IMPLEMENTATION OF ROSETTANET ECUSTOMS FOR EXPORTS

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By authority of Section 609 of the Tariff and Customs Code of the Philippines, as amended, and pursuant to the provisions of the Memorandum of Agreement dated 20 April 2002 entered into by and among the Bureau of Customs (BOC), the Philippine Economic Zone Authority (PEZA), and the Semiconductors and Electronics Industries in the Philippines, Inc. (SEIPI), the following regulations to govern the use of Rosettanet global electronic messaging system as one of the facilities in the processing of export shipments of semi-conductors and electronic products are hereby promulgated.

1. OBJECTIVES

1.1 To simplify the conduct of export operations in all PEZA economic zones;

1.2 To provide the Bureau of Customs a ready and reliable source of information to facilitate the export clearance process at the border;

1.3 To develop an effective exports monitoring system and data verification for the Bureau of Customs and such other government agencies in need of export statistics.

2. SCOPE

This order shall apply:

2.1 To all exports shipments of semi-conductor and electronic products made by the members of the SEIPI adopting RosettaNet for all electronic lodgments of export declarations.

2.2 Initially at NAIA, to be rolled out to other airports upon the recommendation of the Deputy Commissioner of MISTG and approval by the Commissioner of Customs.

3. GENERAL PROVISIONS

3.1. The export procedures and electronic documentation system for PEZA locators shall be harmonized with R.A. 8792 (E-Commerce Act of 2002);

3.2 The RosettaNet Partner Interface Process (PIP) 3B18 (hereto attached as ANNEX "A"[*]), which integrate the workflow between the exporter or shipper with its logistics provider (freight forwarder) and the Bureau of Customs, shall strictly be observed to ensure authenticity of the identities of parties, data integrity, digital certificates and signatures, encryption services, creation, filing, and processing of electronic export declarations

3.3 The exporter or shipper and its authorized freight forwarder shall be registered with the Bureau of Customs as provided for under Customs Memorandum Order (CMO) No. 18-99;

3.4 The electronic commercial invoice generated by the exporter or shipper from its financial or enterprise resource planning (ERP) system shall contain a unique number that the Bureau of Customs may use in validating the export data submitted.

3.5 The Bureau of Customs shall only undertake selective intervention in the processing of all export declarations and cargoes processed under the RosettaNet.

4. OPERATIONAL PROVISIONS

4.1 Lodgment of the Electronic Export Declaration

4.1.1 the exporter or shipper initiates the preparation of the Export Declaration by extracting from its back-office system the invoice data and waybill information for an intended export shipment and subsequently sending the RosettaNet PIP3B18 through the internet to its authorized freight forwarder as a partial the export declaration.

4.1.2 The freight forwarder upon receipt of PIP3B18, uploads the partial export declaration into his own system, incorporates therein all the required shipping details and sends the completed electronic export declaration to the Bureau of Customs through the BOC-accredited Application Service Providers (ASP) for conversion into a format that can be integrated in and processed by the BOC ACOS.

4.1.3 The BOC ACOS Export System, upon receipt of the electronic export declaration from the ASP, registers the electronic export declaration by assigning to it a unique reference number, simultaneously generating an electronic response to the exporter or its authorized freight forwarder acknowledging receipt of the electronic export declaration by indicating therein the assigned BOC reference number.

4.1.4. The exporter or its authorized freight forwarder retrieves the electronic response from the BOC, prints four (4) copies of the accomplished electronic Single Administrative (SAD)/Export Declaration (ED), which shall indicate the BOC reference number, to be distributed as follows:

4.1.4.1. One (1) copy - PEZA

One (1) copy - Export Division, BOC

One (1) copy - Trade Control Examiner (TCE), Export Division BOC

One (1) copy - Exporter/Freight Forwarded

4.2. Customs Examination of the Export Shipment Prior to Release from ECOZONE

4.2.1. If the Collector of Customs at the Ecozone finds a need to examine an export cargo, he shall notify the shipper or exporter of such a decision within thirty (30) minutes from the time of the lodgment of the electronic export declaration. The electronic export declaration shall be deemed lodged at the time that the BOC export reference number is assigned.

4.2.2. The ecozone gate guards shall immediately be advised not to allow exit of the subject shipment unless duly cleared by the said Collector of Customs.

4.2.3. The physical examination of the export cargo shall be conducted jointly by a BOC customs examiner and a PEZA examiner in the premises of the exporter or shipper's premises. If no discrepancy is found, the examining officials shall immediately release the export cargo by jointly accomplishing an exit clearance document. A copy of the clearance shall be given to the PEZA police officer accompanying the transfer of the cargo. The ecozone gate guards shall be notified through the fastest means available that the cargo has been cleared for exit from the zone.

4.3. Exit of the Export Shipment from the Ecozone

4.3.1. The freight forwarder shall secure the necessary PEZA release clearances from the Ecozone and may

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accompany the subsequent transfer and delivery of the export shipment to an exporting airline's warehouse at the airport.

4.3.2. PEZA authorities shall assign a PEZA police officer who will be charged with the duty of ensuring that the export of shipment is properly transferred from the Ecozone to the exporting airline's warehouse. He will continuously remain on guard duty until after the export shipment shall have been duly received by the Customs Trade Control Examiner and the airline personnel at the warehouse.

4.4. Procedure Upon Arrival of Export Shipment

4.4.1. The PEZA police officer assigned on guard shall escort the export shipment to the exporting airline's warehouse not later than TWENTY FOUR (24) hours from the time the cargo exited from the PEZA Ecozone gates. Transfer and delivery of the export shipment shall be deemed completed at the time the Trade Control Examiner affixes his signature on the SAD/ED copy of the PEZA police officer.

4.4.2. The cargo shall be weighed by the airline operator in the presence of the on duty Trade Control Examiner (TCE), Export Division, who will verify that the actual weight and/or quantity of packages coincides with the declarations appearing in the Export Division/s copy of the SAD/ED.

4.4.3. If no discrepancy is noted, the TCE shall immediately give clearance for the loading of the export shipment by affixing his signature on the air waybill issued by the airlines.

4.4.4. The freight forwarder shall submit to the TCE certified true copies of the accomplished export documents covering the export shipment.

4.4.5. The TCE immediately forwards all export documents covering the shipment to the Chief, Export division, for the purpose of updating the ACOS export data.

4.5. Procedure when Export Shipment is Delivered after the Prescribed Period

4.5.1. In case the delivery is made after the prescribed period of 24 hours, the PEZA Police Officer in custody shall submit to the Chief, Export Division, BOC, an explanation under oath as to the cause(s) of his failure to make delivery on time.

4.5.2. If the Chief, Export Division, finds the explanation satisfactory, he shall allow receipt of the export cargo, otherwise, he shall order the examination of the export shipment for verification of its contents. Should there be a discrepancy in -

4.5.2.1. Weight/Quantity/Consignee's name/Destination - The freight forwarder shall be required to secure from and present a PEZA - approved amendment of SAD/ED.

4.5.2.2 Item/Description - The TCE shall immediately inform the Chief, Export Division, and the latter shall take such action as necessary under the circumstances.

4.6. Procedure When Delivery is Made of Consolidated Export Shipments

4.6.1. When two or more shipments have been consolidated inside the Ecozone, the TCE shall verify that the actual total weight of the consolidated export shipments tally with the total weight based in the declarations appearing on each SAD/ED.

4.6.1.1 If no discrepancy is found, the TCE shall give the clearance for the loading of the export shipments.

4.6.1.2. In case of a discrepancy of more than 10% in weight, the TCE shall weigh individually the export shipments included in the consolidation until the shipment that caused the discrepancy is found. The TCE shall

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then give the clearance for loading of the export shipments found to be in order, but shall require the freight forwarder to secure and present a PEZA-approved amendment to the SAD/ED of the export shipment with the discrepancy.

4.6.2 When two or more export shipments have been consolidated outside the Ecozone, the TCE shall weigh individually all the export shipments included in the consolidation. He shall then proceed against any shipment found with or without discrepancy in the manner prescribed under 4.1.1 and 4.1.2. hereof.

4.7 Operating Hours

Trade control examiners shall be detailed at the airline's warehouses during regular office hours. However, to ensure continuity of the export process, their services thereat shall be required even after or before the commencement of office hours; provided that they shall be entitled for overtime pay from the airlines.

5. Repealing Clause

All Customs rules and regulations inconsistent with this order are hereby considered superseded or modified accordingly.

6. Effectivity

This Order shall take effect immediately.

Adopted: 03 Dec. 2004

(SGD.) GEORGE M. JEREOS
Commissioner

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[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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