

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 73

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES (TCCP), AS AMENDED, IN ORDER TO IMPLEMENT THE PHILIPPINE TARIFF COMMITMENTS ON CERTAIN PRODUCTS INCLUDED IN THE HIGHLY SENSITIVE LIST UNDER THE ASSOCIATION OF SOUTHEAST ASEAN NATIONS (ASEAN) – KOREA FREE TRADE AREA (AKFTA)

WHEREAS, the ASEAN Member States and the Republic of Korea ("The Parties") signed the Framework Agreement on Comprehensive Economic Cooperation ("Framework Agreement") on 13 December 2005 in Kuala Lumpur, Malaysia;

WHEREAS, Articles 1.3 and 2.1 of the Framework Agreement reflect the Parties' commitment to establish the AKFTA covering trade in goods;

WHEREAS, to achieve the objective of the Framework Agreement, the Agreement on Trade in Goods (TIG) or the "TIG Agreement" was signed by the Economic Ministers of the Parties on 24 August 2006 in Kuala Lumpur, Malaysia;

WHEREAS, Article 3(2)(b) of the TIG Agreement provides that tariff lines placed in the Sensitive Track by each Party on its own accord shall have their respective applied Most Favoured Nation (MFN) tariff rates reduced or eliminated in accordance with the modalities set out in Annex 2 of the TIG Agreement;

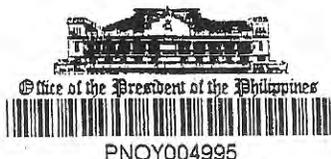
WHEREAS, Section 4 of Annex 2 of the TIG Agreement provides that the Parties shall reduce the MFN rates on products in the Highly Sensitive List to not more than 50% in Group A not later than 2016 and to not less than 20% in Group B not later than 2016;

WHEREAS, the National Economic and Development Authority (NEDA) Board recommended on 16 January 2012, on *ad referendum* basis, the tariff reduction schedules of certain tariff lines under the Highly Sensitive Lists; and

WHEREAS, Section 402 of the TCCP, as amended, authorizes the President of the Philippines, upon the recommendation of NEDA, to modify import duties (including any necessary change in classification) and other import restrictions, as are required or appropriate to carry out and promote foreign trade with other countries.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Reduction of Tariff Rates on Articles in the Highly Sensitive List. The articles specifically listed in the Annex hereof, as classified under Section 104 of the TCCP, as amended, shall be subject to the rates of import duty as indicated in Column 4 of the Annex.



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SECTION 2. Applicable AKFTA Rate. For the Republic of Korea and the ASEAN 9 (i.e. Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Singapore, Thailand, and Viet Nam), the applicable rate shall be the AKFTA rate subject to the submission of the proper Certificate of Origin (CO) Form AK. Pursuant to Section 1313(a) of the TCCP, as amended, the Tariff Commission may, upon request, issue tariff classification rulings to confirm the applicable rates of duty of particular products subject to this section.

SECTION 3. Rates for Articles in the Annex Subject to Rules of Origin. From the date of effectivity of this Executive Order, all articles listed in the Annex entered into, or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed, subject to compliance with the Rules of Origin as provided for in Article 5 of the TIG Agreement.

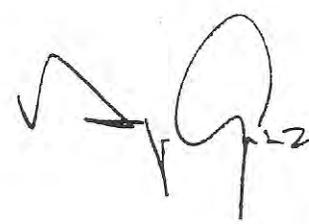
SECTION 4. Right of Recourse. Nothing in this Executive Order shall preclude the Philippines from invoking its right of recourse to all trade remedy measures provided for in its laws, the TIG Agreement and other relevant international agreements, as an effective device against import surges.

SECTION 5. Repealing Clause. All issuances, orders, rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 6. Separability Clause. If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

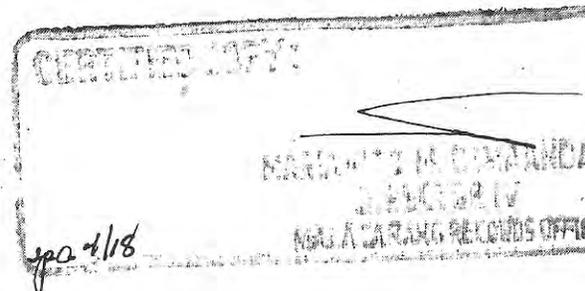
SECTION 7. Effectivity Clause. This Executive Order shall take effect upon publication in a newspaper of general publication.

DONE, in the City of Manila, this 16th of April, in the year of our Lord, Two Thousand and Twelve.



