22 May 2014

# CUSTOMS MEMORANDUM ORDER NO. 11-2014

SUBJECT: REVISED GUIDELINES FOR REGISTRATION OF IMPORTERS AND CUSTOMS BROKERS WITH THE BUREAU OF CUSTOMS (BOC) PURSUANT TO DOF DEPARTMENT ORDER NO. 33-2014

### Objectives

- To implement DOF Department Order No. 33 2014;
- To prescribe, revise and simplify rules for the accreditation of an importer or customs broker;
- c. To ensure the effective and proper enforcement of the Tariff and Customs Code of the Philippines, as amended (TCCP) and all other relevant laws, rules and regulations by ensuring that only legitimate entities are accredited as importers and customs brokers;
- To guard the interest of the government against abuse of accreditation privileges; and for other purposes.

#### Coverage

Unless otherwise provided, this Order shall apply to all importers and customs brokers intending to or transacting with the Bureau of Customs, except:

- a. Once-a-year importation;
- Importation by parcel post or by informal entry;
- Importation of the Philippine Government, its agencies and instrumentalities;
- Importation of personal effects, vehicles, motorcycles and household goods of a balikbayan and his/ her family under R.A. No. 6768, as amended, Overseas Contract Workers and other returning residents;
- Importation of foreign embassies, consulates, legations, agencies of other foreign governments and international organizations with diplomatic status and recognized by the Philippine government (e.g. Asian Development Bank, World Health Organization). This shall include importation of

personal effects and household goods of foreign workers and consultants, and officials and employees of foreign embassies, legations, consular officers and other representatives of foreign governments;

Unless otherwise provided for as an exception above, the term "importer" covered by these rules refers to any person who brings goods into the Philippines, whether or not made in the course of his trade or business. It includes non-exempt persons or entities who acquire tax-free imported goods from exempt persons, entities or agencies.

 Application for BIR-Importer Clearance Certificate (BIR ICC) or BIR-Broker Clearance Certificate (BIR BCC)

In compliance with DOF DO 33 – 2014 and BIR Revenue Memorandum Order 10-2014, all importers and customs brokers shall first apply for accreditation with the BIR for the issuance of their respective BIR ICC or BIR BCC, as the case may be. Thereafter, upon securing the BIR ICC or BIR BCC, importers and customs brokers shall file an application for accreditation with the BOC-Account Management Office (BOC-AMO) as described in this CMO.

However, importers and customs brokers who have already complied in full with the requirements of CMO 04 - 2014 are not covered by this CMO.

# Deadlines for Compliance with the Requirements of this CMO

#### a. For All Importers

Nature of Application	Documents Submit		Deadline
New Applicants	Documents lis Section 5.c.l	sted in	None
I-CARE accreditation expired before March 1, 2014 and not renewed	Documents lis Section 5.c.l	sted in	None
3. I-CARE accreditation was scheduled to expire sometime between March 1, 2014 and May 31, 2014 but automatically extended to May 31, 2014 pursuant to OCOM Memo dated February 26, 2014	Documents lis Section 5.c.I	sted in	May 31, 2014
Importers with I-CARE accreditation expiring between June 1 – 30, 2014	Documents lis Section 5.c.I	sted in	On or before date of expiration of existing I-CARE accreditation (June 1 – 30, 2014)

5. I-CARE accreditation will expire from July 1, 2014 onwards (all other importers not covered by above items 1	Documents Section 5.c.I	listed	in	June 30, 2014
not covered by above items 1 - 4)				1

## For All Customs Brokers

Nature of Application	Documents To Submit	Deadline
New Applicants	Documents listed in Section 5.c.II	n As submitted
I-CARE accreditation expired and not renewed	Documents listed in Section 5.c.II	n As submitted
I-CARE accreditation expired or will expire on or before May 31, 2014 but automatically renewed pursuant to OCOM Memo dated February 26, 2014	Documents listed in Section 5.c.II	n May 31, 2014
I-CARE accreditation expiring between June 1 – 30, 2014	Documents listed in Section 5.c.II	On or before date of expiration of I-CARE existing accreditation (June 1 – 30, 2014)
<ol> <li>I-CARE accreditation will expire from July 1, 2014 onwards (all customs brokers not covered by above items 1 – 4)</li> </ol>	Documents listed in Section 5.c.II	June 30, 2014

Failure to comply with the foregoing requirements on or before the scheduled deadlines shall result to the cancellation of existing accreditation of importers and customs brokers, without prejudice to the re-filing of the same upon compliance with the requirements.

