

**MALACAÑANG**  
Manila

**BY THE PRESIDENT OF THE PHILIPPINES**

**EXECUTIVE ORDER NO. 395**

**MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY  
ON INFORMATION TECHNOLOGY (IT) PRODUCTS UNDER  
SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978  
(PRESIDENTIAL DECREE NO. 1464, AS AMENDED)**

**WHEREAS**, on 13 December 1996, fourteen (14) economies signed in Singapore a Ministerial Declaration on Trade in Information Technology (IT) Products providing for the elimination/binding of tariffs on certain IT products beginning 01 July 1997 and ending on 01 January 2000 with extended staging of tariff reductions up to the year 2005 for developing countries;

**WHEREAS**, the Philippines formally signed the Information Technology Agreement (ITA) on 01 April 1997 and was ratified by the Philippine Senate on 03 December 1998;

**WHEREAS**, the Philippines availed of the flexibility of extended staging of tariff reductions on sensitive IT products up to year 2005 as approved by the Tariff and Related Matters (TRM) Cabinet Committee in its meeting of 24 March 1997 and confirmed by the NEDA Board on 25 March 1997;

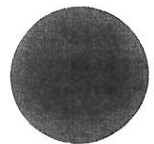
**WHEREAS**, Section 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty.

**NOW, THEREFORE, I, 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 specifically listed in Annex "A" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty in accordance with the schedule indicated opposite each article.



PGMA Hoogram # 29016



**SECTION 2.** The nomenclature and the rate of import duty on tariff headings not enumerated and those listed but represented by the symbol "X X X" shall remain in force and effect.

**SECTION 3.** Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid "Annex" which are entered in or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

**SECTION 4.** All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

**SECTION 5.** This Executive Order shall take effect on 01 January 2005 following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 31st day of December, in the year of Our Lord, Two Thousand and Four.

*Gloria Arroyo*

By the President:

*Ermita*

**EDUARDO R. ERMITA**  
Executive Secretary



PGMA Hologram # 29017

Hdg.	Tariff Code	Description	Rate of Duty (%)
			01 January 2005
<b>38.18</b>		<b>Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics.</b>	
	3818.00.10	- Wafers or discs with silicon content not less than 99%, not electrically programmed	Free
	3818.00.90	- Other	Free
<b>85.17</b>		<b>Electrical apparatus for line telephony or line telegraphy, including line telephone sets with cordless handsets and telecommunication apparatus for carrier-current line systems or for digital line systems; videophones.</b>	
		- Telephone sets; videophones:	
	8517.11.00	-- X X X	
	8517.19	-- Other:	
	8517.19.10	--- Telephone sets	Free
	8517.19.20	--- X X X	
	to		
	8517.90.90		
<b>85.23</b>		<b>Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37.</b>	
		- Magnetic tapes:	
	8523.11	-- Of a width not exceeding 4 mm:	
	8523.11.10	--- X X X	
	8523.11.90	--- Other	Free
	8523.12	-- Of a width exceeding 4 mm but not exceeding 6.5 mm:	
	8523.12.10	--- Videotape	Free
	8523.12.20	--- X X X	
	8523.12.30	--- UMATIC, BETACAM, DIGITAL tape	Free
	8523.12.90	--- Other	Free
	8523.13	-- Of a width exceeding 6.5 mm:	
	8523.13.10	--- Videotape	Free
	8523.13.20	--- X X X	
	8523.13.30	--- UMATIC, BETACAM, DIGITAL tape	Free
	8523.13.40	--- In pancake form	Free
	8523.13.90	--- Other	
		A. Jumbo form	Free
		B. Other	Free
	8523.20	- Magnetic discs:	
	8523.20.10	-- X X X	

