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REMINDERS TO IMPORTERS RE: IMPORTATION POLICIES COVERING USED TRUCKS AND USED BUSES

BIS INTER-AGENCY COMMITTEE ON USED TRUCKS AND ENGINES, February 20, 2001

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Pursuant to Executive Order No. 782 dated 13 March 1982, as amended by Executive Order No. 354 dated 29 March 1989 and Executive Order No. 361 dated 22 June 1989, the IAC-UTE hereby reiterate the following rules and regulations governing the importation of any used trucks/buses, whether liberalized or regulated (as classified per Bangko Sentral ng Pilipinas' [BSPs] Circular No. 92, series of 1995 dated 19 October 1995 (Annex A):

1. BAN ON RIGHT HAND DRIVEN (RHD) TRUCKS

1.1 All importations of used trucks must comply with the existing government policies that ban the entry of Right Hand Drive (RHD) units (except for very special vehicles that are-off-the road type)

1.2 Any RHD unit that reaches any of the Philippine ports shall be subjected to the imposition of penalties, which could take the form of payment of fines and even seizure for some cases, in accordance with the IAC-UTE set penalties. (Annex B)

1.3 The types of vehicles which could be allowed entry into the country, even if these are RHDs, are those which are classified by the BSP and concurred with by the LTO, to be off-the-road type, heavy duty and slow moving vehicles, and those specifically manufactured for concessions, like, mining/logging/etc.

2. COMPLIANCE TO ROAD WORTHINESS AND EMISSION STANDARDS

2.1 All importations of used trucks, special purpose vehicles and buses must comply with the government's requirement on road worthiness, including compliance to emission standards. As a proof of meeting this requirement, imported units must be supported by Certificates of Road Worthiness and Compliance to Emission Standards issued by duly authorized Inspection Centers in the country of origin.

2.2 Subject Certificates shall be presented to the SGS examiner/inspector at the country of origin which shall be used as one of the bases for the issuance of the Clean Report of Findings (CRF). This means that no CRF should be issued by the SGS for any importation of used motor vehicle, if the same is right hand drive (except in the case of special types of vehicles) and/or the required Certificates are not allowed.

2.3 Any imported used motor vehicle that reaches any of the Philippine ports and found to be lacking of the required Certificates shall likewise be subjected to penalties referred to item 1.2 above.

3. NEED FOR PRIOR CLEARANCE FOR REGULATED COMMODITIES

3.1 An import authorization should first be secured from the IAC-UTE Secretariat/Bureau of Import Services (BIS) of the Department of Trade and Industry (DTI) before any importation is effected. For IAC-UTE purposes, importation is deemed effected on the date the unit/s is/are laden on board.

3.2 The importation procedures to be observed are as follows: An import application together with a notarized

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undertaking and the original of the pro-forma invoice (describing the commodities for importation i.e. number of units, value, terms of payment [FOB, CIF, FAS, etc.], mode of import arrangement [L/C, D/P, S/F, etc.], gross vehicle weight, year model, number of wheels, type/brand of the used motor vehicles, spare tires [if used, maximum of 2 pieces per unit], and the like) shall be filed with the IAC-UTE Secretariat/BIS located at 3rd Floor, Oppen Bldg., 349 Sen. Gil J. Puyat Ave., Makati City. Processing Fee is P500.00 per unit. Processing time is three (3) days. (Annex B reflects the schedule of fees).

4. CHANGES IN THE TERMS AND CONDITIONS OF THE CAI

4.1 The Certificate of Authority to Import (CAI) is considered final. However, should there be any need to effect change/s (i.e. change of Bank, change of supplies, change of import mode of arrangement or mode of payment, change in commodity description particularly on gross vehicle weight), such change/s should be covered by an approval from the IAC-UTE in the form of an Amendment. An import authority is given a maximum of 3 opportunities to be subjected to any amendment. Processing fee is P500.00 for the 1st amendment, P750.00 for the 2nd amendment, and P1,000.00 for the final amendment. Processing time is three (3) days.

4.2 Shift in the mode of import arrangement like from L/C to S/F or to D/P that is not covered by an approved amendment from the IAC-UTE is subjected to a fine of P25,000.00 per unit.

4.3 Likewise, discrepancy in the Gross Vehicle Weight per approved CAI vis-à-vis actual shipment that is not covered by an approved amendment from the IAC-UTE is also penalized in the amount of P25,000.00 per unit.

5. CASES WHEN AN IMPORTATION IS DEEMED EFFECTED WITHOUT THE REQUIRED CAI FROM THE IAC-UTE AND THUS SUBJECTED TO A PENALTY SPECIFIED IN ANNEX B

5.1 When the used truck/bus/special purpose vehicle is laden on board

-before the CAI's issuance

- after the expiration of CAI's validity

6. DURATION OF CAI'S VALIDITY

6.1 If approved

- Validity is 60 days from the date of issuance. This means that the L/C should be opened within the validity of the CAI. Importation can then be effected within the duration of L/C's validity.

6.2 If approved under D/P

- Validity is 120 days within which importation should be effected.

6.3 If approved under Self-funded

- Validity is 120 days within which importation should be effected.

7. REQUIREMENT FOR RELEASE CERTIFICATE FROM THE IAC-UTE

7.1 Only importations effected under the self-funded mode of import arrangements are required to secure Release Certificate from the IAC-UTE before the imported used trucks/special purpose vehicles/buses are to be taken out from the BOC premises.

7.2 Release of the imported units from the BOC premises without the required R/C from the IAC-UTE shall mean

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imposition of penalties specified in Annex B.

8. All importers are enjoined to review the terms and conditions specified in the Certificates of Authority to Import issued to them to ensure compliance to importation requirements and thus, avoid committing violations that are subject to penalties. For IAC-UTE purpose, the importers are considered primarily responsible for any transactions affecting their importations, and as such should be held accountable for any established violation/s.

For the Inter-Agency Committee on Used Trucks and Engines:

(SGD.) ATTY. ALEXANDER B. ARCILLA
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