



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
MANILA

23 September 1996

CUSTOMS MEMORANDUM ORDER

NO. 31-96

To : All Collectors of Customs
And Others Concerned

Subject : Revised Guidelines Regarding the Implementation of Executive
Order No. 365

1.0 Effective 16 April 1996 to 13 August 1996, all shipments of crude oil and petroleum products as listed below shall be levied the rates of import duty indicated opposite thereof.

Hdg. No.	Description	Rates of Duty
1.1 2709.00 00	Petroleum oils obtained from bituminous minerals, crude	3% plus P0.95 per liter
1.2 2710.00 50	Naphtha	7% plus P1.00 per liter
1.3 2710.00 80	Gas oils (including diesel oil), including (Kerosene type jet fuel) and motor gasoline, other heavy oils.	7% plus P1.00 per liter
1.4 2710.00 90	Other oils and preparations	7% plus P1.00 per liter
1.5 2711.12 00	Propane	3% plus P1.00 per liter
1.6 2711.13 00	Butanes	3% plus P1.00 per liter
1.7 2711.14 00	Ethylene, propylene, butylene and butadiene	7% plus P1.00 per liter
1.8 2711.19 10	Mixture of propane and butanes	3% plus P1.00 per liter
1.9 2711.19 90	Other	7% plus P1.00 per liter

2.0 Effective August 14, 1996, all shipments of crude oil and petroleum products as listed below shall be levied the rates of import duty indicated opposite thereof.

Hdg. No.	Description	Rates of Duty
2.1 2709.00 00	Petroleum oils obtained from bituminous minerals, crude	3%

MALACAÑANG
MANILA

CMO-31-76

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 365

PROVIDING FOR THE TARIFF NOMENCLATURE AND IMPLEMENTING THE RATES OF IMPORT DUTIES ON CERTAIN IMPORTED ARTICLES UNDER REPUBLIC ACT NOS. 8180 AND 8184

WHEREAS, pursuant to Republic Act. No. 8180, tariff duties of three percent (3%) and seven percent (7%) shall be imposed and collected on imported crude oil and refined petroleum products, respectively, except fuel oil and LPG, the rate of which shall be the same as that for imported crude oil;

WHEREAS, it is imperative that a presidential order is issued to implement the specific objective of Republic Act No. 8180 of maintaining a four percent (4%) tariff differential between the tariff rate on crude oil and refined petroleum products as well as to effectively guide the Bureau of Customs in imposing and collecting the correct customs duties on the specific petroleum products covered by the Act;

WHEREAS, in the process of tax restructuring and the de-regulation of the oil industry the special levy imposed on petroleum products shall be abolished and henceforth absorbed by the new specific taxes under Republic Act No. 8184;

NOW, THEREFORE, I, FIDEL V. RAMOS, President 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 covered by Republic Act No. 8180 and as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be levied the rates of import duty in accordance with the schedule indicated opposite each article as listed in the aforementioned Annex.

SEC. 2. Upon the effectivity of Republic Act No. 8184 and except for lubricating oils and lubricating oil basestock (HS 2710.00 40) and other solvents (HS 2710.00 70), the special levy of ninety-five centavos (P0.95) per liter imposed on imported crude oil (HS No. 27.09) and one peso (P1.00) per liter on petroleum products (HS 27.10 and 27.11) of the Tariff and Customs Code of the Philippines, as amended under Annex A hereof, shall be

IN REPLYING, PLEASE CITE:



abolished and those articles which are entered into or withdrawn from warehouse in the Philippines for consumption shall be levied the rates of duty herein prescribed in the revised tariff schedule in Annex B.

SEC. 3. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 4. Effectivity.

1. Annex A is effective as of April 16, 1996, the effectivity date of RA 8180, until the effectivity of RA 8184.
2. Annex B shall be effective upon the initial implementation of the automatic oil pricing formula as provided for under Section 8 of RA 8184.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of August in the year of Our Lord, Nineteen Hundred and Ninety-Six.



By the President:


LUIS C. LIWANAG II
Acting Executive Secretary

CMO-31-96

Hdg. No.	Harmonized Commodity Code	Description	Rates of Duty 01 January				
			1996	1997	1998	1999	2000
27.09	2709.00 00	Petroleum oils and oils obtained from bituminous minerals, crude	3+ P0.95/l	3+ P0.95/l	3+ P0.95/l	3+ P0.95/l	3+ P0.95/l
27.10	2710.00	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations.					
	2710.00 10	--- Propylene tetramer	3	3	3	3	3
	2710.00 20	--- Carbon black feedstock oil	3	3	3	3	3
	2710.00 30	--- Fuel oils	3	3	3	3	3
	2710.00 40	--- Lubricating oils, including lubricating oil basestock	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l
	2710.00 50	--- Naphtha	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l
	2710.00 60	--- Low aromatic solvents with less than 1% by weight aromatic content	7	7	7	7	7
	2710.00 70	--- Other solvents	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l
	2710.00 80	--- Gas oils (including diesel oil), kerosene (including kerosene type jet fuel) and motor gasoline; other heavy oils	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l
	2710.00 90	--- Other oils and preparations	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l	7+ P1/l

CMO-31-96

Hdg. No.	Harmonized Commodity Code	Description	Rates of Duty					
			1996	1997	1998	1999	2000	
27.11		Petroleum gases and other gaseous hydrocarbons.						
		Liquefied:						
	2711.11 00	-- XXX						
	2711.12 00	-- Propane	3+ P1A	3+ P1A	3+ P1A	3+ P1A	3+ P1A	3+ P1A
	2711.13 00	-- Butanes	3+ P1A	3+ P1A	3+ P1A	3+ P1A	3+ P1A	3+ P1A
	2711.14 00	-- Ethylene, propylene, butylene and butadiene	7+ P1A	7+ P1A	7+ P1A	7+ P1A	7+ P1A	7+ P1A
	2711.19 00	-- Other:						
	2711.19 10	--- Mixture of propane and butanes	3+ P1A	3+ P1A	3+ P1A	3+ P1A	3+ P1A	3+ P1A
	2711.19 90	--- Other	7+ P1A	7+ P1A	7+ P1A	7+ P1A	7+ P1A	7+ P1A
		- XXX						
	2711.21 00	-- XXX						
	2711.29 00	-- XXX						
27.12		Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured.						
	2712.10 00	- Petroleum jelly	3	3	3	3	3	3
	2712.20 00	- Paraffin wax containing by weight less than 0.75% of oil	3	3	3	3	3	3
	2712.90 00	- Other	3	3	3	3	3	3

CMO-31-96

Hdg. No.	Harmonized Commodity Code	Description	Rates of Duty 01 January					
			1996	1997	1998	1999	2000	
27.13		Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals.						
	2713.11 00	- Petroleum coke: -- Not calcined	3	3	3	3	3	
	2713.12 00	-- Calcined	3	3	3	3	3	
	2713.20 00	- Petroleum bitumen	7	7	7	7	7	
	2713.90 00	- Other residues of petroleum oils or of oils obtained from bituminous minerals	7	7	7	7	7	

UMB-31-96

Hdg. No.	Harmonized Commodity Code	Description	Rates of Duty 01 January				
			1996	1997	1998	1999	2000
27.09	2709.00 00	Petroleum oils and oils obtained from bituminous minerals, crude	3	3	3	3	3
27.10	2710.00	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations.					
	2710.00 10	--- Propylene tetramer	3	3	3	3	3
	2710.00 20	--- Carbon black feedstock oil	3	3	3	3	3
	2710.00 30	--- Fuel oils	3	3	3	3	3
	2710.00 40	--- Lubricating oils, including lubricating oil basestock	7+ P 1A	7+ P 1A	7+ P 1A	7+ P 1A	7+ P 1A
	2710.00 50	--- Naptha	7	7	7	7	7
	2710.00 60	--- Low aromatic solvents with less than 1% by weight aromatic content	7	7	7	7	7
	2710.00 70	--- Other solvents	7+ P 1A	7+ P 1A	7+ P 1A	7+ P 1A	7+ P 1A
	2710.00 80	--- Gas oils (including diesel oil), kerosene (including kerosene type jet fuel) and motor gasoline; other heavy oils	7	7	7	7	7
	2710.00 90	--- Other oils and preparations	7	7	7	7	7
27.11		Petroleum gases and other gaseous hydrocarbons.					
	2711.11 00	- Liquefied: -- XXX					
	2711.12 00	-- Propane	3	3	3	3	3

MO-31.96

Hdg. No.	Description	Rates of Duty
2.2	2710.00 50 Naphtha	7%
2.3	2710.00 80 Gas oils (including diesel oil), including (Kerosene type jet fuel) and motor gasoline, other heavy oils.	7%
2.4	2710.00 90 Other oils and preparations	7%
2.5	2711.12 00 Propane	3%
2.6	2711.13 00 Butanes	3%
2.7	2711.14 00 Ethylene, propylene, butylene and butadiene	7%
2.8	2711.19 10 Mixture of propane and butanes	3%
2.9	2711.19 90 Other	7%

3.0 Effective 16 April 1996, all shipments of crude oil and petroleum products as listed below shall be levied the rates of import duty indicated opposite thereof.

Hdg. No.	Description	Rates of Duty
3.1	2710.00 10 Propylene tetramer	3%
3.2	2710.00 20 Carbon Black feedstock oil	3%
3.3	2710.00 30 Fuel oils	3%
3.4	2710.00 40 Lubricating oils, including lubricating oil basestock	7% plus P1.00 per liter
3.5	2710.00 60 Low aromatic solvents with less than 1% by weight aromatic content	7%
3.6	2710.00 70 Other solvents	7% plus P1.00 per liter
3.7	2712.10 00 Petroleum jelly	3%
3.8	2712.20 00 Paraffin wax containing by weight less than 0.75% of oil	3%
3.9	2712.90 00 Other	3%
3.10	2713.11 00 Not calcined	3%

CMO-31-96

	<u>Hdg. No.</u>	<u>Description</u>	<u>Rates of Duty</u>
3.11	2713.12 00	Calcined	3%
3.12	2713.20 00	Petroleum bitumen	7%
3.13	2713.90 00	Other residues of petroleum oils or of oils obtained from bituminous minerals	7%

4.0 Unless all of the below conditions provided for under Section 205 of the Tariff and Customs Code of the Philippines (TCCP), as amended, have been satisfied prior to 16 April 1996 or 14 August 1996 as the case maybe, the new rate prescribed herein must be applied.


4.1 shipment already arrived within the limits of the port of entry;

4.2 entry has been filed;

4.3 duties and taxes have been paid.

5.0 This Order repeals and/or recalls CMO No. 29-96 dated 17 September 1996 on the "Subject : Implementation of Executive Order No. 365" so that the actual date of implementation of R.A. 8184 is duly reflected pursuant to the clarification made by the Department of Energy.

For information, guidance and compliance.


GUILLERMO L. FARAYNC, JR.
Commissioner