

**REPUBLIC ACT NO. 1937**

**AN ACT TO REVISE AND CODIFY THE TARIFF AND CUSTOMS LAWS OF  
THE PHILIPPINES**

**PRELIMINARY SECTION**

This Act shall be known as the Tariff and Customs Code of the Philippines

**BOOK I**

**Tariff Law**

**TITLE I**

**Import Tariff**

SECTION 101. Imported Articles Subject to Duty. — All articles, when imported from any foreign country into the Philippines, shall be subject to duty upon each importation, even though previously exported from the Philippines, except as otherwise specifically provided for in this Code or in other laws.

SECTION 102. Prohibited Importations. — The importation into the Philippines of the following articles is prohibited:

- a. Dynamite, gunpowder, ammunitions and other explosives, firearm and weapons of war, and detached parts thereof, except when authorized by law.
- b. Written or printed article in any form containing any matter advocating or inciting treason, rebellion, insurrection or sedition against the Government of the Philippines, of forcible resistance to any law of the Philippines, or containing any threat to take the life of or inflict bodily harm upon any person in the Philippines.
- c. Written or printed articles, photographs, engravings, lithographs, objects, paintings, drawings or other representation of an obscene or immoral character.
- d. Articles, instruments, drugs and substances designed, intended or adapted for preventing human conception or producing unlawful abortion, or any printed matter which advertises or describes or gives directly or indirectly information where, how or by whom human conception is prevented or unlawful abortion produced.
- e. Roulette wheels, gambling outfits, loaded dice, marked cards, machines, apparatus or mechanical devices used in gambling, or in the distribution of money, cigars, cigarettes or other articles when such distribution is dependent upon chance, including jackpot and pinball machines or similar contrivances.
- f. Lottery and sweepstakes tickets except those authorized by the Philippine Government, advertisements thereof and lists of drawings therein.

g. Any article manufactured in whole or in part of gold silver or other precious metal, or alloys thereof, the stamps brands or marks of which do not indicate the actual fineness or quality of said metals or alloys.

h. Any adulterated or misbranded article of food or any adulterated or misbranded drug in violation of the provisions of the "Food and Drugs Act."

i. Marihuana, opium poppies, coca leaves, or any other narcotics or synthetic drugs which are or may hereafter be declared habit forming by the President of the Philippines, any compound, manufactured salt, derivative, or preparation thereof, except when imported by the Government of the Philippines or any person duly authorized by the Collector of Internal Revenue, for medicinal purposes only.

j. Opium pipes and parts thereof, of whatever material.

k. All other articles the importation of which is prohibited by law.

SECTION 103. Abbreviations. — The following abbreviations in this Code shall represent the terms indicated:

ad. val.	For ad valorem
e.g.	For exempli gratia, meaning "for example"
i.e.	For id est, meaning "that is"
hd.	For head
û1	PD 441
kgs.	For kilograms
l.	For liter
g.w.	For gross weight
l.w.	For legal weight
n.w.	For net weight

SECTION 104. Rates of Import Duty. — There shall be levied, collected and paid upon all imported articles the following rates of duty, except as otherwise specifically provided for in this Code.

## **SCHEDULE I**

### **Live Animals; Animal Products**

#### **CHAPTER I**

#### **Live Animals**

NOTES:

1. This Chapter covers all live animals except fish, crustaceans, mollusks (Chapter 3) and microbic cultures (heading No. 30.02).

2. Any reference in this Chapter to a particular genus or species, except where the context otherwise requires, includes a reference to the young of that genus or species.

01.01 Live horses, asses, mules and hinnies:	
A. Sucking foals	Free
B. Other	hd. P100.00
01.02 Live bovine animals (including buffalo and carabao):	
A. Sucking calves	Free
B. Other	hd. P20.00
01.03 Live pigs:	
A. Sucking pigs	Free
B. Other	hd. P10.00
01.04 Live sheep and goats:	
A. Sucking pigs	Free
B. Other	hd. P10.00
01.05 Live poultry (i.e., chickens, ducks, geese, turkeys, guinea fowls, pigeons and pheasants)	ad val. 60%
01.06 Other live animals	ad val. 60%

## CHAPTER II

### Meat and Edible Meat Offals

#### NOTES:

1. This Chapter does not cover:

- (a) Guts, bladders or stomachs of animals (heading No. 05.04);
- (b) Animal fats, other than unrendered pig fat and unrendered poultry fat (Chapter 15); or
- (c) Meat and edible offals prepared or preserved in pots, tins, or airtight containers or meat and edible offals (Schedule IV) which have undergone a process other than those indicated in the present Chapter.

2. Meat and edible offals, simply sprinkled with salt or sprayed with brine, for the sole purpose of preservation during transport shall be classified as fresh meat and offals.

02.01 Meat and edible offals of the animals falling within heading No. 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:	
A. Meat	g.w., 100 kgs. P15.00
	or ad val. 15%
B. Other	ad val. 50%
02.02 Dead poultry (i.e., chickens, ducks, geese, turkeys, guinea fowls, pigeons and pheasants) and edible offals thereof (except liver), fresh, chilled or frozen	ad val. 70%
02.03 Poultry liver, fresh, chilled, frozen,	ad val. 75%

salted or cooked	
02.04 Other meat and edible meat offals, fresh, chilled or frozen	ad val. 40%
02.05 Unrendered pig fat free of lean meat and unrendered poultry fat, fresh, chilled, frozen, salted, dried, smoked, cooked or similarly treated	ad val. 40%
02.06 Meat and edible meat offals (except poultry liver), salted, dried, smoked, cooked or similarly treated	ad val. 60%

### CHAPTER III

#### Fish, Crustaceans and Mollusks

NOTES:

1. This Chapter does not cover:
  - (a) Marine mammals (heading No. 01.06) or meat thereof (heading No. 02.04 or 02.06);
  - (b) Caviar or caviar substitutes (heading No. 16.04); or
  - (c) Fish, crustaceans or mollusks prepared or preserved in pots, jars, bottles, tins or airtight containers, or fish, crustaceans or mollusks (Schedule IV) which have undergone a process other than those indicated in the present Chapter.
2. The expression “fish” in this Chapter includes livers and edible roes of fish.
3. Fish, crustaceans or mollusks, simply sprinkled with salt or sprayed with brine, for the sole purpose of preservation during transport shall be classified as fresh fish, crustaceans or mollusks.

03.01 Fish, fresh (live or dead), chilled or frozen:	
A. Live	ad val. 100%
B. Dead	ad val. 75%
03.02 Fish, salted, dried or smoked	ad val. 75%
03.03 Crustaceans and mollusks, whether in shell or not, fresh (live or dead), chilled, frozen, salted, dried or cooked:	
A. Fresh (live or dead), chilled or frozen	ad val. 75%
B. Salted, dried or cooked	ad val. 75%

### CHAPTER IV

#### Dairy Produce; Birds' Eggs; Natural Honey; Other Edible Animal Products

NOTES:

1. The expression “milk” means full cream or skimmed milk, buttermilk, whey, lactoserum, kephir, yoghurt and similar fermented milk.

2. Milk and cream are not regarded as preserved merely by reason of being pasteurized, sterilized or peptonized.

04.01 Milk and cream, fresh, not concentrated or sweetened	ad val. 5%
04.02 Milk and cream, preserved, concentrated or sweetened:	
A. In liquid or semi—solid form	ad val. 10%
B. In solid form (e.g., block milk or milk powder)	ad val. 15%
04.03 Butter:	
A. Butterfat (including raw butter)	ad val. 15%
B. Other	ad val. 50%
04.04 Cheese and curd	ad val. 50%
04.05 Hens' and other birds' eggs and egg yolks, fresh, dried, powdered, or otherwise preserved, sweetened or not	ad val. 100%
04.06 Natural honey	ad val. 100%
04.07 Other unprepared edible animal products (e.g., birds' nests, turtles' and lizards' eggs, locusts or similar products)	ad val. 100%

## CHAPTER V

### Raw Materials and Other Unmanufactured Products of Animal Origin

#### NOTES:

1. This Chapter does not cover:

- (a) Edible products (other than guts, bladders and stomachs of animals);
- (b) Hides or skins, except bird skins and parts with their feathers, cleaned but not further prepared (other bird skins with their feathers fall within heading No. 67.01 and hides and other skins fall within Chapter 41);
- (c) Furskins (Chapter 43);
- (d) Animal textile materials, other than horsehair (Schedule XI); or
- (e) Prepared knots or tufts for brushmaking (heading No. 96.03).

2. For the purposes of heading No. 05.01 the sorting of hair by length (provided it is not laid parallel) shall be deemed not to constitute working.

3. Throughout this Code, elephant, mammoth, mastodon, walrus, narwhal and wild boar tusks, rhinoceros horns and the teeth of all animals are regarded as ivory.

05.01 Human hair, unworked, whether of not washed or scoured	ad val. 100%
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05.02 Pigs', hogs' and boars' bristles; badger hair and other brushmaking hair	ad val. 100%
05.03 Horsehair and horsehair waste	ad val. 100%
05.04 Guts, bladders and stomachs of animals other than fish:	
A. Guts	ad val. 50%
B. Other	ad val. 100%
05.05 Waste of fish, crustaceans or mollusks	ad val. 25%
05.06 Sinews, tendons, parings and similar waste of raw hides and skins	ad val. 25%
05.07 Bed feathers and down, unworked or simply prepared; other feathers and parts of feathers, skins and other parts of birds with their feathers, unworked or cleaned or otherwise treated for preservation	ad val. 150%
05.08 Bones and horn cores, unworked, scoured, treated with acid, degelatinized or defatted, whether or not sliced, crushed or pulverized, but not further prepared	ad val. 100%
05.09 Horns, antlers, hoofs, nails, claws, spurs and beaks of animals, unworked, cut, split or straightened, but not further prepared, and waste and powder thereof; whalebone and the like, unworked, scoured, scraped, trimmed or split, but not further prepared	ad val. 100%
05.10 Ivory, whether or not sliced; powder, parings and wastes thereof	ad val. 100%
05.11 Tortoise shell (shells, scales, claws, parings and waste), whether or not flattened or split	ad val. 100%
05.12 Coral and similar substances, unworked or simply prepared, but not processed; shells, unworked or pulverized or sawn	ad val. 100%
05.13 Natural sponges	ad val. 150%
05.14 Ambergris, castoreum, civet and musk; cantharides; bile, whether or not dried; animal products, fresh, chilled or frozen, of a kind used in the preparation of pharmaceutical products	ad val. 35%
05.15 Other unworked animal products; dead animals and fish, unfit for human consumption	ad val. 60%

## SCHEDULE II

### Plants and Vegetable Products

#### CHAPTER VI

**Live Trees and Other Plants, Bulbs, Roots and the Like; Cut Flowers and Ornamental Foliage**

NOTES:

1. This Chapter covers only live trees and articles (including seedling vegetables) of a kind commonly supplied by nursery gardeners or florists for planting or for ornamental use, and in the state in which they are so supplied, but does not include potatoes, onions, shallots or garlic (Chapter 7).

2. Any reference in heading No. 06.03 or 06.04 to articles of any kind shall be construed as including a reference to bouquets, floral baskets, wreaths and similar articles made wholly or partly of materials of that kind, account not being taken of accessories of other materials.

06.01 Bulbs, tubers, corns, crowns (not including asparagus crowns) and rhizomes of flowering or foliage plants	ad val. 50%
06.02 Other live plants, including trees, shrubs, bushes, roots, cuttings and slips	ad val. 50%
06.03 Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	ad val. 70%
06.04 Foliage, branches and other parts (other than flowers or buds) of trees, shrubs, bushes and other plants, and mosses and grasses, being articles of a kind suitable for bouquets or ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	ad val. 70%

**CHAPTER VII**

**Edible Vegetables and Certain Roots and Tubers**

NOTES:

1. The word “vegetables” shall apply, INTER ALIA, to edible mushrooms, truffles, olives, capers, tomatoes, potatoes, salad beetroot, cucumbers, gherkins, marrows, gourds and aubergines.

2. This Chapter does not cover articles prepared or preserved in jars, bottles, tins or airtight containers (Schedule IV) or which have undergone any process other than those indicated in the present Chapter.

07.01 Vegetables, fresh or chilled:	
A. Garlic	g.w., 100 kgs. P50.00
B. Onions, shallots and Irish potatoes	g.w., 100 kgs. P30.00
C. Other	g.w., 100 kgs. P30.00

07.02 Vegetables preserved by freezing	g.w., 100 kgs. P30.00
07.03 Vegetables in brine, in sulphur water or in other temporary preservative solutions	g.w., 100 kgs. P30.00
07.04 Dried, dehydrated or evaporated vegetables, whole, cut or sliced, but not further prepared	g.w., 100 kgs. P40.00
07.05 Dried leguminous vegetables, whole, skinned or split	g.w., 100 kgs. P15.00
07.06 Manioc, arrowroot, sale jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whole or sliced	g.w., 100 kgs. P30.00

## CHAPTER VIII

### Edible Fruits, Nuts and Fruit Peels

#### NOTES:

1. This Chapter does not cover edible fruits, nuts and fruit peels prepared or preserved in jars, bottles, tins or airtight containers, which have undergone any process other than those indicated in the present Chapter, or articles which contain added sugar (Schedule IV).

2. The word “fresh” shall include chilled and frozen fruits.

08.01 Coconuts, fresh or dried, shelled or not, husked or unhusked:	
A. Whole	g.w., 100 kgs. P20.00
B. Other, including desiccated or shredded coconut meat	g.w., 100 kgs. P60.00
08.02 Citrus fruit:	
A. Fresh	g.w., 100 kgs. P25.00
B. Dried	g.w., 100 kgs. P30.00
08.03 Figs:	
A. Fresh	g.w., 100 kgs. P15.00
B. Dried	g.w., 100 kgs. P20.00
08.04 Grapes:	
A. Fresh	g.w., 100 kgs. P12.50
B. Dried, including raisins	g.w., 100 kgs. P20.00
08.05 Nuts other than coconuts, fresh or dried, shelled or not	ad val. 100%
08.06 Apples, pears and quinces, fresh	g.w., 100 kgs. P15.00
08.07 Stone fruits, fresh	g.w., 100 kgs. P15.00
08.08 Berries, fresh	g.w., 100 kgs. P15.00
08.09 Other fruits, fresh	g.w., 100 kgs. P15.00
08.10 Fruits (whole, in pieces or in pulp),	g.w., 100 kgs. P20.00

preserved by freezing	
08.11 Fruits (whole, in pieces or in pulp), in brine, in sulphur water or in other temporary preservative solutions	g.w., 100 kgs. P25.00
08.12 Fruits, dried, other than those falling within heading No. 08.01, 08.02, 08.03, 08.04 or 08.05	g.w., 100 kgs. P25.00
08.13 Peel of melons and citrus and other fruits, fresh, chilled, frozen, dried, in brine, in sulphur water or in other temporary preservative solutions	ad val. 60%

## CHAPTER IX

### Coffee, Tea, Mate and Spices

NOTE:

This Chapter does not cover:

(a) Sweet capsicum, unground (Chapter 7). (Sweet capsicum, ground, however, is regarded as falling within “other spices” (heading No. 09.10); or

(b) Cubeb pepper of the variety *Cubeba Officinalis* Miguel (heading No. 12.07).

09.01 Coffee (including husks, skins and other waste), whether or not roasted or freed of caffeine:	
A. Unroasted	ad val. 30%
B. Other	ad val. 40%
09.02 Tea:	
A. Impure tea, tea waste, and tea siftings and sweepings	ad val. 60%
B. Other	ad val. 75%
09.03 Mate	ad val. 75%
09.04 Pepper of the genus <i>Piper</i> ; pimento of the genus <i>Capsicum</i> (except <i>Capsicum grossum</i> ) or the genus <i>Pimenta</i> :	
A. Whole	ad val. 60%
B. Other	ad val. 75%
09.05 Vanilla	l.w., kg. P5.00
09.06 Cinnamon and cinnamon—tree flowers:	
A. Unground	g.w., 100 kgs. P16.00
B. Other	l.w., 100 kgs. P20.00
09.07. Cloves (whole fruit, cloves and stems):	
A. Unground	g.w., 100 kgs. P16.00
B. Other	l.w., 100 kgs. P20.00
09.08 Nutmeg, mace and cardamons:	

A. Unground	g.w., 100 kgs. P16.00
B. Other	l.w., 100 kgs. P20.00
09.09 Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper:	
A. Unground	g.w., 100 kgs. P16.00
B. Other	l.w., 100 kgs. P20.00
09.10 Saffron and other spices:	
A. Unground	g.w., 100 kgs. P16.00
B. Ground	l.w., 100 kgs. P20.00

## CHAPTER X

### Cereals

NOTE:

Headings in this Chapter, except heading No. 10.06, shall not apply to grains which have been ground to remove the husk or pericarp or subjected to any other milling process. Heading No. 10.06 shall apply to unworked rice and also to rice, husked, glazed, polished or broken, but not enriched by vitamins or minerals or otherwise worked.

