

SUPERVISION AND CONTROL OF OFF-DOCK YARD AND CONTAINER FREIGHT STATION OPERATIONS AND DISSEMINATION RESPONSIBILITIES THEREOF.

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I

Objective

To prevent smuggling and other Customs fraud utilizing container yards and container freight stations as conduits.

II

Scope

2.1 This regulation shall be applied in full at the Port of Manila and at the Manila International Container Port and all CY/CFS under these ports' operational jurisdiction and control.

2.2 To the extent feasible and practicable, the provisions of this order must be observed by other ports operation Off-Dock CY/CFS.

III

General Provisions

3.1 Responsibility of the Port Collector - Overall Command Responsibility for the accomplishment of the objective of this order.

3.2 Responsibility of the Deputy Collector for Operations (DCO) or Duly Designated Official - Documentary/Records verification on compliance with the relevant CY/CFS Rules and Regulations and the achievement of the objective of this order. The work of the DCO may be grouped into two.

- applications for CY/CFS Transfer and approval thereof if found compliant with existing rules and regulations.
- Records Verification including Computer Monitoring to insure that shipments allowed for transfer are all duly entered and appropriate duties and taxes collected.

3.3 Responsibility of the Chief, PID - Physical Control over the shipment including pre-delivery spot checking as follows:

- Prior to release of cargo from the port zone and transfer to the Off-Dock CY/CFS duly designated PID personnel must spotcheck the contents of the shipment following the provisions of Annex "A" which is hereby made an integrated part of this Order.
- Disallow from transfer the whole or part of any container not allowable for transfer under existing regulations.
- Stripping of the consolidated shipment at the Off-dock CY/CFS to confirm the result of the spotchecking and submit a stripping tally.
- Prevention of any unauthorized release from the Off-Dock CY/CFS.

IV

Operational Procedure

4.1 The provisions of Annex "A" shall govern the procedure for spotchecking and the evaluation of whether or not transfer may be allowed.

4.2 The Management Information Division of the Bureau, in coordination with the arrastre operator and the CY/CFS operators develop manual and computer based system to carry out the purposes of this and other relevant orders.

V

Recission Clause

All memo orders inconsistent with the order are hereby deemed modified and or amended accordingly.

VI

Effectivity

This order shall become effective on 1 March 1995.

Adopted: 9 Feb. 1995

(SGD.) GUILLERMO L. PARAYNO, JR.

Commissioner

ANNEX "A"

Procedure in the Spotchecking of Containers for Transfers to an Off-Dock CY/CFS

The following guidelines shall be observed in the Spotchecking of containers for transfer to off-dock CY/CFS.

I

Objects of the Spotchecking

PID personnel assigned to conduct spotchecking of containers prior to transfer to an off-dock CY/CFS shall look for the following:

1.1 Unmanifested cargo.

1.2 Shipments/packages with the following discrepancies:

- Measurement, weight and count do not tally with manifest data.
- Nature of packages and/or markings do not tally with manifest data.

II

Guidelines in Spotchecking

2.1 Spotchecking shall be undertaken when the container is already on board the truck that will be utilized for transfer.

2.2 The spotchecking shall be done in a regular place jointly designated by BOC and the arrastre operator for the purpose.

2.3 Except where there are shipments not allowable for transfer to an off-dock CY/CFS, spotchecking shall not involve unloading of goods from the container but for Spotcheckers shall enter the container itself to achieve the

purposes in part I.

III

Guidelines in Deciding Whether or Not to Allow Transfer

The transfer of a container shall not be allowed whenever the following are obtaining:

3.1 Presence of unmanifested cargo.

3.2 There are cargoes the packaging and or markings of which markedly differs from those stated in the manifest.

3.3 There are cargoes the measurements, weights and/or counts of which differ by more than 10% of the manifest data.

IV

Spotcheckers Report

After the conduct of the spotcheck, a report shall be made to the Chief, PID with the following details:

1. Particulars of the container, i.e. vessels registry, number, size, off-deck CY-CFS.
2. Presence or absence of any disqualification for transfer.
3. Disposition of the container.
4. Suspicious shipment recommended for ALERT to the Formal Entry Division.

(SGD.) GUILLERMO L. PARAYNO

Commissioner

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