

[BIS (DTI), May 17, 1993]

AMENDED GUIDELINES FOR THE IMPORTATION OF USED BUSES

Pursuant to Executive Order No. 354 dated 29 March 1989 which authorizes the importation of second-hand passenger buses as an exception to Memorandum Order No. 157 dated 09 February 1988 and Executive Order No. 782 dated 13 March 1982 and in line with the clamor of bus operators to increase/improve their existing transport fleet, the Inter-Agency Committee on Used Trucks and Engines, in coordination with other government agencies/private institutions, decided during its 22 July 1992 meeting, to reopen the Bus Importation Program, the guidelines of which shall be as follows:

SECTION 1. Basic Conditions for Importation. —

1.1 Only the following shall be allowed for importation:

1.1.1 Used completely built-up (CBU) passenger buses with rated gross vehicle weight (GVW) greater than 12 tons, of models not more than ten (10) years from the date of arrival reckoned from the date of first registration in the foreign country. Said buses shall be referred to in these Guidelines as "used buses".

1.2 Imported used buses shall be subject to pre-shipment inspection and valuation by the duly designated pre-shipment inspection company to determine compliance with the pertinent requirements specified in the covering import authority issued by the IAC-UTE.

1.3 Importations of used buses under any mode of payment including no-dollar importations shall be subject to the provisions of these Guidelines.

1.4 Importation of used buses under this reopened Program shall be allowed starting November 1992 until such time that the requirement of the Transport Industry per LTFRB's recommendation and IAC-UTE's confirmation, has been fully met.

SECTION 2. Volume of Importation. —

2.1 Initially, a total of 3,500 units for the whole country may be allowed for importation which shall be subject to the payment of applicable taxes and duties.

2.2 The number of units of used buses that each franchise holder applicant may be authorized to import shall not exceed the number of units authorized by the Land Transportation Franchising and Regulatory Board (LTFRB).

SECTION 3. Qualified Importers. —

3.1. Only qualified bona fide franchise holders of public transport buses duly registered with the LTFRB are allowed to import used buses under this Program.

SECTION 4. Import Procedures. —

4.1 Prior authorization from the Inter-Agency Committee on Used Trucks and Engines (IAC-UTE) shall be required for all applications shall be undertaken by the IAC-UTE Secretariat.

4.2 The application for importation shall be filed with the IAC-UTE Secretariat (or with the nearest DTI Regional Office), using the prescribed application form and with the processing fee payable to the DTI c/o BIS. The duly accomplished application forms shall be submitted together with the following documents:

4.2.1 Four (4) copies of the proforma invoice from the supplier indicating the following information: commodity code, quantity, unit price, total value, terms of payment, gross vehicle weight, year model, type and/or brand of the bus;

4.2.2 Notarized undertaking executed by the company (principal) and duly authorized representative on their compliance with the conditions for importation; and

4.2.3 Certificate of Eligibility or Certification issued by the LTFRB specifying the number of units authorized as well as the approved routes.

4.3 The Certificate of Authority to Import issued shall be valid for a period of sixty (60) days reckoned from the date of issuance of the Certificate and cannot be extended nor renewed, without prejudice to re-application should the Import Authority expires unutilized. This import authority will be used as the basis for the importer to transact with his authorized agent bank as per Central Bank Circular 1348 dated 19 June 1992 on the mode of import arrangements (i.e. Letter of Credit (L/C), Documents Against Payment (D/P), Direct Remittance, Open Account (O/A) in specific cases). In the case of self-funded importation (No-Dollar Imports), the Authority which is directly addressed to the importer, shall be used to transact business with the SGS and Bureau of Customs.

4.4 Except for requests for amendment/s on the authorized importation (i.e. change in the name of supplier, commodity description, authorized agent bank, number of units, value, terms of payment) which will require prior clearance/authority from the IAC-UTE, all other importation transactions (i.e. extension of validity of L/C, issuance of release of certificates upon arrival of the shipment and submission to the bank of required documents) shall be undertaken directly by the importer with his Authorized Agent Bank.

SECTION 5. Mode of Shipment. —

5.1 The use of Philippine Flag Vessel is hereby required under P.D. 1466 dated 11 June 1978 for the following importations:

5.1.1 By government offices or instrumentalities or corporations whereby payments are made or will ultimately be made whether directly