

Department Administrative Order No. 21-01 Series of 2021

AMENDING DAO NO. 20-11 ON THE PRELIMINARY DETERMINATION OF THE SAFEGUARD MEASURES CASE ON THE IMPORTATION OF MOTOR VEHICLES FROM VARIOUS COUNTRIES (AHTN Codes 8703 (Passenger Cars), 8704.21.19 and 8704.21.29 (Light Commercial Vehicles) (Safeguard Measures Case No. SG01-2020)

ORDER

WHEREAS, on 29 December 2020, The Department of Trade and Industry issued Administrative Order (DAO) 20-11 imposing provisional safeguard measures in the form of cash bonds amounting to \$\text{P}70,000/unit for passenger cars/vehicles classified under AHTN Code 8703 and \$\text{P}110,000/unit for light commercial vehicles classified under AHTN Codes 8704.21.19 and 8704.21.29 imported from various countries;

WHEREAS, Rule 8.8 of the Implementing Rules and Regulations of RA 8800 and Article 9.1 of the WTO Agreement on Safeguards excludes from safeguard measures imports originating from developing countries with de-minimis volume;

WHEREAS, Annexes A & B have been drawn up listing certain developing countries that meet the de-minimis import volume on subject motor vehicles as provided under the aforementioned WTO provision and the IRR of RA 8800;

WHEREAS, the Department reviewed the aforementioned Annexes and noted that countries/economies generally considered as developing have certain qualities, such as low to lower middle income and have low, medium, to high human development;

WHEREAS, the Department also notes that many developed countries are members of an international organization comprised mainly of high-income economies such as the Organization for Economic Co-operation and Development;

WHEREAS, in view of the foregoing, there is a need to amend the List of Developing Countries under Annexes A and B of DAO 20-11 taking into consideration the abovementioned attributes.

OFFICE OF THE SECRETARY

NOW, **THEREFORE**, Annexes A and B, List of Developing Countries from which imported motor vehicles subject of the provisional safeguard measures shall not be applied, of DAO 20-11 is hereby amended.

All other provisions of DAO No. 20-11 except as herein expressly modified, shall remain in full force and effect.

The Department Administrative Order can be accessed at the DTI website: https://bit.ly/AmendedDAO11

The notification and consultation requirements under Article 12 of the WTO Safeguards Agreement and Section 17 of RA 8800 and its IRR shall be complied with. Imports originating from ASEAN member states shall be governed by the provisions of Articles 11 and 23 of the ASEAN Trade in Goods Agreement (ATIGA).

Let this Order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties including the country members concerned.

This Order shall take effect after fifteen (15) days from its publication or from the date of the issuance of relevant BOC-CMO, whichever comes earlier.

SO ORDERED.

19 February 2021

RAMON M. LOPEZ

ANNEX A

List of Developing Countries and Separate Customs Territories from Which the Provisional Safeguard Duties on Passenger Cars Shall Not be Applied

East & Southern Africa	West Africa	North Africa	South Asia
Angola Botswana Burundi Comoros Congo. Dem. Rep. Djibouti Eritrea Ethiopia Kenya Lesotho Madagascar Malawi Mauritius Mozambique Namibia Reunion Rwanda Seychelles Somalia South Africa	Benin Burkina Faso Cameroon Cape Verde Central African Rep. Chad Congo, Rep. Cote d' Ivoire Equatorial Guinea Gabon Gambia, The Ghana Guinea Guinea, Bissau Liberia Mali Mauritania Niger Nigeria Sao Tome & Principe	Algeria Egypt, Arab Rep. Libya Morocco Tunisia	Afghanistan Bangladesh Bhutan British Indian Ocean Territory East Timor India Maldives Nepal Pakistan Sri Lanka
Sudan Swaziland Tanzania Uganda Zambia Zimbabwe	Senegal Sierra Leone Togo		

Europe & Central	Middle East	Americas	East Asia & Pacific
Asia			
Albania	Bahrain	Anguilla	American Samoa
Armenia Azerbaijan	Iran, Islamic Rep.	Antigua & Barbuda	Brunei Darussalam
Belarus	Iraq	Argentina	Cambodia
Bosnia & Herzegovina	Jordan Kuwait	Aruba	Chinese Taipei
Bulgaria	Lebanon	Bahamas	Christmas Is.
Croatia	Oman	Barbados Belize	Cocos (Keeling) Is. Cook Is.
Cyprus	Qatar	Bermuda	Fiji
Georgia	Saudi Arabia	Bolivia	French Polynesia
Greenland	Syrian Arab Rep.	Brazil	Guam
Kazakhstan	United Arab Emirates	British Virgin Is.	Hong Kong, China
Kyrgyz Republic	West Bank & Gaza	Cayman Is.	Johnston Is.
Macedonia, FYR	Yemen, Rep.	Colombia	Kiribati
Malta		Costa Rica	Korea, Dem. Rep.
Moldova		Cuba	Lao PDR
Romania		Dominica	Macau, China
Russian Federation		Dominican Rep.	Malaysia
Tajikistan		Ecuador	
Turkey			Marshall Islands
		El Salvador	Micronesia, Fed. Sts.
Turkmenistan		Falkland Is. (Malvinas)	Midway Is.
Ukraine		French Guiana	Mongolia
Uzbekistan		Grenada	Myanmar
Yugoslavia, Fed. Rep.	1	Guadeloupe	Nauru
		Guatemala	New Caledonia
		Guyana	Niue
		Haiti	Northern Marianas Is.
		Honduras	1 - 17 - 18 - 17 - 18 - 18 - 18 - 18 - 1
			Palau
		Jamaica	Papua New Guinea
		Martinique	Pitcairn Is.
		Mexico	Samoa
		Montserrat	Singapore
		Netherland Antilles	Solomon Islands
		Nicaragua	Tokelau
		Norfolk Is.	Tonga
		Panama	Tuvalu
		Paraguay	Vanuatu
		The second secon	
		Peru	Viet Nam
		Puerto Rico St. Helena	Wake Is.
		St. Kitts & Navis	Wallis & Futuna Is.
		St. Lucia	
		St. Pierre & Miguelon	
		St. Vincent & the	
		Grenadines Suriname	
		Trinidad & Tobago	
		Turks & Caicos Is.	
		Uruguay	
		US Virgin Is.	
		Venezuela	

