



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
Manila

01 September 2011

CUSTOMS MEMORANDUM ORDER

NO. 32-2011

TO: All Deputy Commissioners
All District/Port Collectors
Service/Division/Section Chiefs
All Others Concerned

SUBJECT: IMPOSITION OF SAFEGUARD DUTY ON IMPORTED
STEEL ANGLE BARS FROM VARIOUS COUNTRIES

Attached herewith and deemed as part and parcel of this Memorandum Order is a copy of the ORDER dated 19 April 2010, consisting of two (2) pages plus a List of Developing Countries and Separate Customs Territories Excluded from the Imposition of Definitive Safeguard Measure on Steel Angle Bar (Annex "A"), issued by the Honorable Secretary, Department of Trade and Industry, entitled "IN THE MATTER OF THE REDUCTION OF THE DEFINITIVE GENERAL SAFEGUARD MEASURE AGAINST THE IMPORTATION OF STEEL ANGLE BARS FROM VARIOUS COUNTRIES".

In compliance thereto, the following regulations shall govern the imposition of the definitive general safeguard measure on imported steel angle bars, to wit:

A. ADMINISTRATIVE PROVISIONS

1. The amount of the definitive general safeguard measure for the second year of the implementation period shall be reduced by one-third (1/3). Thus, a definitive general safeguard duty of P5,133.00/MT shall be imposed for the second year of the implementation period.
2. Unequal leg angle bars are included since they have the same application and are directly competitive to domestically produced products. However, marine grade steel angle bars are excluded from the imposition of the definitive general safeguard measure.

3. Section 15(3) of RA 8800 provides further that "an action described in Section 13(a), (b), or (c) that has an effective period of more than one (1) year shall be phased down at regular intervals within the period in which the action is in effect." Thus, the measure shall continue to be liberalized annually for the duration of the implementation period to the extent of redressing or preventing the injury and to facilitate adjustment by the domestic industry from the adverse effects directly attributed to increased imports.
4. Pursuant to Section 13 of RA 8800 and Rule 13.1.d. of its IRR, "a general safeguard measure shall not be applied to a product originating from a developing country if its share to total Philippine imports of the said product is less than three percent (3%); Provided, however, that developing countries with less than three percent (3%) share collectively account for not more than nine percent (9%) of the total Philippine imports of the product concerned. The countries and separate customs territories listed in Annex "A" are therefore excluded from the imposition of the definitive general safeguard measure on steel angle bars. The composition of the developing countries on the *de minimis* list may change depending on the most recent data available during the period of annual review which will be conducted by the DTI during the implementation period.
5. Importers of steel angle bars originating from a country that is exempt from the safeguard duty shall submit a Certificate of Country of Origin (CO) issued by the authorized agency/office in the source country of manufacture authenticated by the Philippine Embassy/Consulate thereof.
6. 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 6 and 8 of the Agreement on the CEPT scheme.
7. The application of the definitive general safeguard measure shall be monitored and reviewed in accordance with Section 15 and 16 of RA 8800. Applicant steel angle bar industry is also directed to comply with its adjustment plan.

B. EFFECTIVITY –

This Order shall take effect immediately.

Angelito A. Alvarez 9/15/11
ANGELITO A. ALVAREZ
Commissioner
BUREAU OF CUSTOMS
ANGELITO A. ALVAREZ
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