#### 5. Procedure for Accreditation

## a. Apply for BOC-Client Profile Registration System (CPRS)

All importers and customs brokers are required to apply for registration under the BOC Client Profile Registration System (CPRS). After the application is "STORED" in the system, the applicant shall then print the CPRS profile which shall form part of the application.

# Payment of Processing Fee

All importers and customs brokers shall pay a processing fee equivalent to One Thousand Philippine Pesos (PhP1,000.00) upon submission of its application. Thereafter, a Bureau of Customs Official Receipt (BCOR) shall be issued upon payment of said processing fee.

#### Submission of Documentary Requirements

All importers and customs brokers shall submit original copies or certified true copies of documentary requirements provided below.

The original copies may be required for presentation by the BOC- AMO for purposes of comparison in case of doubt as to the authenticity of the certified true copies.

## For importers (List A)

- a. Application Form (Appendix 1-A and 1-B) with Sworn Undertaking to accept notice by electronic mail and to strictly abide with existing rules and regulations on the Statement of Full Description of Imported Articles covered by entry declarations:
- Depending on whether the applicant is a first time applicant or not:
  - For applicants not accredited by BOC at the time of application;
    - Original or certified true copy of BIR Importer Clearance Certificate (ICC)
  - For applicants accredited by BOC at the time of application, either of the following:
    - Original or certified true copy of BIR Importer Clearance Certificate (ICC);
    - Official receipt and follow-up stub issued by the BIR upon application by the Importer for the BIR-ICC.
- Official Receipt evidencing payment of processing fee
- d. List of Expected Imports, including, if possible, clear description in both technical and tariff terms, estimated volume and values for the incoming 12 months.

- Corporate Secretary Certificate or Special Power of Attorney for Designated Signatories (with sample original signatures) in the import entries;
- f. Two (2) valid government-issued I.D. with picture (e.g. passport, driver's license, SSS, GSIS I.D, PRC card, UMID, IBP card) of the applicant and responsible officers (i.e President, CEO, Vice President, Managing Partner, and responsible officers declared in the CPRS)
- g. In case of corporations or partnerships or cooperatives, the applicant's original copy of NBI clearance issued within the last three (3) months prior to the date of application for accreditation; in case of sole proprietors or individuals, original copy of NBI clearance issued within the last three (3) months prior to the date of application for accreditation.
- Printed CPRS profile of the importer and updated email notification of "STORED" CPRS profile
- For corporations or partnerships or cooperatives, General Information Sheet (GIS) and company profile (with pictures of office premises and warehouse/storage facility); company or trade profile in case of sole proprietors and individuals (with picture of office premises and warehouse/storage facility, if applicable)
- Personal profile (Appendix 2) of the applicant and responsible officers
- Previous Certificate of Accreditation, if any.
- II. For customs brokers (List B)
  - a. Application Form (Appendix 3), which includes the following:
    - three (3) sample original signature
    - Sworn Undertaking to accept notice by electronic mails and to strictly abide with existing rules and regulations on the Statement of Full Description of Imported Articles covered by entry declarations
    - Sworn undertaking that the customs broker has actual knowledge of the contents of the declaration and attests to its truthfulness

- Depending on whether the applicant is a first time applicant or not:
  - For applicants not accredited by BOC at the time of application:
    - Original or certified true copy of BIR Broker Clearance Certificate (BCC)
  - For applicants accredited by BOC at the time of application, either of the following:
    - Original or certified true copy of BIR Broker Clearance Certificate (BCC);
    - Official receipt and follow-up stub issued by the BIR upon application by the Importer for the BIR-BCC.
- Official Receipt evidencing payment of processing fee
- d. Valid PRC I.D.
- List of clients with complete address and contact details (not applicable for customs brokers applying for accreditation the first time)
- List of authorized representatives with personal details, photos and specimen signature.
- g. Printed CPRS profile and updated email notification of "STORED" CPRS profile
- d. Where to submit the documents:
  - i. Within Metro Manila: to BOC-AMO
  - Outside of Metro Manila: the application, together with the supporting documents, may be coursed through the Office of the District Collector concerned, who shall then indorse said application to BOC-AMO.
- e. Approval/Denial of Application

As far as practicable, all applications for accreditation shall be acted upon not later than fifteen (15) working days upon receipt of said application, together with the documentary requirements. The period of fifteen (15) days will not run if any document required herein is lacking. All notices shall be sent through email.

