



7 September 2015

(15-4595)

Page: 1/6

Committee on Import Licensing

Original: English

AGREEMENT ON IMPORT LICENSING PROCEDURES

NOTIFICATION UNDER ARTICLES 1.4(A) AND 8.2(B)

PHILIPPINES

The following communication, dated 3 September 2015, is being circulated at the request of the delegation of the Philippines.

Article 1.4(a) - Sources in which information relevant to import licensing is published

1. Official Gazette of the Philippines
2. Annual Reports of the Bangko Sentral ng Pilipinas
3. Circulars of the Bangko Sentral ng Pilipinas
4. Newspapers of national circulation

Article 8.2(b) - Laws/Regulations/Administrative Orders*

1. Agriculture and agricultural products
 - (i) Republic Act No. 8178 (An Act Replacing Quantitative Import Restrictions on Agricultural Products, Except Rice, With Tariffs, Creating the Agricultural Competitiveness Enhancement Fund, and For Other Purposes dated March 28, 1996).
 - (ii) DA Administrative Order No. 08, Series of 1997, as amended by Administrative Order No. 01, Series of 1998. Rules and Regulations Implementing the Minimum Access Volume (MAV) Mechanism.
2. Animals and animal products
 - (i) Administrative Order No. 4, 10 September 1980 – Veterinary quarantine services at Philippine ports.
 - (ii) Administrative Order No. 10, 25 November 1981 – Defining the powers and duties of the Director of the Bureau of Animal Industry relative to animal quarantine, inspection and sanitation as provided under Section 1761-1770 of the Revised Administrative Code.
 - (iii) Administrative Order No. 17, 4 April 1988 – Rules and regulations governing the importation, bringing or introduction of poultry meat into the Philippines from foreign countries and prescribing the treatment to which they shall be subject before shipment and after arrival in the Philippines.
 - (iv) DA Administrative Order No. 26, series of 2005 – Revised Rules, Regulations, and Standards Governing the Importation of Meat and Meat products into the Philippines.

* Copies and/or summaries of the above-mentioned Laws and Regulations have not been provided to the Secretariat.

-
- (v) DA Administrative Order No. 16, series of 2006 – Pre-border Measures for export of meat products to the Philippines.
 - (vi) Department of Agriculture Administrative Order No. 09, series of 2010 – DA AO No. 08, series of 2009, as amended.
3. Dangerous drugs and controlled precursors and essential chemicals
- (i) Republic Act No. 9165 and its Implementing Rules and Regulations – The Comprehensive Dangerous Drugs Act of 2002, in particular:
 - (a) DDB Regulation No. 3, Series of 2003 – Comprehensive Guidelines on Importation, Distribution, Manufacture, Prescription, Dispensing and Sale of, and Other Lawful Acts in Connection with, any Dangerous Drugs, Controlled Precursors and Essential Chemicals and Other Similar or Analogous Substances.
 - (b) DDB Regulation No. 7, Series of 2007 – Amending DDB Regulation No. 3, series 2003, "Comprehensive Guidelines on Importation, Distribution, Manufacture, Prescription, Dispensing and Sale of, and Other Lawful Acts in Connection with, any Dangerous Drugs, Controlled Precursors and Essential Chemicals and Other Similar or Analogous Substances".
4. Energy
- (i) DOE Department Circular No. 2012-05-0006 – Guidelines on the Accreditation of Coal Traders and Registration of Coal End Users.
5. Environment and natural resource products
- (i) DENR Administrative Order No. 97-08 - Guidelines Governing the Entry and Disposition of Imported Logs, Lumber, Veneer, Plywood, Poles and Piles, and Pulpwood Including Wood Chips.
 - (ii) DENR Administrative Order No. 17, Series of 1994 - Registration of Agents, Contractors and Dealers on Imported Logs, Lumber, Veneer and Commercial Poles and Piles.
 - (iii) DENR Administrative Order No. 28, Series of 1994 - Interim Guidelines for the Importation of Recyclable Materials Containing Hazardous Substances.
 - (iv) DENR Administrative Order No. 28, Series of 1997 - Amending Annex A of DAO No. 28 Series of 1994 "Interim Guidelines for the Importation of Recyclable Materials Containing Hazardous Substances".
 - (v) DENR Administrative Order No. 29, Series of 1992 - Implementing Rules and Regulations of Republic Act. No. 6969, Otherwise Known as "Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990".
 - (vi) Republic Act No. 9147 of 2001 – An Act Providing for the Conservation and Protection of Wildlife Resources and Their Habitats, Appropriating Funds Therefor and for Other Purposes, otherwise known as the "Wildlife Resources Conservation and Protection Act".
 - (vii) Joint DENR-DA-PCSD Administrative Order No. 1 dated 18 May 2004 – Joint Implementing Rules and Regulations (IRR) pursuant to Republic Act No. 9147.
 - (viii) DENR Administrative Order No. 2004-55 dated 31 August 2004 – DENR Streamlining/Procedural Guidelines Pursuant to the Joint DENR-DA-PCSD Implementing Rules and Regulations of Republic Act No. 9147.
 - (ix) DENR Administrative Order No. 81, Series of 2000 – Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 8749, otherwise known as the "Philippine Clean Air Act of 1999".

