

[EXECUTIVE ORDER NO. 295, March 03, 2004]

MODIFYING THE NOMENCLATURE AND RATES OF IMPORT DUTY ON SUGAR (HEADING 17.01) UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMMENDED

WHEREAS, a review of the present clarification of sugar under HS Heading 17.01, section 104 of the Tariff and Custom Code of 1978 (PD 1464), as amended, is warranted in facilities monitoring of imported sugar and establish a clear frameworks for rules relating to the classification of sugars and articles containing the same;

WHEREAS, the NEDA Board Committee on Tariff and Related Matters (CTRM) approved, at its meeting of 23 February 2004, the grant of a tariff concession imports of certain sugars from the ASEAN Members state;

WHEREAS, Section 401 and 402 of the Tariff and Customs Code of 1978, as amended, empowers the President of the Republic of the Philippines to increase, reduce and remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature, under Section 104 of the Code;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested I me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty [Most-Favoured-Nation (MFN) as ASEAN Common Effective Preferential Tariff (CEPT)] indicated in columns 4 and 5 opposites each articles. SEC. 2. The ASEAN CEPT rates so indicated in Annex "A" shall be accorded to imports coming from ASEAN Member States applying CEPT concession to the same product pursuant to Article 4 of the CEPT Agreement and its Interpretive Notes.

SEC. 3. The nomenclature and the rate of import duty on tariff headings not enumerated and those listed but represented by the symbols "x x x" shall remain in force and in effect.

SEC. 4. Upon the effectivity of this Executive Order, all articles listed in Annex "A" which are entered and withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed.

SEC. 5. Upon the effectivity of this Executive Order, all articles listed in Annex "A" which are entered and withdrawn from warehouses in the Philippines for consumption shall be imposed the ASEAN CEPT rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement