

**[CUSTOMS MEMORANDUM ORDER NO. 9-2002,
JANUARY 25, 2002, January 25, 2002]**

**IMPLEMENTING GUIDELINES ON DEPARTMENT ORDER NO. 47-
98 DATED JUNE 23, 1998**

To further clarify CMO 39-98 dated October 7, 1998, in view of the shift from Export Value to Transaction Value, certain changes shall constitute part of the original CMO 39-98 which is now republished, viz:

I. OBJECTIVES:

1. To enhance the publication of accurate/correct Transaction Values.
2. To provide prompt action on requests for assistance in the early resolution of protests cases in connection with the published Transaction Values.
3. To efficiently review/evaluate petitions for the publication of a range of Transaction Values or Reference Values.
4. To ensure proper/fair collection of Duties and Taxes.

II. ADMINISTRATIVE PROVISION:

A. Composition: There is hereby created by the Commissioner a Customs Valuation Team (CVT) composed of the Bureau of Customs and the Industry Representatives formed under the Memorandum of Understanding (MOU) of March 7, 1997 with the PCCI and FPI, hereinafter known as Customs Valuation Team (CVT). The following shall compose the Team:

- 1) Chairman — Deputy Commissioner for Assessment and Operations Group
- 2) First Vice-Chairman — Director, IAS
- 3) Second Vice-Chairman — Director, Planning and System Development

Regular Members:

- 1) Director, Bureau of Import Services (or his authorized representative)
- 2) Chief, Valuation and Classification Division
- 3) Principal Val. and Class Officer — 4 members
- 4) Chief, Formal Entry Division — POM

- 5) Chief, Formal Entry Division — MICP
- 6) Chief, Formal Entry Division — NAIA
- 7) PCCI Representatives — 3 members
- 8) FPI Representatives — 3 members
- 9) Other private sector representatives — Limited to two (2) only

Non-Voting Member

- 1) Technical Experts of the Industry
- 2) Other invited guests by the Chairman

B. Jurisdiction: The team shall have jurisdiction relative to:

- 1) Petition to review the lost of reference Transaction Values for the purpose of updating the same.
- 2) To study on the applicability or correctness of the Transaction Values on shipments referred to the Committee for deliberation.
- 3) Evaluation of Request(s) for the publication of Reference Values.

III. GENERAL PROVISIONS

A. The Valuation Team shall exercise the following functions:

- 1) To meet regularly every week or at least twice a month or as the need arises.
- 2) To study, evaluate/review and deliberate on all petitions to review the published Transaction Values used as Reference Values and submit its findings and recommendations to the Commissioner or to the duly authorized official for approval.
- 3) To approve the publication and amendment/updating/corrections of Reference Values and submit its findings and recommendations to the Commissioner or to the duly authorized official for approval.
- 4) To invite the attendance of interested and/or affected parties.
- 5) To endorse to the VSWG the approved published transaction value for reference and RO's for its consideration for inclusion in the Value Reference Information System (VRIS).
- 6) To resolve all request for the publication within 2 weeks and not later than 3 weeks.

B. Private Sector: