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RULES AND REGULATIONS TO BE OBSERVED BY VESSELS, LAUNCHES AND OTHER SEACRAFTS ENGAGED IN TRADE BETWEEN THE PHILIPPINES AND THE SOUTHERN NEIGHBORING COUNTRIES

BC CUSTOMS ADMINISTRATIVE ORDER NO. 1-96, May 14, 1996

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Pursuant to Section 608 of the Tariff and Customs Code of the Philippines as amended, the following rules and regulations are hereby issued implementing Title III, Part I (Sections 1001 to 1025) of the code in relation to the Border Crossing Agreement between Malaysia/Indonesia and the Philippines:

1.

OBJECTIVES

1.1 To enhance and facilitate trade between the Philippines and the neighboring countries of Malaysia and Indonesia.

1.2 To make convenient the payment of duties and taxes on all goods brought into the country through trade between the Philippines and Malaysia/Indonesia.

1.3 To enhance the joint anti-smuggling efforts of the Bureau of Customs and the Philippine Navy.

2.

SCOPE

This order shall govern the operations of vessels/launches and other seacrafts engaged in trade between the Philippines and the Southern neighboring countries which includes Brunei, Indonesia, Malaysia and Singapore.

3.

GENERAL PROVISIONS

3.1 For ease of compliance with Section 1004 (Documents to be Produced by Master Upon Entry of the Vessel) and Section 1019 (Clearance of Vessel for Foreign Port), the following submissions to the Collector of Customs concerned shall be one as follows:

3.1.1 Annual Submission

3.1.1.1 Latest Vessel's/Launch registration with Marina

3.1.1.2 SEC Articles of Incorporation and By-Laws/DTI Certificate of Registration

3.1.2 Per Departure

All vessels subject to the order must obtain Customs Clearance from the Pier Inspection Division of the Port or similar office. The following must be submitted to obtain this clearance:

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3.1.2.1 A bill of health from the quarantine official or official of the public health service in the port.

3.1.2.2 Three (3) copies of the manifest of export cargo, one of which, upon certification by the Customs official as to the correctness of the copy, shall be returned to the master.

3.1.2.3 Two (2) copies of the passenger list, showing alien and other passengers.

3.1.2.4 For vessels covered by Section 3.2 below, Voyage Plan, i.e., the various ports of call (out-bound and in-bound) and expected dates of arrival/departure at each port. Any change to the ETA in the country must be made with the Collector of Customs 24 hours before ETA.

3.1.3 Per Arrival

3.1.3.1 The original manifest of all cargo destined for the port, to be returned with the indorsement of the boarding officials.

3.1.3.2 Three copies of the same manifest, one of which, upon certification by the boarding officials as to the correctness of the copy, shall be returned to the master.

3.1.3.3 A copy of the cargo storage plan.

3.1.3.4 Two copies of store list.

3.1.3.5 One copy of passenger list.

3.1.3.6 Once copy of the crew list.

3.1.3.7 The original of all through cargo manifests, for deposit, while in port, with Customs official in charge of the vessel.

3.1.3.8 A passenger manifest of all aliens, in conformity with the requirements of the immigration laws in force in the Philippines.

3.1.3.9 One copy of original duplicate of bills of lading fully accomplished.

3.1.3.10 A Customs Clearance from last port of call.

3.2 Vessels covered under the RP-Indonesia/Malaysia Border Crossing Agreement must pass through the designated border crossing areas where border crew cards and border crossing passes will be issued.

3.3 Pursuant to Sections 1005, 1008 and 1011, vessels covered by this Order must always have on board the documents listed in 3.1.2 and 3.1.3 above for presentation upon demand by any government law enforcement agency vested with authority to prevent smuggling as mandated under the TCCP and PMO 225 whenever said vessels are within the maritime jurisdiction of the Philippines.

3.4 Vessels within the maritime jurisdiction of the Republic violating any of the provisions of this Order shall be apprehended and brought to the Headquarters of the apprehending agency for investigation and proper disposition.

4.

ADMINISTRATIVE PROVISIONS

4.1 Collectors of Customs concerned shall seek the establishment of joint operation centers with the Philippine Navy for the effective implementation of this Order.

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4.2 Collectors of Customs shall extend all possible assistance to the concerned agency in the investigation and proper disposition of the apprehended vessel and its cargo.

5.

REPEALING CLAUSE

All orders inconsistent herewith are hereby deemed amended or modified accordingly.

6.

EFFECTIVITY

This Order shall take effect thirty (30) days from the date hereof.

Adopted: 14 May 1996

(SGD.) GUILLERMO L. PARAYNO, JR.
Commissioner

APPROVED:

(SGD.) ROBERTO F. DE OCAMPO
Secretary of Finance

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