

## **DECLARING THE MINDANAO CONTAINER TERMINAL AS A SUB-PORT OF ENTRY TO BE KNOWN AS THE MINDANAO CONTAINER TERMINAL SUB-PORT, PURSUANT TO SECTION 606 OF THE TARIFF AND CUSTOMS CODE ...**

*EXECUTIVE ORDER NO. 542, July 14, 2006*

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WHEREAS, it is the declared policy of the government to enhance the growth and development of Northern Mindanao and ensure that the entire Philippines remains globally competitive;

WHEREAS, the expanding economic activity as well as the increasing needs of importers and passengers at the Mindanao Container Terminal demand that it be placed under the jurisdiction of the Bureau of Customs as a Sub-Port of Entry;

WHEREAS, the declaration of the Mindanao Container Terminal as a Sub-Port of Entry pursuant to Section 606 of the Tariff and Customs Code, as amended, will spur economic growth and development, improve the administrative efficiency of the Bureau of Customs in the areas and ensure that the needs of importers and passengers utilizing its facilities are attended to;

WHEREAS, the Mindanao Federation of Shippers' Association, Inc. has called for the declaration of the Mindanao Container Terminal as a sub-port of entry to be known as the Mindanao Container Terminal Sub-Port, which is favorably endorsed by the Bureau of Customs;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Declaring the Mindanao Container Terminal as a Sub-Port of Entry. – The Mindanao Container Terminal located inside the Philippine Veterans Investment Development Corporation (PHIVIDEK) Industrial Estate in Tagoloan, Misamis Oriental, is hereby declared a Sub-Port of Entry to be known as the Mindanao Container Terminal Sub-Port, and accordingly placed under the jurisdiction of the Bureau of Customs, Customs Collection District No. X, with the Port of Cagayan de Oro as Principal Port of Entry.

SECTION 2. Authority of the Commissioner of Customs to define the jurisdictional limits of the collection districts affected. – The Commissioner of Customs, subject to the approval of the Secretary of Finance, is hereby authorized to redefine the jurisdictional boundaries of the port of Cagayan de Oro (Customs Collection District No. X) and other Customs Collection Districts affected by this Executive Order.

SECTION 3. Relationship between the PHIVIDEK Industrial Authority and the Bureau of Customs. – To ensure the smooth operation of the Mindanao Container Terminal Sub-Port, taking into consideration the peculiar characteristics thereof, the Bureau of Customs and the PHIVIDEK Industrial Authority shall, within fifteen (15) days from the effectivity of this Order, enter into a Memorandum of Agreement defining their working relationships and the treatment of all cargoes entering or leaving the area including all incoming and outgoing passengers thru the Mindanao Container Terminal Sub-Port.

SECTION 4. Authority of the Commissioner to designate the officials of the Mindanao Container Terminal Sub-Port. – The new Mindanao Container Terminal Sub-Port shall be headed by a Port Collector and assisted by such other customs personnel as may be determined and designated by the Commissioner of Customs.

SECTION 5. Implementing Authority. – Subject to the approval of the Secretary of Finance, the Commissioner of Customs is hereby authorized to determine the personnel requirements of the Mindanao Container Terminal Sub-Port, taking into account the principles of economy, efficiency, and effectiveness. For this purpose, he may, subject to applicable Civil Service rules and regulations, issue the needed orders to effect the transfer or movement of personnel from any organizational unit of the Bureau to the Mindanao Container Terminal Sub-Port.

SECTION 6. Appropriations. – Funds for the initial operations of the Mindanao Container Terminal Sub-Port shall be drawn from the available funds of the Bureau of Customs and subsequent appropriations shall be incorporated into its budget proposals, subject to existing budgetary, accounting and auditing laws and procedures.

SECTION 7. Effectivity. – This Executive Order shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or a newspaper of general circulation.

DONE in the City of Manila, this 14th day of July in the year of Our Lord, Two Thousand and Six.

**(SGD.) GLORIA MACAPAGAL-ARROYO**

By the President:

**(SGD.) EDUARDO R. ERMITA**

Executive Secretary

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