

COVID-19 RELATED ISSUANCES BUREAU OF CUSTOMS

BOC Issuance	Subject	Salient Points
Office of the Commissioner (Ocom) Memo No. 89-2020 dated April 23, 2020	Extending the Suspension of Actual and Face-to-Face Seizure and Forfeiture Proceedings	The BOC declared that Memorandum dated March 18, 2020 with the subject “Conduct of Hearing in all Forfeiture Proceedings under Customs Memorandum 4-2018A in Light of COVID-19 Travel Restrictions” shall remain effective until the formal lifting of the Enhanced Community Quarantine (ECQ).
Ocom Memo No. 95-2020 dated April 17, 2020	Inspection of Imported Shipments During the State of Public Health Emergency	<p>The Inspection Unit (IU) is created to target and inspect shipments or containers in any of the Ports of Entry regardless of the selectivity of the shipment and at any stage of the clearance process, provided it is still within Customs jurisdiction.</p> <p>The IU inspection shall either be non-intrusive or physical examination. The cost of inspection shall be borne by the BOC, provided there is no violation of Customs and Tariff laws, rules, and regulations.</p>
Ocom Memo No. 87-2020 dated April 17, 2020	Supplemental Guidelines for Online Filing of Goods Declaration	<p>The importers, brokers, or declarant who opted to avail of the Online Filing of Goods Declaration must submit the supporting documents uploaded in the Customer Care Portal System <u>upon lifting of the ECQ or within 3 days thereafter.</u></p> <p>Failure to submit original copy of the supporting documents within the prescribed period may cause the suspension of accreditation as an importer or broker and be barred from transacting with the BOC.</p> <p>The Liquidation and Billing Division or equivalent unit of the concerned Collection District is directed to monitor the submissions and shall submit a report of non-compliant importers, brokers, or declarant to the District Collector.</p>
Ocom Memo No. 82-2020 dated April 13, 2020	Online Submission of Documents for Export Processing	<p>The BOC allowed its accredited exporters, licensed custom brokers, and declarants to submit online their documents for processing of Export Declaration. The online submission shall be made within 48 hours from lodgement of the Export Single Administrative Document (SAD) at the E2M Customs System or the Automated Export Declaration System (AEDS), as applicable.</p> <p>The online submission of documents for processing of Manual Export Declarations, Pre-export Evaluation, Certificate of Shipment, Certificate of Identification, Special Permit to Load, Application as Registered Exporter and Application as Approved Exporter shall be uploaded to the Customer Care Portal System (CCPS), as needed.</p>

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		<p>Hard copies of the documents shall be submitted upon lifting of the Declaration of the Enhanced Community Quarantine (ECQ) or within 3 days thereafter.</p>
<p>Ocom Memo No. 80-2020 dated April 13, 2020</p>	<p>Guidelines for the Online Filing and Submission of Goods Declaration for Warehousing and the Processing thereof during the ECQ as declared by the President</p>	<p>The online filing of Goods Declaration can only be availed by BOC accredited importers, licensed custom brokers and declarants. Upon availing of the online filing, they shall undertake to submit the original copy of the supporting documents upon lifting of the ECQ or within 3 days thereafter.</p> <p>They shall also attach a scanned copy of a letter of commitment and undertaking in lieu of the required notarized undertaking. The undertaking to be submitted may be signed by any of the responsible officers of the company. The notarized Warehouse Goods Declaration (WGD) and undertaking shall be submitted together with the other supporting documents upon lifting of the ECQ or within 3 days thereafter.</p> <p>The assessment of duties, taxes, and other charges due on shipments covered by goods declaration processed and amount of bonds applied shall be deemed tentative. It shall only be deemed completed upon submission of the hard copies of the documents upon lifting of the ECQ or within 3 days thereafter, and validation by the BOC.</p>
<p>Customs Memorandum Order No. 10-2020 dated April 8, 2020</p>	<p>Summary Abandonment Proceedings during Enhanced Community Quarantine</p>	<p>The abandonment proceedings for the refrigerated containers and dry vans is summarized as follows:</p> <ol style="list-style-type: none"> 1. Imported goods that are deemed abandoned will be tagged as abandoned in the E2M Customs System. The District Collector shall issue Notice of Abandonment via electronic mail, or if not possible, through publication in the official website of the Bureau of Customs and posting in a conspicuous place at the Collection District concerned. 2. Within 24 hours from the issuance of the Notice of Abandonment, the importer/consignee may request for the untagging of abandonment. The District Officer shall resolve the said request within 24 hours from the receipt of the request. 3. When no request is received, a Decree of Abandonment (Decree) shall be issued. The importer/consignee may appeal within 72 hours from the issuance of the Decree, or within the 10-day withdrawal period, whichever comes first; otherwise, the Decree shall become final.

