

MEMORANDUM CIRCULAR

No. 08

Series of 2024

SUBJECT: GUIDELINES IN THE ISSUANCE OF CERTIFICATION TO REGISTERED, LICENSED, AND ACCREDITED PRIVATE SOCIAL WORK AGENCIES (SWAs) AS ELIGIBILITY FOR DUTY-EXEMPTION OF DONATED IMPORTED GOODS IN ACCORDANCE WITH REPUBLIC ACT NO. 10863, SECTION 800(M)

I. RATIONALE

Pursuant to Republic Act (RA) No. 10863, otherwise known as the Customs Modernization and Tariff Act (CMTA) which was signed into law on 30 May 2016, the Department of Social Welfare and Development (DSWD) has issued Memorandum Circular (MC) No. 21, Series of 2019, entitled, "Guidelines in the Management and Processing of Donation for Duty Exempt Importation Under Section 800(m) of the Customs Modernization and Tariff Act" to carry out a system in the management and utilization of donated imported goods, consigned to the private Social Work Agencies (SWAs) with valid Certificate of Registration and License to Operate (CRLTO) and Certificate of Accreditation.

In the three (3) years of implementation of the MC No. 21 s.2019, the Anti-Red Tape Authority (ARTA) noted in 2022 that several requirements and processes performed by the DSWD should be fulfilled by other government agencies stipulated in RA No. 10863 and its implementing guidelines. Although the DSWD is facilitating timely endorsements to the Department of Finance (DoF) of the applicant private SWAs once the documentary requirements are assessed as complete and compliant, the end-to-end process involving other government agencies and securing the documentary requirements has been a challenge, resulting in fewer applications received by the DSWD.

Further, the Philippine Development Plan (PDP) 2023-2028 promotes the acceleration of digital transformation in government. The PDP complements the directive of the ARTA to streamline work processes in compliance with Republic Act No. 11032, or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018."

Hence, in pursuing re-engineering and digitalization to ensure that services are attainable for its clients without compromising the delivery of quality service, this Circular is being issued by the Department.

II. LEGAL BASES

These guidelines are hereby promulgated in accordance with the following:

1. **RA No. 11032 otherwise known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018**, provides for the responsibility of the State to take appropriate measures in promoting transparency, by adopting simplified requirements and procedures that will reduce red tape and expedite business and nonbusiness related transactions in government.
2. **RA No. 10863 otherwise known as the Customs Modernization and Tariff Act (CMTA) of 2016**, Section 800 entitled Conditionally Tax and/or Duty Exempt Importation, provides the list of goods that shall be exempted from the payment of import duties upon compliance with the formalities prescribed in the regulations. Provided further, **Section 800(m) states that, “imported goods donated to or, for the account of the Philippine government or any duly registered relief organization, not operated for profit, for free distribution among the needy, upon certification by the DSWD or the Department of Education (DepEd), or the Department of Health (DOH), as the case may be.”**
3. **RA No. 10845 otherwise known as the Anti-Agricultural Smuggling Act of 2016**, provides for the responsibility of the State to impose higher sanctions for large-scale smuggling of Agricultural Products, specifically on acts of selling, lending, leasing, assigning, consenting or allowing the use of Import Permits of corporations, non-government organizations, associations, cooperatives, or single proprietorships by other persons¹; misclassification, under evaluation or misdeclaration upon the lodgement of goods declaration or filing of import entry and revenue declaration with the BOC in order to evade the payment of rightful taxes and duties to the government²; and organizing or using dummy corporations, non-government organizations, associations, cooperatives, or single proprietorships for the purpose of acquiring Import Permits³.
4. **RA No. 4373, entitled An Act to Regulate the Practice of Social Work and the Operation of Social Work Agencies in the Philippines and for**

¹ CAO No. 2-2017, Section 4, 4.1.4.

² CAO No. 2-2017, Section 4, 4.1.5.

³ CAO No. 2-2017, Section 4, 4.1.6.

Other Purposes, as amended by Republic Act No. 10847 otherwise known as An Act Lowering the Age Requirement For Applicants Taking the Board Examination for Social Workers, Providing for Continuing Social Work Education, and Upgrading the Sundry Provisions Relative to the Practice of Social Work, Section 4, provides that “No social welfare and development agency, as defined herein, shall operate and be accredited as such unless it shall first have registered and secured a license with the Department of Social Welfare and Development”

5. **DoF-DSWD-DFA-DoH-DA-DND-DepEd-BoC-NDRRMC Joint Administrative Order (JAO) No. 1, Series of 2020, entitled Clearance of Relief Consignments Entered during a State of Calamity, Section 9,** provides that unless a special One-Stop-Shop is constituted, shall apply JAO’s procedure for the clearance of relief goods.
6. **DSWD MC No. 1, Series of 2002, otherwise known as “Reiterating the Policy on the Prohibition of Donation/Importation of Used Clothing per Administrative Order (AO) No. 19, Series of 2002”** which provides that “all Field Offices are advised to observe the policy of non-acceptance of used clothing from foreign donors. Further, the guidelines and requirements for the issuance of certification for duty free release of foreign donation to duly-registered relief organizations under AO No. 19, s.2022, shall be strictly observed.”

III. OBJECTIVES

These guidelines aim to:

1. Constitute and simplify the Department’s mandate and processes for the issuance of a DSWD Certification to private SWAs with valid DSWD Certificate of Registration and License to Operate (CRLTO) and Certificate of Accreditation as a prerequisite to avail of conditionally tax and/or duty-exemption on importation of donated imported goods.
2. Ensure that the donated imported goods consigned to private SWAs with valid CRLTO and Certificate of Accreditation shall be for free distribution and received exclusively and entirely by the identified beneficiaries based on the notarized distribution plan.

IV. SCOPE AND COVERAGE

These guidelines aim to cover only the donated imported goods consigned to private SWAs with valid DSWD CRLTO and Certificate of Accreditation in accordance with Section 800(m) of the RA No. 10863, otherwise known as the Customs Modernization and Tariff Act of 2016. There are other existing processes in relation to the facilitation of local and foreign donations, which are covered by other pertinent guidelines of the Department, led by DSWD offices such as the Disaster Response Management Bureau and the National Response and Logistics Management Bureau.

Further, these guidelines aim to cover the processing of Certification for conditionally tax and/or duty-exempt importation of donated imported goods even during the declaration of a National State of Public Health Emergency and/or Calamity, in the absence of a constituted one-stop-shop according to JAO No. 1, series of 2020, to ensure continuity in the provision of services to the private SWAs.

Lastly, these guidelines shall not cover the assessment and processing of the release of goods as this will be determined by the Bureau of Customs based on Title IV (Import Clearance and Formalities) Chapter 3 (Assessment and Release) of RA No. 10863.

V. DEFINITION OF TERMS

The following terms are defined as used in these guidelines:

1. **Certification** – refers to a document issued by the DSWD to a private SWA, attesting that the private SWA has a valid CRLTO and Certificate of Accreditation, and has complied with the formalities prescribed per DSWD regulatory guidelines. This Certification is a prerequisite to avail of the conditionally tax and/or duty-exempt importation of donated imported goods when applied with the Department of Finance.
2. **Distribution Plan** – refers to a notarized document to be submitted by the private SWA per importation in which the description of donated imported goods, the purpose, the identified/target beneficiaries, target areas, and target date/s of distribution are indicated and will serve as the guide for the private SWAs in distributing the donated imported goods.
3. **Donated Imported Goods** – refers to foreign donations of food and non-food items (except used clothing per DSWD MC No. 1 s.2002) that can be used in any social welfare and development program intended for

meeting the basic needs of disadvantaged or distressed individuals, families and communities.