By the President:

PAQUITO N. OCHOA, JR.
Executive Secretary



**ARTICLES GRANTED TARIFF CONCESSION UNDER THE HIGHLY SENSITIVE LIST
OF THE ASEAN-KOREA FREE TRADE AGREEMENT**

Hdg. No.	AHTN 2007	Description	Applicable AKFTA Rate of Duty (%) Starting 01 January 2016
(1)	(2)	(3)	(4)
01.03		Live swine.	
		- Other:	
	0103.91.00	-- Weighing less than 50 kg:	
	0103.91.00A	--- In-Quota	24
	0103.91.00B	--- Out-Quota	28
	0103.92.00	-- Weighing 50 kg or more:	
	0103.92.00A	--- In-Quota	24
	0103.92.00B	--- Out-Quota	28
01.05		Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i>, ducks, geese, turkeys and guinea fowls.	
		- Weighing not more than 185 g:	
	0105.11	-- Fowls of the species <i>Gallus domesticus</i> :	
	0105.11.90	--- Other:	
	0105.11.90A	---- In-Quota	28
	0105.11.90B	---- Out-Quota	28
		- Other:	
	0105.94	-- Fowls of the species <i>Gallus domesticus</i> :	
	0105.94.90A	---- In-Quota	28
	0105.94.90B	---- Out-Quota	32
02.03		Meat of swine, fresh, chilled or frozen.	
		- Fresh or chilled:	
	0203.11.00	-- Carcasses and half-carcasses:	
	0203.11.00A	--- In-Quota	24
	0203.11.00B	--- Out-Quota	32
	0203.12.00	-- Hams, shoulders and cuts thereof, with bone in:	
	0203.12.00A	--- In-Quota	24
	0203.12.00B	--- Out-Quota	32
	0203.19.00	-- Other:	
	0203.19.00A	--- Pork bellies, In-Quota	24
	0203.19.00B	--- Pork bellies, Out-Quota	32
	0203.19.00C	--- Fore-ends and cuts thereof, In-Quota	24
	0203.19.00D	--- Fore-ends and cuts thereof, Out-Quota	32
	0203.19.00E	--- Other, In-Quota	24
	0203.19.00F	--- Other, Out-Quota	32
		- Frozen:	
	0203.21.00	-- Carcasses and half-carcasses:	

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Hdg. No.	AHTN 2007	Description	Applicable AKFTA Rate of Duty (%) Starting 01 January 2016
(1)	(2)	(3)	(4)
	0203.21.00A	--- In-Quota	24
	0203.21.00B	--- Out-Quota	32
	0203.22.00	-- Hams, shoulders and cuts thereof, with bone in:	
	0203.22.00A	--- In-Quota	24
	0203.22.00B	--- Out-Quota	32
	0203.29.00	-- Other:	
	0203.29.00A	--- Pork bellies, In-Quota	24
	0203.29.00B	--- Pork bellies, Out-Quota	32
	0203.29.00C	--- Fore-ends and cuts thereof, In-Quota	24
	0203.29.00D	--- Fore-ends and cuts thereof, Out-Quota	32
	0203.29.00E	--- Other, In-Quota	24
	0203.29.00F	--- Other, Out-Quota	32

02.07

Meat and edible offal, of the poultry of heading 01.05, fresh, chilled or frozen.

- Of fowls of the species *Gallus domesticus*:

	0207.11.00	-- Not cut in pieces, fresh or chilled:	
	0207.11.00A	--- In-Quota	32
	0207.11.00B	--- Out-Quota	32
	0207.12.00	-- Not cut in pieces, frozen:	
	0207.12.00A	--- In-Quota	32
	0207.12.00B	--- Out-Quota	32
	0207.13.00	-- Cuts and offal, fresh or chilled:	
	0207.13.00A	--- In-Quota	32
	0207.13.00B	--- Out-Quota	32
	0207.14	-- Cuts and offal, frozen:	
	0207.14.10	--- Wings:	
	0207.14.10A	---- In-Quota	32
	0207.14.10B	---- Out-Quota	32
	0207.14.20	--- Thighs:	
	0207.14.20A	---- In-Quota	32
	0207.14.20B	---- Out-Quota	32
	0207.14.30	--- Livers:	
	0207.14.30A	---- In-Quota	32
	0207.14.30B	---- Out-Quota	32
	0207.14.90	--- Other:	
	0207.14.90A	---- Mechanically deboned or separated meat	32
	0207.14.90B	---- Other, In-Quota	32
	0207.14.90C	---- Other, Out-Quota	32

07.01

Potatoes, fresh or chilled.

