SUBIC BAY METROPOLITAN AUTHORITY

BAGONG PILIPINAS

Certification No. 25-159
Series of 2025

MEMORANDUM

Subject : **POLICY ON THE ADMISSION AND MOVEMENT OF FOREIGN GOODS BY COMPANIES WITHIN THE SUBIC BAY FREEPORT ZONE WHICH ARE HOLDERS OF A REGISTRATION CERTIFICATE**

This certifies that:

The records of the Board Secretariat show that during the Fifty-Fourth (54th) Meeting of the Board of Directors of the Subic Bay Metropolitan Authority held last 8 April 2025 wherein there was a quorum to validly transact business, the following resolution was approved:

Resolution No. 25-04-1168

"Resolve, as it is hereby resolved, that upon recommendation of Management and without prejudice to COA Regulations and pertinent laws on the matter, the Board hereby:

1. ACCEPTS the actions to be undertaken by the SBMA Port Operations Group concerning the comments/insights/recommendations raised by the Bureau of Customs - Port of Subic in relation to the Policy on the Admission and Movement of Foreign Goods by Companies within the Subic Bay Freeport Zone which are Holders of a Registration Certificate (Policy);
2. INSTRUCTS the SBMA Port Operations Group to respect the procedures of the Bureau of Customs that will be adopted during the implementation of the Policy, in compliance with the applicable provisions of the Republic Act No. 10863, otherwise known as the Customs Modernization and Tariff Act of 2016, vis-à-vis Republic Act No. 7227 or the Bases Conversion and Development Act of 1992; and
3. APPROVES AND RATIFIES the publication of the Policy in a newspaper of general circulation OR the Official Gazette and its registration with the Office of the National Administrative Register (ONAR).

Management's Memorandum dated April 03, 2025 is incorporated herein by way of reference."

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CERTIFIED TRUE COPY
JENNIFER T. GUIANG, Board Secretary V
April 11, 2025
SUBIC BAY METROPOLITAN AUTHORITY

U.P. LAW CENTER
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
Administrative Rules and Regulations
REGISTERED
APR 28 2025
NO. 25-0478
ONAR Registration
TIME: BY:

Issued this 10th day of April 2025.

JENNIFER T. GUIANG
Board Secretary V

250199

Subic Bay Metropolitan Authority
BOARD SECRETARIAT
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CERTIFIED IQNet MANAGEMENT SYSTEM
Quality Management ISO 9001:2015
Environmental Management ISO 14001

SUBIC BAY METROPOLITAN AUTHORITY

BAGONG PILIPINAS

APPROVED / DISAPPROVED
Recommending approval. JQM

DMS - 2025 - TFCD - 0012042

MEMORANDUM FOR THE CHAIRMAN AND ADMINISTRATOR

THRU : **RONNIE R. YAMBAO**
Senior Deputy Administrator for Operations

FROM : **ATTY. MARTIN KRISTOFFER F. ROMAN**
Deputy Administrator for Port Operations

JEROME M. MARTINEZ
General Manager, Seaport Department

ANNA JOY T. QUITO
Officer-In-Charge, Trade Facilitation and Compliance Department

SUBJECT : **REQUEST FOR INCLUSION TO THE AGENDA OF THE BOARD MEETING – POLICY ON THE ADMISSION AND MOVEMENT OF FOREIGN GOODS BY COMPANIES WITHIN THE SUBIC BAY FREEPORT ZONE WHICH ARE HOLDERS OF A REGISTRATION CERTIFICATE**

DATE : **April 03, 2025**

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April 11, 2025
SUBIC BAY METROPOLITAN AUTHORITY

This is to respectfully request your good office to approve the inclusion of the *Policy on the Admission and Movement of Foreign Goods by Companies within the Subic Bay Freeport Zone which are Holders of a Registration Certificate* to the SBMA Board Meeting on April 8, 2025.

The subject Policy is hereby re-submitted following the instruction of the Board that its publication in the newspaper and registration with the Office of the National Administrative Register (ONAR) be made subject to the receipt of a written support from the Bureau of Customs (BOC).

The letter from the BOC was received on March 28, 2025, containing their comments, insights, and recommendations regarding the subject Policy, without any objection thereto. In this regard, the resubmission of the subject Policy is being made in order that it may be published in a newspaper of general circulation and that it may be registered with the ONAR, towards its full implementation.

Attached is a copy of the power point presentation for easy reference.

For your kind consideration and approval, Sir.

Thank you.

APR 07 2025
RECEIVED BY: TIME: 0849
DOCUMENT NO.: 12042

cc: Board Secretariat

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Subic Bay Metropolitan Authority
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Board Presentation #

BAGONG PILIPINAS

SUBIC BAY METROPOLITAN AUTHORITY

POLICY ON THE ADMISSION AND MOVEMENT OF FOREIGN GOODS BY COMPANIES WITHIN THE SUBIC BAY FREEPORT ZONE WHICH ARE HOLDERS OF A REGISTRATION CERTIFICATE (RC POLICY)

April 4, 2025

SBMA SUBIC BAY METROPOLITAN AUTHORITY

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JENNIFER T. GUIANG, Board Secretary V
April 11, 2025

SUBIC BAY METROPOLITAN AUTHORITY

RC Policy

REQUEST

APPROVAL AND RATIFICATION

to proceed with the newspaper publication of the *Policy on the Admission and Movement of Foreign Goods by Companies within the Subic Bay Freeport Zone which are Holders of a Registration Certificate* (POLICY) and its registration with the Office of the National Administrative Registrar (ONAR).

SBMA SUBIC BAY METROPOLITAN AUTHORITY

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RC Policy

DISCUSSION

1. On February 4, 2025, the result of the public hearing and consultation was presented to the Board. The Board instructed that the newspaper publication of the POLICY and its registration with the ONAR be made subject to the receipt of a written support from the Bureau of Customs (BOC).

2. The Office of the Senior Deputy Administrator for Operations received the letter of the BOC on March 28, 2025, containing its comments/insights/recommendations from the concerned units of the BOC Port of Subic (POS).

3. Copied verbatim, the comments/insights/recommendations of the BOC POS, including the corresponding response / action by the SBMA Port Operations Group as discussed during the clarificatory meeting on April 4, 2025, are presented in the succeeding slides:

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April 11, 2025
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RC Policy

BOC COMMENTS / INSIGHTS / RECOMMENDATIONS	PORT GROUPS ACTION
From the Officer-In-Charge of the BOC Export Unit *Discussion:* Upon review of the said Policy, the Export Unit respectfully submits herein comments/recommendations which may be put into consideration: A. Policy Provision: Processes and Principles for RC Holders (General) F. Submission of Liquidation Report to TFCD	
Comments/Recommendations: To include BOC Subic as a recipient of this report, so that the Port may track the movement of goods whether they have already exited, transited/transshipped or exported, and determine which admissions cover which unfiled BL in the E2M.	We agree that the BOC Subic be a recipient of the liquidation report for monitoring the movement of goods admitted by RC Holders. Submission may be done online or via hard copy, twice a month.

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BOC COMMENTS / INSIGHTS / RECOMMENDATIONS	PORT GROUPS ACTION
From the Officer-In-Charge of the BOC Export Unit B. General/Operations: Regarding SBMA-AEDS: *Comments/Recommendations:* - The Export Unit has no working viewing access since the upgrade of SBMA-AEDS V.3. Firstly, to regain access. Then as a feature, the capability to view the actual SBMA-AEDS SAD with the option to download and print. - This is aside from the generation of daily SBMA-AEDS transaction report. Also, If the shipment is regulated, that the regulatory clearance be also uploaded.	The TFCD has a pending request for the enhancement of the automated export system. The comments/ recommendations raised by the BOC will be included in the enhancement.

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April 11, 2025

RC Policy

BOC COMMENTS / INSIGHTS / RECOMMENDATIONS	PORT GROUPS ACTION
From the Officer-In-Charge of the BOC Export Unit **Comments/Recommendations**: - Currently there are no means to utilize the 30 minute window provided for the BOC in cases for need to review or for selective examination. To actually manifest the 30 minutes window, of possible, include in the system a clickable action box that the BOC can manually trigger if the shipment is subject to hold/examination, but if no action within 30 min., the AEDS will be automatically approved.	The TFCD will include the request for a clickable action box in the on-going system enhancement. Regarding selective examination or physical inspection, the Seaport Department and BOC will coordinate closely. Once selected for examination, the BOC personnel will ensure to inspect and process the shipment until its completion, unless there are adverse findings resulting therefrom.

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BOC COMMENTS / INSIGHTS / RECOMMENDATIONS	PORT GROUPS ACTION
From the Officer-In-Charge of the BOC Export Unit **Comments/Recommendations**:	
- Export declarations coming from outside SBFZ (other zones, non-E2M), to be first coursed to BOC Export Unit for receiving/acknowledging only (no processing of ED), before processing with SBMA. If possible, to require the Authority to Load stamp of BOC Export as an additional control.	The Seaport Department will advise port users to first proceed to the BOC Subic Export Unit to submit the Transfer Note/Boat Note and to secure the Authority to Load, as an added control measure.
- Inclusion of Export Release on the VASP system. All SBMA-AEDS shipment to be required to process with BOC Export for tag release	The TFCD will include this in the on-going enhancements of the export automated system.

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April 11, 2025
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RC Policy

BOC COMMENTS	PORT GROUPS COMMENTS/ACTION
From the Assessment Division, Port of Subic *Discussion:* 1. On 08 January 2025, the Subic Bay Metropolitan Authority (SBMA) conducted a Public Hearing/Consultation relevant to its proposed Policy on the Admission and Movement of Foreign Goods by Companies within the Subic Bay Freeport Zone which are Holders of a Registration Certificate. 2. The SBMA deems the creation and promulgation of this proposed policy in order to strengthen free flow and movement of goods and affirm the authority and regulatory functions of the SBMA in monitoring such activity within the Subic Bay Freeport Zone (SBFZ).	

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RC Policy

BOC COMMENTS	PORT GROUPS COMMENTS/ACTION
From the Assessment Division, Port of Subic *Discussion:* 3. Moreover, the proposed policy will operate with the following objectives. To with: a. To uphold the freeport status of the SBFZ and the resulting and ancillary benefits thereof to the stakeholders of the SBMA; b. To manage, monitor, and regulate the admission and movement of goods by RC Holders; and c. To provide sanctions and penalties for violations of this Policy.	

SBMA SUBIC BAY METROPOLITAN AUTHORITY

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RC Policy

BOC COMMENTS	PORT GROUPS COMMENTS/ACTION
From the Assessment Division, Port of Subic *Discussion:* 4. In so far as this office is concerned and to effectively carry out the mandate of the Port of Subic, below are the comments relative to the said policy, to wit: a. In the opinion of this office, such policy shall be carried out in accordance with the provisions set forth in Chapter 3, Title VIII of Republic Act No. 10863 otherwise known as the Customs Modernization and Tariff Act of 2016. Which provides:	During the public hearing on 8 January 2025, it was said by the SBMA Deputy Administrator for Ports that "*once the goods are removed from the Freeport Zone, the agency (SBMA) concedes to the authority and processes of the BOC.*"

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RC Policy

BOC COMMENTS	PORT GROUPS COMMENTS/ACTION
From the Assessment Division, Port of Subic **SEC. 814. When Goods are Admitted and Withdrawn. –** Imported goods shall be admitted into a free zone when the goods declaration, together with required documents as required by existing laws and regulations, are electronically lodged with the Bureau and other relevant government authorities at the time of admission. Imported goods shall be withdrawn from the free zone for entry to the customs territory when the goods declaration is electronically lodged, together with required documents at the time of the withdrawal from the free zone.	Annexes 1 and 2 of the Policy provide the processes and principles wherein it provides the following activities: 1. Application for System Registration 2. Guidelines on Admission Permit 3. Fees for Admission Permit 4. Processing of Declaration for Admission of Foreign Goods Discharged at the SBFZ 5. Arrival and Inspection of Cargoes within the SBFZ 6. Submission of Liquidation Report to TFCD 7. Conduct of Audit and Inspection

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April 11, 2025
SUBIC BAY

RC Policy

BOC COMMENTS	PORT GROUPS COMMENTS/ACTION
From the Assessment Division, Port of Subic **SEC. 815. Exemption from Duty and Tax of Goods in Free Zones.** Unless otherwise provided by law and in accordance with the respective laws, rules and regulations of the free zone authorities, goods admitted into a free zone shall not be subject to duty and tax.	It was affirmed by the BOC during the meeting on April 4, 2025, that indeed, the admission of goods inside the Freeport Zone is tax and duty-free.

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BOC COMMENTS	PORT GROUPS ACTION
From the Assessment Division, Port of Subic **SEC. 816. Movement of Goods into and from Free Zones.** – The entry of goods into a free zone, whether directly or through the customs territory, shall be covered by the necessary goods declaration for admission or transit. Withdrawal from the free zone into the customs territory shall be covered by the necessary goods declaration for consumption or warehousing. Transfer of goods from one free zone into another free zone shall likewise be covered by the necessary transit permit. The implementing rules and regulations on the transit of goods admitted into, exported from, withdrawn into the customs territory, and movement between free zones shall be formulated and issued jointly by the Bureau and the free zone authorities.	Import and export systems mirrored from the existing systems being used by the SBF holders of Certificate of Registration and Tax-Exemption (CRTE) will be utilized for RC Holders.

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RC Policy

BOC COMMENTS	PORT GROUPS ACTION
From the Assessment Division, Port of Subic **SEC. 817. Coordination With Free Zone Authority.** – To ensure compliance with customs laws and regulations, the Bureau shall coordinate with the governing authority of the free zone. b. Moreover, in relation to admission, movement and withdrawal of Goods in Free Zones, the conduct and procedures of the same shall be in compliance with Customs Administrative Order (CAO) No. 11-2019. c. Furthermore, the proposed policy by the SBMA is synonymous with Joint Memorandum Order (JMO) No. 01-2021. The said JMO was issued jointly by the Bureau of Customs and the Bases Conversion and Development Authority (BCDA) Re: Implementing Guidelines in Admission, Movement, and Withdrawal of Goods in the New Clark City (NCC). The creation and implementation of the proposed policy shall be created in the same manner duly overseen by the Project Management Office (PMO) of the Bureau of Customs.	The BOC will initiate the creation of the TWG to craft the JMO together with the Port Group.

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BOC COMMENTS	PORT GROUPS ACTION
From the Enforcement and Security Service, Customs Police Division *Discussion:* 1. Anent the SBMA public hearing/consultation, dated 8 January 2025, this Office respects the mandates of the Freeport Authority as defined in Republic Act No. 7227 as amended by Republic Act No. 9400 and all other incentives and privileges of companies which are holders of Registration Certificates. 2. On the other hand, goods entered in free zones, such as but not limited to SBMA, and other freezone authorities are still covered under Customs Administrative Order (CAO) No. 11-2019, pursuant to Republic Act No. 10863. 3. Furthermore, Section 2. Objectives specifically provided Section 2.1. To provide the guidelines and institute safeguard measures to control and monitor the Admission, withdrawal and movement of Goods by Free Zones Locators.	

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RC Policy

BOC COMMENTS	PORT GROUPS ACTION
From the Customs Police Division *Discussion:* 4. In addition with the provisions provided under sections 2.2, 2.3 and 2.4 of CAO 11-2019 *Recommendation:* 5. This Office respectfully recommends the inclusion of the officers under ESS and other special units in the monitoring and inspection of admission of goods under SBFZ to monitor its movement within the zone, without hampering any incentives and privileges of its locators in compliance with CAO No. 11-2019 and following other relevant laws and regulations.	The same procedures will be adopted by the Customs Police Division on transactions made by RC Holders.

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RC Policy

DISCUSSION

4. Pre-requisite to the newspaper publication of the POLICY, and its registration with the ONAR, is the acceptance by the Board of the actions to be made by the SBMA Port Operations regarding the comments/insights/recommendations of the BOC POS in relation to the Policy in its letter dated 28 March 2025.

5. There is NO OBJECTION on the part of BOC POS to the implementation of the POLICY, but only comments/insights/recommendations which can be addressed by the Port Operations Group prior to the effectivity of the POLICY and during its implementation.

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RC Policy

PROPOSED RESOLUTION

"Resolve, as it is hereby resolved, that without prejudice to COA Regulations and pertinent laws on the matter, the Board hereby:

1. **ACCEPTS** the actions to be undertaken by the SBMA Port Operations Group concerning the comments/insights/recommendations raised by the Bureau of Customs - Port of Subic in relation to the *Policy on the Admission and Movement of Foreign Goods by Companies within the Subic Bay Freeport Zone which are Holders of a Registration Certificate* (Policy);
2. **INTRUCTS** the SBMA Port Operations Group to respect the procedures of the Bureau of Customs that will be adopted during the implementation of the Policy, in compliance with the applicable provisions of the Republic Act No. 10863, otherwise known as the *Customs Modernization and Tariff Act of 2016*, vis-à-vis Republic Act No. 7227 or the *Bases Conversion and Development Act of 1992*; and
3. **APPROVES AND RATIFIES** the publication of the Policy in a newspaper of general circulation and its registration with the Office of the National Administrative Register (ONAR).

Thank you

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POLICY ON THE ADMISSION AND MOVEMENT OF FOREIGN GOODS BY COMPANIES WITHIN THE SUBIC BAY FREEPORT ZONE WHICH ARE HOLDERS OF A REGISTRATION CERTIFICATE

I. POLICY STATEMENT

The Subic Bay Metropolitan Authority ("SBMA") was established as the sole regulatory authority of all economic activities in the Subic Bay Freeport Zone ("SBFZ" or "the Freeport").

Section 12(b) of Republic Act ("RA") No. 7227, as amended by RA No. 9400, provides that the Freeport shall be operated and managed as a separate customs territory, ensuring free flow or movement of goods and capital within, into and exported out of the Freeport, with incentives such as tax and duty-free importations of raw materials, capital, and equipment. Exportation or removal of goods from the territory of the Freeport to the other parts of the Philippine territory shall, however, be subject to customs duties and taxes under relevant customs and tax laws.

Consistent with the SBFZ being a separate customs territory, and without prejudice to laws, as well as official regulations and issuances pertinent thereto, this policy ("this Policy") is hereby adopted and promulgated on the admission and movement of foreign goods by lessors or sublessors of a property within the SBFZ of at least one (1) year, and are holders of a Registration Certificate, as issued by the SBMA, with significant investment ("RC Holders").

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April 11, 2025
SUBIC BAY

II. BASIS & RATIONALE

This Policy is based on, and is guided by, the following:

A. RA No. 7227, which created the SBMA, mandating it to, among others, operate and manage the SBFZ as a separate customs territory and ensure the free flow or movement of goods and capital within, into and exported out of the SBFZ;

B. Section 16 of RA No. 12066, also known as the CREATE MORE (Corporate Recovery and Tax Incentives for Enterprises to Maximize Opportunities for Reinvigorating the Economy) Act, which provides that:

"(l) Freeport zones refer to an isolated and policed areas adjacent to a port of entry, which shall be operated and managed as a separate customs territory for purposes of ensuring free flow or movement of goods, except those expressly prohibited by law, within, into, and exported out of the freeport zone where imported goods may be unloaded for immediate transshipment or stored, repacked, sorted, mixed, or otherwise manipulated subject to the provisions of Sections 294(D) and (E) and 295(C) and (D): Provided, That for the freeport to shall have a permanent customs control or customs office at its perimeter;

x x x;

C. Presidential Proclamation No. 532 dated 01 February 1995, where the physical boundaries of the SBFZ, as controlled by the SBMA, comprising 14,607 hectares of land of the former military base of the United States of America, were delineated;

D. *Bureau of Customs v. Japanese 4 x 4 Export Corporation* (GR No. 227542, 12 May 2021), where the Supreme Court explained that the SBFZ was designated by RA No. 7227 as a separate customs territory and pronounced the legal duty of the SBMA to advocate for the interests of its locators and ensure that their business activities within the SBFZ are conducted conveniently and efficiently, thus:

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Our lawmakers have their reasons and purposes in designating the Subic Bay Freeport Zone as a separate customs entity and in granting privileges and incentives to the enterprises registered with the SBMA. Mainly, their aim is to develop the Subic Bay Freeport Zone into a self-sustaining entity that will generate employment and attract foreign and local investment. To this end, the Court will keep the statute's intent of carving a territory out of the former military reservation in Subic Bay where free flow of goods and capital will always be maintained;

E. Section 4(a) of the Implementing Rules and Regulations of RA No. 7227, which states that the following rule of interpretation shall be observed in the implementation of RA No. 7227, as well as its provisions, with regard to the SBFZ and the SBMA:

All trade and business, immigration, corporation, banking and quarantine laws shall be subordinated to and/or liberally construed in favor of the SBF to enhance and promote the policies of the special economic and Freeport system within the boundaries established by law and these Rules;

F. There is a need to formulate a policy pertaining to the admission and movement of foreign goods by RC Holders, in line with the spirit of RA No. 7227, and consistent with the CREATE Act, in order to strengthen the free flow and movement of the said goods and affirm the authority and regulatory functions of the SBMA in monitoring such activity within the SBFZ;

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April 11, 2025
SUBIC BAY

III. OBJECTIVE

A. To uphold the freeport status of the SBFZ and the resulting and ancillary benefits thereof to the stakeholders of the SBMA;

B. To manage, monitor, and regulate the admission and movement of goods by RC Holders; and

C. To provide sanctions and penalties for violations of this Policy.

IV. SCOPE & LIMITATION

A. Entities.

This Policy applies to the admission and movement of foreign goods by RC Holders [a] with a lease agreement with the SBMA or an SBMA-consented sublease agreement over a property located within the SBFZ for at least one (1) year, [b] with a minimum paid-up capital of One Million Pesos or One Million Pesos worth of investment (except for registered export enterprises that have no minimum capital requirement but with more than 40% foreign equity), and [c] with existing employees as validated by the Labor Department, or approved committed employment, as indicated in the terms and conditions of their lease or sublease agreement.

In accordance with the prevailing policies of the SBMA, existing RC Holders which intend to engage in the importation, admission, and trading of used trucks, buses, and heavy equipment, may avail of the benefits of this Policy only if they are compliant with conditions set forth in the immediately preceding paragraph, as well as with the following requirements: [a] a minimum leased area of 5,000 square meters with a maximum term of twenty-five (25) years; [b] an investment amounting to Fifty Million Pesos (P50,000,000.00) by way of total committed investment (total asset), or development commitment, or both; [c] a projected employment of at least twenty-five (25) personnel; and [d] an endorsement by the Office of the Chairman and Administrator, certifying its good standing with the SBMA as a corporate citizen, to the Board of Directors; and [e] an approval of the said endorsement by the Board of Directors.

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B. Goods.

The goods to be admitted must be directly and exclusively used in line with the approved business activity/ies of the RC Holder, as stated in its RC. The same refers to raw materials, inventories, supplies, equipment, goods, packaging materials, and other expenditures directly attributable to the registered project or activity of the RC Holder without which the registered project or activity cannot be carried out.

The admission of foreign goods other than the above shall be subject to the immediate payment of applicable import duties and taxes to the BOC. Accordingly, the said goods shall only be discharged at the SBFZ.

All other applicable and pertinent laws, rules, and regulations germane to the admission of regulated and restricted goods shall be strictly observed.

V. PROCESSES & PRINCIPLES

The pertinent and applicable processes and principles are found in the following annexes, which shall form part of this Policy:

Annex 1 - Processes and Principles for RC Holders (General)
Annex 2 - Processes and Principles for RC Holders Engaged in Trading of Trucks and Related Commodities
Annex 3 - Flowchart Procedures and Guide

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April 11, 2025
SUBIC BAY

VI. FINES AND PENALTIES

The Fines and Penalties for Port Violations, as per Board Resolution Nos. 21-10-2277 and 23-02-0029, and other fines and penalties based on existing laws, rules, regulations, and policies related to the admission and importation of goods into the SBFZ are adopted in, and shall form part of, this Policy.

VII. SEPARABILITY CLAUSE

Should any provision of this Policy or any of its parts be declared invalid or unconstitutional, the other provisions, insofar as they are separable from those so declared invalid or unconstitutional, shall remain in full force and effect.

VIII. REPEALING CLAUSE

All policies, resolutions, orders, issuances, rules, and regulations or parts thereof inconsistent with this Policy are hereby repealed or modified accordingly.

IX. EFFECTIVITY

This Policy shall take effect fifteen (15) days after its publication in a newspaper of wide circulation and its filing with the Office of the National Administrative Register at the University of the Philippines Law Center, in accordance with Executive Order No. 292, s. 1987, or the Administrative Code of 1987.

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POLICY ON THE ADMISSION AND MOVEMENT OF FOREIGN GOODS BY COMPANIES WITHIN THE SUBIC BAY FREEPORT ZONE WHICH ARE HOLDERS OF A REGISTRATION CERTIFICATE

A. APPLICATION FOR SYSTEM REGISTRATION

An application shall be made by the RC Holder before the SBMA Trade Facilitation and Compliance Department ("TFCD") for the endorsement by the latter for a one-time system registration with the Value Added Service Provider ("VASP") and for the initial registration of the Client Profile Registration System ("CPRS") or the renewal thereof with the Bureau of Customs ("BOC").

System registrations are made for the Trade Automation & Facilitation System ("TAFS") Web, Automated Export Declaration System (AEDS), and/or Electronic Export Documentation System (EEDS) for importation and exportation transactions. Once the registration is approved, the VASP creates the company profile of the RC Holder while the BOC activates the CPRS. The annual renewal of the CPRS is required by submitting to the TFCD the documentary requirements therefor such as, but not limited to, a renewed or amended RC.

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April 11, 2025
SUBIC BAY

B. GUIDELINES ON ADMISSION PERMIT

The following guidelines shall be adopted relative to the requests by RC Holders for an Admission Permit for their imported goods:

1. An Admission Permit shall be issued for capital equipment, supplies, tools and controlled commodities such as, but not limited to, petroleum products, cigarettes, used clothing, liquors, wines, electronics, food items, chemicals and hazardous items, scrap, parts and all other commodities which are included in the approved business activity/ies of the RC Holder. An Admission Permit shall be valid for three (3) months from the date of approval of the request therefor and should be secured prior to the arrival of cargo in the SBFZ.

2. The RC Holder shall be a duly registered enterprise of the SBFZ with a valid and subsisting RC, and without overdue financial obligations to the SBMA. Consistent with the foregoing, RC Holders must apply for the renewal of their RC with the SBMA six (6) months prior to its expiration.

3. A request for an Admission Permit must be signed by the authorized signatory or representative of the RC Holder, as evidenced by a Secretary's Certificate and/or Special Power of Attorney. The same document is also required for importers, brokers, or other representatives who will transact business with the TFCD on behalf of the RC Holder.

