

[EXECUTIVE ORDER NO. 230, July 26, 2003]

MODIFYING THE RATES OF DUTY ON SUGAR AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT PREFERENTIAL RATES THEREON UNDER THE COMMON EFFECTIVE PREFERENTIAL TARIFF (CEPT) SCHEME FOR THE ASEAN FREE TRADE AREA (AFTA).

WHEREAS , the Philippine government negotiated the transfer of raw and refined sugar from its CEPT Temporary Exclusion List to its Sensitive List, which was approved by the ASEAN Ministers during the 33 rd ASEAN Economic Ministers (AEM) Meeting held in Vietnam in September 2001;

WHEREAS , at its meeting on 7 May 2003, the Tariff and Related Matters Committee approved the grant of a tariff concession on imports of raw and refined sugar from the ASEAN Members in consideration of AEM approval of the Philippine request to transfer subject articles to its Sensitive List;

WHEREAS , Sections 104 and 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO , President of the Republic of the Philippines, by virtue of the powers vested in 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 ASEAN CEPT rate in accordance with the schedule indicated opposite each article. The ASEAN CEPT rates so indicated 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 Interpretative Notes.

SECTION 2. In the event that any subsequent change is made in the basic (Most Favored Nation) Philippine rate of duty on any of the articles listed in Annex "A" to a rate lower than the rate prescribed in Annex "A", such article shall automatically be accorded the corresponding reduced rate of duty.

SECTION 3. From the date of effectivity of this Order, all articles listed in Annex "A" entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SECTION 4. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby repealed or modified accordingly.