# Validity of Accreditation

- a. If the importer submits a BIR-ICC, or a customs broker submits a BIR-BCC, in fulfillment of the requirements in Section 5.c.I or Section 5.c.II, then the importer's or customs broker's accreditation shall be valid for the same duration as that of its BIR-ICC or BIR-BCC.
- b. If the importer submits proof of application for BIR-ICC, or a customs broker submits proof of application for BIR-BCC, in fulfillment of the requirements in Section 5.c.I or Section 5.c.II, then the BOC accreditation shall be temporary. This temporary BOC accreditation shall expire on the following dates:
  - i. If the BIR formally denies the application for a BIR-ICC or BIR-BCC, the temporary BOC accreditation shall expire 30 days after the date either the BIR or the BOC notifies the importer or customs broker that its application for BIR-ICC or BIR-BCC has been denied, whichever comes earlier. Upon expiration of the temporary BOC accreditation, the importer or customs broker shall no longer be accredited to transact with the BOC.
  - If the BIR issues the BIR-ICC or BIR-BCC, the BOC accreditation shall remain valid for the same duration as that of its BIR-ICC or BIR-BCC.
  - iii. If the BIR issues a provisional BIR-ICC or BIR-BCC, the temporary BOC accreditation shall expire 30 days after the expiration of the provisional BIR-ICC or BIR-BCC. If after issuing a provisional BIR-ICC or BIR-BCC, the BIR subsequently issues a BIR-ICC or BIR-BCC before the expiry of the provisional BIR-ICC or BIR-BCC, the importer or customs brokers' accreditation shall be valid for the same duration as that of its BIR-ICC or BIR-BCC.
- c. If the importer or customs broker submits proof of application for BIR-ICC or BIR-BCC, either the BIR or BOC will inform the importer or customs broker of the outcome of that application. Such notification will be done by e-mail to the e-mail address stated in the application form. It is the responsibility of the importer or customs broker to provide an accurate e-mail address and regularly check it to receive updates on the status of its applications with the BIR or BOC.

# 7. Reportorial Requirements after Approval of Accreditation

a. Any change in the information provided to the BOC-AMO in any of the documents in Section 5.c.l or Section 5.c.ll must be reported to the BOC-AMO within 30 days from the occurrence of said change. Such change include, but are not limited to, the following:

- Change of telephone number, e-mail address, and physical address, i.e. office address and/or warehouse address;
- ii. Change of business name;
- Change of ownership, Corporate Directors and Officers / Partners/ Cooperative Directors and Officers;
- Amendment's to Articles of Incorporation/ Partnership / Cooperation and By-Laws, as approved by the appropriate government agencies;
- v. Dissolution or closure / stoppage of business;
- vi. Change in the Signatories;
- vii. Mergers/Insolvencies; and
- viii. Change in the list of importables
- b. In case of change of any circumstance of the importer or customs broker, the same should be communicated to the AMO, through the submission of the following, to wit:
  - Affidavit of Change of Circumstance with supporting documents (i.e. mayor's permit, DTI registration, general information sheet, amended articles of incorporation etc.)
  - Letter-request for amendment/cancellation of CPRS

After receipt of the foregoing documents and if found proper, AMO shall cancel the CPRS registration of the importer/customs broker. Thereafter, the concerned importer/customs broker shall relodge its CPRS, with the corresponding changes. After receipt of the CPRS of the importer/customs broker by AMO, the latter shall then reactivate the CPRS of the former.

#### c. Annual submissions

All importers and customs brokers shall submit yearly within fifteen (15) days, to be counted from the date of approval of BOC accreditation, the following documents, to wit:

#### For All Importers

 Updated General Information Sheet and company profile; the company or trade profile in case of sole proprietors or individuals

- Mayors Permit and Proof of lawful occupancy of office
- c. Updated List of Expected Imports, including, if possible, clear description in both technical and tariff terms including estimated volume and values for the incoming 12 months.
- d. Original or certified true copy of renewed BIR-ICC (to be submitted every 3 years)

#### II. For All Customs Brokers

- Updated Professional Profile
- b. Valid PRC I.D.
- c. Updated list of clients with complete address and contact details
- d. List of authorized representatives with personal details, photos and specimen signature
- e. Original or certified true copy of renewed BIR-BCC (to be submitted every 3 years)

# Suspension or Cancellation of Accreditation

If at any time during the validity of a BOC accreditation, any of the following occurs, to wit:

- a. the BOC-AMO discovers any inaccuracy in any of the documents submitted in the application process with the BOC;
- the accredited importer or customs broker does not comply with any requirement after approval of accreditation as outlined in Section 7;
- the BOC discovers any violation of law or regulation by the accredited importer or customs broker;

the BOC may suspend or cancel the accreditation of the erring importer or customs broker, without prejudice to the right of the importer or customs broker to appeal such suspension or cancellation, or to re-apply for accreditation.

#### Passwords

Passwords or codes in whatever form given to the applicant as a consequence of the accreditation shall be personal only to the accredited importer or customs broker. Any use, misuse or unauthorized use of this password shall be the sole responsibility of the importer or customs broker.

Information sharing between BOC and BIR

- The BOC-AMO shall regularly provide the BIR-Accounts Receivable Monitoring Division (BIR-ARMD) with the following information:
  - List of importers and customs brokers that were able to secure a BIR-ICC and/or BIR-BCC but were nevertheless disqualified from accreditation under these rules.
  - List of importers and customs brokers whose accreditations were suspended or cancelled by the BOC.
- The BIR-ARMD shall likewise provide the BOC-AMO with the list of importers and customs brokers who have been issued either provisional or full BIR-ICCs and BIR-BCCs.

## Risk Management within BOC

The BOC-AMO shall provide internal guidelines for the risk profiling of importers and customs brokers (high/medium/low risk). The risk profile of importers shall form as basis for membership under the Super Green Lane program or its equivalent. High risk importers and customs brokers shall be subjected to strict standards for processing entries with BOC. The BOC-AMO shall likewise conduct monitoring of activities of importers and customs brokers which shall aide in the risk profiling of importers and customs brokers.

# Repealing Clause

Any order, rule or regulation contrary or inconsistent with this order or any of its provision are hereby repealed or amended accordingly.

Commissioner

O JOHN SEVILA

MAY 2 3 2014

# APPENDIX 1-A

# APPLICATION FOR ACCREDITATION & REGISTRATION (CORPORATION-PARTNERSHIP-COOPERATIVE)

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### APPENDIX 1-B

# APPLICATION FOR ACCREDITATION & REGISTRATION (SOLE PROPRIETOR)

address at worn in accordance with law, hereby depose and say that:  5. I am the OWNER/PROPRIETO  6. I hereby present the following information for accreditation with Customs;  6.1. Name of the Firm  k. Head Office Address  Year/s of Stay in the premises: Nature of occupation: ()owned ()leased ()others  I. Warehouse Address  Year/s of Stay in the premises: Nature of occupation: ()owned ()leased ()she ()others  m. Branch Office n. Year/s of Stay in the premises: Nature of occupation: ()owned ()leased ()she ()others  o. Telephone Number/s p. Facsimile Number/s q. Email Address* r. Number of employees s. Nature of Company t. TIN No.  * Mandatory Field since Notice of Denial/Approval will be sense 7. I hereby attached the following documents:  () BCOR evidencing payment of application fee () BIR Importer Clearance Certificate (BIR-ICC) () Special Power of Attorney (SPA) for designated signal sample original signatures) in the import entries. () Original copy of NBI Clearance of applicant issued wonths prior to date of application. () Bank statement for the last three. (3) months prior application, when applicable.			(Date)	
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months prior to date of application.  () Bank statement for the last three (3) months prior application, when applicable.	14			middete 4
<ol> <li>Bank statement for the last three (3) months prior application, when applicable.</li> </ol>	()			within t
application, when applicable.	()	Bank etatement for the la		to the
	(7)			to the
THE LINE IS A SHIP OF THE PROPERTY OF THE PROP	()			nlicant
Printed CPRS profile of applicant				Pureatit.
() Personal Profile of Applicant	2.5			
Company profile with pictures of (office and warehouse)		Company profile with picture	es of (office and warehouse	) premis

()	License/permit/accreditation from concerned agency, when applicable	e.
	i.e., food (LTO&CPR), rice (NFA), sugar (SRA), etc.	