4. **Duty-Exempt and/or Tax-Exempt** – refers to waiver of tax and/or duty or any tariff or levy of importations of qualified individuals, corporate entities, government instrumentalities, as well as international entities who enjoy express and specific immunity from taxation by virtue of a Philippine statute, an international treaty or agreement, or by the Philippine Constitution.⁴
5. **Final Distribution Report** – refers to a notarized document to be submitted by the private SWA once the distribution of donated imported goods per importation is completed within the prescribed period. The report shall indicate the description of goods, the purpose, the recipient, the area/s of distribution, the status of distribution, and the balances of donated imported goods for distribution. It shall also reflect, if applicable, any amendments made by the private SWA.
6. **Food Items** – refers to edible items used mainly for human consumption and survival.
7. **Non-Food Items** – refer to items other than food that are intended for the relief and rehabilitation program of a private SWA. These may include mats, blankets, shoes, medicines, soap, cooking and kitchen utensils, and others, except used ('pre-owned') clothing.
8. **Private Social Work Agency (SWA)** – refers to a non-stock, non-profit non-government organization duly established and/or recognized under the Philippine laws performing social welfare and development activities. A private SWA is classified as Residential Based⁵, Center Based⁶, or Community Based⁷.
9. **State of Calamity** – refers to a condition involving mass casualty and/or major damages to property, disruption of means of livelihoods, roads and normal way of life of people in the affected areas as a result of the occurrence of natural or human-induced hazard officially declared by the appropriate authority stated in Section 16 of RA No. 10121 otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010.
10. **State of Public Health Emergency** – refers to the authority of the Secretary of the Department of Health to declare epidemics of national and/or

⁴ DOF-Revenue Office Tax Exemption Manual (Dec. 2018), Page 5, Definition of Terms

⁵ An alternative form of family care providing 24-hour group living on a temporary basis.

⁶ Non-residential psychosocial services rendered in physical facilities, referred to as "centers", on a daily basis or during part of the day. Beneficiaries in center-based services have families to return to after each segment.

⁷ Programs and services rendered in the community while they remain in their homes and/or with their families, e.g. CPAs

international concerns, except when the same threatens national security, by which the President of the Republic of the Philippines shall declare a State of Public Health Emergency and mobilize governmental and nongovernmental agencies to respond to the threat stated in Section 7 of RA No. 11332 otherwise known as the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act of 2018.

VI. GENERAL POLICIES

To ensure that a private SWA who has been issued DSWD Certification will optimally and properly distribute/utilize the donated imported goods resulting in promoting the general well-being of the identified/target beneficiaries, and without prejudice to local potentials and initiatives, the following policies shall be observed:

1. **Eligibility.** Only private SWA with valid DSWD CRLTO and Certificate of Accreditation shall be eligible to submit an application to the DSWD for the issuance of a Certification to avail of conditionally tax and/or duty-exempt importation of donated imported goods under Section 800(m) of CMTA. Furthermore, the DSWD shall transact only with the private SWA concerned or their duly authorized representatives.
2. **Process ownership.** The issuance of a Certification consigned through a duly registered, licensed, and accredited private SWA under Section 800(m) of the CMTA shall be processed via the DSWD Harmonized Electronic License and Permit System (HELPS).

In case the DSWD HELPS is unavailable, an official announcement from the DSWD regarding the downtime shall be issued. During this period, the private SWA is allowed to submit via the Standards Bureau (SB) official email address the duly accomplished application form and requirements including the proof of payment of processing fee to DSWD's authorized payment merchants.

Further, for instances where the DSWD HELPS is unavailable and there is a declaration of a Public Health Emergency/Calamity at the same time, the private SWA may submit its application to the concerned DSWD Field Office (FO) either via walk-in or courier service. The designated Standards Focal Staff from the DSWD FO shall assist the private SWA in forwarding the application to SB for assessment and processing.

The application form and templates can be downloaded from the DSWD website or by requesting a copy from the SB/FO.

3. ***Nature of the issued Certification.*** The Certification to be issued by the DSWD to the private SWA for conditionally tax and/or duty-exempt importation shall pertain only to the importation/s with the submitted notarized distribution plan and shall only be valid to the consigned private SWA for one (1) year from the date of the issuance of Certification.

The authorized DSWD personnel to sign the Certification shall be the Director of the Standards Bureau.

4. ***Internal Control Mechanisms.*** Control mechanisms between the DSWD and the private SWA shall be established and strictly implemented to observe the objectives of these guidelines. The private SWA shall ensure cooperation and coordination with the DSWD from the application stage, distribution/utilization of the donated imported goods to beneficiaries of the private SWA, and submission of the reportorial requirements.

5. ***No tolerance policies.***

5.1. *On used ('pre-owned') clothing.* The Department imposes a strict no-tolerance policy on dealing with any individual or organization that is or appears to be in any way connected with commercial importation of used ('pre-owned') clothing. All DSWD personnel are directed to report to the Office of the Secretary any encounter with such individuals or organizations. Any attempt to harass personnel shall be reported to appropriate authorities for investigation.

5.2. *On tobacco interference.* The tobacco industry has framed its corporate social responsibility (CSR) programs to extend its influence, ignoring the reality that tobacco causes social and environmental harms.⁸ In line with the CSC-DOH Joint Circular No. 2010-01, a no-tolerance policy with individuals or organizations dealing with the tobacco industry is adopted in these guidelines applicable to private SWAs seeking a conditionally tax and/or duty-exempt importation of donated imported goods and DSWD personnel involved in the processing of such application.

5.3. *On importing prohibited food or goods for human consumption.* The Department, by adhering to Section 118 of RA No. 10863, strictly enforces a no-tolerance policy with any individual or organization importing "any adulterated or misbranded food or goods for human consumption or any adulterated or misbranded drug in violation of relevant laws and regulations".

⁸ Palazzo, Guido & Ulf Richter (2005). "CSR Business as Usual? The Case of the Tobacco Industry." *Journal of Business Ethics* 61(4): 387-401.

6. ***Free distribution of goods based on the submitted notarized Distribution Plan.*** All donated imported goods listed shall be for free distribution exclusively and deemed beneficial to the identified/target beneficiaries of the private SWA. The distribution shall be strictly based on the submitted notarized distribution plan, provided the following considerations:

6.1. During Normal Circumstances, the distribution of donated imported goods shall only be within the area of coverage/operations of the private SWA as stated in its DSWD-issued CRLTO.

6.2. During a State of Public Health Emergency and/or Calamity, the distribution of the donated imported goods may be outside the private SWA's area of coverage/operations by which, upon validation of the DSWD, the private SWA's application is found to be consistent with the submitted notarized Distribution Plan.

7. ***Accepted Donated Imported Goods***

7.1. Donated imported goods shall only be limited to food and specified non-food items as defined in these guidelines, related to social welfare and development programs of the private SWA.

7.2. Donated imported goods that are duly cleared by the concerned National Government Agencies such as the Bureau of Customs, the Food and Drugs Administration, and the Department of Education.

8. ***Allowable Activities***

8.1. The DSWD shall transact only with registered, licensed, and accredited private SWAs concerned or their duly authorized representatives. The recipient private SWAs shall make the necessary representation and follow-up of the request for Certification from the DSWD, submission of other documentary requirements to the DOF, and release of donated imported goods from the Bureau of Customs (BOC).

8.2. Prepositioning of donated imported goods is allowed for private SWAs with disaster risk management programs, provided that close coordination of the private SWAs with the Local Government Units (LGUs) is done accordingly.

8.3. In the instance of succeeding importations within the validity of the issued Certification to a private SWA, it is allowed to accept donated imported goods from another donor aside from the declared donor during the application period, provided that it should be reflected in the submitted notarized Distribution Plan, Status Report and/or notarized Final Distribution Report.

9. ***Non-applicability of the guidelines.*** An application will no longer be processed for issuance of Certification if:

9.1. The donated imported goods have already been released by the BOC to the private SWA;

9.2. The donated imported goods are already in any of the Philippine Ports upon application of the private SWA;

9.3. The consignee is not a registered, licensed, and accredited private SWA and/or has an expired CRLTO and Certificate of Accreditation by the DSWD; and

9.4. The private SWA with CRLTO and Certificate of Accreditation has not complied with the reportorial requirements regarding the previous application certified by the DSWD.

VII. REQUIREMENTS AND FEES

The application requirements and fees vary depending on the category of the application. For applications submitted under Normal Circumstances, a processing fee of one thousand pesos (Php1,000.00) shall be paid by the private SWA. For applications during a State of Public Health Emergency and/or Calamity, the processing fee is waived. The submission of application and other documents, and payment of corresponding fees shall be via the DSWD HELPS following section VIII. Application Procedures of these guidelines:

a. First-time applicants

a.1. *Under Normal Circumstances*

a.1.1. Notarized Distribution Plan (Annex C).

a.2. *In case of a State of a Public Health Emergency and/or State of Calamity*

a.2.1. The private SWA shall only accomplish the application via the DSWD HELPS. Thereafter, the notarized Distribution Plan shall be submitted within five (5) working days upon issuance of the Certification.

b. Private SWAs with previous Certification issued

b.1. Under Normal Circumstances

- b.1.1. Notarized Distribution Plan; and
- b.1.2. Most recent notarized Final Distribution Report (Annex F) from previous importation, and/or a Status Report (Annex F) with at least 50% of the donated imported goods distributed/utilized.

b.2. In case of a State of Public Health Emergency and/or State of Calamity

- b.2.1. Most recent notarized Final Distribution Report from previous importation, and/or Status Report with at least 50% of the donated imported goods distributed/utilized.

c. Succeeding consignment/s and/or importation/s within the validity of issued Certification (both under Normal Circumstances and in cases of a State of Public Health Emergency and/or State of Calamity)

All private SWAs anticipating succeeding consignment/s and/or importation/s within the validity period of the Certification are exempted from the payment of processing fee but shall submit a notarized Distribution Plan for every importation, via account log-in through the DSWD HELPS, at least seven (7) working days before the scheduled arrival of donated imported goods in any of the Philippine Ports.

The private SWA must submit a Status Report with at least 50% of the consigned items covered by the issued Certificate and/or a notarized Final Distribution Report.

All private SWAs with issued certificates are subject to strict monitoring by the designated Standards Focal Staff from the concerned DSWD FO following the monitoring procedures under section X. Reportorial Requirements and Monitoring Procedures of these guidelines.

VIII. APPLICATION PROCEDURES

To facilitate the issuance of Certification for conditionally tax and/or duty-exempt importation of donated imported goods, the private SWA shall utilize the DSWD HELPS.

a. Under Normal Circumstances

a.1. For new users

Sign up for a new account. The private SWA shall first create a user account through the DSWD HELPS. The private SWA shall receive a temporary password via email for the first log in followed by a one-time password (OTP) via email in the user's registered email address.

a.2. For private SWA with an existing account

Log in to the DSWD HELPS account. The private SWA shall input its username and password in the DSWD HELPS. The private SWA shall receive a log-in verification through a one-time password in the provided email address.

a.3. The private SWA shall follow the necessary steps via the DSWD HELPS to submit and process its application of Certification for conditionally tax and/or duty-exempt importation of donated imported goods.

a.4. The private SWA shall pay the corresponding processing fee of one thousand pesos (Php1,000.00) through online modes such as Gcash, Paymaya, Landbank Link.biz, etc. A confirmation shall be received by the applicant agency through email if the payment is successful.

a.5. Once submitted, an acknowledgment of receipt of the application shall be received by the private SWA via email notification.

a.6. The DSWD SB shall review the submitted application as to its completeness and compliance.

a.7. If assessed as complete and compliant, the electronic copy of the Certification signed by the DSWD SB Director shall be issued and accessed by the private SWA through the DSWD HELPS within three (3) working days upon submission of the application. The private SWA shall also receive an email notification of this approval.

a.8. Applications assessed as incomplete and noncompliant are automatically disapproved. A notice of disapproval stating the reasons shall be received by the private SWA via an email notification within one (1) working day from the date of submission of the application. The private SWA, within two (2) working days upon receipt of notification of disapproval shall re-submit the corrected application without paying another processing fee. Re-application beyond the said period shall require the payment of the processing fee.

b. In case of a State of Public Health Emergency and/or State of Calamity**b.1. For new users**

Sign up for a new account. The private SWA shall first create a user account through the DSWD HELPS. The private SWA shall receive a temporary password via email for the first log in, followed by a one-time password (OTP) via email in the user's registered email address.

b.2. For private SWA with an existing account

Log in to DSWD HELPS account. The private SWA shall input its username and password in the DSWD HELPS. The private SWA shall receive a log-in verification through a one-time password in the provided email address.

b.3. The private SWA shall follow the necessary steps via the DSWD HELPS to submit and process its application of Certification with which the processing fee is waived.

b.4. Once submitted, an acknowledgment of receipt of the application shall be received by the private SWA via email notification.

b.5. The DSWD SB shall review the submitted application as to its completeness and compliance.

b.6. If assessed as complete and compliant, the electronic copy of the Certification signed by the DSWD SB Director shall be issued and accessed by the private SWA through the DSWD HELPS within one (1) working day upon submission of the application. The private SWA shall also receive an email notification of this approval.

b.7. Upon receipt of the Certification, the private SWA, within five (5) working days, shall submit via the DSWD HELPS the remaining requirements as indicated in section VII. Requirements and Fees, a.2.1. The issued Certificate shall be automatically canceled for non-submission of the remaining requirements during the prescribed period.

b.9. Applications assessed as incomplete and noncompliant are automatically disapproved. A notice of disapproval stating the reasons shall be received by the private SWA via an email notification within one (1) working day from the date of submission of the application. The private SWA, within one (1) working day upon receipt of notification of disapproval shall re-submit the corrected application.

IX. VALIDITY OF CERTIFICATION

The Certification shall only be valid for one (1) year from the date of issuance and for the specific consignment/s and/or importation/s with the submitted notarized distribution plan to the DSWD SB, unless earlier canceled or revoked due to any action committed under section XII. Penal Provisions of these guidelines.

The utilization of the Certificate for consignment/s and/or importation/s without a submitted notarized distribution plan to the DSWD may subject the private SWA to corrective action as provided for in XII. Penal Provisions of these guidelines.

X. REPORTORIAL REQUIREMENTS AND MONITORING PROCEDURES

1. Post-Facilitation and Post-Reportorial Procedures

1.1. Within three (3) calendar days after receipt of the donated imported goods, the concerned private SWA with issued Certification shall notify the DSWD SB and the designated Standards Focal Staff from the concerned DSWD FO/s via the DSWD HELPS.

1.2. The private SWA with issued Certification is responsible for notifying the DSWD SB and the designated Standards Focal Staff from the concerned DSWD FO/s of the conditions (e.g. damaged) of the received donated imported goods and/or if there are any deviations to the submitted notarized Distribution Plan, via the DSWD HELPS.

1.3. The private SWA is given six (6) months from the date of receipt of donated imported goods to distribute/utilize to intended/target beneficiaries. A notarized Final Distribution Report with photo documentation (e.g. action photos of beneficiaries receiving the donations, actual distribution activity) for each submitted notarized Distribution Plan shall be submitted via the DSWD HELPS before the end of the six (6) month period. Any deviations in the submitted notarized Distribution Plan shall be reflected in the notarized Final Distribution Report and validated by DSWD SB based on notification/information provided by the private SWA and/or the monitoring report of the designated Standards Focal Staff from the concerned DSWD FO/s.

1.4. In instances where the private SWA is subject to receiving another importation but with existing donated imported goods ongoing distribution/utilization, the private SWA, together with the notarized

Distribution Plan shall submit a Status Report using Annex F of these guidelines, via the DSWD HELPS.

2. Monitoring Procedures

To ensure that the notarized Distribution Plan has been followed by the private SWA and that the donated imported goods and/or commodities are delivered to its intended/target beneficiaries, the DSWD SB through the designated Standards Focal Staff from the concerned DSWD FO/s is authorized to exercise its regulatory mandate to monitor the private SWA's distribution activities. The following activities shall be conducted:

2.1. Announced and/or Unannounced Monitoring Visit. The designated Standards Focal Staff from the concerned DSWD FO/s must conduct at least one (1) monitoring visit to the private SWA and the identified area/s of distribution based on the indicated date/s in the submitted notarized Distribution Plan per consignment and/or importation. As part of the monitoring visit, the designated Standards Focal Staff may request the BOC-submitted documents vis-a-vis inspection of the received donated imported goods based on the submitted Notarized Distribution Plan for counter-validation, and/or request the Distribution List/s signed by the recipients/beneficiaries of the private SWA.

