

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE 2001-2003 PHILIPPINE SC...

EXECUTIVE ORDER NO. 49, November 03, 2001

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WHEREAS, at the conclusion of the 6th ASEAN Summit held in Hanoi, Vietnam on 15-16 December 1999, the ASEAN Heads of State and Government agreed to adopt a number of “bold” economic measures aimed at restoring regional economic growth and hastening the recovery from the Asian financial crisis;

WHEREAS, among the “bold” economic measures adopted was the acceleration of the ASEAN Free Trade Area (AFTA) from year 2003 to 2002 by the ASEAN 6 (Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand) which is to be achieved through commitments of 0-5% tariffs on 85% of items in their respective CEPT-IL in year 2000, 90% in year 2001 and 100% with some flexibility in year 2002;

WHEREAS, the 5th AFTA Council Meeting in Chiang Mai, Thailand on 21 September 1994 agreed that all UAPs will be included in the CEPT Scheme;

WHEREAS, the 11th AFTA Council Meeting held on Subang Jaya, Malaysia on 15 October 1997 had agreed that Member Countries should continue with the internal review of the GE List with a view to transferring these products into the CEPT-IL or CEPT-TEL;

WHEREAS, at its Meeting on 18 September 2000, the Tariff and Related Matters (TRM) Cabinet Committee approved the year 2001 Philippine CEPT Package comprising of three hundred fifty six (356) tariff lines;

WHEREAS, the 14th AFTA Council Meeting and the 32nd ASEAN Economic Ministers’ Meeting held in Chiang Mai, Thailand on 04 October 2000 and 05 October 2000, respectively, approved the Philippine List for year 2001 under the bold economic measures, and transfer of UAP-TEL and GE Lists into the CEPT-IL;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” [Articles Granted Concession under the Common Effective Preferential Tariff (CEPT) for the ASEAN Free Trade Area (AFTA)] hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN Common Effective Preferential Tariff in accordance with the year 2001-2003 schedule indicated in Columns 4-6 of Annex “A”. The ASEAN CEPT rates so indicated shall be accorded to imports coming from ASEAN Member States applying CEPT concession to the same product pursuant to Article 4 of the CEPT Scheme and its interpretative Notes.

SEC. 2. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annex “A” to a rate lower than the rate prescribed in Columns 4-6 of Annex “A” such article shall automatically be accorded the corresponding reduced duty.

SEC. 3. Product eligible for tariff concessions not listed in Annex “A” of Executive Order No. 254, Series of 2000, shall be subject to the ASEAN CEPT rates under Executive Order 453, Series of 1997, Executive Order 487, Series of 1998, Executive Order 71, Series of 1999 and Executive Order 234, Series of 2000.

SEC. 4. From the date of effectivity of this Order, all articles listed in Annex “A” entered into or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SEC. 5. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 6. This Executive Order shall take effect immediately.

Done in the City of Manila, this 3rd day of November, in the year of Our Lord, two thousand and one.

(SGD.) GLORIA MACAPAGAL-ARROYO

President of the Philippines

By the President:

(SGD.) ALBERTO G. ROMULO

Executive Secretary

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