# MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES O...

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WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation Scheme (AICO) signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangements of Matsushita Electric Philippines Corporation (MEPCO) along with Indonesia, Malaysia, and Thailand; in the approved AICO Arrangement of Toyota Motor Philippines Corporation along with Indonesia, Malaysia and Thailand; and in the approved AICO Arrangement of Mitsubishi Motors Philippines Corporation (MMPC) along with Thailand;

WHEREAS, under the MEPCO AICO Arrangement, the Philippines (Matsushita Electric Philippines Corporation) will import from Indonesia (PT National Gobel), Malaysia (Matsushita Electric Co., (M) Bhd.), and Thailand (Matsushita Seiko (Thailand) Co., Ltd) electric fans and certain parts/components for electric fans. In exchange Indonesia, Malaysia, and Thailand will import from the Philippines electric fans and complementary components/parts for the electric fans;

WHEREAS, under the Toyota AICO Arrangement, the Philippines (Toyota Motor Philippines Corporation) will import from Indonesia (PT Toyota Astra Motor), Malaysia (Assembly Services Sdn Bhd), and Thailand (Toyota Motor Thailand Co. Ltd) certain original equipment manufacture (OEM) automotive parts/components for Corolla passenger car (HS 8703.90 10). In exchange Indonesia, Malaysia, and Thailand will import from the Philippines electric fans and complementary components/parts for the electric fans;

WHEREAS, under the MMPC AICO Arrangement, the Philippines (Mitsubishi Motors Philippines Corporation and Asian Transmission Corporation) will import from Thailand (MMC Sittipol Co., Ltd) certain original equipment manufacture (OEM) automotive parts/components for MG Lancer (HS 8703.90 10) and L200 (HS 8704.90 10). In exchange Thailand will import from the Philippines complementary part/components for the OEM of L200;

WHEREAS, AICO Certificate of Eligibility Nos: Matsushita/1999/1 and amended Matsushita/1999/1 were issued on 20 September 1999 and on 17 March 2000, respectively, in favor of the participating companies in the MEPCO AICO Arrangement; AICO Certificate of Eligibility Nos: Toyota/2000/13, Toyota/2000/12 and Toyota/2000/16 were issued on 03 and 31 March 2000 and 20 April 2000, respectively, in favor of the participating companies in the Toyota AICO Arrangement; and AICO Certificate of Eligibility No: Mitsubishi/2000/1 was issued on 31 March 2000, in favor of the participating companies in the Mitsubishi AICO Arrangement;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, participating companies in the approved MEPCO, Toyota, and MMPC AICO Arrangements shall qualify for 0-5% preferential tariff rates to be extended by Indonesia, Malaysia, Thailand and the Philippines for MEPCO and Toyota; and by

Thailand and the Philippines for MMPC as participating countries, effective within 45 days from the date of issuance of the Certificate of Eligibility Nos: Matsushita/1999/1, Toyota/2000/13, Toyota/2000/12 and Toyota/2000/16, and Mitsubishi/2000/1 by the ASEAN Secretariat.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, 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 accorded the AICO rates of 3% and 5% as specified in Column 4 thereof.

SEC. 2. The AICO rates provided in Annex "A" shall be accorded to the AICO entities in Indonesia (PT National Gobel), in Malaysia (Matsushita Electric Co., (M) Bhd.), and in Thailand (Matsushita Seiko (Thailand) Co. Ltd) effective 17 March 2000.

SEC. 3. The articles specifically listed in Annex "B" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 5% on parts/components of Corolla passenger car (HS 8703.90 10) as specified in Column 6 thereof.

SEC. 4. The AICO rate provided in Annex "B" shall be accorded to the AICO entity in Indonesia (PT Toyota Astra Motor) effective 20 April 2000, AICO entity in Malaysia (Assembly Services Sdn Bhd) effective 03 March 2000, AICO entity in Thailand (Toyota Motor Thailand Co. Ltd) effective 31 March 2000.

SEC. 5. The articles specifically listed in Annex "C" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rates of 5% on parts/components of MG Lancer passenger car (HS 8703.90 10) and 3% on parts/components of L200 (HS 8704.90 10) as specified in Column 6 thereof.

SEC. 6. The AICO rates provided in Annex "C" shall be accorded to the AICO entity in Thailand (MMC Sittipol Co., Ltd.) effective 31 March 2000.

SEC. 7. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annexes "A", "B" and "C" to a rate lower than the AICO rate prescribed in Column 4 of Annex "A" and Column 6 of Annexes "B" and "C" such article shall automatically be accorded the corresponding reduced rate of duty. Effective 1 January 2003, the final CEPT rate on the articles shall apply.

SEC. 8. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annexes "A", "B" and "C" which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Sections 1, 3 and 5 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin - Form "D".

SEC. 9. Any revision/s to the part numbers appearing in Column 4 of Annexes "B" and "C" shall be communicated immediately to the Bureau of Customs by the Board of Investments within five (5) days after receipt of the official copy of the revised parts from the ASEAN Secretariat.

SEC. 10. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Adopted: 17 Nov. 2000

(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:


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(Sgd.) RONALDO B. ZAMORA
Executive Secretary

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[*]All Annexes available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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