

CLIENT ADVISORY BULLETIN NO. 2020-003

SUBJECT: BUREAU OF CUSTOMS ISSUANCES RELATED TO ENHANCED COMMUNITY QUARANTINE (ECQ) AS OF APRIL 6 2020

8 April 2020

Gentlemen/Mesdames:

We would like to take this opportunity to keep you informed of the issuances made by the relevant government agencies, with respect to **Bureau of Customs Issuances** during the period of Enhanced Community Quarantine (ECQ), for your reference and guidance:

Issuance	Salient Points	Relevant Date
Customs Administrative Order No. 07-2020 ¹	<ul style="list-style-type: none"> • The importation of health equipment and supplies deemed as critical or needed to carry out the objective of the act and address the COVID-19 Public health emergency shall be exempt from duties, taxes, and fees, including: <ul style="list-style-type: none"> ○ PPE; ○ Laboratory Equipment and its re-agents; ○ Medical Equipment and devices; ○ Support and maintenance for laboratory and medical equipment; ○ Surgical equipment and supplies; ○ Medical Supplies, tools, and consumables such as alcohol, sanitizers, tissue, thermometers, hand soap, detergent, sodium, and the like (Rest of the items states in Issuance) ○ COVID-19 Testing kits; ○ Others as may be identified by the DOH • Importation of materials by Manufacturers included in the master list of the DTI and other incentive granting bodies of the 	Importations which arrived and were cleared by the Bureau for three (3) months from effectivity of the Bayanihan Act, Unless extended by Congress

¹ http://customs.gov.ph/wp-content/uploads/2020/04/CAO-07-2020_Bayanihan.pdf

	National Government may avail of the tax and duty exemption.	
Bureau of Customs: OCOM Memo No. 61-2020 ²	<ul style="list-style-type: none"> The Bureau of Customs (BOC) provides an option for BOC stakeholders to avail of the Online Filing of Goods Declaration due to the declaration of Enhanced Community Quarantine. Only BOC accredited importers, licensed customs brokers and declarants can avail of the Online Filing of Goods Declaration. 	The Online Filing of Goods Declaration shall be made within forty-eight (48) hours from lodgment of provisional goods declaration or regular consumption of goods declaration in the E2M.
Bureau of Customs: OCOM MEMO No. 62-2020 ³	<ul style="list-style-type: none"> Guidelines for the Application and Issuance of Accreditation Pass to Bureau of Customs (BOC) stakeholders may only be availed by BOC accredited importers, licensed customs brokers, declarants or any of their duly authorized representatives. 	All applications by the BOC stakeholders for the issuance of the Accreditation Pass shall be made at least 72 hours or 3 days prior to the intended visit to the BOC.
Bureau of Customs: Memorandum Circular dated 18 March 2020. ⁴	<ul style="list-style-type: none"> Goods declaration involving donations for relief consignment may be provisionally declared in accordance with Customs Memorandum Order No. 07-2020 subject to the following conditions: The Donee must be a national government agency, such as the DOH; The Consignee, through its responsible officer, shall issue an undertaking to 	N/A

² http://customs.gov.ph/wp-content/uploads/2020/03/ocom-memo-61-2020-Online_Filing_of_Goods_Declaration.pdf

³ http://customs.gov.ph/wp-content/uploads/2020/03/ocom-memo-62-2020-Guidelines_for_the_Issuance_of_Accreditation_Pass.pdf

⁴ “Annex A”

	comply with the following: submit the lacking documents within 45 days from the release of shipment and use or distribute the goods only upon from the FDA.	
Customs Memorandum Order No. 07-2020 ⁵	<ul style="list-style-type: none"> • Shall cover all provisional goods declarations to be processed under the formal entry system • Interim Procedure on Provisional Goods Declaration 	N/A
Philippine Economic Zone Authority: Memorandum Circular No. 2020-0017 ⁶	<ul style="list-style-type: none"> • Automatic extension of the validity of Letters of Authority (LOA) of all PEZA-Accredited Service Enterprises <i>i.e.</i>, customs brokers, freight forwarders, and truckers/haulers, including those servicing PEZA-registered enterprises in the Visayas and Mindanao, with expired or expiring LOAs during the ECQ period, subject to the same terms and conditions of their existing LOAs, and to the following: • Customs Brokers and Freight Forwarders: Validity of LOAs is extended until 30 June 2020; provided that their respective licenses are valid within the said period • Truckers/Haulers: Validity of LOAs is extended until 30 June 2020 provided that their respective Franchise/Provisional Authority issued by LTFRB is valid within said period • Security Agencies: Those not covered by Registration Agreements, validity of their certification to operate with PEZA enterprises is extended until 30 June 2020; provided that their respective PNP License to Operate is valid within the said period 	N/A

