MALAÇAÑANG MANUA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 335

OF DUTY ON **CERTAIN** RATES **IMPORTED** MODIFYING THE ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978. AS AMENDED, IN ORDER TO IMPLEMENT THE MINIMUM 50% MARGIN OF PREFERENCE ON CERTAIN PRODUCTS **BRAND-TO-BRAND COMPLEMENTATION** INCLUDED IN THE SCHEME IN THE AUTOMOTIVE INDUSTRY UNDER THE BASIC AGREEMENT ON ASEAN INDUSTRIAL COMPLEMENTATION.

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on ASEAN Industrial Complementation (BAAIC) signed in Manila on 16 June 1981;

WHEREAS, the Philippines is a signatory to the Memorandum of Understanding on the Brand-to-Brand Complementation (BBC) Scheme in the Automotive Industry under the BAAIC signed by the ASEAN Economic Ministers in Pattaya, Thailand on 18 October 1988;

WHEREAS, the Philippines is a participating country in the approved BBC Scheme of Nissan Motor Co., Ltd. along with Malaysia and Thailand and in the approved BBC Scheme of Asian Carmakers Corporation along with Malaysia;

WHEREAS, at the Meeting of the ASEAN Senior Economic Officials (SEOM) held in Jakarta, Indonesia on 8-10 December 1993, it was agreed that under the Nissan Motor Co., Ltd. BBC Scheme, the Philippines will import certain hoodledge parts from Malaysia and door and bumper trims, engine parts and body parts of metal from Thailand in exchange for Philippine exports of certain body parts of metal and injection parts to the said two countries;

WHEREAS, at the Meeting of the ASEAN Senior Economic Officials held in Jakarta, Indonesia on 2-4 August 1994, it was agreed that under the Asian Carmakers Corporation BBC Scheme, the Philippines will import sheet glass from Malaysia in exchange for Philippine exports of aluminum alloy wheels to Malaysia;

WHEREAS, under the Memorandum of Understanding on the BBC Scheme in the Automotive Industry, the Philippines shall grant a minimum 50% Margin of Preference (MOP) to BBC products approved by the SEOM subject to the terms and conditions set out in Section 9(b) of said Memorandum;

- **WHEREAS**, under Section 9(b)(i) of the said Memorandum of Understanding, the 50% MOP for existing BBC products shall be granted within 90 days of approval of the BBC products by the SEOM, and for new BBC products, the grant shall be extended from the actual date of commercial production of the products, or upon expiry of 30 months from the date of approval of the products whichever comes earlier;
- **WHEREAS**, under the Nissan BBC Scheme, hoodledge parts listed in Certificate of Eligibility No. N 5 A/93 have been existing at the time of approval by the SEOM held on 8-10 December 1993; whereas, the door and bumper trims, engine parts and body parts of metal listed in Certificate of Eligibility Nos. N I A/93 and N I/94 are new BBC products whose commercial production started in April 1994;
- **WHEREAS,** under the Asian Carmakers BBC Scheme, the sheet glass items listed in Certificate of Eligibility No. 033 have been existing at the time of approval by the SEOM held on 2-4 August 1994;
- **NOW, THEREFORE, I, FIDEL V. RAMOS,** President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:
- **SECTION 1.** The articles specifically listed in Annex "A" as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 11 thereof. Accordingly, said articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated in Columns 12, 13, 14, 15 and 16 of said Annex "A".
- **SEC. 2.** The articles specifically listed in Annex "B" as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum 50% MOP as specified in Column 9 thereof. Accordingly, said articles shall be subject to the BBC Preferential Tariff in accordance with the schedule indicated in Columns 10, 11 and 12 of said Annex "B".
- SEC. 3. The MOP provided in Annex "A" on hoodledge parts for Nissan AD Resort (Model Y 10) pick-up under the Nissan Motor Co., Ltd. BBC Scheme shall be accorded exclusively to the BBC entity in Malaysia (Tan Chong & Sons Motor Co., Sdn. Bhd.) effective from 1 March 1994 up to 28 February 1998. The MOP also herein provided on door and bumper trims, engine parts and body parts for Nissan AD Resort (Model Y 10) pick-up under the said BBC Scheme shall be accorded exclusively to the BBC entity in Thailand (Siam Nissan Automobile Co., Ltd.) effective 1 April 1994 up to 30 March 1998. Thereafter, this MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the

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non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Malaysia with respect to hoodledge parts shall then be extended up to 27 February 2002 and in the case of door and bumper trims, engine parts and body parts of metal, the exclusive application of the MOP to Thailand shall be extended up to 29 March 2002.

