



JAN 31 2008

**CUSTOMS MEMORANDUM ORDER**

NO. 5-2008

**SUBJECT: Executive Order No. 691, Temporarily Modifying the Rates of Import Duty On Crude Petroleum Oils and Refined Petroleum Products Under Section 104 of The TCCP of 1978 (P.D. No. 1466), as amended**

Executive Order No. 691, which became effective on 11 January 2008 per CMC No. 22-2008 dated January 28, 2008, provides in Section 3 thereof that *"The MFN rates on crude and refined petroleum products shall be reduced based on certain triggers indexed to oil prices in the world market"*.

The Administrative procedure for the adjustment of MFN Rate of Crude and Refined Petroleum products appended to E.O. No. 691 as Annex "A" is prescribed in Section 3 of the said E.O. No. 691, which states:

"The MFN rates on crude and refined petroleum products shall be reduced based on certain triggers indexed to oil prices in the world market. The tariffs shall be automatically restored as international oil prices move down based on the same trigger prices. The MFN rates shall take effect upon certification and notification by the Department of Energy (DOE) that a trigger price has been reached and notification of the same shall have been made to the Department of Finance (DOF), for which the corresponding Customs Memorandum Order shall be issued by the Bureau of Customs (BOC).

On January 22, 2008 the Department of Energy certified that:

"The Department of Energy (DOE) duly certifies that the trigger price levels for the implementation of Executive Order No. 691, Temporarily Modifying the rates of Import Duty on Crude Petroleum Oil and Refined Petroleum Products Under Section 104 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, have been reached for the period January 1-15, 2008.

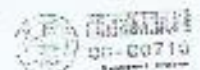
The average CIF price of Dubai crude was above US\$91.70 per barrel and the average CIF price of diesel reached \$443.00 per barrel in the international market during the period January 1-15, 2008. As such, pursuant to Section 4 of Executive Order No. 691, all import entries corresponding to articles listed in Annex "A" thereof, filed and received by the Bureau of Customs (BOC), shall be levied 1% rate of duty, effective February 1, 2008.

This certification is issued on January 22, 2008.

(SGD) ANGELO T. REYES  
 Secretary

For your information and implementation

MANOLO VICENTE ROSALES  
 Commissioner



subject to the Most Favoured Nation (MFN) rate of import duty in accordance with the schedule indicated opposite each article.

SECTION 2. The rates of import duty on tariff headings not enumerated and those listed but represented by the symbol "x x s" shall remain in force and in effect.

SECTION 3. The MFN rates on crude and refined petroleum products shall be reduced based on certain triggers indexed to oil prices in the world market. The tariffs shall be automatically restored as international oil prices move down based on the same trigger prices. The MFN rates shall take effect upon certification by the Department of Energy (DOE) that a trigger price has been reached and notification of the same shall have been made to the Department of Finance (DOF), for which the corresponding Customs Memorandum Order shall be issued by the Bureau of Customs (BOC).

SECTION 4. Upon the effectivity of this Executive Order, all articles listed in Annex "A" which are entered and withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed in accordance with Section 3 above.

SECTION 5. The DOE, in coordination with the Department of Finance (DOF), the Department of Trade and Industry (DTI), the National Economic and Development Authority (NEDA), and the Bureau of Customs (BOC) shall promulgate the guidelines to implement this Executive Order.

SECTION 6. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

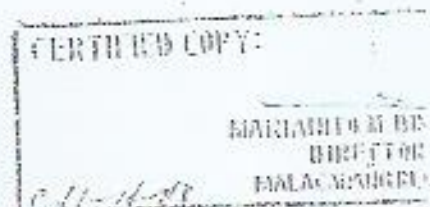
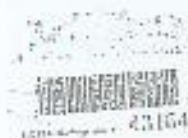
SECTION 7. This Executive Order shall take effect immediately following its complete publication in two (2) national newspapers of general circulation in the Philippines or in the Official Gazette.

DONE in the City of Manila, this Four day of January in the year of Our Lord, Two Thousand and Eight.

*Glenn M. Arroyo*

By the President:

*Edgardo R. Erleta*  
EDGARDO R. ERLETA  
Executive Secretary



Republic of the Philippines  
**DEPARTMENT OF ENERGY**

JAN 22 2008



**CERTIFICATION**

TO: DEPARTMENT OF FINANCE

The Department of Energy (DOE) duly certifies that the higher price levels for the implementation of Executive Order No. 691, *Temporarily Modifying the Rates of Import Duty on Crude Petroleum Oil and Refined Petroleum Products Under Section 104 of the Tariff and Customs Code of 1970 (Presidential Decree No. 1404), as amended*, have been reached for the period January 1-15, 2008.

The average CIF price of Dubai crude was above US\$170 per barrel and the average CIF price of diesel reached \$113.00 per barrel in the international market during the period January 1-15, 2008. As such, pursuant to Section 4 of Executive Order No. 691, all import entries corresponding to articles listed in Annex "A" thereof, filed and received by the Bureau of Customs (BOC), shall be levied 15% rate of duty, effective February 1, 2008.

This Certification is issued on January 22, 2008.



**ANGELO F. REYES**  
 Secretary



- cc: BOC
- DTI
- HEDA
- MP
- IPPCA



Republic of the Philippines  
DEPARTMENT OF ENERGY

JAN 23 2009




CERTIFICATION

TO: DEPARTMENT OF FINANCE

The Department of Energy (DOE) duly certifies that the trigger price levels for the implementation of Executive Order No. 691, *Temporarily Modifying the Rates of Import Duty on Crude Petroleum Oil and Refined Petroleum Products Under Section 104 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended*, have been reached for the period January 1-15, 2009.

The average CIF price of light crude was above US\$91.70 per barrel and the average CIF price of diesel reached \$113.00 per barrel in the international market during the period January 1-15, 2009. As such, pursuant to Section 4 of Executive Order No. 691, all import entries corresponding to articles listed in Annex "A" hereof, filed and received by the Bureau of Customs (BOC), shall be levied 15% rate of duty, effective February 1, 2009.

This Certification is issued on January 23, 2009.

  
ANGELITO T. REYES  
Secretary



- cc: DPE
- DOE
- DOF
- DOA
- DOE
- DOF
- DOA