

MALACANANG

Manila

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 905

MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED IN ORDER TO IMPLEMENT THE AMENDED TARIFF REDUCTION SCHEDULE ON MOTOR VEHICLES AND COMPONENTS, PARTS AND/OR ACCESSORIES UNDER EXECUTIVE ORDER 767 SERIES OF 2008 UNDER THE AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND JAPAN FOR AN ECONOMIC PARTNERSHIP.

WHEREAS, Chapter 2 of the Agreement between the Republic of the Philippines and Japan covers Trade in Goods (TIG) Chapter;

WHEREAS, Article 18.2 of the TIG Chapter of the Agreement provides that:

"On the request of either party, the Parties shall negotiate on issues such as improving market access conditions on originating goods designated for negotiation in the Schedule in Annex 1, in accordance with the terms and conditions set out in such Schedule."

WHEREAS, Executive Order (EO) 767 (MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF THE 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE COMMITMENT TO REDUCE TARIFF RATES ON CERTAIN PRODUCTS INCLUDED IN THE AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND JAPAN FOR ECONOMIC PARTNERSHIP) was signed on 07 November 2008;

WHEREAS, pursuant to Section 3 of EO 767, the rates of duty of certain products represented with symbol "S" as indicated in the Notes for Schedule of the Philippines under the Agreement shall be subject to negotiations in year 2009;

WHEREAS, the National Economic and Development Authority (NEDA) Board during its meeting on 22 June 2010 approved the tariff reduction schedule on motor vehicles and components, parts and/or accessories;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines, upon the recommendation of the NEDA, to modify import duties for the promotion of foreign trade;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of 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 the Annex (Articles Granted Concessions under the Agreement) hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of duty in accordance with the schedule indicated in Columns 3 to 6 of said Annex. The rates of duty so indicated shall be accorded to imports coming

from Japan as a Party to the Agreement.

SECTION 2. From the date of effectivity of this Executive Order, all articles listed in the Annex which are entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to compliance with the Rules of Origin as provided for in the Agreement.

SECTION 3. Nothing in this Executive Order shall preclude the Philippines from invoking its right of recourse to all trade remedy measures provided for in its law, this Agreement and relevant international agreements as an effective device against import surges.

SECTION 4. The provisions of this Executive Order are hereby declared separable and in the event any of such provisions is declared invalid or unconstitutional, the other provisions, which are not affected thereby, remain in force and effect.

SECTION 5. All presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 6. This Executive Order shall take effect immediately following its complete publication in the Official Gazette or in a national newspaper of general circulation.

Done in the City of Manila, this 29th day of June, in the year of Our Lord Two Thousand and Ten.

By the President:

LEANDRO R. MENDOZA
Executive Secretary