4. The quantity, volume, and/or number of units which an RC Holder may be allowed to admit shall be proportionate to the area being leased or subleased by the RC Holder. The following are the space allocations for the corresponding types of commodities:

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Brand new Motorcycles, scooters, and the like	4 sq.m/unit
Brand new cars	10 sq.m/unit
Brand new passenger vans, sports utility vehicles, pick-ups, and the like	15 sq.m/unit
Brand new light trucks (*e.g.,* mini *Elf)*	20 sq.m/unit
Brand new trucks and buses	30 sq.m./unit
Brand new industrial/heavy equipment (*e.g.,* cranes, bulldozers, and excavators)	40 sq.m./unit
Brand new Farm equipment/machineries	20 sq.m/unit
Brand new Watercraft/sea transport	space allocation varies on the type/size of watercraft / sea transport
Brand new Aircraft/air transport	space allocation varies on the type or size of aircraft / air transport
Containerized cargo	space allocation varies on the size of the container or as per inventory stocking based on the warehouse capacity
Loose cargo (LCL) and small items	space allocation varies on the size of the box, pallet, or item itself

The RC Holder is deemed to have reserved 20% of its leased or subleased area for office space, access roads, workstations, back job, and storage facilities, unless it provides the actual floor area of these facilities to the TFCD for the computation of its available leased or subleased area for its importations.

5. For freight forwarding services engaged in admission, importation and exportation, warehousing, repacking, and/or consolidation of different kinds of merchandise, the minimum warehouse facility shall be at least 300 sq.m.

C. FEES FOR ADMISSION PERMIT

Unless repealed or modified by the Board of Directors of the SBMA pursuant to applicable laws, rules, and regulations, the following are the fees for an Admission Permit:

1. Brand new motor vehicles (*e.g.*, trucks, special purpose vehicles, or buses) – PhP5,000 (*Reference: Board Resolution No. 12-06-4461*)
2. Brand new heavy equipment – PhP10,000 (*Reference: Board Resolution No. 12-06-4461*)
3. Motorcycles – 1% of the invoice amount (*Reference: Board Resolution No. 18-12-1079*)
4. Green vehicles – US$20 (*Reference: Board Resolution No. 08-09-2607*)
5. Farm and agricultural equipment – PhP5,000 per unit
6. Watercrafts (based on weight) – PhP25,000 to PhP350,000 (*Reference: Board Resolution No. 21-08-2159*)
7. Aircraft (based on weight) – PhP25,000 to PhP350,000 *(Reference: Board Resolution No. 18-08-0899*)
8. Other regulated items – 1% of the invoice amount

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D. PROCESSING OF DECLARATION FOR ADMISSION OF FOREIGN GOODS DISCHARGED AT THE SBFZ

1. The RC Holder, through its authorized representative/s, shall upload its List of Importables ("LOI") in the TAFS.

2. The TFCD shall evaluate the LOI based on the registered business activity/ies of the RC Holder by tagging each of the importables as ACCEPTED or DECLINED.

3. The TFCD and the Seaport Department shall strictly monitor importations classified as REGULATED, while UNREGULATED items will be subject to random sampling selected by the system.

4. The RC Holder, through its authorized representative/s, shall submit to the TFCD the hard copy of the Declaration for Admission of Foreign Goods with the supporting documents, *i.e.*, bill of lading, commercial invoice, packing list, and license/permit, *inter alia*, for review and approval.

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E. ARRIVAL AND INSPECTION OF CARGOES WITHIN THE SBFZ

1. **From Seaport Controlled Areas to the Yard of the RC Holder**

   a. Arrival of foreign or imported goods.

   b. Collection of payment of Seaport Wharfage Fees upon arrival of foreign or imported goods.

      - Containerized Cargoes (*Please refer to Seaport Tariff Rate on Wharfage Fees*)
      - Non-Containerized Cargoes (PhP36.65/CBM or MT)

   c. Actual inspection of cargoes (*Please refer to Seaport Department's Requirements and Procedures of Cargo Inspection).*

   d. Issuance of corresponding tally sheets after the inspection, signed by the Team of Inspectors composed of the Seaport Department, the BOC, and the representative of the RC Holder.

2. **From the Yard of the RC Holder Going Outside the SBFZ**

   a. Clearance from or payment of duties and taxes to the BOC - Port of Subic for the goods to be pulled out of the SBFZ.
   b. Application of corresponding Seaport Cargo Permits, such as:

      i. Gatepass (for tax-paid cargoes to Philippine customs territory);
      ii. Transshipment (for tax-exempt cargoes to non-Philippine customs territory);
      iii. Temporary Transfer (for cargoes that need to be pulled out temporarily and to
      be brought back to the SBFZ within the allowable time period); and
      iv. Export (for cargoes intended for foreign countries).

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c. Conduct of final inspection of goods to be pulled out of the SBFZ. (*Please refer Seaport Department's Requirements and Procedures of Cargo Inspection*).
d. Submission, review, and approval of Seaport Cargo Permits. (*Please refer to Seaport Department's Issuance of Cargo Permits*).
e. Checking of Seaport Cargo Checker, Law Enforcement Department Officer, and BOC Personnel for the issued Seaport Cargo Permits during the actual pull out of the SBMA and BOC-cleared goods from the SBFZ.

F. SUBMISSION OF LIQUIDATION REPORT TO TFCD

The Report of Physical Inventory and Reconciliation ("Liquidation Report") shall be used to account foreign goods or articles admitted into the SBFZ either by land, air, or sea. The following are its functions and guidelines:

1. As a requirement for a request for an Admission Permit – Requests for an Admission Permit must be accompanied by a Liquidation Report, which shall be submitted at least seven (7) days prior to submission of a letter of request for an Admission Permit to show that the space used by the RC Holder of its yard during the previous admission has been freed up or cleared to an extent, thereby allowing the succeeding admission of goods or articles based on the allowable space allocation intended therefor.

2. As a requirement in monitoring the movement and whereabouts of the admitted foreign goods and as a reportorial requirement - The RC Holder shall submit the Liquidation Report every tenth (10th) day of the following quarter.

3. As a requirement for RC Holders with expiring lease or sublease agreements for their properties located within the SBFZ – Three (3) months prior to the expiration of its lease or sublease agreement and every importation and admission of goods thereafter, the RC Holder must submit a Liquidation Report with the TFCD unless it can show documentary proof that it has renewed its lease or sublease agreement for at least one (1) year;

4. As a requirement for the non-renewal and/or delisting of the RC Holder from the rolls of SBFZ Enterprises; and

5. As a requirement for a leased or subleased facility transfer wherein the prospective area is smaller than the current area.

The Liquidation Report shall be signed or certified by the President or Chairman of the RC Holder or his/her authorized representative and shall be supported by the following documents:

1. For deliveries/sales to a Philippine customs territory – Gatepass and other necessary documents;
2. For export – Export declaration, bill of lading, sales invoice, packing list, and other necessary documents;
3. For transshipment – Local/foreign transshipment declaration, bill of lading, tally sheet, and other necessary documents;
4. For sale/delivery within the SBFZ – Delivery receipt, sales invoice, official receipt, and other necessary documents; and
5. For company use/consumption – Inventory report/bin card, material requisition slip photos, and other necessary documents.

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G. CONDUCT OF AUDIT AND INSPECTION

The TFCD, with the assistance of the Seaport Department, shall conduct regular inspections and/or comprehensive audit, as the case maybe, at the facility/ies of the RC Holder to ensure the following:

1. That the admitted foreign goods are properly accounted and reported to the TFCD;

2. That the space allocation as per TFCD records at a certain period is approximately correct based on the actual inspection; and

3. That the inventory on hand as per TFCD records physically exists in the facility/ies of the RC Holder.

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POLICY ON THE ADMISSION AND MOVEMENT OF FOREIGN GOODS BY COMPANIES WITHIN THE SUBIC BAY FREEPORT ZONE WHICH ARE HOLDERS OF A REGISTRATION CERTIFICATE

A. APPLICATION FOR SYSTEM REGISTRATION

An application shall be made by the RC Holder before the SBMA Trade Facilitation and Compliance Department ("TFCD") for the endorsement by the latter for a one-time system registration with the Value Added Service Provider ("VASP") and for the initial registration of the Client Profile Registration System ("CPRS") or the renewal thereof with the Bureau of Customs ("BOC").

System registrations are made for the Trade Automation & Facilitation System ("TAFS") Web, Automated Export Declaration System (AEDS), and/or Electronic Export Documentation Systems (eEDS) dedicated for RC Holders for importation and exportation transactions. Once the registration is approved, the VASP creates the company profile of the RC Holder while the BOC activates the CPRS. The annual renewal of the CPRS is required by submitting to the TFCD the documentary requirements therefor such as, but not limited to, a renewed or amended RC.

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B. GUIDELINES ON ADMISSION PERMIT

The following guidelines shall be adopted relative to the requests by RC Holders for an Admission Permit for their foreign goods:

1. An Admission Permit shall be issued for trading of trucks heavy/light equipment and related commodities which are included in the approved business activity of the RC Holder. An Admission Permit shall be valid for three (3) months from the date of approval of the request therefor and should be secured prior to the arrival of the cargo in the SBFZ.

2. The RC Holder shall be a duly registered enterprise of the SBFZ with a valid and subsisting RC, and without overdue financial obligations to the SBMA. Consistent with the foregoing, RC Holders must apply for the renewal of their RC with the SBMA six (6) months prior to its expiration.

3. A request for an Admission Permit must be signed by the authorized signatory or representative of the RC Holder, as evidenced by a Secretary's Certificate and/or Special Power of Attorney. The same document is also required for importers, brokers, or other representatives who will transact business with the TFCD on behalf of the RC Holder.

4. The quantity, volume, and/or number of units which an RC Holder may be allowed to admit shall be proportionate to the area being leased or subleased by the RC Holder. For this purpose, the RC holder is required to provide the actual floor area of these facilities to the TFCD for the computation of its available leased or subleased area for its importations. The following are the space allocations for the corresponding types of commodities:

Cars	10 sq.m/unit
Passenger vans, sports utility vehicles, pick-ups, and the like	15 sq.m/unit
Light trucks (*e.g.,* mini *Elf)*	20 sq.m/unit

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Trucks and buses	30 sq.m./unit
Industrial/heavy equipment (*e.g.*, cranes, bulldozers, and excavators)	40 sq.m./unit
Farm equipment/machineries	20 sq.m/unit
Containerized cargo	space allocation varies on the size of the container
Loose cargo (LCL) and small items	space allocation varies on the size of the box, pallet, or item itself

C. FEES FOR ADMISSION PERMIT

Unless repealed or modified by the Board of Directors of the SBMA pursuant to applicable laws, rules, and regulations, the following are the fees for an Admission Permit:

1. Motor vehicles (*e.g.*, used trucks, special purpose vehicles, or buses) – PhP5,000 (*Reference: Board Resolution No. 12-06-4461*)
2. Heavy equipment – PhP10,000 (*Reference: Board Resolution No. 12-06-4461*)
3. Green vehicles – US$20 (Reference: Board Resolution No. 08-09-2607)
4. Farm and agricultural equipment – P5,000 per unit
5. Other regulated items – 1% of the invoice amount

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D. PROCESSING OF DECLARATION FOR ADMISSION OF FOREIGN GOODS DISCHARGED AT THE SBFZ

1. The RC Holder, through its authorized representative/s, shall upload its List of Importables ("LOI") in the TAFS.
2. The TFCD shall evaluate the LOI based on the registered business activity/ies of the RC Holder by tagging each of the importables as REGULATED or DECLINED.
3. The TFCD and the Seaport Department shall strictly monitor importations classified as REGULATED.
4. The RC Holder, through its authorized representative/s, shall submit to the TFCD the hard copy of the Declaration for Admission of Foreign Goods with the supporting documents, *i.e.*, bill of lading, commercial invoice, packing list, and license/permit, *inter alia*, for review and approval.

E. ARRIVAL AND INSPECTION OF CARGOES WITHIN THE SBFZ

1. **From Seaport Controlled Areas to the Yard of the RC Holder**

   a. Arrival of foreign or imported goods.

   b. Collection of payment of Seaport Wharfage Fees upon arrival of foreign or imported

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goods.

- Containerized Cargoes (*Please refer to Seaport Tariff Rate on Wharfage Fees*)
- Non-Containerized Cargoes (PhP36.65/CBM or MT)

c. Actual inspection of cargoes (*Please refer to Seaport Department's Requirements and Procedures of Cargo Inspection).*

d. Issuance of corresponding tally sheets after the inspection, signed by the Team of Inspectors composed of the Seaport Department, the BOC, and the representative of the RC Holder.

2. **From the Yard of the RC Holder Going Outside the SBFZ**

a. Clearance form or payment of duties and taxes to the BOC - Port of Subic for the goods to be pulled out of the SBFZ.

b. Application of corresponding Seaport Cargo Permits, such as:

i. Gatepass (for tax-paid cargoes to Philippine customs territory);
ii. Transshipment (for tax-exempt cargoes to non-Philippine customs territory);
iii. Temporary Transfer (for cargoes that need to be pulled out temporarily and to be brought back to the SBFZ within the allowable time period); and
iv. Export (for cargoes intended for foreign countries).

c. Conduct of final inspection of goods to be pulled out of the SBFZ. (*Please refer Seaport Department's Requirements and Procedures of Cargo Inspection*).

d. Submission, review, and approval of Seaport Cargo Permits. (*Please refer to Seaport Department's Issuance of Cargo Permits*).

e. Checking of Seaport Cargo Checker, Law Enforcement Department Officer, and BOC Personnel for the issued Seaport Cargo Permits during the actual pull out of the SBMA and BOC-cleared goods from the SBFZ.

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F. SUBMISSION OF LIQUIDATION REPORT TO TFCD

The Report of Physical Inventory and Reconciliation ("Liquidation Report"), Annex 2.5, shall be used to account foreign goods or articles admitted into the SBFZ either by land, air, or sea. The following are its functions and guidelines:

1. As a requirement for a request for an Admission Permit – Requests for an Admission Permit must be accompanied by a Liquidation Report, which shall be submitted at least seven (7) days prior to submission of a letter of request for an Admission Permit to show that the space used by the RC Holder of its yard during the previous admission has been freed up or cleared to an extent, thereby allowing the succeeding admission of goods or articles based on the allowable space allocation intended therefor.

