

[EXECUTIVE ORDER NO. 238, May 04, 2000]

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation (AICO) Scheme signed in Singapore on 27 April 1996;

WHEREAS, the AICO Scheme seeks to improve the competitive position of ASEAN Companies in the global and ASEAN markets by providing the means to apply the principles of economies of scale and scope in the manufacturing process, supported by preferential import duties to enhance across ASEAN border transactions;

WHEREAS, the Philippines is a participating country in the approved AICO Scheme of Goya, Inc. along with Malaysia;

WHEREAS, under the Goya, Inc. AICO Arrangement, it was agreed that the Philippines (Goya, Inc.) will import printed polyethylene laminates, printed polypropylene laminates and printed vacuum metallized (aluminum coated) cast polypropylene and printed aluminum wrapper from Malaysia (Malaysia Packaging Industry Bhd.) as packaging materials for the manufacture of chocolate éclairs and chocolate confectionery. In exchange, Malaysia (Malaysia Packaging Industry Bhd.) will import chocolate éclairs and chocolate confectionery from the Philippines (Goya, Inc.);

WHEREAS, AICO Certificate of Eligibility No. Goya/2000/1 issued on 03 January 2000 in favor of the participating companies in the Goya, Inc. AICO Arrangement;

WHEREAS, in accordance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, participating companies in the approved Goya, Inc. AICO Arrangement shall qualify for 0-5% preferential tariff rates to be extended by the Philippines and Malaysia as participating countries, effective within 45 days from the date of issuance of the Certificate of Eligibility (COE) by the ASEAN Secretariat.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, pursuant to the powers vested in me under the Republic of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, 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 accorded the AICO rate of 5% as specified in Column 4 thereof.