(x) DENR Administrative Order No. 30, Series of 2003 – IRR of Presidential Decree No. 1586, Establishing the Philippine Environmental Impact Statement System.

(xi) DENR Administrative Order No. 10, Series of 2005 – IRR of RA No. 9275 or the Philippine Clean Water Act of 2004.

(i) DA Administrative Order No. 13, series of 2000 – Revised Schedule of Fees and Charges for Services Rendered By Fertilizer and Pesticide Authority (FPA).

6. Fertilizer and pesticide

(i) DA Administrative Order No. 13, series of 2000 – Revised Schedule of Fees and Charges for Services Rendered By Fertilizer and Pesticide Authority (FPA).

7. Firearms, firearm parts and accessories, ammunition and other related items

(i) Executive Order No. 256 dated 21 December 1995 and its IRR dated 23 May 1996 - Revising Executive Order No. 58, Series of 1987, By Rationalizing the Fees and Charges on Firearms, Ammunition, Spare Parts, Accessories, Components, Explosives, Explosive Ingredients, Pyrotechnics and Firecrackers.

(ii) Republic Act No. 7183 dated 30 January 1992 and its IRR dated 22 July 1994 - An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and Other Pyrotechnic Devices.

(iii) Republic Act No. 10591 dated 29 May 2013 and its IRR dated December 2013 – An Act Providing for a Comprehensive Law on Firearms and Ammunition and Providing Penalties for Violations Thereof, otherwise known as the “Comprehensive Firearms and Ammunition Regulation Act”.

(iv) Letter of Instruction No. 1264 dated 31 July 1982 – Ban on the Importation, Manufacture, Distribution, Sale and Display of Certain Types of Toy Firearms and Explosives.

(v) PNP Circular No. 1 dated 20 August 2004 – Rules and Regulations Covering the Sale/Importation, Manufacture, Possession or Bullet-Proof Vests/Vestments.

(vi) PNP Circular No. 9 dated 14 February 2008 – Policy on Firearms and Ammunition Dealership/Repair.

(vii) PNP Circular No. 10 dated 14 February 2008 – Policy on Manufacture of Firearms, Spare Parts, Accessories and Ammunition.

(viii) PNP Circular No. 11 dated 04 December 2007 – Revised Rules and Regulations Governing the Manufacture, Importation, Exportation, Sale, Possession, Carrying of Airsoft Rifles/Pistols and Operation of Airsoft Game Sites and Airsoft Teams.

8. Fishery and Fishery Products

DA-BFAR Fisheries Office Order (FOO) No. 146, Series of 2013 - Suspension of processing and approval of applications for permit to import all live shrimps and other susceptible crustaceans from Asian Countries and other countries affected by Early Mortality Syndrome (EMS)/Acute Hepato-pancreatic Necrosis Syndrome (AHPNS) and Infectious Myonecrosis Virus (IMNV).