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		<ol style="list-style-type: none"> 4. Within 24 hours from the finality of the Decree, the BOC shall make a proper determination of the refrigerated containers that are intended for human or animal consumption in coordination with the regulatory agency concerned. 5. If upon determination, donation is deemed to be the best mode of disposition, the BOC shall immediately recommend the donation of the goods to the appropriate agency, through the Office of the Civil Defense, subject to the necessary approval and certification from regulatory agencies concerned as to its fitness for consumption, upon approval of the Secretary of Finance.
<p>Joint Administrative Order (JAO) 20-01 dated April 2, 2020</p> <p>Issued by the Bureau of Customs, Department of Trade and Industry, Department of Finance, and Philippine Ports Authority</p>	<p>Adoption of Processes for the Expedited Release of Refrigerated Containers and Dry Vans during the ECQ.</p>	<p>Bureau of Customs (BOC) should prioritize the processing of arriving cargoes, particularly foods, medicine, medical and basic necessities.</p> <p>Lodgment of and online filing of goods declaration by importers /consignees should be two days from the date of discharge.</p> <p>BOC will issue the final assessment on the goods thereby declared no later than 24 hours from the date of online filing of the goods declaration.</p> <p>Imports/consignees should pay, preferably online, duties, taxes, and other charges within 24 hours from date of issuance of the final assessment by BOC.</p> <p>Importers/consignees will have 24 hours to claim the goods from date of payment, or the goods will be declared abandoned.</p> <p>BOC should also accept filing of provisional goods declaration in accordance with the Customs Modernization and Tariff Act (CMTA) and as implemented by Customs Memorandum Order No. 07-2020 (Interim Procedure on Provisional Goods Declaration).</p> <p>BOC should also relax its selectivity process for food, medicine, medical and other basic necessities, and should adopt the “green lane” process flow for importers/consignees jointly identified with the DTI Bureau of Import Services (BIS), based on a set of criteria.</p> <p>These identified importers/consignees will be subject to post-entry audit.</p>

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<p>Joint Memorandum Circular No. 01 dated April 2, 2020, series of 2020</p> <p>Issued by the BOC, Anti-Red Tape Authority (ARTA), and Food and Drugs Administration (FDA)</p>	<p>Creation of Bayanihan One Stop Shop (BOSS) for securing License to Operate (LTO) to import Covid-19 critical commodities for commercial distribution</p>	<p>The BOSS is a single window and concierge for the BOC and FDA. The BOSS shall operate under the following process:</p> <ol style="list-style-type: none"> 1. A single window to accept all online applications for importation of Covid-19 critical commodities. 2. Interconnection of systems and portals of the concerned agencies: BOC, ARTA, and FDA’s websites are now linked to each other. A BOSS online platforms composed of FDA, BOC, SEC, DTI, CDA, GCG, and ARTA is likewise created. 3. All transactions with FDA and BOC shall be done online. 4. All FDA laws, rules, and regulations governing post-importation of Covid-19 critical commodities shall be complied with. 5. When national public health emergency has been lifted, all FDA rules and regulation on registration of health products, post-LTO inspection and post market surveillance shall apply to the establishments given provisional LTO. 6. ARTA is designated to act as general coordinator for processing and exchange of information between and across the agencies concerned. 7. Daily and weekly reports facilitated through BOSS are to be submitted to IATF for monitoring and validation.
<p>Customs Administrative Order (CAO) No. 7-2020 dated March 30, 2020</p>	<p>Tax and duty exempt Importations under Section 4 (O) of “Bayanihan to Heal as One Act”</p> <p>Counterpart is BIR RR RMO 10-2020, which exempts importers of PPE’s and medical emergency supplies from securing ATRIG.</p> <p>RR 6-2020 exempts critical and needed healthcare equipment or supplies from VAT and excise tax on importation.</p>	<p>The importation of health equipment and supplies deemed critical or needed to carry out the objectives of the Act and address the COVID-19 public health emergency shall be exempt from duties, taxes and fees, such as:</p> <ol style="list-style-type: none"> a. Personal Protective Equipment (PPE) b. Laboratory Equipment c. Medical Equipment and devices d. Support and maintenance for laboratory and medical equipment e. Surgical equipment and supplies f. Medical supplies, tools and consumables g. COVID-19 Testing Kits h. Others as may be identified by the DOH <p>For Commercial Purposes – exempted from Certificate of Product Notification (CPN) or Certification of Product Registration (CPR) issued by FDA prior to release, provided that they present a copy of their License to Operate (LTO) and application of product of notification.</p> <p>Those importing ventilators, respirators and accessories need to present only their LTO</p>

