

MEMORANDUM ORDER NO. 225

**INTENSIFICATION OF ANTI-SMUGGLING OPERATIONS AND  
DELINEATING RESPONSIBILITIES THEREFOR**

The economic recovery program of the country is anchored on the enhancement of a healthy business climate and the facilitation of commerce and trade. However, this freer and more liberal economic and social system may be taken advantage of by certain sectors of our society to intensify their smuggling activity and to engage in other forms of economic crimes. There is, therefore, a need to intensify our anti-smuggling operations and to impress upon everyone our Government's seriousness in stumping out these maladies.

For this purpose, all government agencies and functionaries are called upon to contribute in the fight against smuggling and other forms of fraud upon customs revenue. To achieve harmony of efforts and to prevent possible conflicts between agencies in the course of anti-smuggling operations, the following guidelines are hereby issued:

1. The Bureau of Customs (BOC) shall have exclusive jurisdiction over all anti-smuggling operations within the ports in all principal ports and subports of entry as well as all areas considered as customs zones, such as Customs Bonded Warehouse, and as such may call upon all other agencies of government for assistance in the conduct of operations within these areas of sole jurisdiction.

2. The Economic Intelligence and Investigation Bureau (EIIB) shall be the agency of primary responsibility for anti-smuggling operations in all land areas and inland waters and waterways outside the areas of sole jurisdiction of the Bureau of Customs and as such may call upon the assistance of all other government agencies particularly military and police assistance in the conduct of anti-economic subversion operations within these areas of primary responsibility.

3. The Philippine Coast Guard (PN) shall be the agency of primary responsibility for all anti-smuggling operations conducted in maritime waters within the territorial jurisdiction of the Republic of the Philippines and as such may call upon the assistance of all government agencies in the conduct of anti-smuggling operations within these areas of primary responsibility.

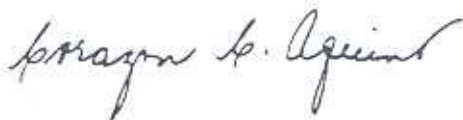
4. All government agencies and functionaries authorized by law to engage in anti-smuggling activities shall turn over to the Bureau of Customs all confiscated or seized articles, for the appropriate seizure and forfeiture proceedings as authorized under the Tariff and Customs Code.

5. All law enforcement agencies mandated by law to fight smuggling and other fraud on customs revenue shall undertake their anti-smuggling operations within the joint guidelines agreed upon by the agencies

concerned. The following general principles must be followed in the preparation of the joint guidelines:

- a. The joint guidelines must promote harmony and cooperation among agencies in the conduct of operations to obtain optimum results;
  - b. Operations must be coordinated to achieve widest coverage possible and thus maximize utilization of resources;
  - c. The joint guidelines must give due consideration for the rights of informers and apprehending officers to rewards provided for under existing laws and orders;
  - d. A mechanism should be provided for the coordination of operations and the settling of disputes that may arise among units in the conduct of operations;
  - e. The joint guidelines must be consistent with all existing laws as well as with the overall national defense doctrines, plans and standard operating procedures against insurgency, criminality and other enemies of the State.
6. In order for the PC/INP to concentrate on its primary duty of promoting peace and order, it shall not engage in the enforcement of customs laws, rules and regulations unless specifically deputized by proper authorities or requested to provide assistance by law enforcement agencies mandated to operate against smuggling.

This Memorandum Order shall take effect immediately.



Manila, March 17, 1989