

[EXECUTIVE ORDER NO. 970, July 17, 1984]

**PRESCRIBING THE MANNER OF ASSESSING AND COLLECTING
THE DUTY ON THE EXPORT OF COCONUT PRODUCTS AS
PRESCRIBED IN EXECUTIVE ORDER NO. 920-A, SERIES OF 1983**

WHEREAS, Executive Order No. 920, Series of 1983 ("E.O. 920"), was promulgated as a stabilization measure to redistribute gains in the export sector generated by the adjustments in the exchange rate of the Peso, levying export duties on certain export products based on their gross FOB value at the time of shipment based on the prevailing rate of exchange and in accordance with the schedule set forth therein;

WHEREAS, in view of the special procurement and marketing arrangements of the coconut industry, Executive Order No. 920-A, Series of 1983 ("E.O. 920-A"), was promulgated, amending E.O. 920, and providing for a different rate of Export Duty for coconut products;

WHEREAS, the said special procurement and marketing arrangements of the coconut industry require, among others, that all contracts/commitments to export coconut products be submitted to the Ministry of Trade and Industry for monitoring and the Central Bank of the Philippines ("CB") for prior approval thru the filing of Reports of Foreign Sales ("RFS") by the exporter concerned;

WHEREAS, the CB approves the price at which these coconut products are to be exported thereby fixing the gross FOB value at the time of shipment of the coconut products in the corresponding Export Declaration/Permit;

WHEREAS, Customs Memorandum Order No. 27-84, ("CMO 27-84"), dated 13 June 1984, provides that in the assessment and collection of duties on Philippine export products pursuant to Presidential Decree No. 1464, as amended, more particularly under E.O. Nos. 920 and 920-A, the gross FOB value at the time of shipment shall be the gross FOB value of the export products as established by the Bureau of Customs thru the Customs Export Valuation Circular ("CEVC") or the gross FOB value as declared in the Export Declaration/Permit, whichever is higher;

WHEREAS, the gross FOB value at the time of shipment computed by the Bureau of Customs may result in a valuation much higher than that priorly approved by the CB as appearing in the Export Declaration/Permit issued by the CB:

WHEREAS, the higher valuation resulting from a subsequent determination by the Bureau of Customs will inflict financial penalties upon exporters of coconut products who, were it not for the prior approval of the CB, would not have sold, in the world market, their coconut products;

WHEREAS, the attribution of higher export values to coconut products other than