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		<p>For donations – automatically cleared when certified by regulatory agencies or accredited 3rd party organizations in the originating countries. No FDS clearance is required prior to release.</p> <p>Qualified importations under PGD are subject to the submission of TEI from DOF after April 12, 2020 or upon lifting of the declaration of ECQ.</p>
<p>Ocom Memo 62-2020 dated March 25, 2020</p>	<p>Guidelines for the Issuance of Accreditation Pass to BOC Stakeholders</p>	<p>The application for an Accreditation Pass to BOC's Accredited Importers, Licensed Custom Brokers, Declarants, or any of their authorized representatives shall be done through the "Customer Care Portal System", an online facility ticket system of the BOC.</p> <p>If the application is approved, the one-time Accreditation Pass shall be sent via electronic email in the indicated email address of the applicant.</p>
<p>Ocom Memo 61-2020 dated March 24, 2020</p>	<p>Online Filing of Goods Declaration</p>	<p>The order shall cover the interim implementation of the Online Filing of Goods Declaration in all Collection Districts involving goods declaration processed at the Formal Entry Division, Informal Entry Division or equivalent units.</p>
<p>Ocom Memo 60-2020 dated March 23, 2020</p>	<p>Suspension of the 7-day Period to Lodge Goods Declaration During the Enhanced Community Quarantine</p>	<p>The prescribed period of 7 days to lodge goods declaration is hereby suspended for the duration of the emergency.</p> <p>At any time during the declaration of the ECQ, lodgement and filing of goods declaration may be made within 15 days from the date of the discharge of last package. The period to file goods declaration may be extended to another 15 days on valid grounds.</p> <p>This Order covers shipments with date of discharge of last package starting March 10, 2020.</p>
<p>Ocom Memo 58-2020 dated March 24, 2020</p>	<p>Temporary Closure of the Manila International Container Port (MICP) Building</p>	<p>The Manila International Container Port (MICP) Building shall be placed under temporary closure immediately until further notice.</p> <p>All port operations of MICP which remain unaffected by the temporary closure shall continue to function such as but not limited to the boarding of vessel, examination of goods at the designated examination area, x-ray inspection and transfer of goods to the CY/CFS.</p> <p>All other transactions such as processing of goods declaration which may be affected by the temporary closure of the MICP Building shall be temporarily be processed through the ancillary support of the Port of Manila (POM) and utilization of online facilities.</p>

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		<p>Processing of goods and other necessary functions which may require submission of hard copies or physical presence of the stakeholder in the MCIP Building shall be processed by the POM through the Custom Care Center.</p>
<p>Ocom Memo 57-2020 dated March 19, 2020</p>	<p>Extension of Validity of Accreditation of Stakeholders during the Enhanced Community Quarantine</p>	<p>All Customs accreditation of BOC Stakeholders, such as but not limited to importers, custom brokers, Super Green Lane importers, Customs Bonded Warehouses, Customs Facilities and Warehouses, or any other third party transacting and accredited by the Bureau, that will expire during the Enhanced Community Quarantine (ECQ) shall remain valid.</p> <p>All stakeholders with expired accreditation during the said period will be given 1 month from the lifting of the ECQ to submit then necessary application.</p>
<p>Ocom Memo 54-2020 dated March 18, 2020</p>	<p>Conduct of hearings in all Forfeiture Proceedings under Custom Memorandum Order No, 4-2018 (A) in light of Covid-19 Travel Restrictions</p>	<p>The conduct of actual hearings is temporarily suspended. The Hearing Officer shall not require the presence of the PLD Government Lawyer.</p> <p>Instead, the Hearing Officer shall require the claimant to file its position paper with a longer period of 7 working days from receipt of the notice to file the same.</p> <p>Unless a Reply or Rejoinder is filed by the parties, the case shall be submitted for resolution by the Hearing Officer within the prescribed period upon receipt of these pleadings.</p> <p>All pleadings to be filed by the PLD Government prosecutor shall be forwarded to the Acting Chief, PLD for review.</p>
<p>Ocom Memo 53-2020 dated March 17, 2020</p>	<p>Provisional Goods Declaration for Relief Consignment under a State of Calamity</p>	<p>Goods declaration involving donations for relief consignment may be provisionally declared, provided that:</p> <ul style="list-style-type: none"> (a) The donee is the national government; (b) The consignee shall issue an undertaking to (b.1) submit the lacking documents within 45 days from release of shipment; and (b.2) to use and distribute the goods upon clearance from the Food Drug Administration or other regulatory agencies.
<p>Joint Administrative Order (JAO) No. 1-2020 uploaded on March 16, 2020</p>	<p>Clearance of Relief Consignments Entered During A State of Calamity</p>	<p>Donated or leased Relief Consignment entered during national or local state of calamity shall be exempt from payment of duties and taxes. To avail such exemption, the following conditions must be met:</p>

