

[EXECUTIVE ORDER NO. 133, July 31, 1999]

MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464) AS AMENDED IN ORDER TO IMPLEMENT SECTION 109 OF REPUBLIC ACT 8435, OTHERWISE KNOWN AS THE "AGRICULTURE AND FISHERIES MODERNIZATION ACT OF 1997"

WHEREAS, the government needs to provide the agriculture and fisheries sector interim tariff adjustments to help the sector to be efficient and globally competitive;

WHEREAS, Section 109 of Republic Act No. 8435, otherwise known as the "Agriculture and Fisheries Modernization Act of 1997" provides that all enterprises engaged in agriculture and fisheries as duly certified by the Department of Agriculture, in consultation with the Department of Finance and Board of Investments shall, for five (5) years after the effectivity of this Act, be exempted from payment of tariff and duties for the importation of all types of agriculture and fishery inputs, machinery, and equipment provided, however, that the imported agriculture and fishery inputs, equipment and machinery shall be for the exclusive use of the importing enterprise.

WHEREAS, Sections 104 and 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce, or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The rules and regulations in the tariff-exempt importation of articles listed in ANNEX "C" shall be in accordance with and as outlined in ANNEX "A" hereof.

SECTION 2. The articles specifically listed in ANNEX "B" hereof, classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded zero percent (0%) duty up to 8 February 2003. However, the rules and regulations outlined in ANNEX "A" in the importation of articles under this list shall not apply, including the requirement for certificate of eligibility or accreditation.

SECTION 3. The articles specifically listed in ANNEX "C" hereof, classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded zero percent (0%) duty up to 8 February 2003, provided that the importation of said articles shall be accompanied by a certificate of eligibility or accreditation duly issued by the Department of Agriculture and shall be subject to the rules and regulations outlined in ANNEX "A" hereof.