

[**EXECUTIVE ORDER NO. 851, December 23, 2009**]

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE COMMITMENTS ON TRADE IN GOODS CHAPTER OF THE AGREEMENT ESTABLISHING THE ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AREA (AANZFTA)

WHEREAS, the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) was signed by the Economic Ministers of ASEAN, Australia and New Zealand on 27 February 2009 in Cha-am, Phetchaburi, Thailand;

WHEREAS, Parties to the AANZFTA share the view that the Agreement will strengthen economic partnerships, serve as an important building block towards regional economic integration and support sustainable development;

WHEREAS, Parties to the AANZFTA further share the view that the Agreement will minimise barriers, deepen and widen economic linkages, lower business costs, increase trade and investment, enhance economic efficiency, create a larger market with more opportunities and greater economies of scale for business;

WHEREAS, the President of the Philippines ratified the AANZFTA Agreement on 21 October 2009;

WHEREAS, Chapter 2, Article 1 of the AANZFTA Agreement provides that each Party shall progressively reduce and/or eliminate customs duties on originating goods of the other Parties in accordance with its schedule of tariff commitments in Annex 1 of the Agreement;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978, as amended, empowers the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority (NEDA), to modify import duties for the promotion of foreign trade.

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 listed in the Annex (Schedules of Tariff Commitments under the AANZFTA) hereof, and accompanied by the proper Certificate of Origin (CO) Form AANZ, shall be subject to the rates of import duty as indicated in Columns 4 to 15 of said Annex.

SECTION 2. For Australia, New Zealand and ASEAN 9 (i.e. Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Singapore, Thailand and Viet Nam) the applicable rate shall be the AANZFTA preferential tariff, subject to the submission of the proper CO Form AANZ. Pursuant