

REDUCING UNDER CERTAIN CONDITIONS AND FOR A LIMITED PERIOD CUSTOMS DUTIES DUE ON IMPORTATIONS OF CERTAIN HOSPITAL/MEDICAL EQUIPMENT, MACHINERY, IMPLEMENTS AND SUPPLIES.

PRESIDENTIAL DECREE NO. 1258, December 02, 1977

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WHEREAS, the promotion, protection and preservation of the health of the citizenry is the concern of government as ordained in the Constitution;

WHEREAS, hospitals, medical centers and other similar entities play a vital role in maintaining a healthy citizenry so much so that their continued operation should not "be hampered by reason of the rise in costs of acquisition of necessary equipment and implements;

WHEREAS, there is a need to provide government assistance to these entities to ensure that 'their services to the masses, especially to the poorer segment of the citizenry, shall be accorded at least cost and optimum efficacy.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution do hereby decree and order:

SECTION 1. The provisions of Republic Act No. 1937, as amended, to the contrary notwithstanding, importations by hospitals which are now engaged or shall engage in the treatment and care of the sick of hospital/medical equipment, machinery, implements and supplies as hereinafter enumerated and described shall be subject to customs duties of ten per centum (10%) ad valorem to wit:

Under Tariff

Article

Heading No.

Rate of Duty

1.

X-RAY FILMS

37.01

ad valorem 10%

8" x 10"

10" x 12"

11" x 14"

14" x 17"

2.

DEVELOPER, FIXER

STARTER AND HARDENER

USED IN THE PRODUCTION

OF X-RAY IMAGES

37.08

ad valorem 10%

3.

POLYETHYLENE TUBING,

FLEXIBLE, FOR

HEMODIALYSIS MACHINE;

TETRAFLUOROETHYLENE

(TEFLON) TAPE

39.02

ad valorem 10%

4.

CATHETERS

40.12

ad valorem 10%

5.

SURGICAL GLOVES

40.13

ad valorem 10%

6.

ELECTROCARDIOGRAPH

PAPER AND DISPOSABLE

FACE MASK FOR USE IN

HOSPITALS

48.21

ad valorem 10%

7.

WASHER FOR STERILIZER

73.32

ad valorem 10%

8.

ADJUSTING SPRING,

SPRING GUIDE AND MAIN

SPRING FOR STERILIZER;

SPRING VALVE CUP,

TRIAC RETAINING RING

FOR WATER VALVE FOR

STERILIZER

73.35

ad valorem 10%

9.

DISC, DISC HOLDERS,

VALVE BALL SEAT AND

GASKET, POWER DIAPHRAGM

AND BLACK HOUSING AND

VACUUM BREAKER FOR

STERILIZER; REPLACEMENT

DISC FOR STERILIZER

84.17

ad valorem 10%

10.

SKYLUX GLASS BULBS FOR

OPERATING LAMPS

85.20

ad valorem 10%

11.

RESUSCITATORS OR

OXYGEN APPARATUS

90.18

ad valorem 10%

SECTION 2. The following articles shall likewise be subject to the reduced rate of duty of 10% ad valorem as soon as their appropriate tariff classifications are determined by the Tariff Commission and submitted to the Department of Finance:

- Phosphate Buffer
- Carbonate/Bicard Buffer
- Potassium Ferricyanide
- Caffeine Diluent
- Sodium Potassium Tartiate
- Sulphanilic Acid
- Working Bun Color
- Working BUN Acid
- 4-Aminoantipyrine
- Sodium Nitrate

- HCl 0.25N

- Azoene Fast Red
- SGPT and Diluent Set
- Markers for X-ray Equipment
- Volt complete door, valve triac unit for hemodialysis machine
- High temperate control, thermistor assembly for sterilizer
- Indicatory control and recording control for gas sterilizer
- Door switch, selector switch, pressure switch
- Resuscitators or oxygen apparatus
- Vaporizers
- Mistogen transducer reservoir

SECTION 3. The reduction herein allowed shall only cover importations of hospital/medical equipment, machinery, implements and supplies included in the list above which are directly and actually needed and will be used exclusively in the treatment and care of the sick by the hospital-importer as certified to by the Department of Health, Shipping documents covering the importation shall be in the name of the hospital-importer to whom the

goods shall be directly delivered by customs authorities.

SECTION 4. In addition to the condition in the preceding sections, reduction in duties shall be allowed only to the importation of hospital/medical equipment, machinery, implements and supplies that are not available locally in sufficient quantities and of comparable quality and cost as certified to by the Board of Investments. Further, only hospitals licensed by the Department of Health and accredited by the Philippine Medical Care Commission, having at least twenty-five beds and maintaining award dispensing free medical services to indigents may qualify for the incentives granted under this Decree.

SECTION 5. Any grantee of the incentives under this Decree who shall make use of the privilege hereunder for purposes other than those for which such privilege was granted or who shall in any manner violate the provisions of this Decree shall be penalized with imprisonment of not less than five (5) years but not exceeding ten (10) years and a fine of not less than P10,000.00 but not exceeding P200,000.00 and in addition, such violation shall ipso facto cause forfeiture of the imported articles aside from the payment of all taxes and duties due in accordance with the existing laws.

Any person or any officer or employee of the government who shall connive with the grantee of the reduction in duties in the violation of the provisions of this Decree shall suffer the same penalties prescribed in the first paragraph of this section. In case the grantee is a juridical person, the official or officials who consented to the commission of the offense or tolerated the violation of the provisions of this Decree shall be the person or persons liable.

SECTION 6. Any hospital, medical center, medical clinic or institution who or which may qualify for similar exemption privilege under existing law or other laws hereinafter decreed or enacted and is qualified under this Decree, may choose which privilege the grantee desires to avail of, but in no case shall such grantee be entitled to both privilege simultaneously.

SECTION 7. Rules and regulations to implement the provisions of this Decree shall be prepared by the Department of Health within fifteen (15) days from the issuance of this Decree and approved by the Department of Finance within another fifteen (15) days.

SECTION 8. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with any of the provisions of this Decree are hereby repealed or modified accordingly.

SECTION 9. This Decree shall take effect upon approval and shall continue to be effective until 31 December 1980.

Done in the City of Manila, this 2nd day of December, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Assistant

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