

**[ OP EXECUTIVE ORDER NO. 862, February 19, 2010 ]**

**IMPLEMENTING THE ZERO RATE OF IMPORT DUTY ON CEMENT AND CEMENT CLINKER UNDER SECTION 104 OF PRESIDENTIAL DECREE NO. 1464, OTHERWISE KNOWN AS THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, AS PROVIDED FOR UNDER SECTION 3 OF EXECUTIVE ORDER NO. 819, SERIES OF 2009**

WHEREAS, under Executive Order No. 819, issued on 10 July 2009, the zero Most-Favored-Nation (MFN) rates of duty on cement and cement clinker were extended for six (6) months, subject to further review;

WHEREAS, pursuant to Section 3 of E.O. 819, series of 2009, the Tariff and Related Matters (TRM) Committee reviewed the need to continue the imposition of the zero MFN rates of duty on cement and cement clinker;

WHEREAS, zero MFN rates of duty on cement and cement clinker would support continued economic activity arising from the construction sector undertaking all kinds of construction projects despite the global economic slowdown;

WHEREAS, the NEDA Board endorsed on 26 January 2010 the TRM recommendation to implement zero MFN rates of duty on cement and cement clinker for six (6) months, subject to further review;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464) as amended, empowers the President of the Republic of the Philippines to increase, reduce or 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 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 MFN rates of import duty in accordance with the schedule indicated opposite each article.

*SECTION 2.* The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol "XXX" shall remain in force and in effect.

*SECTION 3.* Upon the effectivity of this Executive Order, all articles listed in Annex "A" which are entered and withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty of zero ad valorem for six (6)