

[**PRESIDENTIAL DECREE NO. 1268, December 21, 1977**]

AMENDING SECTION 402 OF REPUBLIC ACT NUMBERED NINETEEN HUNDRED AND THIRTY SEVEN AS AMENDED, OTHERWISE KNOWN AS THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES.

WHEREAS, pursuant to the Declaration of ASEAN Concord signed in Bali, Indonesia, the Member States of ASEAN have agreed to establish preferential trading arrangements among themselves;

WHEREAS, the Philippines is a Contracting Party to the Agreement on ASEAN Preferential Trading Arrangements (PTA) which was fully ratified on 1 August 1977 by all Contracting Parties;

WHEREAS, pursuant to the said Agreement, the Member States of ASEAN have agreed to grant each other an effective ASEAN margin of tariff preference on a product-by-product basis;

WHEREAS, in order to effectively implement the ASEAN PTA it is necessary to amend certain provisions in the Tariff and Customs Code;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution of the Philippines do hereby decree the following as part of the law of the land:

SECTION 1. Section 402 Subsection (a) of Republic Act Numbered Nineteen Hundred and Thirty Seven as amended is hereby further amended to read as follows:

"Section 402. Promotion of Foreign Trade. —

a. For the purpose of expanding foreign markets for Philippine products as a means of assistance in the economic development of the country, in overcoming domestic unemployment, in increasing the purchasing power of the Philippine peso, and in establishing and maintaining better relations between the Philippines and other countries, the President, is authorized from time to time:

1. To enter into trade agreements with foreign governments or instrumentalities thereof; and
2. To modify import duties (including any necessary change in classification) and other import restrictions, as are required or appropriate to carry out and promote foreign trade with other countries: *Provided, however*, that in modifying import, duties or fixing import quota the requirements prescribed in subsection "a" of Section 401 shall be observed: *Provided, further*, THAT ANY MODIFICATION OF IMPORT DUTIES AND ANY FIXING OF IMPORT QUOTAS MADE PURSUANT TO THE AGREEMENT ON ASEAN PREFERENTIAL TRADING ARRANGEMENTS RATIFIED ON AUGUST 1, 1977 SHALL NOT