List of Developing Countries and Separate Customs Territories from Which the Provisional Safeguard Duties on Light Commercial Vehicles Shall Not be Applied

East & Southern Africa	West Africa	North Africa	South Asia
Angola	Benin	Almania	AC. I
Botswana	Burkina Faso	Algeria	Afghanistan
Burundi	Cameroon	Egypt, Arab Rep. Libya	Bangladesh Bhutan
Comoros	Cape Verde	Morocco	British Indian Ocean Territory
Congo. Dem. Rep.	Central African Rep.	Tunisia	East Timor
Djibouti	Chad	, annois	India
Eritrea	Congo, Rep.		Maldives
Ethiopia	Cote d' Ivoire		Nepal
Kenya	Equatorial Guinea		Pakistan
Lesotho	Gabon		Sri Lanka
Madagascar	Gambia, The		(2000) (2000) (2000)
Malawi	Ghana		
Mauritius	Guinea		
Mozambique	Guinea, Bissau		
Namibia	Liberia		
Reunion	Mali		
Rwanda	Mauritania		
Seychelles	Niger		
Somalia	Nigeria		
South Africa	Sao Tome & Principe		
Sudan	Senegal		
Swaziland	Sierra Leone		
Tanzania	Togo		
Uganda			
Zambia			
Zimbabwe			

Europe & Central Asia	Middle East	Americas	East Asia & Pacific
Albania	Bahrain	Anguilla	American Samoa
Armenia	Iran, Islamic Rep.	Antigua & Barbuda	Brunei Darussalam
Azerbaijan	Iraq	Argentina	Cambodia
Belarus	Jordan	Aruba	Chinese Taipei
Bosnia & Herzegovina	Kuwait	Bahamas	Christmas Is.
Bulgaria	Lebanon	Barbados	Cocos (Keeling) Is.
Croatia	Oman	Belize	Cook Is.
Cyprus	Qatar	Bermuda	Fiji
Georgia	Saudi Arabia	Bolivia	French Polynesia
Greenland	Syrian Arab Rep.	Brazil	Guam
Kazakhstan	United Arab Emirates	British Virgin Is.	Hong Kong, China
Kyrgyz Republic	West Bank & Gaza	Cayman Is.	Indonesia
Macedonia, FYR	Yemen, Rep.	Colombia	Johnston Is.
Malta	*	Costa Rica	Kiribati
Moldova		Cuba	Korea, Dem. Rep.
Romania		Dominica	Lao PDR
Russian Federation		Dominican Rep.	Macau, China
Tajikistan		Ecuador	Malaysia
AL PARTINGS OF SERVICES		DCD CONTRACTORY	14 (A CONTRACTOR OF A CONTRACTOR A
Turkey		El Salvador	Marshall Islands
Turkmenistan		Falkland Is. (Malvinas)	Micronesia, Fed. Sts.
Ukraine		French Guiana	Midway Is.
Uzbekistan		Grenada	Mongolia
Yugoslavia, Fed. Rep.		Guadeloupe	Myanmar
		Guatemala	Nauru
		Guyana	New Caledonia
		Haiti	Niue
		CALIFORNATA	11.15.75.75.05.00
		Honduras	Northern Marianas Is.
		Jamaica	Palau
		Martinique	Papua New Guinea
		Mexico	People's Republic of China
		Montserrat	Pitcairn Is.
		Netherland Antilles	Samoa
		Nicaragua	Singapore
		Norfolk Is.	Solomon Islands
			l .
		Panama	Tokelau
		Paraguay	Tonga
		Peru	Tuvalu
		Puerto Rico	Vanuatu
		St. Helena	Viet Nam
		St. Kitts & Navis	Wake Is.
		St. Lucia	Wallis & Futuna Is.
		St. Pierre & Miguelon	vvaliis & rataria is.
		St. Vincent & the	
		Grenadines Suriname	
		Trinidad & Tobago	
		Turks & Caicos Is.	
		Uruguay	1
		US Virgin Is.	1
		Venezuela	
			nt Commercial Vehicles