- SEC. 4. The MOP provided in Annex "B" on sheet glass for BMW (3-series model) passenger car under the Asian Carmakers Corporation BBC Scheme shall be accorded exclusively to the BBC entity in Malaysia (Auto Bavaria Division Tractors Malaysia (1982) Sdn. Bhd.) effective from 1 November 1994 up to 30 October 1998. Thereafter, this MOP may be granted to a non-participating ASEAN country as soon as that country extends the same MOP itself. If the non-participating country does not wish to grant such MOP and maintains such position throughout the stipulated maximum waiver period of eight (8) years, the exclusive application of the MOP to Malaysia shall then be extended up to 29 October 2002.
- **SEC. 5.** Effective 28 February 2002 with respect to hoodledge parts and effective 30 March 2002 in the case of door and bumper trims, engine parts and body parts of metal, the MOP shall be extended to any entity in another ASEAN member country which produces the above-mentioned Nissan BBC products as listed in Annex "A" hereof, whether that country is participating in the Nissan BBC Schemes or not. Effective 30 October 2002, the MOP shall be extended to any entity in another ASEAN member country which produces the Asian Carmakers BBC products listed in Annex "B" hereof, whether that country is participating in the Asian Carmakers BBC Scheme or not.
- **SEC. 6.** The 50% MOP accorded under this Executive Order shall remain effective irrespective of any subsequent changes in the basic Philippine rate of duty on the above-mentioned articles.
- **SEC. 7.** Upon the effectivity of this Executive Order, all the above-mentioned articles entered or withdrawn from warehouses in the Philippines for consumption shall be subject to qualification under the Rules of Origin as prescribed in the Agreement on ASEAN Preferential Trading Arrangements, as amended, and shall pay the applicable BBC Preferential Tariff specified under Section 1 hereof.
- **SEC. 8.** Any revision/s to the part numbers appearing in Column 4 of Annexes "A" and "B" shall be communicated immediately to the Philippine Government by the ASEAN Secretariat. The Department of Trade and Industry shall endorse the same to the Bureau of Customs within five (5)



days after receipt of the official copy of the revised part numbers for implementation.

SEC. 9. This Executive Order shall take effect immediately.

Done in the City of Manila this 16th day of May in the year of Our Lord, Nineteen Hundred and Ninety-Six.

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By the President:

RUBEN D. TORRES
Executive Secretary

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нѕ	BRAND			SOURCE		RATE	OF D	UTY	(%)	MARGI OF		APPL ER E N			
HEADING	NAME	PRODUCT/PART NAME	PART NO.	COUNTR	1	1	1	July	28	PRE-	1	1	1 J	uly	28
NO.	INVAL	7 11000017711711011112	''''		Marc	April			Aug.	REN	arc	April			Aug.
					1994	1994	199	199	1995	(%)	1994	1994	1994	1995	1995
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(ē)	(⊌)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
ex 8704.90 1	Nissan AD Resort (Y 10) Pick-up	Hoodledge Parts:			10	10	10	10	3	50		5	5	5	1.5
		Hoodledge Upper Right Hoodledge Upper Left Hoodledge Reinforce Upper Front Right Hoodledge Reinforce Upper Front Left Hoodledge Reinforce Upper Rear Right Hoodledge Reinforce Upper Rear Left Hoodledge Lower Front Right Hoodledge Lower Front Left Hoodledge Lower Rear Right Hoodledge Lower Rear Right Hoodledge Lower Rear Left Support Front Suspension Spring Right Support Front Suspension Spring Left	64183 72Y00 64184 72Y00 64185 72Y00 64132 65Y00 64133 2M100 64142 65Y00 64143 65Y00	Malaysia Malaysia Malaysia Malaysia Malaysia Malaysia Malaysia Malaysia Malaysia	10	10	10	10	3	50		5	5	5	1.5
ex 8704.90	Nissan AD Resort (Y 10) Pick-Up	Door Trims: Pocket Assy Front Door Right Pocket Assy Front Door Left Striker RR Gate Finisher Assy Lock Pillar Right Finisher Assy Lock Pillar Left Garnish Lock Pillar Lower Right Garnish Lock Pillar Lower Left	80910 90R00 80911 90R00 90570-93R00 76890 93R00 76891 93R00 76915 93RE0	Thailand Thailand Thailand Thailand Thailand	10	10	10	10	3	50		J	•	Ū	1.0
ex 8704.90	Nissan AD Resort (Y 10) Pick-Up	Bumper Trims: Bumper Rear Side Right Bumper Rear Side Left Bkt Assy RR Bmpr RH Bkt Assy RR Bmpr LH Bar-A Bar-B	85024 93R00 85025 93R00 85040-93R00 85041-93R00 90460-BAR0 90460-BAR0	Thailand Thailand Thailand Thailand	10	10	10	10	3	50		5	5	5	1.5
ex 8704.90	Nissan AD Resort (Y 10) Pick-Up	Engine Parts: Cam Shaft Intake Cam Shaft Exhaust	13020-61J00 13020-61J10		10	10	10	10	3	50		5	5	5	1.5
ex 8704.90	Nissan AD Resort (Y 10) Pick-Up	Body Metal Parts: Front Floor Hood Assy Cover Locate Hole	74312 93R00 65100 90R00 74892 01E00	Thailand	10	10	10	10		50		5	5	5	1.5