10.01 Wheat and meslin (mixed wheat and rye)	g.w., 100 kgs. P0.75
10.02 Rye	g.w., 100 kgs. P0.75
10.03 Barley	g.w., 100 kgs. P0.75
10.04 Oats	g.w., 100 kgs. P1.50
10.05 Maize or corn	g.w., 100 kgs. P15.00
10.06 Rice:	
A. Unhusked:	
1. Non—glutinous	g.w., 100 kgs. P10.00
2. Glutinous	g.w., 100 kgs. P12.00
B. Husked:	
1. Non—glutinous	g.w., 100 kgs. P15.00
2. Glutinous	g.w., 100 kgs. P20.00
10.07 Buckwheat, millet, canary seed (long millet) and other cereals	g.w., 100 kgs. P29.00

## CHAPTER XI

### Products of the Milling Industry; Malt and Starches; Gluten; Inulin

NOTES:

1. The headings of this Chapter shall not apply to articles which have been heat-treated after they have reached the forms described in the headings (except as otherwise provided in headings numbered 11.02, 11.07 and 11.09) or to articles which constitute preparations of cereals for dietetic or culinary purposes or to articles which constitute pharmaceutical products. (Preparations of cereals for dietetic or culinary purposes and certain heat-treated articles fall within Chapter 19. Soluble or roasted starches fall within heading No. 35.05. Pharmaceutical products fall within Chapter 30.)

2. Headings numbered 11.01 and 11.03 shall apply to residues derived from the sifting, milling or working of cereals or leguminous vegetables, as the case may be, containing ten per cent or more by weight of cereal flour or flour of leguminous vegetables, respectively.

11.01 Cereal flours:	
A. Wheat flour	g.w., 100 kgs. P2.50
B. Rice flour	g.w., 100 kgs. P20.00
C. Other	g.w., 100 kgs. P30.00
11.02 Cereal groats and cereal meal; other worked cereal grains (e.g., rolled or flaked, with or without heat-treatment, polished, pearled or crushed, or enriched by vitamins or minerals but not further prepared), except husked, glazed, polished or broken rice; edible germ of cereals	g.w., 100 kgs. P30.00
11.03 Flours of the leguminous vegetables falling within heading No. 07.05	g.w., 100 kgs. P10.00
11.04 Flours of the fruits falling within any heading in Chapter 8	g.w., 100 kgs. P40.00
11.05 Flour, meal, flakes and granules of potato	g.w., 100 kgs. P40.00
11.06 Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No. 07.06	g.w., 100 kgs. P50.00
11.07 Malt, unroasted or roasted, but not further processed	ad val. 5%
11.08 Starches; inulin	g.w., 100 kgs. P20.00
11.09 Gluten and gluten flour, roasted or not	g.w., 100 kgs. P35.00

## CHAPTER XII

### **Oil Seeds and Oleaginous Fruits; Miscellaneous Grains, Seeds and Fruits; Industrial and Medicinal Plants; Straw and Fodder**

#### NOTES:

1. Heading No. 12.01 shall apply, INTER ALIA, to groundnuts, soya beans, mustard seeds, oil poppy seeds, poppy seeds and copra, and also to pressed olive residues and other residues of oil seeds and oleaginous fruits containing eight per cent or more by weight of oil. It shall not apply to coconuts (heading No. 08.01) or olives (Chapter 7 or Chapter 20).

2. (a) Subject to paragraph (b) below, heading No. 12.03 shall apply, INTER ALIA, to beet seed, grass and other herbage seeds, seeds of ornamental flowers, vegetable seeds, seeds of forest trees, seeds of fruit trees, seeds of vetches and of other leguminous plants used for animal food.

(b) Heading No. 12.03 shall not apply to articles falling within heading No. 07.05 (dried leguminous vegetables), within any heading in Chapter 8 (edible fruits), within any

heading in Chapter 9 (which relates, INTER ALIA, to spices), within any heading in Chapter 10 (which relates to cereals), within heading No. 12.01 (oil seeds and oleaginous fruits) or within heading No. 12.07 (seeds and fruits used in pharmacy, perfumery, or for insecticidal, fungicidal or similar purposes).

3. Heading No. 12.04 shall apply to sugar-beet pulp containing more than three per cent of sugar, calculated on the dry weight.

4. Heading No. 12.07 shall not apply to:

(a) Medicaments falling within Chapter 30;

(b) Perfumery or toilet preparations falling within Chapter 33; or

(c) Disinfectants, insecticides, fungicides, weed—killers or similar products falling within heading No. 38.11.

12.01 Oil seeds and oleaginous fruit, whole or broken:	
A. Copra	g.w., 100 kgs. P50.00
B. Groundnuts (e.g., peanuts)	g.w., 100 kgs. P50.00
C. Other	g.w., 100 kgs. P50.00
12.02 Flour of oil seeds and oleaginous fruit excluding prepared mustard flour)	g.w., 100 kgs. P50.00
12.03 Seeds and fruits of a kind used for sowing or planting, not otherwise provided for	g.w., 100 kgs. P50.00
12.04 Sugar beet, whole or sliced, fresh, dried or powdered; sugar cane	g.w., 100 kgs. P50.00
12.05 Chicory roots, fresh or dried, whole or cut up, unroasted	g.w., 100 kgs. P50.00
12.06 Hop cones and lupulin	ad val. 5%
12.07 Plants and parts of plants, seeds and fruits, being articles of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal and similar purposes, fresh or dried, whole, crushed, ground or powdered	ad val. 40%
12.08 Locust beans, fresh or dried, whether or not crushed or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not otherwise provided for	g.w., 100 kgs. P10.00
	or ad val. 30%
12.09 Cereal straw and husks, unprepared or chopped but not otherwise prepared	g.w., 100 kgs. P10.00
	or ad val. 30%
12.10 Mangolds, swedes, fodder roots; hay, lucerne, clover, sainfoin and similar vegetable products (except articles falling within heading	g.w., 100 kgs. P10.00

No. 12.09) of a kind used for animal food, green or dried, whole, cut or chopped	
	or ad val. 30%

### CHAPTER XIII

#### **Raw Vegetable Materials of a Kind Suitable for Use in Dyeing or in Tanning; Lacs; Gums, Resins and Other Vegetable Saps and Extracts**

NOTE:

Heading No. 13.03 shall apply, INTER ALIA, to liquorice extract and extract of pyrethrum, extract of hops, extract of aloes and opium.

The heading shall not apply to:

- (a) Liquorice extract containing more than ten per cent by weight of sugar or when put up as confectionery (heading No. 17.04);
- (b) Malt extracts (headings numbered 19.01 and 19.02);
- (c) Coffee extracts (heading No. 21.02);
- (d) Alcoholic saps and extracts constituting beverages (Chapter 22);
- (e) Alkaloids, their salts, ethers, esters and other derivatives of opium (heading No. 29.42-A);
- (f) Camphor (heading No. 29.13) or glycyrrhizin (heading No. 29.41);
- (g) Tanning or dyeing extracts (heading No. 32.01 or 32.04);
- (h) Essential oils and resinoids (heading No. 33.01) or aqueous distillates and aqueous solutions of essential oils (heading No. 33.05); or
- (i) Rubber, balata, gutta—percha or similar natural gums (heading No. 40.01).

13.01 Raw vegetable materials of a kind used primarily in dyeing or tanning	ad val. 10%
13.02 Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum resins and balsams	ad val. 15%
13.03 Vegetable saps and extracts (e.g., crude opium, aloes); pectin; agar-agar and other natural mucilages and thickeners extracted from vegetable materials	ad val. 20%

### CHAPTER XIV

#### **Vegetable Plaiting and Carving Materials, Other Vegetable Raw Materials and Unmanufactured Vegetable Products**

NOTES:

1. This Chapter does not cover textile fibers or vegetable materials which have been prepared for use as textile materials (Schedule XI).
2. Heading No. 14.01 shall apply, INTER ALIA, to split osier, reeds, bamboo and the like, to rattan cores and to drawn or split rattans. The heading shall not apply to split wood or chip wood (heading No. 44.09).
3. Heading No. 14.02 shall not apply to wood wool (heading No. 44.12).
4. Heading No. 14.03 shall not apply to prepared knots or tufts for brushmaking (heading No. 96.03).
5. Heading No. 14.05 shall not apply to articles falling within any other heading of this or any other Chapter. The heading applies, INTER ALIA, to flours of corozo and of coconut shells, esparto grass and diss, and to loofah.

14.01 Vegetable materials of a kind used primarily for plaiting (e.g., cereal straw, cleaned and bleached or dyed, osier, reeds, rattans, canes, raffia and lime bark)	l.w., kg. P0.45 and
	ad val. 100%
14.02 Vegetable materials of a kind used primarily as stuffing or as padding (e.g., kapok, vegetable hair and sea wrack)	ad val. 60%
14.03 Vegetable materials of a kind used primarily in brushes or in brooms (e.g., sorghum, piassava, couch grass and istle), whether or not in bundles or hanks	ad val. 60%
14.04 Hard seeds, pips, hulls and nuts of a kind used for carving (e.g., corozo and dom)	ad val. 60%
14.05 Other vegetable materials	ad val. 60%

### SCHEDULE III

#### **Animal and Vegetable Fats and Oils and their Cleavage Products; Prepared Edible Fats; Animal and Vegetable Waxes**

#### CHAPTER XV

#### **Animal and Vegetable Fats and Oils and their Cleavage Products; Prepared Edible Fats; Animal and Vegetable Waxes**

#### NOTES:

1. This Chapter does not cover:
  - (a) Unrendered pig fate or unrendered poultry fat (heading No. 02.05);
  - (b) Butter (heading No. 04.03); cocoa butter (heading No. 18.04);

(c) Greaves (heading No. 23.01), oil cake, residual olive pulp or similar residues from the extraction of vegetable oils (heading No. 23.04);

(d) Fatty acids in an isolated state, prepared waxes, medicaments, paints, varnishes, soap, perfumery or toilet preparations, sulphonated oils or other articles falling within any heading in Schedule VI; or

(e) Rubber substitutes derived from oils (heading No. 40.02).

2. Heading No. 15.07 shall not apply to olive oil or palm oil having a degree of acidity of eighty-five per cent or more or to any other oil having a degree of acidity of fifty per cent or more (heading No. 15.10).

3. Soap stocks, oil foots and dregs, stearin, wool grease and glycerol residues shall fall within heading No. 15.17.

15.01 Lard and other rendered pig fat; rendered poultry fat:	
A. Crude	g.w., 100 kgs. P70.00
B. Refined	g.w., 100 kgs. P90.00
15.02 Unrendered fats of bovine cattle, sheep and goats; tallow (including "premier jus") produced from those fats	ad val. 20%
15.03 Lard stearin, oleostearin and tallow stearin; lard oil, oleo oil and tallow oil, not emulsified or mixed or prepared in any way	ad val. 20%
15.04 Fats and oils of fish and marine animals, crude or refined, but not further prepared:	
A. Cod-liver oil and halibut-liver oil	ad val. 5%
B. Other	ad val. 25%
15.05 Wool grease and fatty substances derived therefrom (including lanolin)	ad val. 25%
15.06 Other animal oils and fats (including neat's foot oil and fats derived from bones or waste)	ad val. 25%
15.07 Fixed vegetable oils, fluid or solid, crude, refined or purified:	
A. Crude:	
1. Palm, linseed and castor oil	ad val. 15%
2. Other	ad val. 35%
B. Refined or purified:	
1. Palm, linseed and castor oil	ad val. 30%
2. Other	ad val. 70%
15.08 Animal and vegetable oils, boiled, oxidized, dehydrated, sulphurized, blowed or polymerized by heat and in vacuum or in inert gas or otherwise modified	ad val. 70%
15.09 Degras	ad val. 50%

15.10 Fatty acids; acid oils from refining; fatty alcohols	ad val. 50%
15.11 Glycerol and glycerol lyes	ad val. 100%
15.12 Animal or vegetable fats and oils, hydrogenated, whether or not refined, but not further prepared	g.w., 100 kgs. P30.00 and
	ad val. 50%
15.13 Margarine, imitation lard and other prepared edible fats	l.w., kg. P0.70
15.14 Spermaceti, crude, pressed or refined, whether or not colored	ad val. 10%
15.15 Beeswax and other insect waxes, whether or not colored	ad val. 10%
15.16. Vegetable waxes, whether or not colored	ad val. 10%
15.17 Residues resulting from the treatment of fatty substances or animal or vegetable waxes	ad val. 10%

#### **SCHEDULE IV**

#### **Prepared Foodstuffs; Beverages, Spirits and Vinegar; Tobacco**

#### **CHAPTER XVI**

#### **Preparations of Meat, Fish, Crustaceans and Mollusks**

NOTE:

This Chapter does not cover meat, fish, crustaceans or mollusks falling within any heading in Chapter 2 or Chapter 3.

16.01 Sausages and similar preparations of meat, meat offals or any other animal substances:	
A. In airtight containers:	
1. Sausages, Bilbao type	l.w., kg. P3.75 and
	ad val. 80%
2. Other	ad val. 40%
B. Other	ad val. 80%
16.02 Other prepared or preserved meat or meat offals:	
A. Corned beef	ad val. 15%
B. Other	ad val. 75%
16.03 Fat extracts, soups and broths	ad val. 75%
16.04 Prepared or preserved fish, including caviar and caviar substitutes and fish soups:	
A. Mackerel, salmon, sardines, anchovies and tuna	ad val. 15%
B. Caviar and caviar substitutes	l.w., kg. P1.00 and
	ad val. 50%

C. Other	l.w., kg. P1.00 and ad val. 50%
16.05 Crustaceans and mollusks, prepared or preserved, including soups:	
A. Squid or cuttlefish	ad val. 20%
B. Other	l.w., kg. P1.00 and ad val. 50%

## CHAPTER XVII

### Sugars and Sugar Confectionery

NOTES:

1. This Chapter does not cover:
  - (a) Sugar confectionery containing cocoa (heading No. 18.06);
  - (b) Food preparations of a kind falling within any heading in Chapter 19, 20 or 22 (notwithstanding that they may contain sugar);
  - (c) Chemically pure sugars other than sucrose (heading No. 29.43); or
  - (d) Pharmaceutical products (Chapter 30).
2. The headings numbered 17.01 to 17.03 shall extend to syrups, not containing added flavoring or coloring matter, derived from the articles described in the headings respectively.

17.01 Beet sugar and cane sugar:	
A. Raw	g.w., 100 kgs. P25.00
B. Refined	g.w., 100 kgs. P40.00
17.02 Other sugars, including artificial honey (whether or not mixed with natural honey); caramel	g.w., 100 kgs. P50.00
17.03 Molasses, whether or not decolorized	g.w., 100 kgs. P50.00
17.04 Sugar confectionery, containing cocoa	l.w., 100 kgs. P50.00 or ad val. 80%
17.05 Flavored or colored sugars and syrups and similar food preparations, but not including fruit juices containing added sugar in any proportion	l.w., 100 kgs. P50.00 or ad val. 80%

## CHAPTER XVIII

### Cocoa and Cocoa Preparations

NOTES:

1. This Chapter does not cover articles of a kind falling within any heading in Chapter 19, 22 or 30 (notwithstanding that they may contain cocoa).

2. Sugar confectionery containing cocoa is deemed to be chocolate products (heading No. 18.06), irrespective of the amount of cocoa.

3. The term “cocoa” shall mean “cacao”.

18.01 Cocoa beans, whole or broken, raw or roasted	g.w., 100 kgs. P50.00 or ad val. 25%
18.02 Cocoa shells, husks, skins and waste	ad val. 25%
18.03 Cocoa paste (in bulk or in block)	ad val. 60%
18.04 Cocoa butter (fat or oil)	ad val. 70%
18.05 Cocoa powder, whether or not sweetened	ad val. 50%
18.06 Chocolate and chocolate products	ad val. 70%

## CHAPTER XIX

### Preparations of Cereals Flour or Starch; Bread and Pastry

NOTES:

1. This Chapter does not cover:

(a) Preparations of flour, starch or malt extract of a kind used as infant food or for dietetic or culinary purposes, containing fifty per cent or more by weight of cocoa (heading No. 18.06);

(b) Biscuits or other articles made from flour or from starch, specially prepared for use as animal foods (heading No. 23.07); or

(c) Pharmaceutical products (Chapter 30).

2. In this Chapter the expression “flour” includes the flour of fruits or of vegetables, and products of such flour are classified with similar products of cereal flour.

19.01 Malt extract, unprepared	ad val. 30%
19.02 Preparations of flour, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than fifty per cent by weight of cocoa	ad val. 20%
19.03 Macaroni, vermicelli, spaghetti and similar products (including sotanghon, miki, bihon and misua)	ad val. 100%
19.04 Tapioca and sago; tapioca and sago substitutes obtained from potato and other starches	g.w., 100 kgs. P60.00
19.05 Prepared foods obtained by the swelling or roasting of cereals (puffed rice, corn flakes and similar products)	ad val. 45%
19.06 Communion wafers, empty cachets of a	g.w., 100 kgs. P15.00

kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	
19.07 Bread, ships' biscuits and other ordinary bakers' products, not containing sugar, honey, eggs, fats, cheese or fruit	g.w., 100 kgs. P30.00
19.08 Pastry, biscuits, cakes and other fine bakers' products, whether or not containing cocoa in any proportion	g.w., 100 kgs. P40.00

## CHAPTER XX

### Preparations of Vegetables, Fruits and Other Parts of Plants

#### NOTES:

1. This Chapter does not cover:
  - (a) Vegetables or fruits falling within any heading in Chapter 7 or 8; or
  - (b) Fruit jellies, fruit pastes or the like in the form of sugar confectionery (heading No. 17.04) or chocolate confectionery (heading No. 18.06).
2. For the purposes of the headings numbered 20.01 and 20.02 the word "vegetables" shall apply, INTER ALIA, to the varieties mentioned in Note 1 of Chapter 7.
3. Edible plants, parts of plants and roots of plants conserved in syrup (e.g., ginger and angelica) are classified with the preserved fruit falling under heading No. 20.06.

20.01 Vegetables and fruits preserved in vinegar or acetic acid, with or without salt, spices or mustard, including pickles, mustard pickles and the like	ad val. 100%
20.02 Vegetables preserved otherwise than in vinegar or acetic acid	ad val. 100%
20.03 Fruits preserved by freezing, with added sugar	ad val. 50%
20.04 Fruits, fruit peels and parts of plants preserved in sugar (drained, glaze or crystalized)	ad val. 75%
20.05 Jams, fruit jellies, marmalades, fruit puree and fruit pastes, being cooked preparations of fruit, whether or not containing added sugar	ad val. 75%
20.06 Fruits, including crushed fruits, otherwise preserved, whether or not containing added sugar or spirit:	
A. With added spirit	ad val. 100%
B. Other	ad val. 75%
20.07 Fruit and vegetable juices, whether or not containing added sugar, but unfermented	

and not containing spirit:	
A. Concentrates	ad val. 20%
B. Other	ad val. 75%

## CHAPTER XXI

### Miscellaneous Edible Preparations

NOTE:

This Chapter does not cover:

(a) Roasted coffee substitutes containing coffee in any proportion (heading No. 09.01). (Extracts of coffee substitutes containing coffee or partly derived from coffee are, however, classified under heading No. 21.02); or

(b) Yeasts or ferments prepared for pharmaceutical use (Chapter 30).

21.01 Roasted chicory and other roasted coffee substitutes; extracts, essences and concentrates thereof	ad val. 30%
21.02 Coffee Extracts, essences, concentrates and similar preparations with a basis of coffee, liquid or dry	ad val. 40%
21.03 Mustard and mustard flour, prepared	ad val. 100%
21.04 Sauces and similar prepared seasoning	l.w., kg. P0.80 and
	ad val. 75%
21.05 Prepared vegetable soups and broths containing neither meat nor meat extracts or only traces thereof, plain, flavored or seasoned	ad val. 50%
21.06 Active natural yeast; prepared baking powders:	
A. Active natural yeast	ad val. 75%
B. Other	ad val. 25%
21.07 Edible preparations and condiments not otherwise provided for:	
A. Non—alcoholic composite concentrates for making beverages	ad val. 20%
B. Other	ad val. 70%

## CHAPTER XXII

### Beverages, Spirits and Vinegar

NOTES:

1. This Chapter does not cover:

(a) Sea water (heading No. 25.01);

- (b) Distilled water or conductivity water (heading No. 28.58);
- (c) Acetic acid of a concentration exceeding ten per cent by weight of acetic acid (heading No. 29.14);
- (d) Beverages alcoholic liquids and vinegars having the character of medicinal products (Chapter 30); or
- (e) Perfumery or toilet preparations (Chapter 33).

2. Heading No. 22.05 shall apply to wine less containing six per cent or more by weight of wine.

3. Articles falling under headings numbered 22.05 and 22.06 containing more than twenty-four per cent of alcohol shall be classified within heading No. 22.09.

4. Heading No. 22.08 shall not apply to undenatured ethyl alcohol shown on test by Gay Lussac's hydrometer at a temperature of fifteen degrees Centigrade to have a strength of less than eighty degrees (heading No. 22.09).

5. All imitations of whisky, rum, gin, brandy, spirits or wines, imported by or under any name whatsoever shall be subjected to the highest rate of duty provided for the genuine articles respectively intended to be represented, with a surtax of fifty per cent.

22.01 Waters, including mineral waters and aerated waters; ice:	
A. Mineral waters, unsweetened	ad val. 25%
B. Aerated waters, unsweetened	ad val. 100%
22.02 Lemonade, flavored aerated waters and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No. 20.07	ad val. 100%
22.03 Beer, ale, porter and stout	ad val. 75%
22.04 Grape must, in fermentation or with fermentation arrested otherwise than by addition of alcohol	ad val. 75%
22.05 Wine of fresh grapes, including grape must with added spirit:	
A. Sparkling wines	ad val. 200%
B. Other:	
1. Containing by volume fourteen per cent or less of alcohol:	
(a) In receptacles containing each more than two liters	l. P0.10 or
	ad val. 100%
(b) In other receptacles	l. P0.20 or
	ad val. 100%
2. Containing by volume over fourteen per cent of alcohol:	
(a) In receptacles containing each more than two liters	l. P0.40 or

	ad val. 100%
(b) In other receptacles	l. P0.70 or
	ad val. 100%
22.06 Vermouths and other wines flavored with aromatic extracts; rice wine or sake:	
A. Containing by volume fourteen per cent or less of alcohol:	
1. In receptacles containing each more than two liters	l. P0.10 or
	ad val. 100%
2. In other receptacles	l. P0.20 or
	ad val. 100%
B. Containing by volume over fourteen per cent of alcohol:	
1. In receptacles containing each more than two liters	l. P0.40 or
	ad val. 100%
2. In other receptacles	l. P0.70 or
	ad val. 100%
22.07 Other fermented beverages (e.g., cider, perry and mead):	
A. In receptacles containing each more than two liters	l. P0.15 or ad val. 100%
B. In other receptacles	l. P0.25 or ad val. 100%
22.08 Ethyl alcohol, whether or not denatured:	
A. Denatured	l. P0.75
B. Other	l. P2.00
22.09 Spirits, liqueurs and all other spirituous beverages:	
A. Spirits (e.g., whisky, rum, gin, brandy, arrack)	l. P2.00 or ad val. 100%
B. Other (e.g., cocktails, liqueurs, cordials, bitters)	l. P2.50 or ad val. 100%
22.10 Vinegar	l. P0.50

### CHAPTER XXIII

#### Residues and Waste From the Food Industries; Prepared Animal Fodder

NOTE:

This Chapter does not cover:

- (a) Residues derived from the sifting, milling or working of cereals or leguminous vegetables, containing ten per cent or more by weight of flour (heading No. 11.01 or 11.03);
- (b) Residues from the pressing of oil seeds and oleaginous fruit containing eight per cent or more by weight of oil (heading No. 12.01); or

(c) Sugar-beet pulp containing more than three per cent of sugar, calculated on the dry weight (heading No. 12.04).