Any deviations, items not listed or in excess of the items declared to BOC vis-a-vis the submitted notarized distribution plan that are being unutilized and/or distributed, and/or there are changes on the beneficiaries that are found and/or observed during the monitoring visit, shall be reflected in the monitoring report to be submitted by the designated Standards Focal Staff from the concerned DSWD FO/s to DSWD SB, and shall be subsequently reported to the BOC for appropriate action in line with existing applicable guidelines.

However, changes or deviations in the notarized distribution plan can be allowed if there are items that are no longer fit for use or consumption or distributed to other qualified beneficiaries within the authorized areas of coverage of private SWA per issued CRLTO.

2.2. Monitoring Visit Report. Within seven (7) working days after the monitoring visit, the designated Standards Focal Staff in the concerned DSWD FO/s shall submit to DSWD SB a monitoring report with photo documentation (Annex E). Any fraudulent findings during the conduct of the monitoring visit, upon conviction, shall be indicated in the monitoring report and shall subject the private SWA to corrective action as provided for in XII. Penal Provisions of these guidelines.

XI. INFORMATION DISSEMINATION

The DSWD Central Office and the DSWD FOs shall include in their information, education, and communication (IEC) materials important and salient provisions of this guideline which shall be disseminated to all parties concerned.

They shall endeavor to include such in all of their advocacy programs, activities, and services according to the following:

- a. Through DSWD FOs, Intermediaries, and/or the Tri-Media Advocates, promote the provisions of RA No. 10836, Section 800(m) and this Guideline including penal provisions to deter illegal foreign importation activities;
- b. The DSWD FOs, private SWAs and its network shall be provided with the approved copy of this Memorandum Circular;
- c. The DSWD through its official website (www.dswd.gov.ph) and the DSWD FOs through their official websites shall inform the public of the name/s of persons, groups, corporations, organizations, or associations issued with Certification including those whose Certification/s have been canceled, suspended, revoked and/or blacklisted, monthly; and
- d. The DSWD shall develop IEC materials (i.e. flyers, brochures, videos, etc.) or shall maintain close coordination with Digital Media Service (DMS) to continuously communicate to the public various aspects of securing Certification. On the other hand and as necessary, the DSWD Field Office shall translate said IEC materials into localized IEC materials adopting their vernacular. The DMS shall assist the SB while the Regional Information Officer (RIO) shall assist the designated Standards Focal Staff from the concerned DSWD FO/s in the development of IEC materials and the conduct of information dissemination activities.

XII. PENAL PROVISIONS

The violations under Sections 800 and 1403 of RA No. 10863 or the CTMA and/or these guidelines are:

- a. Section 800, *“goods sold, bartered, hired or used for purposes other than what they were intended for and without prior payment of the duty, tax or other charges which would have been due and payable at the time of entry if the goods had been entered without the benefit of this section, shall be*

subject to forfeiture and the importation shall constitute a fraudulent practice against customs laws”;

- b. Section 1401 provides for various punitive actions (i.e. imprisonment and penalties) relative to any person who shall fraudulently import or export or bring into or outside of the Philippines any goods, or assist in so doing, contrary to the law, or shall receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, or sale of such goods after importation, or shall commit technical smuggling as defined in Customs Modernization and Tariff Act (CMTA);
- c. Section 1403, “[a]ny person who makes or attempts to make any entry of imported or exported goods by means of any false or fraudulent statement, document or practice or knowingly and willfully files any false or fraudulent claim for payment of drawback or refund of duties shall, for each act, be punished in accordance with the penalties prescribed in Section 1401.”;
- d. Non-declaration of donated imported goods upon application and/or notarized Distribution Plan;
- e. Non-submission of a notarized distribution plan and/or notarized distribution report as required;
- f. Utilization of the issued Certification for consignment/s without a notarized distribution plan submitted to the DSWD;
- g. Failure to inform the DSWD of the conditions of received donated imported goods and/or any amendments in the notarized distribution plan; and
- h. Any fraudulent findings during the monitoring visit.

Any private SWA with issued Certification that is found to have violated any of the provisions A to H shall be subject to:

- [i] Automatic disqualification to apply a Certification for Duty-Exemption on Importation of Donated Imported Goods;
- [ii] Automatic cancellation of issued Certification (if still valid); and
- [iii] Revocation of DSWD CRLTO and Certificate of Accreditation, and delisting from the DSWD registry.

In relation to the management of beneficiaries, a private SWA that is subject to revocation of the DSWD CRLTO and Certificate of Accreditation shall follow the applicable provisions of the existing DSWD guidelines on the Registration, Licensing, and Accreditation of SWDAs.

XIII. FORMS, TOOLS, AND TEMPLATES

As delegated by the Secretary of the DSWD, the concerned Undersecretary supervising the DSWD SB shall have the authority to approve the prescribed

forms, tools, and templates, as necessary and as applicable, instruct the DSWD SB to revise the same.

Likewise, as necessary, the concerned Undersecretary/Cluster Head shall have the authority to issue Advisories or Clarificatory Memoranda on the issuance of Certification for Duty-Exemption of Donated Imported Goods to address emerging issues in the regulation of issued Certification to private SWAs and, monitoring of distribution/utilization activities in coordination with the Office of the Secretary, the DSWD FOs and other concerned Offices, Bureaus, Units, and Services within and outside of the Department.

XIV. TRANSITORY CLAUSE

All pending applications before the effectivity of this Circular shall still follow the guidelines set in MC No. 21, Series of 2019.

All applications after the effectivity of this Circular shall be processed through the DSWD HELPS as provided for in these guidelines.

XV. SEPARABILITY CLAUSE

If any of the provisions of this issuance is held invalid or unconstitutional, all the other provisions not affected thereby shall remain valid and in effect.

XVI. REPEALING CLAUSE

This issuance shall supersede the DSWD MC No. 21, Series of 2019, and all other DSWD issuances that are inconsistent with the same.

XVII. EFFECTIVITY

This Circular shall take effect within fifteen (15) days after publication in the Official Gazette or in a newspaper of general circulation.

Issued in Quezon City, Philippines.

Certified True Copy

WILLIAM V. GARCIA, JR.
 OIC Division Chief
 Records and Archives Mgt. Division

04 APR 2024


REX GATCHALIAN
 Secretary

Date: MAR 07 2024

ANNEXES:

- Annex A. Application Form (Normal Circumstances)
- Annex B. Application Form (State of Public Health Emergency/Calamity)
- Annex C. Distribution Plan
- Annex D. Application Assessment Form
- Annex E. Monitoring Visit Report
- Annex F. Distribution Report
- Annex G. Certification Template (CRLTO)
- Annex H. Certification Template (R and L)
- Annex I. Process Flow Chart (Normal Circumstances)
- Annex J. Process Flow Chart (State of Public Health Emergency/Calamity)

ANNEX A

**DEI APPLICATION FORM
(NORMAL CIRCUMSTANCES)**

**Certification from DSWD as Eligibility for
Duty-Exemption of Donated Imported Goods**

Under Section 800(m) of the Customs Modernization and Tariff Act of 2016

TO BE FILLED UP BY DSWD AUTHORIZED PERSONNEL

Date of Receipt of Application _____ Time of Receipt of Application _____ AM/PM
mm/dd/yyyy

Date of Issuance of Certification _____ Time of Release of Certification _____ AM/PM
mm/dd/yyyy

Application Reference No. _____ Certification Control No. _____

A. APPLICANT AGENCY INFORMATION

Name of Agency: _____

Other agency name (if applicable): _____

Registration and License details.

For a SWA with separate Registration No. and License No., tick and fill out items A and B, or accomplish item C for a SWA with a CRLTO.

- a. ☐ Registration No. and validity: _____, _____
- b. ☐ License No. and validity: _____, _____
- c. ☐ Registration and License No. and validity: _____, _____

Accreditation details.

☐ Accreditation No. and validity: _____, _____

Agency Address:

House/Unit/Building/Street/Lot/Block No.

Street Name

Name of Building

Subdivision

Barangay

City/Municipality

Province

Region

Zip/Area Code

ANNEX A

Agency Telephone Number:	Agency Email Address:		
Agency Mobile Number:			
Name of Agency Head:			
Mr/Ms/Mrs _____ <div style="display: flex; justify-content: space-between; font-size: small;"> Surname Given Name Middle Name Suffix </div>			
Mobile Number:	Email Address:		
Name of Agency Representative:			
Mr/Ms/Mrs _____ <div style="display: flex; justify-content: space-between; font-size: small;"> Surname Given Name Middle Name Suffix </div>			
Designation of Representative:	Mobile Number:	Email Address:	
How many importations do you expect in a year?			
<input type="checkbox"/> One (1) <input type="checkbox"/> Two (2) <input type="checkbox"/> Three (3) <input type="checkbox"/> More than 3 (please specify): _____			

B. DONOR INFORMATION			
Name of Donor:			
Mr/Ms/Mrs _____ <div style="display: flex; justify-content: space-between; font-size: small;"> Surname Given Name Middle Name Suffix </div>			
Type of Donor (Please check the appropriate box) <input type="checkbox"/> Individual Donor <input type="checkbox"/> Foreign Organization [Name of Foreign Organization: _____] <input type="checkbox"/> Others, pls. specify _____			
Donor Address:			
_____	_____	_____	
<i>House/Unit/Building/Street/Lot/Block No.</i>	<i>Street Name</i>	<i>Post/Zip Area Code</i>	
_____	_____	_____	
<i>City/Town/Municipality</i>	<i>Region/State</i>	<i>Country</i>	
Donor Telephone Number:	Donor Email Address:		
Donor Mobile Number:			

C. DONATION INFORMATION			
Date of Expected Arrival of Donated Imported Goods	_____	_____	_____
	<i>mm</i>	<i>dd</i>	<i>yyyy</i>
Bill of Lading / Airway Bill No:			

ANNEX A

Scope/Coverage of Distribution of Donated Imported Goods *(Please check the appropriate box)*

- | | | | |
|--------------------------------------|--------------------------------------|--|--------------------------------------|
| <input type="checkbox"/> All Regions | <input type="checkbox"/> Region I | <input type="checkbox"/> Region MIMAROPA | <input type="checkbox"/> Region VIII |
| <input type="checkbox"/> NCR | <input type="checkbox"/> Region II | <input type="checkbox"/> Region V | <input type="checkbox"/> Region IX |
| <input type="checkbox"/> CAR | <input type="checkbox"/> Region III | <input type="checkbox"/> Region VI | <input type="checkbox"/> Region X |
| <input type="checkbox"/> CARAGA | <input type="checkbox"/> Region IV-A | <input type="checkbox"/> Region VII | <input type="checkbox"/> Region XI |
| | | <input type="checkbox"/> Region XII | |

Category of Donated Imported Goods **if both Food and Non-Food, please specify the non-food items*

- ☐ Food ☐ Non-Food Items (please specify) _____

Note: Attach the notarized Distribution Plan (Annex C) in this Application Form

D. CERTIFICATION

Upon submission of this application, I hereby certify that the foregoing information/statement is to my knowledge, true, correct, complete, and updated.

SIGNATURE OVER PRINTED NAME OF AGENCY HEAD

DESIGNATION/POSITION/TITLE

ANNEX B

DEI APPLICATION FORM
(STATE OF PUBLIC HEALTH EMERGENCY/CALAMITY)

Certification from DSWD as Eligibility for
Duty-Exemption of Donated Imported Goods

Under Section 800(m) of the Customs Modernization and Tariff Act of 2016

TO BE FILLED UP BY DSWD AUTHORIZED PERSONNEL

Date of Receipt of Application _____ Time of Receipt of Application _____ AM/PM
mm/dd/yyyy

Date of Issuance of Certification _____ Time of Release of Certification _____ AM/PM
mm/dd/yyyy

Application Reference No. _____ Certification Control No. _____

A. APPLICANT AGENCY INFORMATION

Name of Agency: _____
Other agency name (if applicable): _____

Registration and License details.

For a SWA with separate Registration No. and License No., tick and fill out items A and B, or accomplish item C for a SWA with a CRLTO.

- a. ☐ Registration No. and validity: _____, _____
b. ☐ License No. and validity: _____, _____
c. ☐ Registration and License No. and validity: _____, _____

Accreditation details.

☐ Accreditation No. and validity: _____, _____

Agency Address:

House/Unit/Building/Street/Lot/Block No. Street Name

Name of Building Subdivision

Barangay City/Municipality Province

Region Zip/Area Code

ANNEX B

Agency Telephone Number:		Agency Email Address:	
Agency Mobile Number:			
Name of Agency Head:			
Mr/Ms/Mrs _____ <div style="display: flex; justify-content: space-between; width: 100%;"> <i>Surname</i> <i>Given Name</i> <i>Middle Name</i> <i>Suffix</i> </div>			
Mobile Number:		Email Address:	
Name of Agency Representative:			
Mr/Ms/Mrs _____ <div style="display: flex; justify-content: space-between; width: 100%;"> <i>Surname</i> <i>Given Name</i> <i>Middle Name</i> <i>Suffix</i> </div>			
Designation of Representative:		Mobile Number:	Email Address:
How many importations do you expect in a year? <input type="checkbox"/> One (1) <input type="checkbox"/> Two (2) <input type="checkbox"/> Three (3) <input type="checkbox"/> More than 3 (please specify): _____			

B. DONOR INFORMATION

Name of Donor:			
Mr/Ms/Mrs _____ <div style="display: flex; justify-content: space-between; width: 100%;"> <i>Surname</i> <i>Given Name</i> <i>Middle Name</i> <i>Suffix</i> </div>			
Type of Donor (Please check the appropriate box) <input type="checkbox"/> Individual Donor <input type="checkbox"/> Foreign Organization [Name of Foreign Organization: _____] <input type="checkbox"/> Others, pls. specify _____			
Donor Address:			
_____		_____	
<i>House/Unit/Building/Street/Lot/Block No.</i>		<i>Street Name</i>	
_____		_____	
<i>City/Town/Municipality</i>		<i>Country</i>	
Donor Telephone Number:		Donor Email Address:	
Donor Mobile Number:			

C. DONATION INFORMATION

ANNEX B

Date of Expected Arrival of Donated Imported Goods	<u> </u> mm	<u> </u> dd	<u> </u> yyyy
Bill of Lading / Airway Bill No:			

Scope/Coverage of Distribution of Donated Imported Goods <i>(Please check the appropriate box)</i>			
<input type="checkbox"/> All Regions	<input type="checkbox"/> Region I	<input type="checkbox"/> Region MIMAROPA	<input type="checkbox"/> Region VIII
<input type="checkbox"/> NCR	<input type="checkbox"/> Region II	<input type="checkbox"/> Region V	<input type="checkbox"/> Region IX
<input type="checkbox"/> CAR	<input type="checkbox"/> Region III	<input type="checkbox"/> Region VI	<input type="checkbox"/> Region X
<input type="checkbox"/> CARAGA	<input type="checkbox"/> Region IV-A	<input type="checkbox"/> Region VII	<input type="checkbox"/> Region XI
			<input type="checkbox"/> Region XII
Category of Donated Imported Goods <i>*if both Food and Non-Food, please specify the non-food items</i>			
<input type="checkbox"/> Food <input type="checkbox"/> Non-Food Items (please specify) _____			
Note: Please submit the notarized Distribution Plan (Annex C) within five (5) working days upon receipt of the DSWD Certification.			

D. CERTIFICATION

Upon submission of this application, I hereby certify that the foregoing information/statement is to my knowledge, true, correct, complete, and updated.

SIGNATURE OVER PRINTED NAME OF AGENCY HEAD

DESIGNATION/POSITION/TITLE



ANNEX C

DEI DISTRIBUTION PLAN

**Certification from DSWD as Eligibility for
Duty-Exemption of Donated Imported Goods**

Under Section 800(m) of the Customs Modernization and Tariff Act of 2016

TO BE FILLED UP BY DSWD AUTHORIZED PERSONNEL

Date of Receipt of Application _____ Application Reference No. _____
mm/dd/yyyy

Date of Release of Certification _____ Certification Control No. _____
mm/dd/yyyy

Reviewed by: _____ Date Reviewed (mm/dd/yyyy): _____
Signature over printed name of DSWD Assessor/ Designation

For applications during State of Public Health Emergency/Calamity:

The SWA complied within the given timeline of submission (within 5 working days upon receipt of DSWD Certification): ☐ YES ☐ NO If no, state reason/s: _____

Name of Agency: _____

Office Address: _____

Date of Expected Arrival of Donated Imported Goods (mm/dd/yyyy): _____

Name of Donor: Mr/Ms/Mrs _____
Surname Given Name Middle Name Suffix

Number of Importation: ☐ First ☐ Second ☐ Third ☐ Fourth ☐ Others: _____

Please use a separate sheet if necessary.