2. As a requirement in monitoring the movement and whereabouts of the admitted foreign goods and as a reportorial requirement - The RC Holder shall submit the Liquidation Report every tenth (10th) day of the following quarter.

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3. As a requirement for RC Holders with expiring lease or sublease agreements for their properties located within the SBFZ – Three (3) months prior to the expiration of its lease or sublease agreement and every importation and admission of goods thereafter, the RC Holder must submit a Liquidation Report with the TFCD unless it can show documentary proof that it has renewed its lease or sublease agreement for at least one (1) year;

4. As a requirement for the non-renewal and/or delisting of the RC Holder from the rolls of SBFZ Enterprises - the RC Holder must submit a Liquidation Report with the TFCD at least three (3) months prior to non-renewal and/or delisting; and

5. As a requirement for a leased or subleased facility transfer wherein the prospective area is smaller than the current area.

The Liquidation Report shall be signed or certified by the President or Chairman of the RC Holder or his/her authorized representative and shall be supported by the following documents:

1. For deliveries/sales to a Philippine customs territory – Gatepass and other necessary documents;
2. For export – Export declaration, bill of lading, sales invoice, packing list, and other necessary documents;
3. For transshipment – Local/foreign transshipment declaration, bill of lading, tally sheet, and other necessary documents;
4. For sale/delivery within the SBFZ – Delivery receipt, sales invoice, official receipt and other necessary documents; and
5. For company use/consumption – Inventory report/bin card, material requisition slip, photos, and other necessary documents.

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G. CONDUCT OF AUDIT AND INSPECTION

The TFCD, with the assistance of the Seaport Department, shall conduct regular inspections and/or comprehensive audit, as the case maybe, at the facility/ies of the RC Holder to ensure the following:

1. That the admitted foreign goods are properly accounted and reported to the TFCD;

2. That the space allocation as per TFCD records at a certain period is approximately correct based on the actual inspection; and

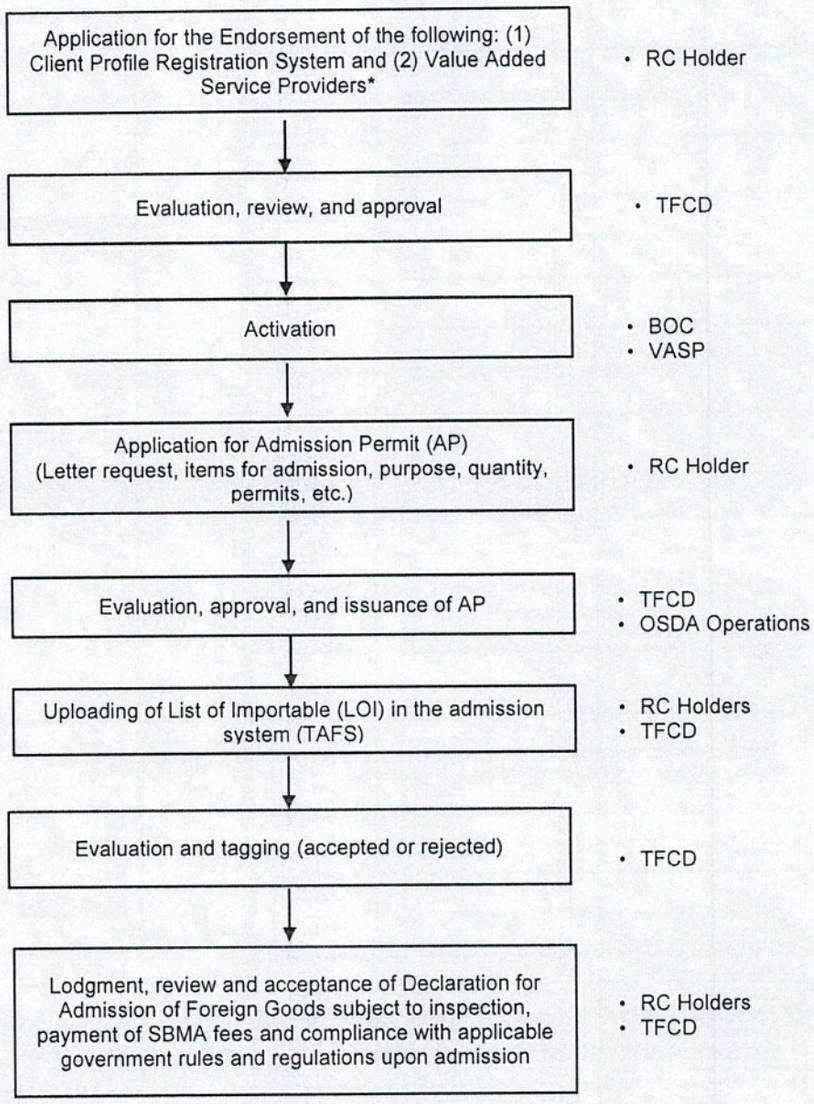
3. That the inventory on hand as per TFCD records physically exists in the facility/ies of the RC Holder.

Audits or inspections will be conducted at least once a year or as necessary for SBF locators engaged in truck trading activities selected through random sampling.

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POLICY ON THE ADMISSION AND MOVEMENT OF FOREIGN GOODS BY COMPANIES WITHIN THE SUBIC BAY FREEPORT ZONE WHICH ARE HOLDERS OF A REGISTRATION CERTIFICATE

1. FLOWCHART AND GUIDELINES ON THE ADMISSION PROCESS

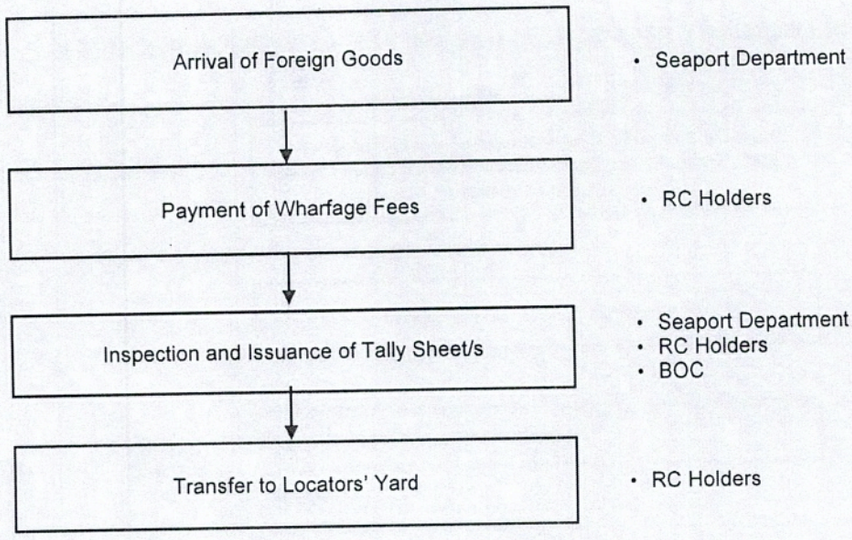


**One-time system registration with the Value Added Service Provider (VASP) and Client Registration Profile System (CPRS) with the Bureau of Customs and annual renewal, thereafter, are mandatory requirements prior to the application of an Admission Permit.*