9. Food and drug products

(i) DOH-BFAD Advisory No. 2008-003 dated 05 February 2008 – Import Permits; Initial Registration and Renewal of Existing Certificates of Product Registration, as well as Licenses to Operate of Entities Manufacturing or Importing/Exporting/Distributing such Products and Raw Materials.

-
- (ii) DOH Administrative Order No. 56 s. 1989 dated 3 January 1989 – Revised Regulations for the Licensing of Drug Establishments and Outlets.
 - (iii) Checklist of Requirements for Initial Product Registration Application.
 - (iv) Checklist of Requirements for Renewal of Product Registration.
10. Lighting Products
- (i) Joint DENR-DOE Administrative Order No. 2013-09-0001 (Lighting Industry Waste Management Guidelines) dated 24 September 2013.
11. Motor vehicle, parts and components
- (i) Executive Order No. 156 dated 12 December 2002 – Providing for a Comprehensive Industrial Policy and Directions for the Motor Vehicle Development Program (MVDP).
 - (ii) DTI Department Administrative Order No. 08, Series of 2003 – Guidelines for the Mandatory Accreditation of Rebuilding Centers.
12. Notes, coins and color reproduction machines with 2,400 dots per inch or higher
- (i) Bangko Sentral ng Pilipinas (BSP) Manual of Regulations on Foreign Exchange Transactions (FX Manual), as amended.
13. Oil and petroleum products
- (i) Republic Act No. 8479, dated 10 February 1998 - An Act Deregulating The Downstream Oil Industry, And For Other Purposes and its Rules and Regulations, liberalized the importation of crude oil and petroleum products subject to the rules and regulations of the Department of Energy.
14. Plants and plant products
- (i) Bureau of Plant Industry (BPI) Administrative Order No. 1 – Rules and regulations to implement PD 1433 the law entitled Promulgating the Plant Quarantine Law of 1978, thereby Revising and Consolidating Existing Plant Quarantine Laws to Improve and Further Strengthen the Plant Quarantine Service of the Bureau of Plant Industry.
 - (ii) BPI Quarantine Administrative Order No. 23, Series of 1988 – Regulations for the importations of fresh fruits and vegetables into the Philippines from countries and places infested with Mediterranean fruitfly (*Ceratitis capitata*); the Mexican fruitfly (*Anastrepha ludens*); the Queensland fruitfly (*Dacus tryon*) and other fruitflies.
 - (iii) Administrative Order No. 13, Series of 1949 - Regulating the importation of rubber plants and parts thereof such as seeds, rubber stumps, budsticks, etc. from Central America in order to prevent the introduction into the Philippine Islands of a disease known as *Dothidella ulei* except for certain purposes and under certain conditions.
 - (iv) BPI Special Quarantine Order No. 1-1, Series of 1982 - Regulating the importation of mango plants (*Mangifera* spp.) and parts thereof from places, areas or countries infested with mango malformation or bunchy-top, woody gall and scaly bark (*cuarteado*), diseases of mango in order to prevent their introduction into the Philippines.
 - (v) DA Administrative Order No. 09, Series of 2010 – DA AO No. 08, Series of 2009, as amended.

15. Products under mandatory certification

- (i) DTI Department Administrative Order (DAO) 2: 2007- Defining the Responsibilities and Liabilities of Manufacturers, Importers, Traders, Wholesalers, Distributors, Retailers and/or their Agents, With Regard to Products Covered by Mandatory Product Certification and Prescribing Penalties for Violation Thereof.
- (ii) DTI DAO 5:2008 – The New Rules and Regulations concerning the Issuance of the Import Commodity Clearance under the Product Certification Scheme of the Bureau of Product Standards and its implementing rules and regulations (IRR).
- (iii) DTI DAO 4:2008 – The New Rules and Regulations Concerning the Issuance of the Import Commodity Clearance under the Product Certification Mark Scheme of the Bureau of Product Standards (BPS) and its implementing rules and regulations (IRR).
- (iv) DTI DAO 15-1: 2015 dated 01 July 2015 - Measures to Facilitate the Issuance of the Import Commodity Clearance.
- (v) BPS Memorandum Circular No. 15-03, Series of 2015 dated 10 July 2015 - List of Products Under Mandatory Certification.

