



# BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

17 March 2021

## CUSTOMS MEMORANDUM ORDER (CMO)

NO. 14-2021

### **SUBJECT: ORDER FROM THE DEPARTMENT OF TRADE AND INDUSTRY AMENDING DEPARTMENT ADMINISTRATIVE ORDER (DAO) NO. 20-11 ON THE PRELIMINARY DETERMINATION OF THE SAFEGUARD MEASURES CASE ON THE IMPORTATION OF MOTOR VEHICLES FROM VARIOUS COUNTRIES**

As provided under the Department of Trade and Industry (DTI) **DAO No. 21-01<sup>1</sup>**, series of 2021, dated 19 February 2021 and pursuant to the directive dated 15 March 2021 from the Secretary of Finance<sup>2</sup>, the Bureau hereby amends CMO No. 06-2021 to comply with Rule 8.8 of the Implementing Rules and Regulations of Republic Act No. 8800 and Article 9.1 of the World Trade Organization Agreement on Safeguards insofar as excluding from safeguard measures the importations of motor vehicles under AHTN Codes 8703 (Passenger Cars), 8704.21.19 and 8704.21.29 (Light Commercial Vehicles) originating from developing countries with de-minimis volume, quoted hereunder as follows:

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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."**

XXX

Bureau of Customs  
CENTRAL RECORDS MGT. DIVISION

CERTIFIED TRUE COPY  
OF THE ORIGINAL  
*Margaret G. Manalaysay*  
MARGARET G. MANALAYSAY  
Administrative Officer V

<sup>1</sup> Annex 1: DAO 21-01 (Series of 2021) entitled, "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)."

<sup>2</sup> Annex 2

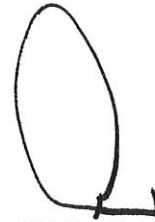
CMO No. 14-2021 p. 2

Thus, Developing Countries and Separate Customs Territories listed in Annexes A and B of DAO No. 21-01<sup>3</sup> shall be exempt from the imposition of provisional safeguard duties on imported vehicles in the form of a cash bond.

All other provisions of CMO No. 06-2021 except as herein expressly modified, shall remain in full force and effect.

For records purposes, all District and Sub-Port Collectors, and all others concerned are directed to confirm the dissemination of this Order throughout your offices within five (5) days from receipt thereof.

This Order shall take effect immediately.




**REY LEONARDO B. GUERRERO**  
Commissioner **MAR 19 2021**



BOC-09-19535

**Bureau of Customs**  
**CENTRAL RECORDS MGT. DIVISION**

**CERTIFIED TRUE COPY**  
**OF THE ORIGINAL**

  
**MARGARET G. MANALAYSAY**  
**Administrative Officer V**

<sup>3</sup> DAO 21-02, *supra* note 1.

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)**

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## **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 ₱70,000/unit for passenger cars/vehicles classified under AHTN Code 8703 and ₱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>

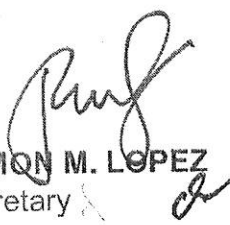
The notification and consultation requirements under Article 12 of the WTO Safeguards Agreement and Section 17 of RA 8800 and its IRR shall be complied with. Imports originating from ASEAN member states shall be governed by the provisions of Articles 11 and 23 of the ASEAN Trade in Goods Agreement (ATIGA).

