



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 102

MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN IMPORTED ARTICLES IN ORDER TO IMPLEMENT THE PHILIPPINE TARIFF COMMITMENTS PURSUANT TO THE FREE TRADE AGREEMENT BETWEEN THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN) AND HONG KONG, CHINA

WHEREAS, the ASEAN – Hong Kong, China Free Trade Agreement (AHKFTA) was signed by the Philippines on 12 November 2017, at the sidelines of the 31st ASEAN Leaders' Summit in Manila, while the signatures of all ASEAN member states were completed on 28 March 2018 in Nay Pyi Taw, Myanmar;

WHEREAS, the AHKFTA was ratified by the President on 04 January 2019;

WHEREAS, the AHKFTA will strengthen the economic partnerships between the ASEAN member states and Hong Kong, China, serve as an important building block towards regional economic integration, and support sustainable economic development;

WHEREAS, the AHKFTA provides that each Party shall progressively reduce or eliminate customs duties on goods originating from the other Parties to the Agreement, in accordance with their respective Schedule of Tariff Commitments;

WHEREAS, the commitment under the AHKFTA to reduce tariffs and eliminate customs duties will enhance trade and investment between the Parties to the Agreement;

WHEREAS, Section 1609 of Republic Act (RA) No. 10863 or the "Customs Modernization and Tariff Act," provides that the President shall, upon the recommendation of the National Economic and Development Authority (NEDA), modify import duties, including any necessary change in classification and other import restrictions as required or appropriate to carry out and promote foreign trade with other countries; and

WHEREAS, on 06 May 2019, the NEDA Board approved, *ad referendum*, the tariff reduction schedule on various products covered by the Schedule of Tariff Commitments under the AHKFTA;

THE PRESIDENT OF THE PHILIPPINES

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Schedule of Tariff Commitments. The articles listed in the Philippine Schedule of Tariff Commitments under the AHKFTA, which is attached as an Annex hereof, shall be subject to the rates of import duty indicated in columns 3 to 16 thereof.

SECTION 2. Applicable AHKFTA Rate. All goods originating from Hong Kong, China and the ASEAN Member States, in accordance with the aforementioned Philippine Schedule of Tariff Commitments, entered into or withdrawn from warehouses in the Philippines for consumption, shall be levied the rates of duties prescribed therein, subject to the submission of a Certificate of Origin, in compliance with the Rules of Origin under the AHKFTA.

The Tariff Commission may be requested to issue advance rulings on tariff classification of goods to confirm the applicable rates of duty of particular goods subject of this Order, consistent with Section 1100 of RA No. 10863.

SECTION 3. Right of Recourse. Nothing in this Order shall preclude the Government of the Philippines from invoking its right of recourse to all trade remedy measures provided for in its laws, the AHKFTA, and other relevant international agreements in order to ensure the prevention of import surges or unfair trade practices.

SECTION 4. Repealing Clause. All previous issuances inconsistent with this Order are hereby repealed or amended accordingly.

SECTION 5. Separability Clause. In the event that any provision of this Order or any part thereof is declared invalid, illegal or unconstitutional, the provisions not affected thereby shall remain in force and effect.

SECTION 6. Effectivity. This Order shall take effect immediately following its complete publication in the Official Gazette or in a newspaper of general circulation.

DONE, in the City of Manila, this 10th day of **January** in the year of Our Lord, Two Thousand and **Twenty**.



By the President:



SALVADOR C. MEDIALDEA
Executive Secretary

