CUSTOMS MEMORANDUM ORDER
HO.No. 691

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 Tariff and Customs Code of 1978 (P.D. No. 1464), as amended

Executive Order No. 691, which became effective on 11 January 2008 per CMC No. 22-2008 dated January 20, 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 triggers shall be automatically reduced at international oil prices move down based on the same triggers 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 (P.D. No. 1464), as amended, have been reached for the period January 1-15, 2008.

The average CIF price of Dubai crude was above US$101.70 per barrel and the average CIF price of diesel reached $413.00 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" hereof, filed and received by the Bureau of Customs (BOC), shall be issued 1% rate of duty, effective February 1, 2008.

This certification is dated January 22, 2008.

(SGD) ANGELO T. DUVERES
Secretary"

For your information and implementation.
subject to the Most Favored Nation (MFN) rate of import duty in accordance with the schedule indicated opposite each article.

SECTION 3. The rates of import duty on tariff headings not enumerated and those listed but represented by the symbol "x x x" shall remain in force and in effect.

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 2 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 formulate 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.

DOE in the City of Manila, this 1st day of January in the year of our Lord, Two Thousand and Eight.

By the President:

[Signature]

EDUARDO R. FRANCIS
Executive Secretary

CERTIFIED COPY:

[Stamp]
Republic of the Philippines

DEPARTMENT OF ENERGY

JAN 2 2 2008

CERTIFICATION

TO: DEPARTMENT OF FINANCE

The Department of Energy (DOE) hereby 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 1978 (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$117.70 per barrel and the average CIF price of diesel reached $113.00 per barrel at 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 T. REYES
Secretary

BCC: BOC
DTI
NDOA
FIP
IPPCA
REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF ENERGY

JAN 22, 2009

CERTIFICATION

TO: DEPARTMENT OF FINANCE

The Department of Energy (DOE) hereby 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 Dubai 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" thereof, filed and received by the Bureau of Customs (BOC), shall be levied 14% rate of duty, effective February 1, 2009.

This Certification is issued on January 22, 2009.

ANGELO T. HEYES

Secretary

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IPCA