23.01 Flour, meal and residues of meat, marine animals, fish, crustaceans or mollusks, unfit for human consumption; greaves	ad val. 10%
23.02 Bran, sharps and other residues derived from the sifting, milling or husking of cereals or of leguminous vegetables	ad val. 10%
23.03 Beet-pulp, bagasse and other waste of sugar manufacture; brewing and stilling dregs and waste; inactive yeast; residues of starch manufacture and similar residues	ad val. 20%
23.04 Oil cake and other residues (except dregs) resulting from the extraction of vegetable oils	ad val. 20%
23.05 The lees (except lees containing six per cent or more by weight of wine); argol	ad val. 25%
23.06 Vegetable waste of a kind used for animal food, other than cereal straw and husks (heading No. 12.09) and articles falling within any of the preceding headings of this Chapter	ad val. 30%
23.07 Animal food preparations, and poultry feed concentrates and mixtures thereof (including sweetened forage)	ad val. 40%

## CHAPTER XXIV

### Tobacco

#### NOTES:

1. The expression "wrapper tobacco" as used in this Chapter means that quality of leaf tobacco which has the requisite color, texture and burn and is of sufficient size for cigar wrappers, and the term "filler tobacco" means all other leaf tobacco. The Commissioner of Customs shall permit entry to be made, under the rules and regulations to be prescribed by the Secretary of Finance, of any leaf tobacco when the invoices of the same shall specify in detail the character of such tobacco, whether wrapper or filler, its origin and quality. In the examination for classification of any imported leaf tobacco, at least one bale, box or package in every ten, and at least one in every invoice, shall be examined by the appraiser or person authorized by law to make such examination, and at least ten hands shall be examined in each examined bale, box or package.

2. The dutiable weight of paper cigars and cigarettes shall include the weight of the wrappers.

24.01 Unmanufactured tobacco; tobacco refuse:	
A. Leaf tobacco, unstripped:	
1. Wrapper	l.w., kg. P10.00

2. Other	l.w., kg. P8.00 and ad val. 100%
B. Leaf tobacco, stripped:	
1. Wrapper	l.w., kg. P12.00
2. Other	l.w., kg. P10.00
C. Tobacco refuse; midribs and stalks:	
1. Midribs and stalks	l.w., kg. P10.00
2. Tobacco refuse and scrap tobacco	l.w., kg. P10.00
24.02 Manufactured tobacco; tobacco extracts and essences:	
A. Smoking tobacco for pipes and cigarettes	n.w., kg. P15.00 and ad val. 100%
B. Chewing tobacco and snuff	n.w., kg. P15.00 and ad val. 100%
C. Cigars and cheroots of all kinds, including paper cigars	n.w., kg. P20.00 and ad val. 100%
D. Cigarettes of all kinds	n.w., kg. P20.00 and ad val. 100%
E. Tobacco flour and tobacco powder	l.w., kg. P4.00
F. Tobacco extracts, tobacco lyes and tobacco sauces	l.w., kg. P6.00

## SCHEDULE V

### Mineral Products

#### CHAPTER XXV

#### **Salt; Sulphur; Earths, Stones and Non-Metallic Ores; Plastering Materials, Lime and Cement**

#### NOTES:

1. Unless otherwise provided, the headings of this Chapter shall apply only to articles which are in the crude state or which have been washed (even with chemical reagents eliminating the impurities without altering the product), crushed, ground, powdered, sifted, screened, concentrated by flotation, levigation and similar mechanical processes but not calcined or subjected to any further process other than that specifically mentioned in respect of the articles described therein.

2. For the purpose of heading No. 25.01, the term "crude salt" shall refer to salt containing, by weight, not more than 90 per cent of sodium chloride (NaCl), all calculations to be made on the product as imported.

3. This Chapter does not cover:

(a) Sublimed sulphur, precipitated sulphur and colloidal sulphur (heading No. 28.02);

(b) Iron ores (heading No. 26.01) or ferrous earth colors containing seventy per cent or more by weight of combined iron evaluated as Fe<sub>2</sub>O<sub>3</sub> (ferric oxide falling within heading No. 28.23);

(c) Pharmaceutical products falling within Chapter 30;

(d) Calcium phosphates, ground, or other natural mineral products falling within Chapter 31;

(e) Perfumery or toilet preparations (heading No. 33.06);

(f) Articles falling within heading No. 34.05 (relating to natural abrasives and graphite prepared as preservers, cleansers and polishes);

(g) Precious or semi-precious stones (heading No. 71.02);

(h) Optically worked articles (heading No. 90.01);

(i) Writing or drawing chalks (heading No. 98.05).

25.01 Common salt (including rock salt, sea salt and table salt); pure sodium chloride; salt liquors; sea water:	
A. Crude salt	ad val. 100%
B. Other	ad val. 25%
25.02 Unroasted iron pyrites	ad val. 10%
25.03 Sulphur of all kinds, other than sublimed sulphur, precipitated sulphur and colloidal sulphur	g.w., 100 kgs. P0.50
25.04 Natural graphite	ad val. 10%
25.05 Natural sands of all kinds, whether or not colored, other than metal-bearing sands falling within heading No. 26.01	g.w., 100 kgs. P1.00
25.06 Quartz and quartzite	g.w., 100 kgs. P1.00
25.07 Clay (e.g., kaolin and bentonite), andalusite, kyanite and sillimanite, whether or not calcined; mullite; chamotte and Dinas earths	g.w., 100 kgs. P1.00
25.08 Chalk	g.w., 100 kgs. P2.00
25.09 Earth colors, whether or not calcined or mixed together; natural micaceous iron oxides	ad val. 10%
25.10 Unground natural calcium phosphates, apatite and phosphated chalk	g.w., 100 kgs. P0.80
25.11 Natural barium sulphate (barytes); natural barium carbonate (witherite)	g.w., 100 kgs. P0.80
25.12 Infusorial earths, siliceous fossil meals and other similar siliceous earths (e.g., kieselguhr, tripolite, diatomite) of an apparent	g.w., 100 kgs. P0.80

density of one or less, whether or not calcined	
25.13 Pumice stone, emery, natural corundum and other natural abrasives	g.w., 100 kgs. P0.80
25.14 Slate, including slate in roughly squared or sawn blocks, slabs or sheets	g.w., 100 kgs. P1.20
25.15 Marble, travertine, ecaussine and similar calcareous rocks of an apparent density of 2.5 or more, and alabaster, including such rocks in roughly squared or sawn blocks, slabs or sheets	ad val. 60%
25.16 Granite, porphyry, basalt, sandstone and other monumental and building stones, including such stones in roughly squared or sawn blocks, slabs or sheets, but excluding macadam	ad val. 60%
25.17 Flint; crushed or broken stone, macadam and tarred macadam, pebbles and gravel of a kind commonly used for road metalling, for railway or other ballast or for concrete aggregates; shingle, granules, chippings and powder of stones falling within headings numbered 25.15 and 25.16	g.w., 100 kgs. P5.00
25.18 Dolomite, whether or not calcined or agglomerated	g.w., 100 kgs. P1.00
25.19 Natural magnesium carbonate (magnesite), whether or not calcined, other than magnesium oxide	g.w., 100 kgs. P1.50
25.20 Gypsum (plaster stone); plaster, whether or not colored	g.w., 100 kgs. P2.00
25.21 Limestone flux and limestone, and calcareous stone commonly used for the manufacture of lime or cement	g.w., 100 kgs. P2.00
25.22 Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide (heading No. 28.28)	g.w., 100 kgs. P2.00
25.23. Hydraulic cements, whether or not colored:	
A. Standard Portland cement	g.w., 100 kgs. P3.50
B. Other	g.w., 100 kgs. P1.50
25.24. Asbestos	ad val. 15%
25.25 Meerschaum and amber, including agglomerated meerschaum and agglomerated amber; jet	ad val. 50%
25.26 Mica, including splittings; mica waste	ad val. 15%
25.27 Natural steatite, including natural	g.w., 100 kgs. P2.00

steatite in roughly squared or sawn blocks, slabs or sheets; talc	
25.28 Natural cryolite and natural chiolite	ad val. 10%
25.29 Natural arsenic sulphides	ad val. 10%
25.30 Natural borates and crude natural boric acid, whether or not enriched, other than pure borates	ad val. 10%
25.31 Feldspars; flourspar	ad val. 10%
25.32 Non-metallic ores and mineral substances not otherwise provided for; broken pottery	ad val. 15%

## CHAPTER XXVI

### Metallic Ores, Slag and Ash

#### NOTES:

1. For the purposes of heading No. 26.01, the term “metallic ores” means minerals of mineralogical species actually used in the metallurgical industry for the extraction of the metals of Schedules XIV or XV or of mercury, even if they are intended for non-metallurgical purposes. The heading does not, however, include minerals which have been submitted to processes not normal to the metallurgical industry.