() Indorsement from the Collector, if applicable

 List of Importable Items with clear description in technical and tariff terms, estimated volumes and values for the next twelve (12) months (Use separate sheet if necessary).

Commodity (General Terms)		Technical Description	Volume	<u>Value</u>
		Dooring		
	-			
				_
	-			
	_			
	-			
	_			
	-			
	1			
			2	

REPUBLIC OF THE PHILIPP	PINES ) ) S.S.
	SWORN UNDERTAKING
documents submitted in sur subject to verification; any	oath that all the above information are true and correct; all poort of this application are true copies of the original, misrepresentation and/or manifestation of fraud in this if for the disapproval of my application, and blacklisting of as the applicant.
receive notice by e-mail; (b) Statement of Full Description notify the BOC-AMO of any	on 2.2 of CMO No. 4-2014, I hereby undertake to (a) to to strictly abide with existing rules and regulations on the of Imported Articles covered by entry declarations; (c) to changes in the information contained in the application for in knowledge of the contents of a declaration, and to attest
cancellation and revocation	t failure to comply with the undertaking will result in the of the accreditation as importer, without prejudice to the nal sanction for violation of the Tariff and Customs Code of stoms laws and regulations.
AFFIX 2x2 picture of Proprietor/ Applicant Latest photo, w/c should Not be more than 3 Month old)	Very truly yours,
**********	APPLICANT'S NAME & SIGNATURE
	SWORN to before me thisday of in Manila, Philippines, affiant exhibiting to me his/her issued aton
	NOTARY PUBLIC
Doc No. Page No. Book No. Series of	

# APPENDIX 2

# PERSONAL PROFILE

OMPLETE NAM	ИE:			COMP	ANY P	OSITION:
ATE OF BIRTH	ţ.	SEX:	CIVIL	STATUS	CITI	ZENSHIP;
RESIDENCE AD	DRESS:		-			
MAIL ADDRES	SS:		TIN:			
CADEMIC BAC	KGROUND	r.				
Education		of Institutio te in full)	n	Dates of Attendance		Degree Received (Write in Full)
Primary			500			
Secondary						
College						
Vocational/ Trade Course Graduate Studies						
DATES		NAME	OF COM	PANY	F	POSITION / TITLE
				100,0		
					Affiv	2x2 latest photo
Date	Accomplish	ned			(not n	nore than 3 hs old)

#### APPENDIX 3

1. APPLICANT'S NAME

# Republic of the Philippines Department of Finance BUREAU OF CUSTOMS

PHOTO

2X2 (paste securely)

(Latest photo, not more than 3 mos. Old)

