

[DTI DEPARTMENT ADMINISTRATIVE ORDER NO. 3, S. OF 1995, May 10, 1995]

ACCREDITATION OF EXPORTERS VIS-A-VIS INCENTIVES UNDER THE EXPORT DEVELOPMENT ACT (R.A. NO. 7844)

WHEREAS, under Republic Act No. 7844, An Act to Develop Exports as a Key Towards the Achievement of The National Goals Towards The Year 2000, approved on 21 December 1994, it is the policy of the State to evolve export development into a national effort and shall champion exports as a focal strategy for a sustainable agri-industrial development to achieve Philippine NIChood towards the year 2000;

WHEREAS, R.A. No. 7844; also known as the Export Development Act (EDA), affords the export sector to enjoy specific incentives, in addition to incentives provided by the Board of Investments, as cited in Section 16;

WHEREAS, the specific incentives mentioned in Section 16 of RA 7844, shall be granted only to qualified exporters upon presentation of a BETP/appropriate Deputized Agency certification of the exporter's eligibility, as specified in its implementing rules and regulations.

NOW, THEREFORE, pursuant to the mandate mentioned in the R.A. No. 7844 Series of 1994 and its implementing rules and regulations the following are hereby promulgated for the compliance, guidance and information of all concerned:

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Scope

This Department Administrative Order shall provide the policies, rules and procedures in accreditation of exporters who want to avail of the incentive provided by R.A. 7844. Rules and procedures set forth herein shall likewise apply to those instances wherein a certification or accreditation of an exporter is otherwise required, for any purpose imposed under other laws, rules and/or regulations.

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Definition of Terms

For purposes of this Department Administrative Order, the following definition shall apply:

2.1 **BETP** - shall refer to the Bureau of Export Trade Promotion, Department of Trade and Industry

2.2 **Deputized Agency** - shall refer to the concerned government agencies and private institutions particularly the Philippine Economic Zone Authority (PEZA)/ the Board of Investments (BOI)/ the Garments and Textile Export Board (GTEB)/ the Subic Bay Metropolitan Authority (SBMA)/ the Clark Development Corporation

(CDC)/ the Philippine Exporters Confederation, Inc. (PHILEXPORT)/ the Philippine Chamber of Commerce and Industry (PCCI)/ other offices or authorities deputized by the BETP to accredited exporters.

2.3 **EDC** - shall refer to the Export Development Council

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Procedure for Accreditation of Exporters

The following steps shall be observed:

3.1 The exporter shall file the duly notarized accomplished Application Form for Accreditation with the BETP/Deputized Agency together with the following documents, as applicable:

3.1.1 An affidavit of compliance with the Minimum Wage and SSS Laws;

3.1.2 For companies falling under the supervisory or regulatory functions of the BOI, CDC, GTEB, PEZA and/or SBMA, and applying for accreditation with said agencies, a summary report of export revenue/sales for the immediately/preceding taxable year.

Unless otherwise required by said agencies, the company applying for accreditation with any of said agencies, need not submit any supporting document to show its normal operating revenue and export sales/export revenue for the preceding taxable year;

3.1.3 For companies not covered the supervisory or regulatory functions of the BOI, CDC, GTEB, PEZA and/or SBMA, and/or applying for accreditation with the BOC, BETP, PCCI and/or PHILEXPORT, audited financial statements to show normal operating revenue for the immediately/preceding taxable year;

3.1.4 For direct exporter, bank certification of export sales/revenue for the immediately preceding taxable year, or an affidavit from the exporter attesting and certifying to his export revenue/export sales for the preceding taxable year with enclosures of listing of commercial documents (i.e. Export Declarations, Commercial Invoices, etc.) in support of such certification, or copies of bank certificates of inward remittances arising from export transactions.

For service exporters, an additional copy or proof of international contract, is required.

3.1.5 For indirect exporter, sales invoices and certification from the direct exporter that the goods were purchased from the indirect exporter and that the same were actually exported.

3.1.6 In case of importations, a statement under oath from the exporter that the items to be imported shall be used primarily for the production of export goods.

3.2 The exporter shall pay an application fee per the following schedule to the BETP/Deputized Agency: