

PRESCRIBING RULES AND REGULATIONS TO CARRY INTO EFFECT THE CONTROL AND REGULATION OF IMPORTS OF NON-ESSENTIAL AND LUXURY ARTICLES INTO THE PHILIPPINES AS PROVIDED FOR IN REPUBLI...

EXECUTIVE ORDER NO. 193, December 28, 1948

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By virtue of the powers vested in me under Republic Act No. 330, entitled "An Act authorizing, the President of the Philippines to establish a system of import control by regulating imports of non-essential and luxury articles creating an import control board, authorizing the issuance of rules and regulations to carry into effect such control, and penalizing violations of this act," I, Elpidio Quirino, President of the Philippines, do hereby order:

SECTION 1. From and after the date of effectivity of this order, no non-essential or luxury article specifically mentioned in the list referred to in Section 2 hereof shall be imported into the Philippines without an; import license duly issued by the Import Control Board in accordance with the provisions of this order. Such license shall be signed "By authority of the President: Chairman, Import Control Board."

SEC. 2. The articles included in the accompanying list, marked Appendix A, duly certified by the Chairman, Import Control Board, by authority of the President, shall be considered luxury or non-essential articles. The Import Control Board, with the authority of the President, may, from time to time and as circumstances warrant, add to, or delete from, the said list.

SEC. 3. The quantity or value of each luxury or non-essential article that may be imported within the year 1949 shall be fixed by the Import Control Board, by authority of the President, quarterly, semi-annually, or annually at the discretion of the Board in accordance With the schedule of percentage reductions prescribed herein as shown in the accompanying schedule, marked Appendix B, duly certified by the Chairman, Import Control Board, with the authority of the President.

SEC. 4. The Import Control Board shall fix the quota for each article in terms of quantities or total money values and shall allocate, such quota, by authority of the President, to the importers duly registered for such article on the basis of their respective quantities or values of imports during the base period reduced in accordance with the percentages herein prescribed in Appendix B.

SEC. 5. Not more than 20 per cent of the quota fixed for each article shall be set aside, to be allocated to importers who had no importation during the base period mentioned in the next preceding section but have been registered subsequently as importers of such articles, No new importer shall receive a percentage allocation bigger than one fifth of the percentage allocated as quotas to the old importers. Applications for licenses to import any portion of this 20 per cent reserved quota must be filed within one month from the date of the quota is announced. Any part of this reserved quota not allocated or used shall be available for allocation to the old importers.

SEC. 6. An import license shall remain valid during the quota period in which it was issued. If, for justifiable cause satisfactory to the Import Control Board, the shipment does not arrive in the Philippines during the period in which the license was issued, the expiry date of the license may be extended by the Board. If the Board finds that

the importer has failed or has not taken the proper steps to import the article covered by this license, the Board may cancel the license and reallocate the quantity of merchandise covered by it to the old importers in the same proportion as their quota allocations, and according to their ability to fill the orders.

SEC. 7. No person, firm, or establishment may be granted import license unless:

- (a) He is a duly registered importer in the Securities and Exchange Commission or in the Bureau of Commerce;
- (b) He is duly licensed to do business in the Philippines and has paid all lawful taxes and fees due from him;
- (c) He is registered with the Import Control Board for purposes of the Import Control Law.

SEC. 8. Before an import license may be issued, the applicant shall file with the Board a written application under oath containing the following information:

- (a) The name and address of the Importer or his duly authorized agent or representative;
- (b) The name and address of the Exporter;
- (c) The port or ports of origin of the articles to be imported;
- (d) The port of destination; and
- (e) The description of the articles to be imported and the quantity and declared value thereof.

SEC. 9. For every application for an import license, a filing fee of ₱2 shall be charged. A license fee of ₱1 shall be charged for each one thousand five hundred pesos of the c. i. f. value of the article covered by an import license issued by the Board, or fraction of the said value amounting to five hundred pesos or more.

SEC. 10. The amount of application and license fees collected in accordance with the preceding section shall constitute a revolving fund to cover expenses of operation of the Board, pursuant to the provisions of section 5 of Executive Order No. 160, series of 1948.

SEC. 11. From and after the date of the effectivity of this Order, every consular invoice issued for the importation of non-essential and luxury articles into the Philippines shall show the Import License number for such importation.

SEC. 12. Articles imported in violation of these rules and regulations shall be subject to forfeiture in accordance with the procedure established under Chapter 39 of the Revised Administrative Code and to the penalties prescribed by Republic Act No. 330, otherwise known as the Import Control Law.

SEC 13. This Order shall take effect on January 1, 1949. All commodities affected by this Order leaving the ports of embarkation after said date shall be subject to this Order.

Done in the City of Manila, this 28th day of December, in the year of Our Lord, nineteen hundred and forty-eight, and of the Independence of the Philippines, the third.

(SGD.) ELPIDIO QUIRINO

President of the Philippines

By the President:

(SGD.) TEODORO EVANGELISTA

Executive Secretary

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