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HEADING		ı†		ı					. (^	"		ii			L 17	AIFF (
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₩'		Cover Locate Hole	74849 50A00													
		Door Assy Front RH	80100 90RE0													
		Door Assy Front LH	80101 90RE0													
		Rear Gate Assy	93400 93R00													
		Protr Assy-Spare Wheel Hanger	57226-93R00													
		Roof	73112-93R00													
		Rail Roof RR	73231-93R00													
		Ret Holding Side R	73962-93R01								433					
		Ext Floor Frt	74315-93R00													
		Floor RR RR	74514-93R10								1.4					
		Ext RR Floor FR	74516-93R00								100					
		Floor Side FR R	74518-93R00				100									
•		Floor Side FR L	74519-93R00	Thailand				٠.								
		Cover Floor Side Frt RH	74520-93R00	Thailand												
		Cover Floor Side Frt LH	74521-93R00	Thailand												
		Floor Side RR R	74532-93R00	Thailand												
		Floor Side RR L	74533-93R00	Thailand												
		Ext Assy RR Floor Side RR RH	74534-93R00	Thailand												
		Ext Assy RR Floor Side RR Lh	74535-93R00	Thailand												
		Stopper S/Tire RH	74552-93R00	Thailand												
		Bolst Ext Floor	74553-93R00	Thailand												
		Stopper S/Tire LH	74553-93R10	Thailand												
		Mbr Ext Floor R	74580-93R00	Thailand												
		Mbr Ext Floor L	74581-93R00	Thailand					• .					•		
		Brkt Assy Jack Mtg	74594-93R00	Thailand												
		Mbr RR Side FR, RH	75512-93R00	Thailand												
		Mbr RR Side FR, LH	75513-73R00	Thailand												
		Mbr Assy RR Cross End Inr	75616-93R00	Thailand												
		Mbr RR Cross End Otr	75617-93R00	Thailand												
		Mbr RR Cross Ctr	75652-93R00	Thailand												
		Pir Frt Otr RH	76212-94R00	Thailand												
		Pir Frt Otr LH	76213-94R00	Thailand												
		Rail Roof Side Inr RH	76332-93R00	Thailand												
		Rail Roof Side In LH	76333-93R00													
		Sill Otr Frt RH	76412-93R00												4.1	
			76413-93R00													
		Sill Otr Frt LH	76418-93R00													
		Ext Sill Otr RH	76419-93R00				•	•								
		Ext Sill Otr LH	76452-93R50													
		Sill Assy Inr FR RH	76453-93R50													
		Sill Assy Inr FR LH	/0400-80K0U	manand												