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  
Secretary

## 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	Benin	Algeria	Afghanistan
Botswana	Burkina Faso	Egypt, Arab Rep.	Bangladesh
Burundi	Cameroon	Libya	Bhutan
Comoros	Cape Verde	Morocco	British Indian Ocean Territory
Congo, Dem. Rep.	Central African Rep.	Tunisia	East Timor
Djibouti	Chad		India
Eritrea	Congo, Rep.		Maldives
Ethiopia	Cote d' Ivoire		Nepal
Kenya	Equatorial Guinea		Pakistan
Lesotho	Gabon		Sri Lanka
Madagascar	Gambia, The		
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 Armenia Azerbaijan Belarus Bosnia & Herzegovina Bulgaria Croatia Cyprus Georgia Greenland Kazakhstan Kyrgyz Republic Macedonia, FYR Malta Moldova Romania Russian Federation Tajikistan Turkey Turkmenistan Ukraine Uzbekistan Yugoslavia, Fed. Rep.	Bahrain Iran, Islamic Rep. Iraq Jordan Kuwait Lebanon Oman Qatar Saudi Arabia Syrian Arab Rep. United Arab Emirates West Bank & Gaza Yemen, Rep.	Anguilla Antigua & Barbuda Argentina Aruba Bahamas Barbados Belize Bermuda Bolivia Brazil British Virgin Is. Cayman Is. Colombia Costa Rica Cuba Dominica Dominican Rep. Ecuador El Salvador Falkland Is. (Malvinas) French Guiana Grenada Guadeloupe Guatemala Guyana Haiti Honduras Jamaica Martinique Mexico Montserrat Netherlands Antilles Nicaragua Norfolk Is. Panama Paraguay Peru Puerto Rico St. Helena St. Kitts & Nevis St. Lucia St. Pierre & Miquelon St. Vincent & the Grenadines Suriname Trinidad & Tobago Turks & Caicos Is. Uruguay US Virgin Is. Venezuela	American Samoa Brunei Darussalam Cambodia Chinese Taipei Christmas Is. Cocos (Keeling) Is. Cook Is. Fiji French Polynesia Guam Hong Kong, China Johnston Is. Kiribati Korea, Dem. Rep. Lao PDR Macau, China Malaysia Marshall Islands Micronesia, Fed. Sts. Midway Is. Mongolia Myanmar Nauru New Caledonia Niue Northern Marianas Is. Palau Papua New Guinea Pitcairn Is. Samoa Singapore Solomon Islands Tokelau Tonga Tuvalu Vanuatu Viet Nam Wake Is. Wallis & Futuna Is.

## ANNEX B

### 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	Algeria	Afghanistan
Botswana	Burkina Faso	Egypt, Arab Rep.	Bangladesh
Burundi	Cameroon	Libya	Bhutan
Comoros	Cape Verde	Morocco	British Indian Ocean Territory
Congo, Dem. Rep.	Central African Rep.	Tunisia	East Timor
Djibouti	Chad		India
Eritrea	Congo, Rep.		Maldives
Ethiopia	Cote d' Ivoire		Nepal
Kenya	Equatorial Guinea		Pakistan
Lesotho	Gabon		Sri Lanka
Madagascar	Gambia, The		
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 Armenia Azerbaijan Belarus Bosnia & Herzegovina Bulgaria Croatia Cyprus Georgia Greenland Kazakhstan Kyrgyz Republic Macedonia, FYR Malta Moldova Romania Russian Federation Tajikistan Turkey Turkmenistan Ukraine Uzbekistan Yugoslavia, Fed. Rep.	Bahrain Iran, Islamic Rep. Iraq Jordan Kuwait Lebanon Oman Qatar Saudi Arabia Syrian Arab Rep. United Arab Emirates West Bank & Gaza Yemen, Rep.	Anguilla Antigua & Barbuda Argentina Aruba Bahamas Barbados Belize Bermuda Bolivia Brazil British Virgin Is. Cayman Is. Colombia Costa Rica Cuba Dominica Dominican Rep. Ecuador El Salvador Falkland Is. (Malvinas) French Guiana Grenada Guadeloupe Guatemala Guyana Haiti Honduras Jamaica Martinique Mexico Montserrat Netherland Antilles Nicaragua Norfolk Is. Panama Paraguay Peru Puerto Rico St. Helena St. Kitts & Navis St. Lucia St. Pierre & Miquelon St. Vincent & the Grenadines Suriname Trinidad & Tobago Turks & Caicos Is. Uruguay US Virgin Is. Venezuela	American Samoa Brunei Darussalam Cambodia Chinese Taipei Christmas Is. Cocos (Keeling) Is. Cook Is. Fiji French Polynesia Guam Hong Kong, China Indonesia Johnston Is. Kiribati Korea, Dem. Rep. Lao PDR Macau, China Malaysia Marshall Islands Micronesia, Fed. Sts. Midway Is. Mongolia Myanmar Nauru New Caledonia Niue Northern Marianas Is. Palau Papua New Guinea People's Republic of China Pitcairn Is. Samoa Singapore Solomon Islands Tokelau Tonga Tuvalu Vanuatu Viet Nam Wake Is. Wallis & Futuna Is.