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<p>Issued by Bureau of Customs, Department of Finance, Department of Social Welfare and Development, Department of Foreign Affairs, Department of Health, Department of Agriculture, Department of National Defense, Department of Education, and National Disaster Risk Reduction and Management Council</p>		<ol style="list-style-type: none"> 1. For food, medical supplies, clothing: (a) must be donated only to a qualified donee; (b) must be imported only during state of national calamity; and (c) must be for free distribution 2. For equipment and material for shelter: (a) must be intended for specific calamity or disaster-affected area during relief and rescue operation; and (b) must be leased only to government or registered, licensed, or accredited private entities. <p>The Philippine International Humanitarian Assistance Reception Center-One-Stop-Shop (PIHARC-OSS) Facility is adopted as the facilitation center for relief consignment. It shall be directly responsible for the issuance of permits, licenses, documentations, and entitlement of entry as Relief Consignments.</p> <p>However, the following shall be prohibited donations:</p> <ol style="list-style-type: none"> 1. Used clothing, unless authorized by DSWD; 2. Infant formula, breast milk substitute except for milk used for therapeutic purposes, feeding bottles, and artificial nipples and teats; 3. Items coming directly or indirectly from the tobacco industries, whether in cash or in-kind; 4. Vehicles, except special purpose vehicles to be used for relief, search and rescue operations; and 5. Other goods ineligible for donation under existing laws or regulations. <p>Leased equipment from foreign governments or international humanitarian organizations used directly for relief and rescue operations during state of calamity shall be temporarily allowed entry, without payment of duties and taxes, subject to certain conditions. Furthermore, goods and equipment brought in by duly registered international humanitarian works as accompanied baggage must be properly identified and listed whether for donation or re-exportation.</p> <p>Imported goods donated to or for the account of the government for free distribution among the needy, upon certification by DSWD, DepEd, or DOH, shall be exempt from payment of import duty.</p> <p>The JAO 01-2020 likewise provides for the process for the clearance of relief consignments during a national and local state of calamity.</p>

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<p>Customs Memorandum Order No. 07-2020 dated March 16, 2020</p>	<p>Interim Procedure on Provisional Goods Declaration (PGD)</p>	<p>Lodgment of PGD shall be allowed in the following instances:</p> <ul style="list-style-type: none"> a. No regulatory permit, clearance or license, provided that importer has filed his application prior to departure of the goods from the country of origin, prior to or after arrival of the goods in the Philippines, depending on the policy of the concerned regulatory agency. b. Tax Exemption Indorsement (TEI) from the DOF, or Tax Exempt Certificate (TEC) or ATRIG from the BIR has not yet been issued, provided an application has already been filed at the time of lodgment. <p>Any other situation where the declarant lacks certain information or document to complete the goods declaration, provided it is not due to the declarant’s negligence or fault and provided further that the mandatory information and documents are present.</p>
<p>Customs Memorandum Order 05-2020 dated February 5, 2020</p>	<p>Implementing Department of Health (DOH) Department Circular No 2020-0034 re Guidelines at All Seaports for Prevention and Spread of Novel Corona Virus Acute Respiratory Disease (2019-nCoV ARD)</p>	<p>Boarding formalities by the Customs Operations Officer on vessels shall be made after the conduct of Quarantine Boarding formalities and issuance of the Free Pratique by Quarantine officials.</p> <p>Customs officers involved in the conduct of boarding formalities must ensure that they are equipped with safety equipment prescribed by the Quarantine Medical Officer</p>