HS HEADING NO.	BRAND NAME	PRODUCT/PART NAME	PART NO.	SOURCE COUNTR	1 Marc	1 April	OF DU	uly 20	OF PRE- g. REN	APPLICABLE BBC PREFERENTIAL TARIFF (1 1 1 July 28 arc April Aug. 1994 1994 1995 1995
(1)	(2)	(3)	(4)	(5)	(6)	(7)		(9) (10		(12) (13) (14) (15) (16)
(1)	(2)	Sill Assy Inr RR RH Sill Assy Inr RR LH Reinf Lock PIr RH Reinf Lock PIr LH PIr Ctr Inr Upr RH PIr Ctr Inr Upr LH PIr Ctr Inr Lwr RH PIr Ctr Inr Lwr LH Reinf Assy Seat Belt Anch R Reinf Assy Seat Belt Anch L Reinf RR PIr RH PIr RR Inr Upr RH PIr RR Inr Upr LH PIr RR Inr Lwr RH PIr RR Inr Lwr LH PIr RR Inr Lwr LH Patch RR PIr Inr RH Patch RR PIr Inr LH Reinf Assy RR PIr Inr, L Ext RR PIr Reinf Ret Assy Striker W/h RR Otr LH Ext W/h Otr RH Ext W/h Otr RH Ext RR W/h Inr Lwr RH Protr Drafter Fin Assy RR Side Ft LH Fin Body Side Fin Back PIr Reinf RR Lwr RH	76454-93R50 76455-72R50 76516-93R00 76517-93R00 76532-93R01 76543-93R00 76543-93R00 76544-93R00 76544-93R00 76617-93R00 76632-93R00 76632-93R00 76632-93R00 76634-93R00 76645-93R00 76645-93R00 76645-93R00 76645-93R00 76645-93R00 76661-93R00 766713-93R00 76712-93R00 76713-93R00 76715-93R00 76715-93R00 76756-93R00 76756-93R00 76757-93R00 76757-93R00 76757-93R00 76767-93R00 7676900-93R00 76901-93R00 76901-93R00 76934-93R00 76934-93R00 76934-93R00 76934-93R00 76934-93R00 76934-93R00 76934-93R00 76934-93R00	Thailand	(6)	(7)	- ,	(9) (11) (11)	(12) (13) (14) (15) (16)
		Ext W/h Otr LH W/h RR Inr RH W/h RR Inr LH Ext RR W/h Inr Lwr RH Ext RR W/h Inr Lwr LH Brkt Assy Filler Tube RH Protr Drafter Fin Assy RR Side Ft RH Fin Assy RR Side Ft LH Fin Body Side Fin Back PIr	76715-93R00 76752-93R00 76756-93R00 76757-93R00 76767-93R01 76, 693R00 76900-93R00 76901-93R00 76910-93R00 76934-93R00	Thailand						

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		Side Panel Inr Upr LH	77523-93R01	Thailand																																	
		Side Panel Inr RR RH	77552-93R00	Thailand																																	
		Side Panel Inr RR LH	77553-93R00	Thailand																																	
		Reinf Side Panel RH	77578-93R00	Thailand																																	
		Reinf Side Panel LH	77579-93R00	Thailand																																	
		Reinf Assy RR Ply, R	77594-93R01	Thailand																																	
		Reinf Assy RR Ply, L	77595-93R01	Thailand																																	
		RR Fend RH	78112-93R01	Thailand																																	
		RR Fend LH	78113-93R01	Thailand																																	
		Reinf RR Fend RH	78114-93R01	Thailand						ns legal to																											
		Reinf RR Fend LH	78115-93R01	Thailand							erell (
		Ext RR Fend RH	78118-93R01	Thailand																																	
		Ext RR Fend LH	78119-93R01	Thailand				. '.																													
		Cover RR Fend RH	78122-93R00																																		
		Cover RR Fend LH	78123-93R00	Thailand				17.0																													
		Corner Assy RR Fdr RH	78136-93R01				100			e di La	W																										
		Corner Assy RR Fdr LH	78137-93R01																																		
		Brkt Assy RR Comb Lamp RH	78144-93R00																																		
		Brkt Assy RR Comb Lamp LH	78145-93R00																																		
		Ext Corner RR Fend RH	78154-93R00																																		
		Ext Corner RR Fend LH	78155-93R00																																		
		Brkt Assy Corner Bmpr RR	78190-93R01																																		
		Lid Assy Fuel Filler	78830-93R00					•			8 4																										
		Back Panel	79102-93R00					. .		100	•																										
		RR Panel Upr W/Reinf	79112-93R50											2	?																						
		Back Panel Lwr	79122-93R00																																		
		Brkt Assy Spare Wheel Hanger	79130-93R00																																		
		Reinf Assy RR Panel Upr R	79140-93R00																																		
		Reinf Assy RR Panel Upr L	79141-93R00																																		
		Hookside Gate	93384-93R01																																		
		Hinge Assy RR Gate	93470-93R10																																		
		Inr RR Gate	93470-93R10							· /																											

ANNEX "B"

ARTICLES GRANTED 50% MOP UNDER THE APPROVED ASIAN CARMAKERS CORPORATION BBC SCHEME

HS HEADING	BRAND	RODUCT/PART NAM	PART NO.	SOURCE	1	RATE	(%)	MARGIN OF PRE-	PRE	ICABL FEREI ARIFF	(%)
NO.	NAME			COUNTRY	1 NOV. 1994	1 JUL 1995	28 AUG. 1995	ERENC (%)	1 NOV. 1994	1 JULY 1995	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
ex 8703.90 10	BMW (3-series	Sheet glass:			20	10	3	50	10	5	1.5
	Model)										