

EXECUTIVE ORDER NO. 372

MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE MINIMUM 90% MARGIN OF PREFERENCE ON CERTAIN PRODUCTS INCLUDED IN THE ASEAN INDUSTRIAL JOINT VENTURES (AIJV), WHERE THE PHILIPPINES IS PARTICIPATING, AS PROVIDED FOR IN ARTICLE III PARAGRAPHS 1 AND 6 OF THE REVISED BASIC AGREEMENT ON AIJV

WHEREAS, the Third ASEAN Summit in December 1987 agreed to a further deepening of the margin of preference (MOP) from a minimum of 75 percent to 90 percent under the Revised Basic Agreement on the ASEAN Industrial Joint Ventures (BAAIJV);

WHEREAS, Article III, paragraphs 1 and 6 of the Revised BAAIJV provides that the 90 percent MOP shall be extended within 90 days of the relevant AIJV projects' commercial operations or within 90 days approval for the inclusion of the said projects in the ASEAN Product List (APL), whichever comes first;

WHEREAS, Article VI of the Revised BAAIJV provides that the Agreement shall take effect 30 days after the deposit of the Sixth Instrument of Ratification;

WHEREAS, the Revised BAAIJV was concurred in and adopted by the Philippine Senate on 18 October 1988 as per Senate Resolution No. 43, and that the President subsequently signed the Instrument of Ratification on 24 January 1989, after which it was deposited as the sixth instrument of ratification with the ASEAN Secretary-General in March 1989;

WHEREAS, slaughtered meat and mechanical and power rack and pinion steerings and constant velocity joints are existing AIJV products already granted a 75 percent margin of preference (MOP) as per Executive Order No. 281 dated 25 July 1987;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code, as amended, do hereby order:

SECTION 1. The articles specifically listed hereunder as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded 90% Margin of Preference (MOP) as specified in Column 5. In effect, such articles shall be subject to the Preferential Tariff for ASEAN in accordance with the schedule indicated opposite each article as specified in Column 6.

CCCN No. (1)	HS No. (2)	Description of Product (3)	Rate : of : Duty : (4)	Margin : ASEAN of : Prefer- : ence : (5)	Preferential Tariff (6)
02.01 100	0201.10 00) 0201.20 00) 0202.10 00) 0202.20 00)	Meat of bo- vine animals, with bone in	20%	90%	2%
02.01 200	0201.30 00) 0202.30 00)	Meat of bo- vine animals, boneless	20%	90%	2%
ex87.06 900	ex8708.99 90	Mechanical and power rack and pinion steerings including tie rods, ball joints and linkages and/or finished, semi-finished parts and sub-assemblies thereof	30%	0%	3%
ex87.06 900	ex8708.99 90	Constant ve- locity joints (fixed and plunging types) and/or finished parts, semi- finished parts and sub-assemblies thereof	30%	90%	3%

SEC. 2. The Margin of Preference (MOP) herein provided on meat of bovine animals (slaughtered meat) shall be accorded to the AIJV entity in Thailand effective up to 9 May 1989 while the MOP herein provided on mechanical and power rack and pinion steerings and on constant velocity joints shall be accorded the AIJV entities in Malaysia effective up to August 1990 and November 1990, respectively.

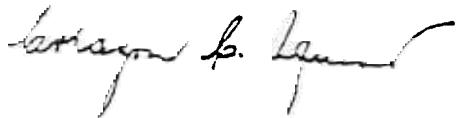
Also, as provided under Article III, 3a and 8a of the Revised BAAIJV, the exclusive application of the MOP among AIJV participating countries shall be extended from four (4) to eight (8) years if the non-participating country(ies) do not extend the same MOP within the period of the fifth (5th) to the eighth (8th) year. Moreover, entities in the participating countries which are not AIJVs but produce the same products can avail of the MOP after the first four (4) years exclusivity period.

SEC. 3. The ninety per centum (90%) MOP accorded under this Executive Order to the accredited AIJV entities in Thailand and Malaysia shall remain effective irrespective of any subsequent change in the basic Philippine rate of duty on the above-mentioned articles.

SEC. 4. After the effectivity of this Executive Order, all the above described articles, entered or withdrawn from warehouses in the Philippines for consumption shall be subject to the rates of duty herein prescribed subject to the qualification under the Rules of Origin as prescribed in the Agreement on ASEAN Preferential Trading Arrangements ratified on August 1, 1977.

~~SEC. 5. This Executive Order shall take effect on 12 April 1989.~~

DONE in the City of Manila this 29th day of September  
in the year of Our Lord, nineteen hundred  
and eighty-nine.



By the President:



CATALINO MACARAIG, JR.  
Executive Secretary