



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 61

MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN IMPORTED ARTICLES IN ORDER TO IMPLEMENT THE PHILIPPINE TARIFF COMMITMENTS PURSUANT TO THE FREE TRADE AGREEMENT BETWEEN THE EUROPEAN FREE TRADE ASSOCIATION STATES AND THE PHILIPPINES

WHEREAS, the Free Trade Agreement (FTA) between the European Free Trade Association (EFTA) and the Philippines (PH) was signed on 28 April 2016 in Bern, Switzerland;

WHEREAS, the PH-EFTA FTA was ratified by the President on 08 December 2017;

WHEREAS, the Senate concurred in the ratification of the PH-EFTA FTA through Senate Resolution No. 93 on 05 March 2018;

WHEREAS, the PH-EFTA FTA covers trade in goods, services, investment, government procurement, intellectual property rights, competition and sustainable development, and applies to the trade and economic relations between the Philippines and the individual EFTA States;

WHEREAS, the PH-EFTA FTA provides that the Philippines shall, upon the FTA's entry into force, eliminate import duties and charges having equivalent effect on import duties on non-agricultural goods originating from an EFTA State, except as otherwise provided for in the Schedule of Tariff Commitments on Non-Agricultural products;

WHEREAS, the PH-EFTA FTA also provides that both Parties shall grant tariff concessions for agricultural goods originating from either Party as specified in the Schedules of Tariff Commitments on Agricultural Products;

WHEREAS, pursuant to Section 1609 of Republic Act (RA) No. 10863, or the "Customs Modernization and Tariff Act (CMTA)," the President shall, upon the recommendation of the National Economic and Development Authority (NEDA), modify import duties, including any necessary change in classification and other import

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restrictions as are required or appropriate to carry out and promote foreign trade with other countries;

WHEREAS, the NEDA Board, during its 25 April 2018 meeting, approved the Tariff Reduction Schedule on various products covered by the Schedules of Tariff Commitments under the PH-EFTA FTA;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Schedule of Tariff Commitments. The following Annexes shall be the Philippine Schedule of Tariff Commitments under the PH-EFTA FTA:

- a. Annex A – Philippine Schedule of Tariff Commitments on Agricultural Products originating from Switzerland/Liechtenstein;
- b. Annex B – Philippine Schedule of Tariff Commitments on Agricultural Products originating from Norway;
- c. Annex C – Philippine Schedule of Tariff Commitments on Agricultural Products originating from Iceland; and
- d. Annex D – Philippine Schedule of Tariff Commitments on Non-Agricultural Products originating from all the EFTA States.

SECTION 2. Applicable PH-EFTA FTA Rates. All articles listed in the Philippine Schedule of Tariff Commitments under Section 1 of this Order, classified in accordance with Sections 1610 and 1611 of the CMTA, shall be subject to the rates of import duties indicated in Columns 3 to 8 of Annexes A, B and C, and Columns 3 to 12 of Annex D.

All goods originating from the EFTA States, in accordance with the aforementioned Philippine Schedule of Tariff Commitments, entered into or withdrawn from warehouses or free zones in the Philippines for consumption or introduction to the customs territory, shall be levied the rates of duties prescribed therein, subject to the submission of an Origin Declaration, in compliance with the Rules of Origin under the PH-EFTA FTA.

The Tariff Commission may be requested to issue advance rulings on tariff classification of goods to confirm the applicable rates of duty of the particular goods which are the subject of this Order, consistent with Section 1100 of the CMTA.

SECTION 3. Applicability of the Most Favored Nation (MFN) Rate. Pursuant to the provisions of the PH-EFTA FTA and its annexes, the lower duty between the MFN rate and the applicable duty set out in the Philippine Schedule of Tariff Commitments under Section 1 of this Order, at the time of importation of relevant goods, shall prevail.

SECTION 4. Right of Recourse. Nothing in this Order shall preclude the

Government of the Philippines from invoking its right of recourse to all trade remedy measures provided for in its laws, the PH-EFTA FTA, and other relevant international agreements in order to ensure the prevention of import surges or unfair trade practices.

SECTION 5. Repealing Clause. All previous issuances inconsistent with this Order are hereby repealed or amended accordingly.

SECTION 6. Separability Clause. In the event that any provision of this Order or any part thereof is declared invalid, illegal or unconstitutional, the provisions not affected thereby shall remain in force and effect.

SECTION 7. Effectivity. This Order shall take effect immediately following its complete publication in the Official Gazette or in a newspaper of general circulation in the Philippines.

DONE, in the City of Manila, this **2nd** day of **August** in the year of our Lord, Two Thousand and Eighteen.



Rostera

By the President:


SALVADOR C. MEDIALDEA
Executive Secretary

