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JOINT GUIDELINES IMPLEMENTING PRESIDENTIAL MEMORANDUM ORDER NO. 225 DATED MARCH 17, 1989 ON THE INTENSIFICATION OF ANTI-SMUGGLING OPERATIONS AND DELINEATING RESPONSIBILITIES THE...

BOC (DOF), January 23, 1993

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Objectives

1. To intensify Anti-Smuggling Operations.

2. To achieve widest coverage possible in the Anti-Smuggling operations and thus maximize the utilization of resources.

3. To promote harmony and cooperation among the different law enforcement agencies in the conduct of operations for optimum results.

General Provisions
Under Presidential Memorandum Order No. 225 RE: Intensification of Anti-Smuggling Operations and Providing Guidelines Therefor, the entire country was divided into three areas and responsibility was assigned for each area as follows:

1. Areas considered as Customs Zone — shall be under the exclusive jurisdiction of the Bureau of Customs;

2. Areas outside of Customs Zone Except Maritime Waters — shall be the primary responsibility of the Economic Intelligence and Investigation Bureau;

3. Areas within the Maritime Waters — shall be the primary responsibility of the Philippine Navy.

The above government offices were tasked to issue guidelines in the conduct of operations in their respective areas to facilitate the objectives set forth in the Presidential Order.

GENERAL GUIDELINES
1. No operation shall be conducted without proper authority.

2. The operation must be conducted in a respectful and courteous manner insuring that the rights and dignity of subject/s is/are upheld at all times. The authority and proper identification of the operating elements must be presented to the concerned parties during the operation.

3. There shall be designated offices/officers to serve as coordinating centers in the conduct of operations. All anti-smuggling operations must be coordinated with these centers to insure harmony among law enforcement agencies in the conduct of operations and in order that necessary assistance can be extended to the operating unit by the other agencies.

4. After every completion of an operation, the operating unit shall render a report to the coordinating center concerned on the completion of the operation.

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5. Goods apprehended for violation of customs laws, rules and regulations must be turned over to the Bureau of Customs within three (3) working days from the time of apprehension unless a longer period of time to document the seizure is necessary. Goods apprehended pursuant to a judicial warrant must be turned over to the court which issued the warrant. However, a leave of court must be immediately obtained in order that the goods may be turned over to the Bureau of Customs accordingly.

6. All concerned agencies operating in a particular area of primary responsibility shall maintain a file of all operations conducted and share information on these operations to serve as a guide for future actions or reference in future operations.

7. Coordinating conferences among concerned law-enforcement agencies shall be done regularly to better achieve the objectives set forth in the Presidential Memorandum Order.

8. The hearing of seizure cases shall be conducted by the Bureau of Customs in coordination with the counsels from the government agencies concerned.

Adopted: 23 Jan. 1989

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