

**[BOC CUSTOMS MEMORANDUM ORDER NO. 9-
2009, February 02, 2009]**

**GUIDELINES IN THE IMPLEMENTATION OF THE BORDER PATROL
AGREEMENT AND BORDER CROSSING AGREEMENT BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF INDONESIA AND THE
GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES**

I. Objectives:

1. To define the qualification requirements in the designation of Border Crossing Officers;
2. To provide the guidelines in the monitoring and supervision of Border Crossing Officers; and
3. To prescribe the reportorial requirements that shall be complied with by the designated Border Crossing Officers.

II. Designation of Border Crossing Officers:

1. The designation as Border Crossing Officers shall be issued by the Commissioner of Customs upon recommendation of the concerned District Collector;
2. The following shall be the requirements for designation as such:
 - a. A permanent employee of the Bureau for at least three (3) years holding a plantilla position of not lower than Customs Operations Officer I, SG-11 currently assigned at the Port of Zamboanga or Port of Davao, respectively.
 - b. Physically fit as certified to by a Medical Officer in a local government hospital in Zamboanga/Davao and the Chief, Medical and Dental Division, Ocom.
 - c. Endorsement by the immediate family (wife/husband for married employee/ parent for single employee) stating agreement to his/her assignment and likewise stating the members of the family who shall be entitled to benefits as Foreign Service Officer, if any.
3. The regular tour of duty for each designation shall be for six (6) months and can be extended but subject to renewal upon proper evaluation and favorable recommendation of the concerned District Collector which shall, however, be limited to a maximum of three (3) renewals only.

4. After the issuance of appropriate Customs Personnel Order, the designated Customs Border Crossing Officer shall be endorsed to the Department of Foreign Affairs by the Deputy Commissioner, Internal Administration Group for issuance of diplomatic passport and possible conferment of an appropriate Foreign Service Officer Rank and the corresponding entitlement to its benefits, privileges, responsibilities and accountabilities.

5. In accordance with DFA rules and regulations, the Diplomatic Passport shall be subject to annual revalidation. Hence, the designated Customs Border Crossing Officer shall take necessary action to comply with such rule.

6. In accordance with the Agreement, the Customs Border Crossing Officer is part of the Border Committee Team, a multi-agency team with the Military Commander as Head of the Team. Accordingly, the Customs Border Crossing Officer shall immediately report to the Head of the Team upon his assumption, whenever, he will be leaving his post for personal and official reasons and prior to departure in case of recall.

III. Monitoring, Supervision and Reportorial Requirements;

1. As per Agreement, the following shall be the Border Crossing Entry and exit stations:

a. Indonesian Side

- Marore
- Miangas
- Tarakan

b. Philippine Side

- Mabila, Balut Island
- Cape San Agustin
- Bongao, Tawi-tawi

2. Accordingly, the Philippine Customs Border Crossing Officer shall be stationed at the following stations in Indonesia and shall be subject to supervision of the concerned District Collector as indicated:

- a. Marore, Indonesia - District Collector, Port of Davao
- b. Miangas, Indonesia - District Collector, Port of Davao
- c. Tarakan, Indonesia - District Collector, Port of Zamboanga

3. On the other hand, the jurisdiction to supervise the areas in the Philippine side for the enforcement of the tariff and customs laws and the provisions of the Agreement shall be in accordance with the jurisdictional limits of the Collection District and its subport as follows:

- a. Balut Island - Subport of Dadiangas, Collection District No. XI
- b. Cape San Agustin - Subport of Mati, Collection District No. XI