

CLARIFICATION ON THE COVERAGE OF MEMORANDUM CIRCULAR NO. AHS-2008-942 AND AMENDMENT OF SOME PROVISIONS THEREOF RELATIVE TO THE IMPLEMENTATION OF EXECUTIVE ORDER NO. 156

LTO MEMORANDUM CIRCULAR NO. AHS-2008-964, May 07, 2008

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For uniformity in the interpretation of the term "used" and the application of the term "void ab initio" as used in Memorandum Circular No. AHS 2008-942, a guideline for the strict implementation of Executive Order No. 156, this clarification and amendment some of the provisions thereof is being issued for the guidance of all concerned to

In line with Customs Memorandum Circular No. 311-2007 for the strict implementation of the ban on importation of used motor vehicles, the declaration.

"Registration of the banned imported used motor vehicles after the promulgation of the Supreme Court's decision and effectivity of the Executive Order No. 156 shall be declared void ab initio."

is hereby rephrased as follows:

ALL USED MOTOR VEHICLES IMPORTED INTO THE PHILIPPINE TERRITORY BEGINNING DECEMBER 6, 2007 AND ARE NOT INCLUDED IN THE LIST OF EXEMPTED IMPORTED USED MOTOR VEHICLES SHALL NO LONGER BE ACCEPTED FOR INITIAL OR RENEWAL REGISTRATION.

The term "USED" shall mean to be a condition of not being "brand new" at the time the motor vehicle entered or imported into the Philippine Territory. To be considered "BRAND NEW" or "USED" AT THE TIME THE VEHICLE ENTERED OR IMPORTED INTO THE PHILIPPINE TERRITORY, BRAND NEW MOTOR VEHICLES as provided under Section 2, Article 2 of the Executive Order No. 156 ARE THOSE:

- with current or advance year model in the country of origin and/or manufacture; OR
- with year model immediately preceding year in the country of origin and/or manufacture, provided that: the vehicle's mileage is not more than 200 kilometers and it was acquired by the importer from the dealer as first owner.

The following imported used motor vehicles as enumerated in E.O. 156 and Memorandum Circular No. AHS-2008-942 are exempted:

- A motor vehicle that is owned and for the personal use of a returning resident or immigrant and covered by an authority to import under the No-Dollar Importation Program. Such vehicles cannot be resold for at least three (3) years;

The "returning resident or immigrant" need not have to be a member or belonging to the diplomatic corps.

- A motor vehicle for the use of an official of the Diplomatic Corps and authorized to be imported by the

Department of Foreign Affairs;

- Imported used truck is exempted from the ban. However, for trucks with GVW of 2.5- 6.0 tons, such should be covered by an authority to import issued by Department of Trade and Industry (DTI). Truck is defined as "any motor vehicle whose body configuration is designed to carry heavy loads, general freight, or for special purpose regardless gross vehicle weight (excluding pick-ups);
- Imported used bus is also exempted from the ban provided that the bus with GVW 6-12 tons should be covered by an authority to import issued by DTI. Bus is defined "motor vehicle intended for mass transport or carrying of passengers; and
- Special purpose motor vehicles, which are eligible for registration under R.A. 4136 such as fire trucks, ambulances, funeral hearses, etc.

For better appreciation of the above clarifications and amendments, please refer to the attached answers to frequently asked questions marked as Annex "A"*.

All Regional Directors and Assistant Regional Directors are hereby instructed to see it that this memorandum circular is read and/or clearly communicated to all employees concerned.

For dissemination and guidance.

Adopted: 07 May 2008

(SGD.) ALBERTO H. SUANSING
Assistant Secretary

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