreditation, if the company was previously accredited by the Bureau of Customs. (Certified True Copy acceptable)

- For each Responsible Officer

- NBI Clearance issued not earlier than three months before application with the Bureau of Customs.

- Two valid government-issued I.D.s from the list below, each containing a picture of the Responsible Officer. At least one of the two must be a primary ID, as defined below. Certified True Copies are acceptable.

Primary ID Secondary ID

- Passport

- Driver’s License

- GSIS ID

- SSS ID

- Unified Multi-Purpose ID

- Professional Regulatory Commission ID

- Philhealth ID

- Tax Identification Number (TIN) ID

- Postal ID

- Voter’s ID

- Senior Citizen ID

- Integrated Bar of the Philippines ID

- Personal Profile of the Responsible Officer (found in Appendix D)

- A CD containing scanned copies of the twelve documents listed above.

D. Documents to be submitted by a Sole Proprietorship

- A completely filled up Application for Accreditation and Registration (found in Appendix E)

- An executed and notarized Affidavit and Sworn Undertaking (found in Appendix F)

- An executed and notarized Special Power of Attorney (found in Appendix G). This document needs to be submitted only if, as contemplated in Section

A.4, the Sole Proprietorship designates any Authorized Signatories in addition to the Sole Proprietor.

- Bureau of Customs Official Receipt evidencing payment of the Application Fee (Certified True Copy acceptable)

- Certificate of Business Name Registration issued by the Department of Trade and Industry. (Certified True Copy acceptable)

- Company Profile, with pictures of the company's office and storage facilities.

- Print-out of CPRS profile (Certified True Copy acceptable)

- Updated e-mail notification of “Stored CPRS” (Certified True Copy acceptable)

- Valid PEZA Certificate of Registration (Certified True Copy acceptable)

- Previous Certificate of BOC Accreditation, if the company was previously accredited by the Bureau of Customs. (Certified True Copy acceptable)

- NBI Clearance of the Sole Proprietor issued no earlier than three months before application with the Bureau of Customs.

- Two valid government-issued I.D.s from the list below, each containing a picture of the Responsible Officer. At least one of the two must be a primary ID, as defined below. Certified True Copies are acceptable.

Primary ID Secondary ID

- Passport

- Driver's License

- GSIS ID

- SSS ID

- Unified Multi-Purpose ID

- Professional Regulatory Commission ID

- Philhealth ID

- Tax Identification Number (TIN) ID

- Postal ID

- Voter's ID

- Senior Citizen ID

- Integrated Bar of the Philippines ID

- Personal Profile of the Applicant (found in Appendix D)

- For each additional Authorized Signatory:

- NBI Clearance issued no earlier than three months before application with the Bureau of Customs.

- Two valid government-issued I.D.s from the list below, each containing a picture of the Responsible Officer. At least one of the two must be a primary ID, as defined below. Certified True Copies are acceptable.

Primary ID Secondary ID

- Passport

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- Driver's License

- GSIS ID

- SSS ID

- Unified Multi-Purpose ID

- Professional Regulatory Commission ID

- Philhealth ID

- Tax Identification Number (TIN) ID

- Postal ID

- Voter's ID

- Senior Citizen ID

- Integrated Bar of the Philippines ID

- Personal Profile of the Responsible Officer (found in Appendix D).

- Executed and Notarized Sworn Undertaking of Responsible Officer (found in Appendix E)

- A CD containing scanned copies of the fourteen documents listed above.

E. Action on Applications for Accreditation

- Upon submission of the complete list of documents listed in Sections C or D above, as the case may be, the Bureau of Customs Account Management Office shall notify the company of the decision on its application, as far as practicable, within 15 working days from receipt of the application. All notices shall be sent through the e-mail address of the Applicant as shown in Appendix A or Appendix E, Section 2.1.f.

- Once approved, the accreditation of the company with the Bureau of Customs will be valid for as long as its PEZA registration is valid, provided the reporting requirements in Section F below are followed.

F. Reporting Requirements

- If any of these changes in the company take place, it is the individual responsibility of each of the two most Senior Officers of the company to report such changes to the Bureau of Customs Account Management Office, within fifteen days from the occurrence of such change, along with the following documents:

Corporation

Partnership

Cooperative

Sole Proprietorship

Change in business name

Amended Certificate of Incorporation, issued by SEC

Amended Certificate of Partnership, issued by SEC

Amended Certificate of Registration, issued by CDA

Amended Certificate of Registration, issued by DTI

Change in two most senior officials

Secretary's certificate of board resolution with new names

Certificate of Partnership Resolution by the partners with new names

Secretary's certificate of board resolution with new names

(not applicable)

Change in responsible officers

Secretary's certificate of board resolution with new names

Certificate of Partnership Resolution by the partners with new names

Secretary's certificate of board resolution with new names

Special Power of Attorney with new names

Change in signatories for entries

Secretary's certificate of board resolution with new names

Certificate of Partnership Resolution by the partners with new names

Secretary's certificate of board resolution with new names

Special Power of Attorney with new names

Any delay or failure to update the Bureau of Customs Account Management Office may be grounds for the cancellation or suspension of the company's accreditation. Furthermore, Senior Officers, Responsible Officers, and Authorized Signatories will continue to be considered as such by the Bureau of Customs, empowered to transact on behalf of the company and bind the company in transactions with the Bureau of Customs, and liable for their actions and inactions to the Bureau of Customs.

- All corporations, partnership, cooperatives and sole proprietorships should also submit the following documents no later than 31 March of every year after accreditation.

- Updated General Information Sheet and company profile in case of corporations; the company or trade profile in

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case of cooperatives, partnership and sole proprietors

- Updated PEZA registration

- Mayors Permit and Proof of lawful occupancy of office

(SGD) JOHN P. SEVILLA
Commissioner

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