# INTELLIGENCE GROUP ACCOUNT MANAGEMENT OFFICE (AMO)

# APPLICATION FOR ACCREDITATION AS CUSTOMS BROKERS

	Date of Birth		Pla	ce of Birth		
	Sex (	Civil Status		Age	_ Nicknar	ne
	Customs Broker Ce	ertificate No		PRC No.	Va	lid up to
	Residence Address					Tal Maria
						Tel. No(s)
	Office Business Ad	dress:				1
		AUG-800-3			Tel	No(s)
		F	ax No		1500011	
	Email Add:		Tel Mo	tact Person		Duninger
	Name (if any)		101.140.	-		Business
ŭ	Financial Status as	of		Net Worth PI	HP	
	Total Resources Profile of Practice	HP				
	Total Resources Ph Profile of Practice	HP as Customs	Broker for ti	he past five (5	) years:	ort (s) Concerned
	Total Resources Ph Profile of Practice a Inclusive Dat	HP as Customs es	Broker for the	he past five (5	) years:	ort (s) Concerned
	Total Resources Ph Profile of Practice of Inclusive Date	dPas Customs	Broker for the Name of	he past five (5 Company	) years:	ort (s) Concerned
	Total Resources Ph Profile of Practice of Inclusive Date	HP as Customs es	Broker for the Name of	he past five (5 Company	) years:	
	Total Resources Ph Profile of Practice of Inclusive Date	HP as Customs es	Broker for the Name of	he past five (5 Company	) years:	ort (s) Concerned
	Total Resources Ph Profile of Practice of Inclusive Date	HP as Customs es	Broker for the Name of	he past five (5 Company	) years:	
	Total Resources Ph Profile of Practice of Inclusive Dat	dPas Customs	Broker for the Name of	ne past five (5	) years:	
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	Total Resources Ph Profile of Practice of Inclusive Dat	dPas Customs	Broker for the Name of	ne past five (5	) years:	
	Total Resources Ph Profile of Practice of Inclusive Date Academic Background	dPas Customs	Broker for the Name of	ne past five (5	) years:	
	Total Resources Ph Profile of Practice of Inclusive Date Academic Backgroun Education	dPas Customs	Broker for the Name of	ne past five (5	) years:	

Bureau of Customs?

7.	Basis for issuance of Customs Broker Certificate: ( ) Passed Exam ( ) Pursuant to RA 1937				
8.	Attachments to support application paper () BCOR evidencing payment of application fee () BIR Customs Broker Clearance Certificate (BIR-BCC)				
	() Valid PRC ID				
	( ) List of clients with complete address and contact details				
	( ) List of authorized representatives with personal details, photos and specimen				
	signature				
	( ) Printed CPRS Application Profile and updated email notification of "STORED" CPRS profile				
9.	Do you have any pending (a) criminal case? ( ) YES ( ) No / (b) Administrative case? ( ) YES ( ) No If "Yes", state details of the offense				
10.	— Have you ever been convicted of any crime or violation of law or regulation by any count or tribunal?				
	( ) Yes ( ) No. If "Yes", give details of the offense/violation, name and branch of the court/tribunal, date of promulgation of decision, etc.				
	4				
	Have you ever been administratively sanctioned or meted any penalty by the Bureau of Customs or professional Regulation Commission for any violation of law or regulation resulting in the suspension or revocation of your Customs Brokers License/ Certificate of Accreditation issued by a Collector of Customs/ the Commissioner of Customs or your Customs Broker Certificate/ Professional Identification card issued by the Professional regulation Commission? ( ) Yes ( ) No. If "Yes", state complete details.				
12	. Have you ever been barred from transacting customs business and/or entering the customs premises or zones? ( ) YES ( ) No. If "Yes", give details.				
	_If the barring order was not perpetual, has the order been already lifted ( ) Yes ( ) No, If "Yes", give details of the order and date of lifting.				
13.	Have you retired, forced to resign or dropped from employment in the public or private sector? ( ) Yes ( ) No. If "Yes", state the circumstances/details.				
14.	Are you related by consanguinity or affinity to any present official or employee of				

<ul> <li>Yes ( ) No. If "Yes", state their name(s), degree of relationship, and present position and assignment.</li> </ul>
Character References: (Not related to you by consequentially or effects.)

Name	Degree	Residence/ Address	Tel. No

REPUBLIC OF THE PHILIPPINE	ES)	
	) S.S.	
<u>s</u>	SWORN UNDERTAKING	
subject to verification; any r	path that all the above information are oport of this application are true cop- misrepresentation and/or manifestation for the disapproval of my application as the applicant.	ies of the original, on of fraud in this
receive notice by e-mail; (b) t Statement of Full Description notify the BOC-AMO of any c	n 2.2 of CMO No. 4-2014, I hereby to strictly abide with existing rules and of Imported Articles covered by entry changes in the information contained in In knowledge of the contents of a declar	regulations on the declarations; (c) to the application for
cancellation and revocation of the imposition of any other of	failure to comply with the undertaking the accreditation as customs broker, criminal sanction for violation of the other customs laws and regulations.	without prejudice to
Date Accomplished	Name & Signature of Applicant	
		Right Thumbmark
SPECIMEN SIGNATURE:	- E	
to me his/her valid go	SWORN to before me this at overnment I.D.	
at	<u> </u>	
Doc No.	Notary	Public
Page No.		
Book No.		
Series of		