⁵ http://customs.gov.ph/wp-content/uploads/2020/03/CMO-07-2020_Provisional_Goods_Declaration_withannex.pdf

⁶

<https://www.google.com/search?q=Philippine+Economic+Zone+Authority%3A+Memorandum+Circular+No.+2020-+0017&oq=Philippine+Economic+Zone+Authority%3A+Memorandum+Circular+No.+2020-+0017&aqs=chrome..69i57.754j0j9&sourceid=chrome&ie=UTF-8>

<p>Philippines Ports Authority: PPA Memorandum Circular No. 10-2020.⁷</p>	<ul style="list-style-type: none"> • -The issuance of Cargo Entry Withdrawal Permit (CEWP) under PPA Memorandum Circular No. 09-2020 is suspended. • -Trucks carrying cargoes to and from ports in Luzon shall no longer be required to secure CEWP. • -Trucks carrying cargoes coming from any port in Luzon shall be subject to the following protocols: <ul style="list-style-type: none"> ○ If carrying cargoes from one port to another port in Luzon without traversing a body of water: allowed continuous access. ○ If carrying cargoes which will require traversing a body of water: unload the cargoes in the next port of call and transfer the same to another truck or engage a different driver and a maximum of two helpers. ○ In all cases : truck drivers and helpers shall be subjected to strict health screening. ○ Any existing transport documents shall serve as port entry/exit documents. 	<p>N/A</p>
<p>Customs Memorandum Order No. 05-2020⁸</p>	<p>Guidelines at all seaports for prevention and spread of Novel Corona Virus Acute Respiratory Disease</p>	<p>N/A</p>
<p>Customs Memorandum Order No. 08-2020⁹</p>	<p>Guidelines in the implementation of the zero-contact policy at the assessment offices in the Bureau of Customs</p>	<p>N/A</p>

⁷ https://www.ppa.com.ph/sites/default/files/issuances_docs/PPA_MC_10-2020.pdf

⁸ http://customs.gov.ph/wp-content/uploads/2020/03/cmo-05-2020-Implementing_DOH_Dept_Circular_No_2020-0034_re_Guidelines_at_All_Seaports_for_Prevention_and_Spread_of_Novel_Corona_Virus.pdf

⁹ <http://customs.gov.ph/wp-content/uploads/2020/03/cmo-08-2020-ZeroContactPolicy.pdf>



In keeping with our commitment of providing our clients and the public with the best possible service we can, we will continue to provide you with relevant updates on issuances made by the various government agencies during the period of ECQ.

Keep safe.

Thank you very much.

BERNARDO PLACIDO CHAN AND LASAM LAW OFFICES

By:


DAMIÁN M. PLACIDO, JR.
Managing Partner

“Annex A”



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
1099 Manila

MEMORANDUM

TO : ALL DEPUTY COMMISSIONERS
ALL DISTRICT AND SUB-PORT COLLECTORS
ALL FORMAL ENTRY DIVISION PERSONNEL
ALL OTHERS CONCERNED

FROM : REY LEONARDO B. GUERRERO
Commissioner MAR 18 2020

SUBJECT : PROVISIONAL GOODS DECLARATION FOR RELIEF
CONSIGNMENT UNDER A STATE OF CALAMITY

DATE : 17 March 2020

Effective immediately, goods declaration involving donations for relief consignment may be provisionally declared in accordance with Customs Memorandum Order No. 07-2020 subject to the following conditions:

1. The Donee must be a national government agency, such as the Department of Health;
2. The Consignee, through its responsible officer, shall issue an Undertaking to comply with the following:
 - a. Submit the lacking document within forty five (45) days from release of the shipment; and
 - b. Use or distribute the goods only upon clearance from the Food and Drugs Administration (FDA) or other regulatory agencies, if required.

The lacking document may include, among others, the Tax Exemption Indorsement (TEI) from the Department of Finance. For exigency in the release of the goods, the received copy of the application for TEI shall be dispensed with.

The goods shall be considered as relief consignment, as defined in Section 120 of the Customs Modernization and Tariff Act (CMTA), imported during a state of calamity and intended for a specific calamity area for the use of the calamity victims therein. As such these shall be exempt from duties and taxes pursuant to Section 121 of the CMTA. While the goods shall be released under tentative assessment, the posting of bond for the release thereof is not required.

Upon receipt of the documents within the prescribed period, the assessment shall be deemed completed.

The District Collector shall immediately clear the goods for release to the consignee upon receipt of the Undertaking. Pursuant to Section 120 of the CMTA, the port shall allow the following:

- a. Lodging, registering and checking of the provisional goods declaration and supporting documents prior to the arrival of the goods, and their release upon arrival;
- b. Clearance beyond the designated hours of business or away from customs offices and waiver of any corresponding charges; and
- c. Examination and/or sampling of goods only in exceptional circumstances.

For strict compliance.