- Other:

0701.90.00

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Hdg. No.	AHTN 2007	Description	Applicable AKFTA Rate of Duty (%) Starting 01 January 2016
(1)	(2)	(3)	(4)
	0701.90.00A	-- In-Quota	32
	0701.90.00B	-- Out-Quota	32
07.03		Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled.	
	0703.10	- Onions and shallots:	
		-- Onions:	
	0703.10.11	--- Bulbs for propagation	32
	0703.10.19	--- Other	32
		-- Shallots:	
	0703.10.21	--- Bulbs for propagation	32
	0703.10.29	--- Other	32
	0703.20	- Garlic:	
	0703.20.10	-- Bulbs for propagation	32
	0703.20.90	-- Other	32
07.04		Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled.	
	0704.10	- Cauliflowers and headed broccoli:	
	0704.10.10	-- Cauliflowers	20
	0704.10.20	-- Headed broccoli	20
	0704.90	- Other:	
	0704.90.10	-- Cabbages	32
07.05		Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium spp.</i>), fresh or chilled.	
		- Lettuce:	
	0705.11.00	-- Cabbage lettuce (head lettuce)	20
07.06		Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled.	
	0706.10	- Carrots and turnips:	
	0706.10.10	-- Carrots	32
07.11		Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption.	
	0711.90	- Other vegetables; mixtures of vegetables:	
	0711.90.10	-- Sweet corn	16
	0711.90.20	-- Chillies	16
	0711.90.40	-- Onions, preserved by sulphur dioxide gas	32

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Hdg. No.	AHTN 2007	Description	Applicable AKFTA Rate of Duty (%) Starting 01 January 2016
(1)	(2)	(3)	(4)
	0711.90.50	-- Onions, preserved other than by sulphur dioxide gas	16
	0711.90.60	-- Other, preserved by sulphur dioxide gas	16
	0711.90.90	-- Other	16
07.14		Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith.	
	0714.10	- Manioc (cassava):	
		-- Sliced or in the form of pellets:	
	0714.10.11	--- Dried chips	32
	0714.10.19	--- Other	32
	0714.10.90	-- Other	32
	0714.20.00	- Sweet potatoes	32
10.05		Maize (corn).	
	1005.90	- Other:	
	1005.90.90	-- Other:	
	1005.90.90A	--- In-Quota	28
	1005.90.90B	--- Out-Quota	40
11.08		Starches; inulin.	
		- Starches:	
	1108.12.00	-- Maize (corn) starch	16
39.01		Polymers of ethylene, in primary forms.	
	3901.10	- Polyethylene having a specific gravity of less than 0.94:	
	3901.10.30	-- In the form of liquids or pastes	12
	3901.10.90	-- Other	12
	3901.20.00	- Polyethylene having a specific gravity of 0.94 or more	12
39.02		Polymers of propylene or of other olefins, in primary forms.	
	3902.10	- Polypropylene:	
	3902.10.10	-- Powder	12
	3902.10.20	-- Granules	12
	3902.10.90	-- Other:	
	3902.10.90A	--- Chlorinated polypropylene for use in printing ink	12
	3902.10.90B	--- Other	12

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Hdg. No.	AHTN 2007	Description	Applicable AKFTA Rate of Duty (%) Starting 01 January 2016
(1)	(2)	(3)	(4)
39.03		Polymers of styrene, in primary forms.	
		- Polystyrene:	
	3903.11.00	-- Expansible:	
	3903.11.00A	--- In powder form	12
	3903.11.00B	--- Other	12
	3903.19.00	-- Other	12
39.04		Polymers of vinyl chloride or of other halogenated olefins, in primary forms.	
	3904.10	- Poly(vinyl chloride), not mixed with any other substances:	
	3904.10.10	-- Homopolymers, suspension type	12
	3904.10.90	-- Other	12
39.16		Monofilament of which any cross-sectional dimension exceeds 1 mm, rods, sticks and profile shapes, whether or not surface-worked but not otherwise worked, of plastics.	
	3916.90	- Of other plastics:	
	3916.90.40	-- Of hardened proteins	12
	3916.90.90	-- Other	12
39.18		Floor coverings of plastics, whether or not self-adhesive, in rolls or in the form of tiles; wall or ceiling coverings of plastics, as defined in Note 9 to this Chapter.	
	3918.10	- Of polymers of vinyl chloride:	
		-- Floor coverings:	
	3918.10.11	--- Tiles	12
	3918.10.19	--- Other	12
	3918.10.90	-- Other	12
	3918.90	- Of other plastics:	
		-- Floor coverings:	
	3918.90.11	--- Tiles, of polyethylene	12
	3918.90.13	--- Other, of polyethylene	12
	3918.90.19	--- Other	12
		-- Other:	
	3918.90.91	--- Of polyethylene	12
	3918.90.99	--- Other	12
39.19		Self-adhesive plates, sheets, film, foil, tape, strip and other flat shapes, of plastics, whether or not in rolls.	
	3919.90	- Other:	
	3919.90.10	-- Of polymers of vinyl chloride	15

