

MODIFYING THE RATES OF DUTY ON SUGAR AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT PREFERENTIAL RATES THEREON UNDER THE COMMON EFF...

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WHEREAS, the transfer of raw and refined sugar from the Philippines' CEPT Temporary exclusion List to its Sensitive List was approved by the ASEAN Ministers during the 33rd ASEAN Economic Ministers (AEM) Meeting held in Vietnam in September 2001 and subsequently reflected in the First protocol to Amend the Protocol on Special Arrangements on Sensitive and Highly Sensitive Products signed on 3 September 2004;

WHEREAS, Executive Order 230 signed on 26 July 2003 provided tariff concessions on imports of raw and refined sugar in consideration of the AEM approval of the Philippine request to transfer subject articles to its Sensitive List;

WHEREAS, Article III of the protocol on the Special Arrangement for Sensitive and Highly Sensitive Products signed on 30 September 1999 prescribes the tariff reduction of sensitive products;

WHEREAS, on 20 December 2005, the NEDA Board approved the 2006 – 2008 CEPT rate schedule for raw and refined sugar;

WHEREAS, Sections 104 and 402 of the Tariff and Customs Code of 1978 (PD 1464), as amended, empower the President of the Republic of the Philippines, 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 Republic 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" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN CEPT rate in accordance with the schedule indicated opposite each article. 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 Agreement on the CEPT Scheme for the AFTA (CEPT Agreement) signed on 28 January 1992 and its Interpretative Notes.

SECTION 2. In the event that any subsequent change is made in the basic (Most Favored Nation) Philippine rate of duty on any of the articles listed in Annex "A"[*] to a rate lower than the rate prescribed in Annex "A", such article shall automatically be accorded the corresponding reduced rate of duty.

SECTION 3. From the date of effectivity of this Order, all articles listed in Annex “A” entered 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 CEPT Agreement.

SECTION 4. 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.

SECTION 5. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Adopted: 29 Dec. 2005

(SGD.) GLORIA MACAPAGAL-ARROYO

By the President:

(SGD.) EDUARDO R. ERMITA
Executive Secretary

[*]Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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