MODIFYING THE RATE OF IMPORT DUTY ON HOT ROLLED STEEL UNDER TARIFF HEADING 72.08 OF THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, WHEN IMPORTED BY USER-ENTERPRISES CERTIFIED ...

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WHEREAS, Section 401 of the Tariff and Customs Code of 1978, as amended, empowers the President to increase, reduce or remove existing rates of duty, as well as modify the tariff nomenclature;

WHEREAS, Section 6 of R.A. 7103 otherwise known as the Iron and Steel Industry Act provides that all enterprises certified by the Board of Investments in accordance with Section 5 thereof, shall be entitled to a rational tariff incentive and protection scheme, among other incentives;

WHEREAS, R.A. 7103 mandates the National Economic and Development Authority (NEDA) to recommend to the appropriate authority a rational tariff incentive and protection scheme that shall enhance the viability of the iron and steel industry, specifically tariff rates on imported raw materials. Specifically, tariff rated on imported raw materials not indigenously sourced or are not available in sufficient amounts or at the required grade or quality such as iron ore, coking coal, scrap and manganese re shall be reviewed taking into consideration the requirements of the iron and steel industry;

WHEREAS, Upon the recommendation of NEDA invoking its prerogative provided under R.A. 7103, the NEDA Board Committee on Tariff and Related Matters (TRM) decided in its meeting of 24 September 1999 that qualified enterprises certified under the Act be entitled zero duty on their imports of hot rolled steel raw material falling under Tariff Heading 72.08;

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order;

SECTION 1. The articles falling under Tariff Heading 72.08 of the Tariff and Customs Code of 1978, as amended, when imported by user-enterprises certified under R.A. 7103, shall be subject to zero duty.

SECTION 2. Articles falling under Tariff Heading 72.08 of the Tariff and Customs Code of 1978, as amended, when imported by user-enterprises certified by the Board of Investments as eligible for incentives under R.A. 7103, including a rational tariff incentive and protection scheme duly approved by the NEDA TRM Cabinet Committee and which are entered in or withdrawn from warehouses in the Philippines as of the date of the commencement of the actual commercial operations of said user-enterprises, as certified by the Board of Investments, for consumption shall be levied zero duty.

SECTION 3. All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately following its publication in two (2) newspaper or general circulation.

Done in the City of Manila, this 4th day of May in the year of our Lord, Two Thousand.

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(Sgd.) JOSEPH EJERCITO ESTRADA

By the President:

RONALDO B. ZAMORA
Executive Secretary

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