

AMENDING EXECUTIVE ORDER NOS. 74 AND 162, SERIES OF 1999 AND 2003, RESPECTIVELY, ENTITLED "MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF ...

EXECUTIVE ORDER NO. 261, December 30, 2003

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WHEREAS, AICO Certificate of Eligibility Nos. Denso/1998/1 and Denso/2002/6 were issued on 04 November 1998 and 12 November 2002, respectively, to Denso (Thailand) Co., Ltd. and Philippines Auto Component, Inc. as participating companies in the Denso AICO Arrangement which shall qualify for 0-5% preferential tariff rates, local content accreditation where applicable, and other privileges to be extended by Thailand and the Philippines;

WHEREAS, pursuant to the said Certificate of Eligibility, Executive Order Nos. 74 and 162 dated 15 January 1999 and 10 January 2003, respectively, were issued implementing the preferential tariff rates on certain products under the AICO Arrangement of Philippines Auto Component, Inc. and Denso (Thailand) Co., Ltd. on certain original equipment manufacture (OEM) automotive parts/ components.

WHEREAS, on 08 September 2003, AICO Certificate of Eligibility Nos. Denso/1998/1(A) and Denso/2002/6(A) were re-issued to Denso International (Thailand) Co. Ltd., Denso (Thailand) Co., Ltd. and Philippines Auto Component, Inc., nullifying AICO Certificate of Eligibility Nos. Denso/1998/1 and Denso/2002/6 issued to Philippines Auto Component, Inc., and Denso (Thailand) Co., Ltd.;

WHEREAS, it is necessary to amend said Executive Order Nos. 74 and 162 to effect the participation of an additional company, Denso International (Thailand) Co., Ltd., in the AICO scheme between Thailand and the Philippines.

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

SECTION 1. The fifth WHEREAS, clause of Executive Order No. 74 dated 15 January 1999 is hereby amended to read as follows.

"WHEREAS, under the Denso AICO Arrangement, the Philippines (Philippines Auto Component, Inc.) will import from Thailand (Denso International (Thailand) Co., Ltd. and Denso (Thailand) Co., Ltd.) certain original equipment manufacture (OEM) automotive parts/components."

SECTION 2. Section 6 of Executive Order No. 74 dated 15 January 1999 is hereby amended to read as follows:

"The AICO rates provided in Annex A shall be accorded to the AICO entities in Thailand (Denso International (Thailand) Co., Ltd., and Denso (Thailand) Co., Ltd.) upon the effectivity of this Executive Order.

SECTION 3. The third WHEREAS, clause of Executive Order No. 162 dated 10 January 2003 is hereby amended to read as follows:

"WHEREAS, under the Denso AICO Arrangement, the Philippines (Philippines Auto Component, Inc.) will

import from Thailand (Denso International (Thailand) Co., Ltd, and Denso (Thailand

d) Co., Ltd.) certain original equipment manufacture (OEM) automotive parts/components."

SECTION 4. Section 2 of Executive Order No. 162 dated 10 January 2003 is hereby amended to read as follows:

"The AICO rates provided in Annex "A" shall be accorded to the AICO entities inThailand (Denso International (Thailand) Co., Ltd., and Denso (Thailand) Co., Ltd.) upon the effectivity of this Executive Order."

SECTION 5. Annex "C" of Executive Order No. 74 dated 15 January 1999 is hereby amended to read as follows:

Annex "C"

Articles granted Preferential Tariff Under the Approved Denso (PAC) AICO Scheme

HS Code

Description

Source Country/ Applicable AICO

(AICO Company) Preferential Tariff (%)

(1)

(2)

(3)

(4)

9029.20 90

Motorcycle meters

Thailand (Denso International(Thailand) Co. Ltd. and Denso (Thailand) Co. Ltd.)

3

9405.40 90

Lighting fittings International(bulbs) for instrument clusters

Thailand (Denso (Thailand) Co. Ltd. and Denso Thailand) Co. Ld.)

5

SECTION 6. Annex "A" of Executive Order No. 162 dated 10 January 2003 is hereby amended to read as follows:

Annex "A"

HS Code

Applied Final Product

Product Description

Source Country (AICO Company)

Applicable AICO Preferential Tariff (%)

(1)

(2)

(3)

(4)

(5)

8414.90 00

Fans

Fan assembly and shroud assembly

Thailand (Denso International (Thailand) Co. Ltd. and Denso (Thailand) Co. Ltd.)

3

8419.89 10

Evaporators

Evaporators for airconditioning machines for motor vehicles

Thailand (Denso International (Thailand) Co. Ltd. and Denso (Thailand) Co. Ltd.)

3

8708.91 10

Aluminum radiators

Upper/lower tanks; tanks subassembly, lower

Thailand (Denso International (Thailand) Co. Ltd. and Denso (Thailand) Co. Ltd.)

3

8708.91 20

Aluminum radiators

Core subassembly

Thailand (Denso International (Thailand) Co. Ltd. and Denso (Thailand) Co. Ltd.)

SECTION 7. This Executive Order shall take effect immediately.

Adopted: 30 Dec. 2003

By the President:

(SGD.) AVELINO J. CRUZ, JR.

Acting Executive Secretary

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