

PERIOD WITHIN WHICH OFFERS OF SETTLEMENT AND REDEMPTION MUST BE RESOLVED

BOC MEMORANDUM ORDER NO. 9-2005, February 14, 2005

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To complement the guidelines set forth under CMO No. 34-2002 dated August 2, 2002, the following procedures must be observed in all seizure cases where there is an Offer of Redemption or Settlement:

I. All offers for redemption or settlement under Section 2307 of the Tariff and Customs Code must be treated with dispatch and given priority by the Collector and other BOC officers concerned.

II. Upon receipt of an Offer of Settlement or Redemption, the Collector concerned shall, within twenty-four (24) hours refer the same, together with the pertinent records, to the Port Division/Section concerned for assessment of the settlement or redemption value, as the case may be.

III. The assigned Port Division/Section shall, within five (5) days from receipt of the Order, submit its recommendation to the Collector of Customs, who shall decide whether to accept or deny the offer within five (5) days from receipt thereof.

IV. In case of perishable goods, the assigned Port Division/Section shall within forty-eight (48) hours from receipt submit its recommendations and findings to the Collector, who shall within the same period decide whether settlement or redemption is proper.

V. In case the Collector of Customs accepts the Offer of Settlement or Redemption, he/she shall immediately cause the transmittal of the records of the seizure proceedings together with his/her decision, to the Office of the Commissioner for the Commissioner's consideration and approval.

All other issuances the provisions of which are in conflict with this Order are hereby repealed or modified accordingly.

This Order shall take effect immediately.

Adopted: 14 Feb. 2005

(SGD.) GEORGE M. JEREOS
Commissioner

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