2. This Chapter does not cover:

(a) Magnesite (heading No. 25.19);

(b) Basic slag (heading No. 31.03);

(c) Slag wool or rock wool (heading No. 68.07);

(d) Articles falling within heading No. 71.11 (relating, INTER ALIA, to gold-smiths' and silversmiths' sweepings, residues and lemls); or

(e) Mattes produced by any smelting process (Schedule XV), except lead matte.

26.01 Metallic ores and concentrates and roasted iron pyrites	ad val. 10%
26.02 Slag, dross, scalings and other waste from the manufacture of iron or steel	ad val. 10%
26.03 Ash and residues (other than from the manufacture of iron or steel) from which metals are commercially extractable	ad val. 10%
26.04 Other slag and ash, including kelp	ad val. 10%

## CHAPTER XXVII

### Mineral Fuels, Mineral Oils and Products of their Distillation; Bituminous Substances; Mineral Waxes

NOTES:

1. This Chapter does not cover:

(a) Separate chemically defined organic compounds (Chapter 29);

(b) Medicaments (Chapter 30).

2. Heading No. 27.07 shall include products similar to those obtained by the distillation of high temperature coal tar but which are obtained by the distillation of low temperature coal tar or other mineral tars, by processing petroleum or by any other process, provided, that the weight of the aromatic constituents exceeds that of the non-aromatic constituents.

3. References in heading No. 27.10 to petroleum and shale oils shall include similar oils obtained by any process, provided that the weight of the non-aromatic constituents exceeds that of the aromatic constituents.

4. References in heading No. 27.13 to paraffin wax and other mineral waxes shall include references to similar products obtained by synthesis or by other processes.

27.01 Coal, including manufactured fuels of coal	g.w., 100 kgs. P0.50
27.02 Lignite, whether or not agglomerated	g.w., 100 kgs. P0.50
27.03 Peat (including per liter), whether or not agglomerated	g.w., 100 kgs. P0.50
27.04 Coke and semi-coke of coal, of lignite and of peat	g.w., 100 kgs. P0.05
27.05 Gas carbon; coal gas, water gas and producer gas	ad val. 15%
27.06 Tar distilled from coal, lignite or peat, and other mineral tars, including mineral tars of a kind used for road surfacing (prepared or reconstituted tars)	ad val. 10%
27.07 Oils and other products of the distillation of high temperature coal tar; other oils and products as defined in Note 2 of this Chapter	ad val. 10%
27.08 Pitch and pitch coke, obtained from coal tar or other mineral tars	ad val. 10%
27.09 Petroleum and shale oils, crude	ad val. 5%
27.10 Petroleum and shale oils, other than crude; preparations not otherwise provided for, containing not less than 70 per cent by weight of petroleum or shale oils, these oils being the basic constituents of the preparations:	
A. Light oils (e.g., petroleum ethers, gasoline, white spirit)	ad val. 25%
B. Medium oils (e.g., kerosene and tractor fuel)	ad val. 15%

C. Heavy oils (e.g., gas oils, fuel oils, lubricating oils, paraffin liquid or white oils)	ad val. 10%
27.11 Crude butane, crude propane, crude petroleum gas and other crude gaseous hydrocarbons	ad val. 15%
27.12 Petroleum jelly	ad val. 20%
27.13 Paraffin wax, microcrystalline wax, ozokerite, lignite wax, peat wax and other mineral wax	ad val. 10%
27.14 Petroleum bitumen, petroleum coke and other residues resulting from the treatment of petroleum and shale oils	ad val. 10%
27.15 Bitumen and asphalt, natural; bituminous shale and asphaltic rock	ad val. 10%
27.16 Bituminous mixtures containing natural asphalt or bitumen, petroleum bitumen, mineral tar or mineral tar pitch (e.g., bituminous mastics, cut-backs, emulsions of asphalt, bitumen or mineral tar)	ad val. 10%

#### **SCHEDULE VI**

#### **Products of the Chemical and Allied Industries**

NOTE:

Articles answering to a description in headings numbered 28.49, 28.50, 28.51 and 28.52 shall be classified in whichever of those headings is appropriate notwithstanding the fact that they may also answer to a description in other headings of this Schedule of the Code.

#### **CHAPTER XXVIII**

#### **Inorganic Chemicals; Organic and Inorganic Compounds of Precious Metals, of Rare Earth Metals, of Radioactive Elements and of Isotopes**

NOTES:

1. Except where the context otherwise requires, the headings of this Chapter shall apply only to:

(a) Separate chemical elements and chemically defined compounds, whether or not containing impurities;

(b) Products mentioned in (a) above dissolved in water;

(c) Products mentioned in (a) above dissolved in other solvents provided that the solution constitutes a normal and necessary method of putting up these products adopted solely for reasons of safety or for transport and that the solvent does not render a product particularly suitable for certain distinctive use rather than for general use;

(d) The products mentioned in (a), (b) and (c) above containing an added stabilizer necessary for their preservation or transport.

2. In addition to carbonates and percarbonates (heading No. 28.42), cyanides and complex cyanides (heading No. 28.43), fulminates and cyanates (heading No. 28.44), organic products included in headings numbered 28.49 to 28.52 and metallic and non-metallic carbides (heading No. 28.56), the following compounds of carbon shall also be classified under this Chapter:

(a) Oxides of carbon; hydrocyanic and complex cyanogen acids (heading No. 28.13);

(b) Oxyhalides of carbon (heading No. 28.14);

(c) Sulphides of Carbon (heading No. 28.15);

(d) Oxysulphides of carbon, thiocarbonyl halides, cyanogen, cyanogen halides and cyanamide and its metallic derivatives (heading No. 28.58) other than calcium cyanamide containing not more than twenty-five per cent by weight of nitrogen (Chapter 31).

3. This Chapter does not cover:

(a) Sodium chloride or other mineral products falling within Schedule V;

(b) Organo-inorganic compounds other than those mentioned in Note 2 above;

(c) Chemicals put up as medicaments (heading No. 30.03);

(d) Products mentioned in Notes 1, 2, 3 and 4 of Chapter 31;

(e) Inorganic luminophores (heading No. 32.07);

(f) Products put up for sale by retail as perfumery, cosmetics or toilet preparations (heading No. 33.06);

(g) Products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of one kilogram (heading No. 33.06);

(h) Photographic chemicals falling within heading No. 37.08;

(i) Artificial graphite (heading No. 38.01), disinfectants, insecticides, fungicides and the like put up in forms or packings for sale by retail (heading No. 38.11), products put up as charges for fire-extinguishing grenades (heading No. 38.17) and ink removers put up in packings for sale by retail (heading No. 38.19);

(j) Synthetic precious stones (heading No. 71.03) and precious metals falling within Chapter 71;

(k) The metals, whether or not chemically pure, falling within any heading of Schedule XV.

4. Chemically defined complex acids consisting of a non-metal acid falling within Subchapter II and a metallic acid falling within Subchapter IV shall be classified in heading No. 28.13.

5. Heading No. 28.50 shall apply only to the following:

(a) Technetium, promethium, polonium, astatine, radon, francium, radium, actinium, protactinium, neptunium, plutonium and other transuranic elements; isotopes of these elements; and compounds, inorganic or organic, of these elements or isotopes;

(b) All other radioactive isotopes, natural or artificial, including those of the precious metals and the base metals of Schedules XIV and XV and their compounds, inorganic or organic.

The term "isotope" mentioned in headings numbered 28.50 and 28.51 includes "enriched isotopes", but does not include chemical elements which occur in nature as pure isotopes.