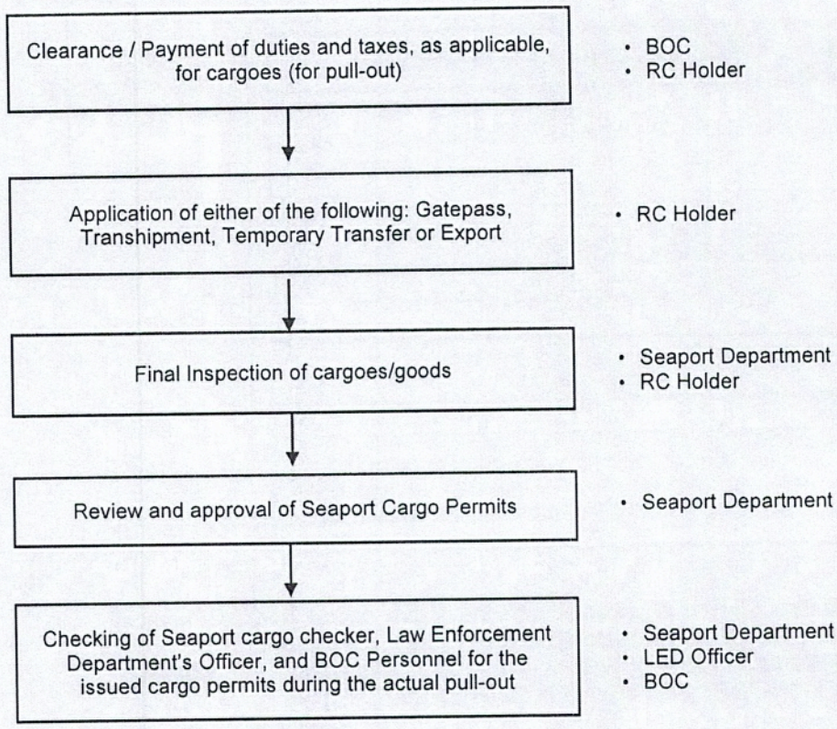
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2. FLOWCHART AND GUIDELINES ON THE CARGO MOVEMENT (FROM SEAPORT CONTROLLED AREAS TO THE YARD OF THE RC HOLDER)



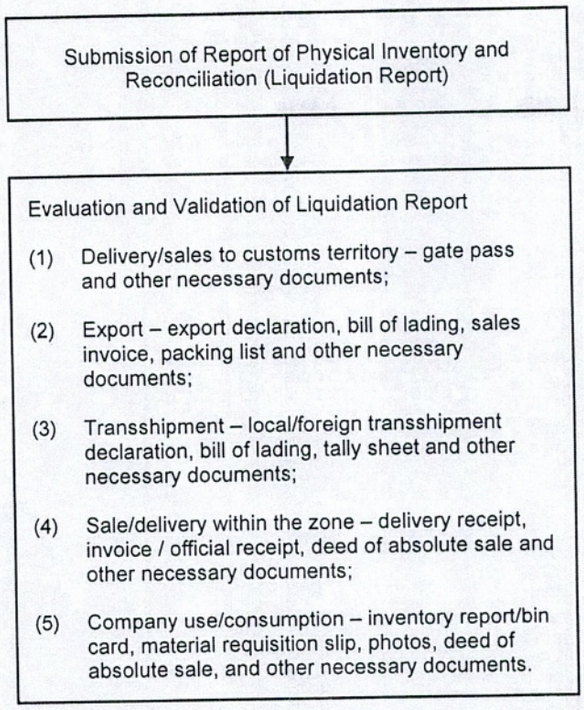
3. FLOWCHART AND GUIDELINES ON THE CARGO MOVEMENT (FROM THE YARD OF THE RC HOLDER TO CUSTOMS TERRITORY)



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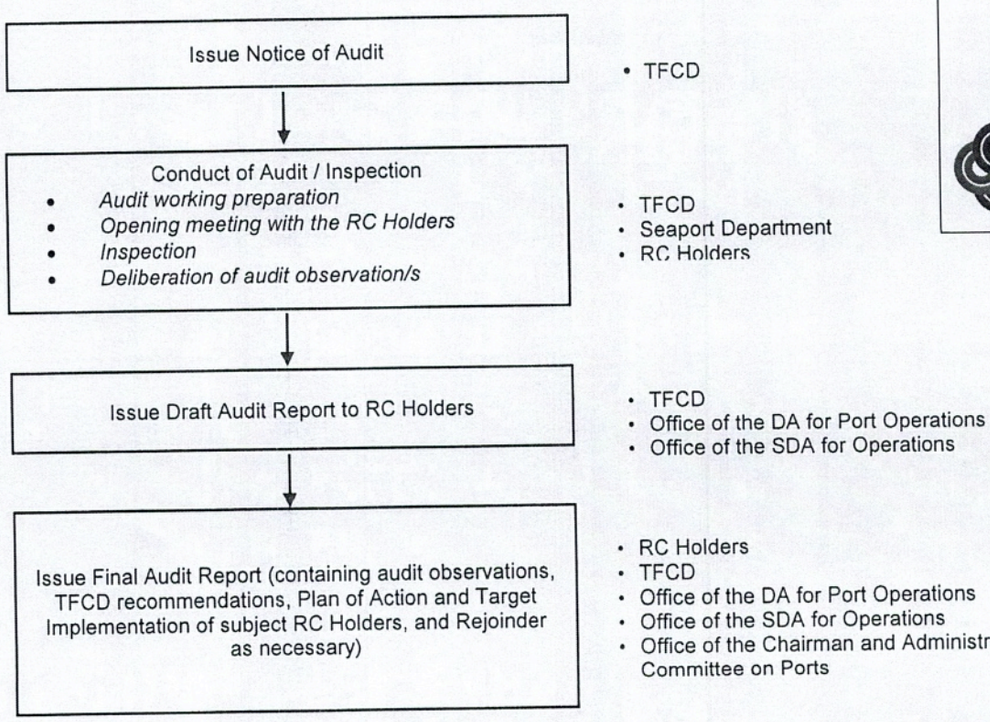
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4. FLOWCHART AND GUIDELINES ON THE SUBMISSION OF LIQUIDATION REPORT TO TFCD



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5. FLOWCHART AND GUIDELINES ON THE CONDUCT OF AUDIT AND INSPECTION OF RECORDS & WAREHOUSES



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