16. Radioactive materials

- (i) Administrative Order No.1, Series of 1994 - Amending Administrative Order No. 1 Series of 1981, "Establishing the Code of PAEC Regulations".
- (ii) Republic Act No. 2067, as amended – An Act to Integrate, Coordinate, and Intensify Scientific and Technological Research and Development and to Foster Invention; to Provide Funds Therefor; and for Other Purposes.
- (iii) Republic Act No. 5207, as amended – An Act Providing for the Licensing and Regulation of Atomic Energy Facilities and Materials, Establishing the Rules on Liability for Nuclear Damage, and for Other Purposes.
- (iv) Code of PNRI Regulations (CPR) Part No. 4 – Regulations for the Safe Transport of Radioactive Materials in the Philippines.
- (v) Administrative Order No. 2, Series of 2009 – Authorization for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software and Related Technology.

17. Radio equipment

- (i) Republic Act No. 3846, 10 August 1963 - An Act Providing for the Regulation of Radio Stations and Radio Communications in the Philippine Islands, and for Other Purposes.
- (ii) Executive Order No. 546 , 23 July 1979 - Creating a Ministry of Public Works and a Ministry of Transportation and Communications.

18. Rice

- (i) R.A. No. 3018, P.D. No. 4, as amended by P.D. No. 699 and 1485, P.D. No. 194, and the Rules and Regulations on Grains Business and National Grains Standards for Rice and Corn.

19. Shipping

- (i) Republic Act No. 7471, 05 May 1992 - An act to promote the development of Philippine overseas shipping.

- (ii) Rules and regulations to implement the provisions of R.A. No. 7471, the Philippine Overseas Shipping Development Act, 17 November 1992.
 - (iii) Memorandum Circular No 104, 06 April 1995 - Omnibus guidelines for the acquisition of vessel for domestic operations and fishing vessels/boat.
 - (iv) Memorandum Circular No. 121, 29 July 1997 - Policy Guidelines in the Regulations of High Speed Craft.
 - (v) Memorandum Circular No. 124, 26 August 1997 - Revised Classification Requirements for Vessels in Domestic Trade.
 - (vi) Republic Act No. 9295, 03 May 2004 - Domestic Shipping Development Act of 2004 and its Implementing Rules and Regulations.
 - (vii) Republic Act No. 9301, 27 July 2004 - An Act Amending Certain Provisions of RA No. 7471, entitled "An Act to Promote the Development of the Philippine Overseas Shipping" and for Other Purposes.
 - (viii) MARINA Memorandum Circular No. 201, 12 November 2004 - Rules and Regulations to Implement RA No. 9301 "An Act Amending Certain Provisions of RA No. 7471, entitled 'An Act to Promote the Development of the Philippine Overseas Shipping' and for Other Purposes".
 - (ix) MARINA Memorandum Circular 124-A, 18 February 1998 - Amending Memorandum Circular No. 124 on the Revised Classification Requirements for Vessels in the Domestic Trade.
 - (x) MARINA Circular No. 199, 16 June 2004 - Revised Class Requirement for Philippine-Registered Domestic Ships.
 - (xi) MARINA Circular No. 2010-01, 14 December 2010 - Revised Policy Guidelines on Tankers.
20. Vehicles, trucks and buses
- (i) Bangko Sentral ng Pilipinas Circular No. 92, dated 19 October 1995, lifted the restrictions on the importation of new vehicles, used trucks above six tons and used buses above twelve tons.
-