***If you have multiple importations in a year, please provide a distribution plan per importation.

Description of Goods (Quantity/Measurement/Brand, etc)	Purpose	Intended Beneficiary/ies (no. of beneficiaries/ Sector/Age Group)	Target Area/s of Distribution			Target Date of Distribution	
			Province	City/Municipality	Barangay	From (mm/dd/yyyy)	To (mm/dd/yyyy)
(e.g.) 1,250 boxes of 800g Birchtree Fortified Powdered Milk	(e.g.) For free distribution and consumption of	(e.g.) 200 children ages 4-12 years old	(e.g.) NCR	(e.g.) Quezon City	(e.g.) Payatas	(e.g.) 11/14/2023	(e.g.) 11/30/2023

ANNEX C

	beneficiaries ages 4-12 yrs old						

DECLARATION

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. [Select one, delete the other:]

[If the head of the agency:] I am the head of [Name of SWDA] with office address at [address of SWDA];

[If Authorized representative:] I am the duly authorized and designated representative of [Name of SWDA] with office address at [address of SWDA];

2. [Select one, delete the other:]

[If the head of the agency:] As the agency head of [Name of SWDA], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the documents, and sign and execute the application for the issuance of Certification for Duty-Exempt Importation of [Name of SWDA] as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

[If Authorized representative:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the documents, and sign and execute the application for the issuance of Certification for Duty-Exempt Importation of [Name of SWDA], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of SWDA] is not "blacklisted" or barred from applying for Registration, License, and Accreditation Certificates with the Department of Social Welfare and Development (DSWD) as defined and provided under DSWD MC 18 series of 2024 or the Omnibus Guidelines on the Regulation of Social Welfare and Development Agencies (SWDAs) and their Social Welfare and Development (SWD)

ANNEX C

Programs and Services;

4. *[Name of SWDA]*, is not blacklisted to do transactions with the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units (LGU), foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;
5. *[Name of SWDA]* being a duly registered Social Work Agency (SWA), authorized to engage in social welfare work, and relief operation, including, among others, direct or indirect solicitations and/or fund drives, and/or private endowment, not operated by profit, the imported goods donated to us are for free distribution among the needy upon certification of the DSWD as indicated under Section 800(m) of the Customs Modernization and Tariff Act (Republic Act 10863);
6. *[Name of SWDA]* is aware of, understands and agrees to abide by the Guidelines in the issuance of Certification to Registered, Licensed, and Accredited Private Social Work Agencies (SWAs) as Eligibility for Duty-Exemption of Donated Imported Goods in accordance with Republic Act No. 10863, Section 800(M).
7. *[Name of SWDA]* is not, in any way, connected with commercial importation of used or pre-owned clothing and is not importing any adulterated or misbranded food or goods for human consumption or any adulterated or misbranded drug in violation of relevant laws and regulation;
8. *[Name of SWDA]* undertakes that, in the event that it receives any donation or payment from any person or business related to the tobacco industry, *[Name of SWDA]* shall not allow any from of promotion, advertisement, nor sponsorship of any tobacco products, including any item, material, tangible or intangible that would identify or associate such donation in cash or in-kind to the tobacco company, its manufacturer or wholesaler, or any person, interest group, advocacy organization, law firm, advertising agency or other business organization that represents the interest of the tobacco industry;
9. Each of the documents submitted in satisfaction of the application requirements for the issuance of Certification for Duty-Exempt Importation, as well as all other necessary documents (i.e., notarized Distribution Plan, Status/ notarized Final Distribution Report) is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
10. *[Name of SWDA]* is authorizing the DSWD or its duly authorized representative(s) to verify all the documents submitted and is authorized to inspect the premises of the office as part of its monitoring activities;
11. *[Name of SWDA]* has no unliquidated funds and it is free from any financial liability/obligation from past and current collaborative partnerships with the DSWD that involve a transfer of funds;
12. *[Name of SWDA]* shall keep a record of all social development and/or welfare activities they handle in accordance with RA No. 10847;
13. *[Name of SWDA]* is aware that the processing/service/filing fee, notarial, and all other fees pertaining to the application shall be for our account;

ANNEX C

14. All personal data, as defined under the Data Privacy Act of 2012 and its implementing rules and regulations, along with account transaction information or records with the DSWD may be processed, profiled, or shared to requesting parties or for the purpose of any court, legal process, examination, inquiry, and audit or investigation of any authority.

Finally, I *[Name of Affiant]*, under penalty of perjury, certify that all information provided in my application is true and correct to the best of my personal knowledge and is based on authentic records submitted to the DSWD. Supplying false or misleading information or producing falsified documents shall be grounds for appropriate administrative and criminal actions against me, including the revocation of the issued registration/license/certificate.

*[SIGNATURE OVER PRINTED NAME OF THE HEAD OF THE AGENCY
OR ITS AUTHORIZED REPRESENTATIVE]*

AFFIANT

DESIGNATION/POSITION/TITLE

SUBSCRIBED AND SWORN TO before me this ____ day of _____ 20__ in _____.

NOTARY PUBLIC

Doc No. _____
Page No. _____
Book No. _____
Series of _____



ANNEX D. DEI Application Assessment Form

DEI APPLICATION ASSESSMENT FORM

**Certification from DSWD as Eligibility for
Duty-Exemption of Donated Imported Goods**

Under Section 800(m) of the Customs Modernization and Tariff Act of 2016

Application Reference No. _____ Date of Assessment: _____
mm/dd/yyyy

Official Receipt No. _____ Time of Assessment: _____ AM / PM

Type of

- Application: ☐ Normal Circumstances ☐ State of Emergency/Calamity
- ☐ First-time applicant ☐ First-time applicant
- ☐ With previous Certification issued ☐ With previous Certification issued
- ☐ Re-submission of corrected Application ☐ Re-submission of corrected Application

Name of Agency: _____ Recommendation: ☐ Approved for issuance
☐ Disapproved

Instruction: Tick the box ☐ YES if compliant and ☐ NO if noncompliant per item. Any additional information or if Not Applicable (N/A) may be stated in the "Remarks" column.

I. Checklist for Assessment

Item			Remarks
a. The SWA has a valid Certificate of Registration and License to Operate (CRLTO) and Certificate of Accreditation	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
b. The submitted Application Form is complete and compliant	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Normal Circumstances c. The submitted Distribution Plan is notarized and is found complete and compliant	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
During State of Public Health Emergency/Calamity d. The Distribution Plan is submitted within the prescribed period	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
e. The Distribution Plan is notarized and is complete and compliant	<input type="checkbox"/> YES	<input type="checkbox"/> NO	

ANNEX D. DEI Application Assessment Form

Re-submission of corrected Application f. The re-submitted Application based on the first assessment was received by DSWD within the prescribed period which is within: <input type="checkbox"/> One (1) working day; <input type="checkbox"/> Two (2) working days; from SWA's receipt of notice <i>*Tick the applicable box based on the application category</i>	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
g. The re-submitted Application is complete and compliant	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
With previous Certification h. The required additional documents (based on application category) are attached (e.g., Most recent notarized Final Distribution Report, Status Report)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
i. Status of previous consignment/importation (if applicable)			
If monitored , i.1. The goods are already distributed	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
i.2. The goods are not yet distributed, still intact	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
i.3. The goods are unaccounted	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
i.4. <input type="checkbox"/> NOT YET MONITORED			
II. Observations/Findings/Result of Assessment			
<div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dashed black; height: 15px; margin-bottom: 5px;"></div>			

Assessed by:

Noted by:

 Signature over printed name of DSWD Assessor/ Designation

 Signature over printed name of Division Chief/Bureau Director

Date:

 Month/ Day/ Year



ANNEX E. DEI Monitoring Visit Report

DEI MONITORING VISIT REPORT

**Certification from DSWD as Eligibility for
Duty-Exemption of Donated Imported Goods**

Under Section 800(m) of the Customs Modernization and Tariff Act of 2016

Certification Control No. _____ Date issued Certificate: _____
mm/dd/yyyy

Monitored by: _____ Date of Monitoring Visit: _____
mm/dd/yyyy
*Signature over printed name of DSWD
Technical Staff/ Designation*

Name of Agency: _____

Office Address: _____

Instruction: Tick the box ☐ **YES** if compliant and ☐ **NO** if noncompliant per item. Any additional information or if Not Applicable (N/A) may be stated in the "Findings/Remarks" column.

I. Checklist for Monitoring

Item			Findings/Remarks
a. The DSWD was notified by the SWA within three (3) calendar days after receipt of donated imported goods	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
If NO , state the actual date/s DSWD was notified and reasons for non-compliance with the post-facilitation process			
b. The DSWD was notified by the SWA on the conditions of received donated imported goods	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
If NO , state the reasons for non-compliance with the post-facilitation process			
c. The DSWD was notified by the SWA on any deviations in the Distribution Plan, <i>if any</i>	<input type="checkbox"/> YES	<input type="checkbox"/> NO	

ANNEX E. DEI Monitoring Visit Report

If NO , state the reasons for non-compliance with the post-facilitation process			
d. The date of distribution as stated in the submitted notarized Distribution Plan was followed If NO , state the actual date/s of distribution and reasons for the change of distribution schedule/s/date/s	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
e. The identified sector and the donations declared in the notarized Distribution Plan are the actual recipients of the donations during the monitoring visit If NO , state the recipients' sector and donations received and reasons for the change of identified beneficiaries	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
f. The donated imported goods being distributed at the time of monitoring are the actual goods declared in the distribution plan If NO , list down the actual goods being distributed and state the SWA's reason/s for it (<i>assess if those are an excess of what was stated in the distribution plan</i>)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
g. The donated imported goods from the previous importation/s are 100% distributed at the time of monitoring (<i>if applicable</i>)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
h. The private SWA was able to comply with post-facilitation requirements (i.e. notarized Final Distribution Report, Status Report from the previous importation/s at the time of monitoring (<i>if applicable</i>))	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
i. The private SWA keeps records of the Distribution List/s signed by the recipients/beneficiaries	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
j. Status of Distribution/Utilization of Donations (based on the goods declared in the distribution plan) <input type="checkbox"/> 0-24% of goods distributed <input type="checkbox"/> 50-74% of goods distributed <input type="checkbox"/> 100% of goods distributed <input type="checkbox"/> 25-49% of goods distributed <input type="checkbox"/> 75-99% of goods distributed Others: _____			
II. Provide a brief narrative on how the distribution took place during the monitoring visit:			

ANNEX E. DEI Monitoring Visit Report

III. Other findings and observations:

IV. Recommendations:

Conforme:

ANNEX E. DEI Monitoring Visit Report

*Signature over Printed Name of Agency Head/
Authorized Representative*

Signature over Printed Name of DSWD Technical Staff

Date (mm/dd/yyyy): _____

Date (mm/dd/yyyy): _____

Noted by:

*Signature over Printed Name of DSWD FO - Division Chief/
Regional Director*

Date (mm/dd/yyyy): _____

ANNEX F

DEI DISTRIBUTION REPORT

**Certification from DSWD as Eligibility for
Duty-Exemption of Donated Imported Goods**

Under Section 800(m) of the Customs Modernization and Tariff Acts

<input type="checkbox"/> STATUS AS OF mm/dd/yyyy	<input type="checkbox"/> FINAL mm/dd/yyyy
--	---

Name of Agency: _____

Office Address: _____

Date of Actual Receipt of Donated Imported Goods (mm/dd/yyyy): _____

Number of Importation: ☐ First ☐ Second ☐ Third ☐ Fourth ☐ Others: _____

Name of Donor: Mr/Ms/Mrs _____

Surname
Given Name
Middle Name
Suffix

Date of Report (mm/dd/yyyy): _____ Date received by DSWD (mm/dd/yyyy): _____

Instruction: Kindly indicate in the Description of Goods column if the certain goods have deviations from the submitted notarized Distribution Plan. *Please use a separate sheet if necessary.**

Description of Goods (Quantity/Measurement/Brand, etc)	Purpose	Recipient (no. of beneficiaries/ Sector/Age Group)	Area/s of Distribution			Status of distribution with Date	Balance (weight, pieces, packs, boxes, etc)
			Province	City/Municipality	Barangay		
(e.g.) 1,250 boxes of 800g Birchtree Fortified Powdered Milk	(e.g.) For free distribution and consumption of beneficiaries ages 4-12 yrs old	(e.g.) 200 children ages 4-12 years old	(e.g.) NCR	(e.g.) Quezon City	(e.g.) Payatas	(e.g.) 100% distributed on 11/30/2023;	(e.g.) None;

ANNEX F

						50% distributed as of 11/17/2023	625 remainin g boxes
(e.g. for deviations) From 1,250 boxes to 1,000 boxes of 800g Birchtree Fortified Powdered Milk							

DECLARATION

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. **[Select one, delete the other:]**

[If the head of the agency:] I am the head of [Name of SWDA] with office address at [address of SWDA];

[If Authorized representative:] I am the duly authorized and designated representative of [Name of SWDA] with office address at [address of SWDA];

2. **[Select one, delete the other:]**

[If the head of the agency:] As the agency head of [Name of SWDA], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the documents, and sign and execute the application for the issuance of Certification for Duty-Exempt Importation of [Name of SWDA] as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

[If Authorized representative:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the documents, and sign and execute the application for the issuance of Certification for Duty-Exempt Importation of [Name of SWDA], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. *[Name of SWDA]* is not "blacklisted" or barred from applying for Registration, License, and Accreditation Certificates with the Department of Social Welfare and Development (DSWD) as defined and provided under DSWD MC 18 series of 2024 or the Omnibus Guidelines on the Regulation of Social Welfare and Development Agencies (SWDAs) and their Social Welfare and Development (SWD) Programs and Services;

4. *[Name of SWDA]*, is not blacklisted to do transactions with the Government of the Philippines or any of

ANNEX F

its agencies, offices, corporations, or Local Government Units (LGU), foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;

5. *[Name of SWDA]* being a duly registered Social Work Agency (SWA), authorized to engage in social welfare work, and relief operation, including, among others, direct or indirect solicitations and/or fund drives, and/or private endowment, not operated by profit, the imported goods donated to us are for free distribution among the needy upon certification of the DSWD as indicated under Section 800(m) of the Customs Modernization and Tariff Act (Republic Act 10863);
6. *[Name of SWDA]* is aware of, understands and agrees to abide by the Guidelines in the issuance of Certification to Registered, Licensed, and Accredited Private Social Work Agencies (SWAs) as Eligibility for Duty-Exemption of Donated Imported Goods in accordance with Republic Act No. 10863, Section 800(M).
7. *[Name of SWDA]* is not, in any way, connected with commercial importation of used or pre-owned clothing and is not importing ant adulterated or misbranded food or goods for human consumption or any adulterated or misbranded drug in violation of relevant laws and regulation;
8. *[Name of SWDA]* undertakes that, in the event that it receives any donation or payment from any person or business related to the tobacco industry, *[Name of SWDA]* shall not allow any from of promotion, advertisement, nor sponsorship of any tobacco products, including any item, material, tangible or intangible that would identify or associate such donation in cash or in-kind to the tobacco company, its manufacturer or wholesaler, or any person, interest group, advocacy organization, law firm, advertising agency or other business organization that represents the interest of the tobacco industry;
9. Each of the documents submitted in satisfaction of the application requirements for the issuance of Certification for Duty-Exempt Importation, as well as all other necessary documents (i.e., notarized Distribution Plan, Status/ notarized Final Distribution Report) is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
10. *[Name of SWDA]* is authorizing the DSWD or its duly authorized representative(s) to verify all the documents submitted and is authorized to inspect the premises of the office as part of its monitoring activities;
11. *[Name of SWDA]* has no unliquidated funds and it is free from any financial liability/obligation from past and current collaborative partnerships with the DSWD that involve a transfer of funds;
12. *[Name of SWDA]* shall keep a record of all social development and/or welfare activities they handle in accordance with RA No. 10847;
13. *[Name of SWDA]* is aware that the processing/service/filing fee, notarial, and all other fees pertaining to the application shall be for our account;
14. All personal data, as defined under the Data Privacy Act of 2012 and its implementing rules and regulations, along with account transaction information or records with the DSWD may be processed,

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profiled, or shared to requesting parties or for the purpose of any court, legal process, examination, inquiry, and audit or investigation of any authority.

Finally, I *[Name of Affiant]*, under penalty of perjury, certify that all information provided in my application is true and correct to the best of my personal knowledge and is based on authentic records submitted to the DSWD. Supplying false or misleading information or producing falsified documents shall be grounds for appropriate administrative and criminal actions against me, including the revocation of the issued registration/license/certificate.

*[SIGNATURE OVER PRINTED NAME OF THE HEAD OF THE AGENCY
OR ITS AUTHORIZED REPRESENTATIVE]*

AFFIANT

DESIGNATION/POSITION/TITLE

SUBSCRIBED AND SWORN TO before me this ____ day of _____ 20__ in _____.

NOTARY PUBLIC

Doc No. _____
Page No. _____
Book No. _____
Series of _____

Certification

This is to certify that

(Name of SWA)

with office address at -----
(SWA's Official Address)

is a duly Registered, Licensed, and Accredited Social Work Agency of
the Department of Social Welfare and Development with Registration
and License No. ----- valid until -----,
(DSWD registration and license no.) (Validity Date)

and Accreditation No. ----- valid until -----.
(DSWD Accreditation no.) (Validity Date)

This Certification is issued as part of the Agency's requirements to avail the duty-exemption on importation, for free distribution among the needy, under Section 800(m) of the Republic Act No. 10863 otherwise known as the Customs Modernization and Tariff Act (CMTA). It must be used following the terms and conditions provided for in the DSWD Memorandum Circular No. 08, series of 2024 entitled "Guidelines in the issuance of Certification to Registered, Licensed, and Accredited Private Social Work Agencies (SWAs) as Eligibility for Duty-Exemption of Donated Imported Goods in accordance with Republic Act No. 10863, Section 800(M)", and other applicable laws.

Director IV, Standards Bureau

Certification Control No.: **DSWD-SB-DEI-202X-XXXX**

Date issued: _____

Validity: _____

Certification

This is to certify that

(Name of SWA)
with office address at -----
(SWA's Official Address)

is a duly Registered, Licensed, and Accredited (RLA) Social Work Agency of the Department of Social Welfare and Development with the following RLA details:

Registration No. ----- issued on -----;
(DSWD registration no.) (Date Issued)

License No. ----- valid until -----;
(DSWD license no.) (Validity Date)

Accreditation No. ----- valid until -----;
(DSWD accreditation no.) (Validity Date)

This Certification is issued as part of the Agency's requirements to avail the duty-exemption on importation, for free distribution among the needy, under Section 800(m) of the Republic Act No. 10863 otherwise known as the Customs Modernization and Tariff Act (CMTA). It must be used following the terms and conditions provided for in the DSWD Memorandum Circular No. 08, series of 2024 entitled "Guidelines in the issuance of Certification to Registered, Licensed, and Accredited Private Social Work Agencies (SWAs) as Eligibility for Duty-Exemption of Donated Imported Goods in accordance with Republic Act No. 10863, Section 800(M)", and other applicable laws.

Director IV, Standards Bureau

Certification Control No.: **DSWD-SB-DEI-202X-XXXX**

Date issued: -----

Validity: -----

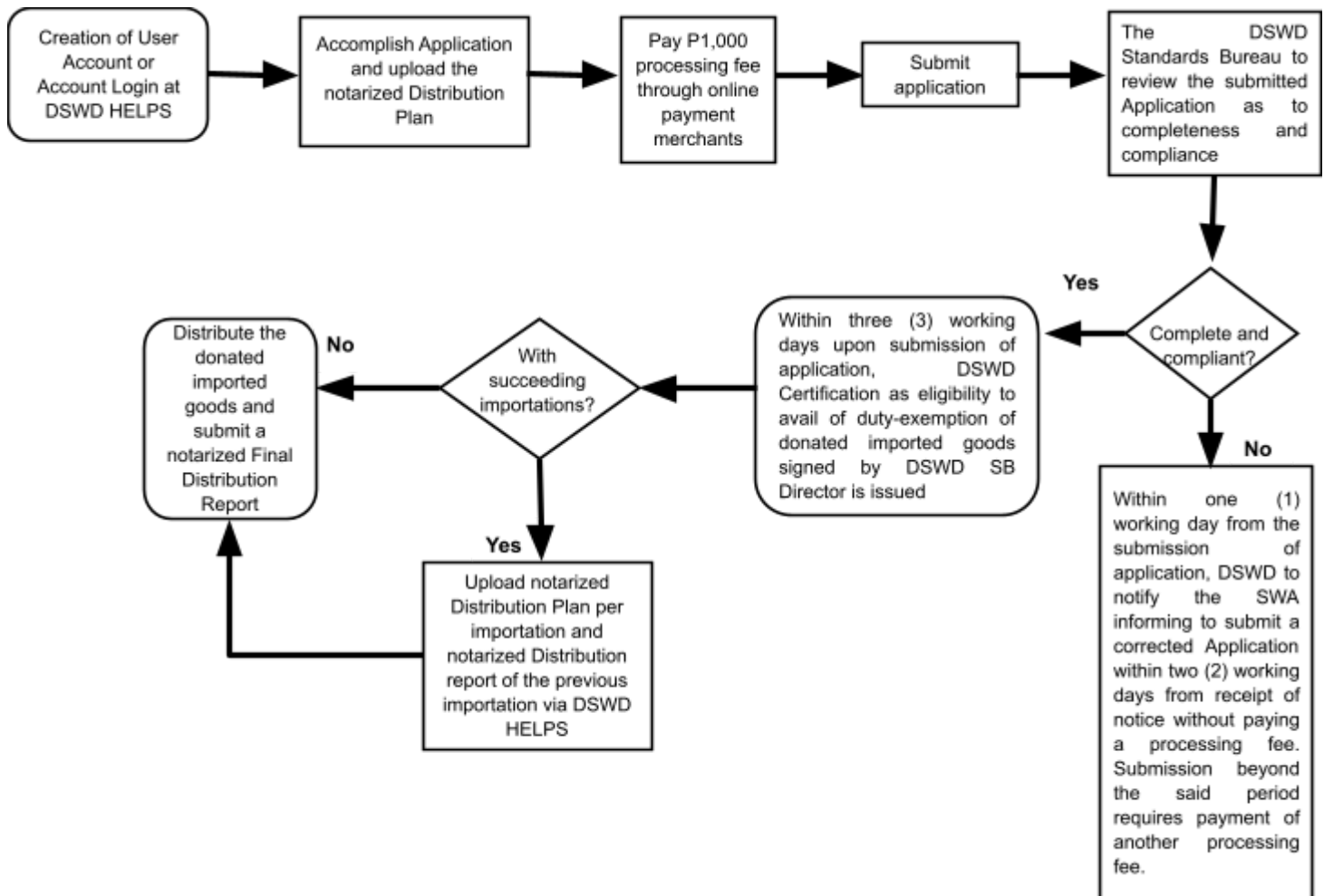


ANNEX I. DEI Normal Circumstances Process Flow Chart

PROCESS FLOWCHART FOR APPLICATIONS UNDER NORMAL CIRCUMSTANCES

**Certification from DSWD as Eligibility
for Duty-Exemption of Donated Imported Goods**

Under Section 800(m) of the Customs Modernization and Tariff Act of 2016





ANNEX J. DEI State of Emergency/Calamity Process Flow Chart

PROCESS FLOWCHART FOR APPLICATIONS DURING A STATE OF PUBLIC HEALTH EMERGENCY AND/OR A STATE OF CALAMITY

Certification from DSWD as Eligibility for Duty-Exemption of Donated Imported Goods

Under Section 800(m) of the Customs Modernization and Tariff Act of 2016