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Hdg. No.	AHTN 2007	Description	Applicable AKFTA Rate of Duty (%) Starting 01 January 2016
(1)	(2)	(3)	(4)
	3919.90.90	-- Other	15
39.20		Other plates, sheets, film, foil and strip, of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials.	
	3920.10.00	- Of polymers of ethylene:	
	3920.10.00B	-- Other	12
		- Of polymers of styrene:	
	3920.30.10	-- Of a kind used as an adhesive by melting	15
	3920.30.90	-- Other	15
		- Of polymers of vinyl chloride:	
	3920.43.00	-- Containing by weight not less than 6% of plasticizers:	
	3920.43.00B	--- Other	12
	3920.49.00	-- Other:	
	3920.49.00B	--- Other	12
39.21		Other plates, sheets, film, foil and strip, of plastics.	
	3921.90	- Other:	
	3921.90.20	-- Plates and sheets	12
	3921.90.90	-- Other	
	ex ₂ 3921.90.90	Other	12
39.22		Baths, shower-baths, sinks, wash-basins, bidets, lavatory pans, seats and covers, flushing cisterns and similar sanitary ware, of plastics.	
	3922.20	- Lavatory seats and covers:	
	3922.20.10	-- Lavatory covers	12
	3922.20.20	-- Lavatory seats	12
	3922.90	- Other:	
		- Flushing water closets (lavatory pans), urinals or flushing cisterns:	
	3922.90.11	--- Parts of flushing cisterns	12
	3922.90.19	--- Other	12
	3922.90.90	-- Other	12
39.23		Articles for the conveyance or packing of goods, of plastics; stoppers, lids, caps and other closures, of plastics.	
	3923.30	- Carboys, bottles, flasks and similar articles:	
	3923.30.10	-- Toothpaste tubes	15
	3923.30.90	-- Other	15

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Hdg. No.	AHTN 2007	Description	Applicable AKFTA Rate of Duty (%) Starting 01 January 2016
(1)	(2)	(3)	(4)
	3923.90.00	- Other	12
39.24		Tableware, kitchenware, other household articles and hygienic or toilet articles, of plastics.	
	3924.10.00	- Tableware and kitchenware	12
	3924.90	- Other:	
	3924.90.10	-- Bed pans, urinals (portable type) or chamber-pots	12
	3924.90.90	-- Other	12
39.25		Builders' ware of plastics, not elsewhere specified or included.	
	3925.20.00	- Doors, windows and their frames and thresholds for doors	12
	3925.30.00	- Shutters, blinds (including Venetian blinds) and similar articles and parts thereof	12
39.26		Other articles of plastics and articles of other materials of headings 39.01 to 39.14.	
	3926.20	- Articles of apparel and clothing accessories (including gloves, mittens and mitts):	
	3926.20.90	-- Other	12
	3926.30.00	- Fittings for furniture, coachwork or the like	12
	3926.90	- Other:	
	3926.90.20	-- Fans and handscreens, frames and handles therefor, and parts thereof	15
		-- Articles for industrial uses:	
	3926.90.53	--- Transmission or conveyor belts or belting	15
	3926.90.59	--- Other	
	ex ₂ 3926.90.59	Other	15
	3926.90.60	-- Poultry feeders	5
	3926.90.90	-- Other:	
	3926.90.90B	--- Other	
	ex ₂ 3926.90.90B	Racket strings of a length not exceeding 15 m put up for retail sale; prayer beads and other articles of non-rigid cellular products	15

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Hdg. No.	AHTN 2007	Description	Applicable AKFTA Rate of Duty (%) Starting 01 January 2016
(1)	(2)	(3)	(4)
85.36		Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders and other connectors, junction boxes), for a voltage not exceeding 1,000 volts; connectors for optical fibres, optical fibre bundles or cables.	
	8536.69	- Lamp-holders, plugs and sockets:	
		-- Other:	
		--- Other:	
	8536.69.91	---- Of a kind suitable for domestic use, having a rated current carrying capacity of less than 16 amps; of a kind suitable for use in radio equipment	5
	8536.69.99	---- Other	5

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