



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

January 04, 2010

CUSTOMS MEMORANDUM CIRCULAR
NO. 10 - 2010

TO: All Deputy Commissioners
All Directors & Chiefs
All District/Port Collectors
And Others Concerned

SUBJECT: **REPUBLIC ACT NO. 9853 WHICH WAS APPROVED ON DECEMBER 15, 2009 ENTITLED "AN ACT AMENDING REPUBLIC ACT NO. 9280, OTHERWISE KNOWN AS THE "CUSTOMS BROKERS ACT 2004", AND FOR OTHER PURPOSES".**

Attached is the letter of Director MARIANITO M. DIMAANDAL, Office of the President, transmitting to the bureau a certified copy of Republic Act No. 9853 which was approved on December 15, 2009 entitled "AN ACT AMENDING REPUBLIC ACT NO. 9280, OTHERWISE KNOWN AS THE "CUSTOMS BROKERS ACT OF 2004", AND FOR OTHER PURPOSES".

For your information and guidance.

Please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

NAPOLEON D. MORALES
Commissioner



10-00193
Napoleon L. Morales

S. No. 3396
H. No. 3274

CMC 10 - 2010

2

Republic of the Philippines
Congress of the Philippines

Metro Manila

Fourteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand nine.

[REPUBLIC ACT NO. 98531 /

AN ACT AMENDING REPUBLIC ACT NO. 9280, OTHERWISE KNOWN AS THE "CUSTOMS BROKERS ACT OF 2004", AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 27 of Republic Act No. 9280 is hereby amended to read as follows:

"SEC. 27. Acts Constituting the Practice of Customs Broker Profession. - Any single act or transaction embraced within the provision of Section 6 hereof shall constitute an act of engaging

ENC 10-2010

3

in the practice of customs broker profession. Import entry shall be signed by a customs broker and the consignee/owner/importer under oath based on the covering documents submitted by the importers: *Provided*, That export declaration shall be signed by the exporter or, at his option, delegate the signing and processing of the document to his designated customs broker or authorized representative."

SEC. 2. Section 29 of Republic Act No. 9280 is hereby amended to read as follows:

"SEC. 29. *Admission to Professional Practice.*

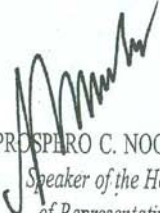
- The practice of customs broker is a professional service, admission to which shall be determined upon the basis of individual and personal qualifications. However, nothing in this Act shall prevent a corporation from being registered for the purpose of engaging in the business of customs brokerage as long as the corporation shall engage or hire the services of at least one (1) customs broker."

"For purposes of this Act, the phrase 'engaging in the business of customs brokerage' shall mean making representations in behalf of importer-clients in the Bureau of Customs (BOC) and other government agencies: *Provided*, That such corporations engaged in the business of customs brokering shall have a minimum paid-up capital of One million pesos (Php1,000,000.00) before they are accredited by the BOC."

SEC. 3. *Repealing Clause.* - All laws, presidential decrees, executive orders, memorandum orders and other administrative orders, rules and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.


SEC. 4. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in any newspaper of general circulation in the Philippines.

Approved,


PROSPERO C. NOGRALES
*Speaker of the House
of Representatives*

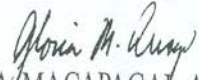

JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 3396 and House Bill No. 3274 was finally passed by the Senate and the House of Representatives on September 28, 2009 and October 8, 2009, respectively.


MARILYN B. BARUA-YAP
*Secretary General
House of Representatives*


EMMA LIRIO-REYES
Secretary of the Senate

Approved: DEC 15 2009


GLORIA MACAPAGAL-ARROYO
President of the Philippines



PGMA Hologram # 52777

CERTIFIED COPY:

MARIANITO M. DIMAANDAL
DIRECTOR IV
MANILA CUSTOMS RECORDS OFFICE