Hdg.	Tariff-Code	Description	Rate of Duty (%)
			01 January 2005
	8523.20.20	-- Video disks	Free
	8523.20.30	-- Other hard disks	Free
	8523.20.40	-- X X X	
	8523.20.90	-- Other	Free
	8523.30.00	- X X X	
	8523.90	- Other:	
	8523.90.10	-- For video	Free
	8523.90.20	-- X X X	
	8523.90.90	-- Other	Free
<b>85.36</b>		<b>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, junction boxes), for a voltage not exceeding 1,000 volts.</b>	
	8536.10	- X X X	
	to		
	8536.49 00		
	8536.50	- Other switches:	
	8536.50.10	-- X X X	
	to		
	8536.50.40		
	8536.50.50	-- Electronic AC switches consisting of optically coupled input and output circuits (Insulated thyristor AC switches); electronic switches, including temperature protected electronic switches, consisting of a transistor and a logic chip (chip-on-chip technology) for a voltage not exceeding 1000 volts; electromechanical snap-action switches for a current not exceeding 11 amps	Free
	8536.50.60	-- X X X	
	8536.50.90	-- X X X	
		- Lamp-holders, plugs and sockets:	
	8536.61	-- X X X	
	8536.61.10	--- X X X	
	8536.61.90	--- X X X	
	8536.69	-- Plugs and sockets:	
	8536.69.10	--- X X X	
	8536.69.20	--- X X X	
	8536.69.30	--- Sockets and other plugs for co-axial cables and printed circuits	Free
	8536.69.90	--- X X X	
	to		
	8536.90.90		

Hdg.	Tariff Code	Description	Rate of Duty (%)
			01 January 2005
85.44		<b>Insulated (including enamelled or anodised) wire, cable, (including co-axial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors.</b>	
		- X X X	
	8544.11	-- X X X	
	to		
	8544.30.90		
		- Other electric conductors, for a voltage not exceeding 80 V:	
	8544.41	-- Fitted with connectors:	
		--- Of a kind used for telecommunications:	
	8544.41.11	---- Telephone cables, submarine	Free
	8544.41.12	---- Telephone cables, other than submarine	Free
	8544.41.13	---- Telegraph and radio relay cables, submarine	Free
	8544.41.14	---- Telegraph and radio relay cables, other than submarine	Free
	8544.41.15	---- Other plastic insulated electric cable having cross section not exceeding 300 mm <sup>2</sup>	Free
	8544.41.19	---- Other	Free
		--- X X X	
	8544.41.91	---- X X X	
	to		
	8544.41.99		
	8544.49	-- Other:	
		--- Of a kind used for telecommunications:	
	8544.49.11	---- Telephone, telegraph and radio relay cables, submarine	Free
	8544.49.12	---- Telephone, telegraph and radio relay cables, other than submarine	Free
	8544.49.19	---- Other	Free
		--- X X X	
	8544.49.91	---- X X X	
	to		
	8544.49.99		
		- Other electric conductors, for a voltage exceeding 80 V but not exceeding 1,000 V:	
	8544.51	-- Fitted with connectors:	
		--- Of a kind used for telecommunications:	
	8544.51.11	---- Telephone, telegraph and radio relay cables, submarine	Free
	8544.51.12	---- Telephone, telegraph and radio relay cables, other than submarine	Free
	8544.51.19	---- Other	Free

Hdg.	Tariff Code	Description	Rate of Duty (%)
			01 January 2005
		--- X X X	
	8544.51.91	---- X X X	
	to		
	8544.70.90		
<b>90.26</b>		<b>Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flowmeters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 90.14, 90.15, 90.28 or 90.32.</b>	
	9026.10	- For measuring or checking the flow or level of liquids:	
	9026.10.10	-- Level gauges for motor vehicles, electrically operated	Free
	9026.10.20	-- Level gauges for motor vehicles, not electrically operated	Free
	9026.10.30	-- Other, electrically operated	Free
	9026.10.90	-- Other, not electrically operated	Free
	9026.20	- For measuring or checking pressure:	
	9026.20.10	-- Pressure gauges for motor vehicles, electrically operated	Free
	9026.20.20	-- Pressure gauges for motor vehicles, not electrically operated	Free
	9026.20.30	-- Other, electrically operated	Free
	9026.20.40	-- Other, not electrically operated	Free
	9026.80	- X X X	
	to		
	9026.90.20		