

MODIFICATION OF RULES AND REGULATIONS ON THE AMENDMENT OF INWARD FOREIGN MANIFEST

BOC CUSTOMS MEMORANDUM ORDER NO. 12-2004, April 27, 2004

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Pursuant to Section 608 of the Tariff and Customs Code, the current rules and regulations concerning the amendment of Inward Foreign Manifest for all cargoes carried into a port by a vessel coming from a foreign port, are hereby modified accordingly, as follows:

I. OBJECTIVES

- 1.1 To make available to the different offices of the Bureau the most accurate data and information concerning a vessel and its cargo;
- 1.2 To simplify and clarify the procedure in the amendment of the Inward Foreign Manifest.
- 1.3 To further facilitate trade and at the same time provide adequate security to government revenue.

II. OPERATIONAL PROVISIONS

2.1 Request for amendment in accordance with the second paragraph of Section 1005 of the TCCP, of the original Inward Foreign Manifest (IFM) involving the change in the following: consignee; nature; description; quantity; volume; weight and/or measurement of goods; and country of exportation must be made under oath and thus subject to the penalties of falsification or perjury should the amendments/requested are later proven to be false and incorrect. Further, such request/s must be accompanied by a written justification indicating the reason/s for the change/s being asked.

2.2 After submission of the requirement pursuant to Section 1004 of the TCCP, no amendment shall be allowed unless under oath identifying therein the subject to be amended and the reasons thereat together with the following certifications:

2.2.1 Certification from the Chief, Entry Processing Division concerned that the shipment is not overstaying/abandoned.

2.2.2 Certification from the Customs Intelligence and Investigation Service (CIIS) and Enforcement and Security Service (ESS) that the shipment is not subject of an Alert/Hold Order.

2.2.3 Certification from the Law Division that shipment is not the subject of any pending litigation covered by Warrant of Seizure and Detention.

2.3 If the amendments of the original IFM is meritorious and such fact can be supported by sufficient proof/s and after a careful and logical evaluation of the reason/s presented justifies the change/s as requested, the District Collector shall give his written approval thereto.

2.4 All amendment/s of the original IFM duly approved by the District Collector should be cleared by the Office of the Commissioner, before it could take effect in the Ports of POM and MICP. In all other Ports, to avoid unnecessary delay in the release of shipment and in the interest of trade facilitation however, the shipment may be

released upon the written approval of the District Collector of Customs however all such approved amendments and the reasons thereto, must be reported to the Commissioner on a weekly basis under tentative liquidation pending clearance from the Office of the Commissioner, except in the Port of Manila and Manila International Container Port.

2.5 The BOC must maintain an official log of all requests for amendment/s of the IFM. Likewise, hard copies of such request as well as all supporting documents should be made available to the enforcement agencies of the BOC as well as other anti-smuggling offices/agencies upon demand thereof.

3. REPEALING CLAUSE

All customs memoranda, orders, or issuances contrary to the provisions and intent of this Order are hereby deemed revoked or modified accordingly.

4. EFFECTIVITY

This order shall take effect immediately.

Adopted: 27 April 2004

(SGD) ANTONIO M. BERNARDO
Commissioner

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