6. Heading No. 28.55 shall not apply to ferrophosphorus containing less than fifteen per cent by weight of phosphorus or to phosphor-copper containing eight per cent or less by weight of phosphorus. Such products shall be classified within headings numbered 73.01 and 74.02, respectively.

I. Chemical Elements	
28.01 Halogens (fluorine, chlorine, bromine and iodine):	
A. Chlorine	n.w., kg. P0.25 and ad val. 80%
B. Other	ad val. 20%
28.02 Sulphur, sublimed or precipitated; colloidal sulphur	g.w., 100 kgs. P1.00
28.03 Carbon, pure (e.g., carbon black, anthracene black, acetylene black)	ad val. 15%
28.04 Hydrogen, oxygen, rare gases and other metalloids and non-metals:	
A. Hydrogen and oxygen	ad val. 30%
B. Other	ad val. 10%
28.05 Alkali, alkaline, earth, rare earth metals (including yttrium and scandium), mercury and other metals not falling within Schedule XV:	
A. Mercury	ad val. 25%
B. Other	ad val. 10%
II. Inorganic Acids and Oxygen Compounds of Non-Metals or Metalloids	
28.06 Hydrochloric acid, chloronitric acid and chlorosulphonic acid:	
A. Hydrochloric acid, commercial	g.w., 100 kgs. P7.00 or ad val. 25%
B. Other	ad val. 10%
28.07 Sulphur dioxide	ad val. 20%
28.08 Sulphuric acid; oleum:	
A. Sulphuric acid, commercial	g.w., 100 kgs. P7.00 or

	ad val. 25%
B. Other	ad val. 10%
28.09 Nitric acid; sulphonitric acid	ad val. 10%
28.10 Phosphorous pentoxide, phosphoric acids (meta-, ortho- and pyro-)	ad val. 10%
28.11 Arsenic trioxide, arsenic pentoxide and acids of arsenic	ad val. 10%
28.12 Boric oxide and boric acid	ad val. 10%
28.13 Other inorganic acids and oxygen compounds of non-metals or metalloids (excluding water)	ad val. 10%
III. Halogen and Sulphur Compounds of Non-Metals or of Metalloids	
28.14 Halides, oxyhalides and other halogen compounds of non-metals or metalloids	ad val. 10%
28.15 Phosphides of non-metals or metalloids, including phosphorous trisulphide	ad val. 10%
IV. Inorganic Bases and Metallic Oxides, Hydroxides and Peroxides	
28.16 Ammonia, anhydrous or in solution	ad val. 20%
28.17 Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium and potassium:	
A. Sodium hydroxide (caustic soda), commercial	g.w., 100 kgs. P10.00
B. Other	ad val. 10%
28.18 Oxides, hydroxides and peroxides of strontium, barium and magnesium	ad val. 10%
28.19 Zinc oxide and zinc peroxide	ad val. 10%
28.20 Aluminum oxide and hydroxide; artificial corundum	ad val. 10%
28.21 Chromium oxides and hydroxides	ad val. 10%
28.22 Manganese oxides	ad val. 10%
28.23 Iron oxides and hydroxides	ad val. 20%
28.24 Cobalt oxides and hydroxides	ad val. 10%
28.25 Titanium oxides	ad val. 10%
28.26 Tin oxides; stannous oxide and stannic oxides (stannic anhydride)	ad val. 10%
28.27 Lead oxides	ad val. 10%
28.28 Other inorganic bases and metallic oxides, hydroxides and peroxides (including hydrazine and hydroxylamine and their inorganic salts)	ad val. 10%
V. Metallic Salts and Peroxysalts of Inorganic Acids	
28.29 Fluorides; fluosilicates, fluoborates	ad val. 10%

and other complex flourine salts	
28.30 Chlorides and oxychlorides:	
A. Calcium chloride, commercial	ad val. 80%
B. Other	ad val. 10%
28.31 Chlorites and hypochlorites:	
A. Calcium hypochlorite (chloride of lime)	ad val. 80%
B. Other	ad val. 10%
28.32 Chlorates and perchlorates	ad val. 10%
28.33 Bromides, oxybromides, bromates and perbromates and hypobromites	ad val. 10%
28.34 Iodides, oxyiodides, iodates and periodates	ad val. 10%
28.35 Sulphides including polysulphides	ad val. 10%
28.36 Dithionites, including those stabilized with organic substances	ad val. 10%
28.37 Sulphites and thiosulphates	ad val. 10%
28.38 Sulphates (including alums) and persulphates	ad val. 10%
28.39 Nitrites and nitrates	ad val. 10%
28.40 Phosphites, hypophosphites and phosphates	ad val. 10%
28.41 Arsenites and arsenates	ad val. 10%
28.42 Carbonates and percarbonates, including commercial ammonium carbonate containing carbamate	ad val. 10%
28.43 Cyanides and complex cyanides	ad val. 10%
28.44 Fulminates and cyanates	ad val. 10%
28.45 Silicates:	
A. Sodium silicate	ad val. 10%
B. Other	ad val. 10%
28.46 Borates and perborates	ad val. 10%
28.47 Salts of metallic acids (e.g., chromates, permanganates, stannates)	ad val. 10%
28.48 Other salts and peroxy salts of inorganic acids, but not including azides	ad val. 10%
VI. Miscellaneous	
28.49 Colloidal precious metals, amalgams of precious metals, salts and other compounds, inorganic or organic, of precious metals	ad val. 10%
28.50 Radioactive chemical elements and radioactive isotopes; compounds, inorganic or organic of such elements or isotopes	ad val. 5%

28.51 Isotopes and their compounds, inorganic or organic, other than isotopes and compounds falling within heading No. 28.50	ad val. 5%
28.52 Salts and other compounds, inorganic or organic, of thorium, of uranium or of rare earth metals (including yttrium and scandium); intermixtures of such salts and compounds	ad val. 10%
28.53 Liquid air	ad val. 10%
28.54 Hydrogen peroxide	ad val. 10%
28.55 Phosphides	ad val. 10%
28.56 Carbides (e.g., calcium carbide, silicon carbide, boron carbide, metallic carbides):	
A. Calcium carbide	g.w., 100 kgs. P16.00 or
	ad val. 80%
B. Other	ad val. 10%
28.57 Hydrides, nitrides and azides, silicides and borides	ad val. 10%
28.58 Other inorganic compounds (including distilled and conductivity water and water of similar purity, and amalgams except amalgams of precious metals)	ad val. 10%

## CHAPTER XXIX

### Organic Chemicals

#### NOTES:

1. Except where the context otherwise requires, the headings of this Chapter shall apply only to:

- (a) Separate chemically defined organic compounds, whether or not containing impurities;
- (b) Mixtures of two or more isomers of the same organic compound, whether or not containing impurities;
- (c) Products mentioned in (a) or (b) above dissolved in water;
- (d) Products mentioned in (a) or (b) above dissolved in other solvents provided that the solution constitutes a normal and necessary method of putting up these products adopted solely for reasons of safety or for transport and that the solvent does not render a product particularly suitable for certain distinctive use;
- (e) The products mentioned in (a), (b), (c) and (d) above containing an added stabilizer necessary for their preservation or transport;
- (f) Diazonium salts, arylides used as couplers for these salts and fast bases for azoic dyes, diluted to standard strengths.

2. This Chapter does not cover:

- (a) Glycerol (heading No. 15.11);
- (b) Ethyl alcohol (heading No. 22.08);
- (c) Crude products of the distillation of coal, of mineral tars, of petroleum, of shale or other products falling within Chapter 27;
- (d) The compounds of carbon mentioned in Note 2 of Chapter 28;
- (e) Products put up as medicaments (heading No. 30.03);
- (f) Urea containing not more than forty-five per cent by weight of nitrogen (heading No. 31.02), or if put up in packings of a gross weight not exceeding ten kilograms (heading No. 31.05);
- (g) Coloring matter of vegetable or animal origin (heading No. 32.04); synthetic organic dyestuffs (including pigment dyestuffs), synthetic organic luminophores and products of the kind known as optical bleaching agents substantive to the fiber and natural indigo (heading No. 32.05) and dyes put up in forms or packings of a kind sold by retail (heading No. 32.09);
- (h) Products put up for sale by retail as perfumery, cosmetics or toilet preparations (heading No. 33.06);
- (i) Water soluble salts of higher fatty acids soaps, (heading No. 34.01) and organic surface-active agents (heading No. 34.02);
- (j) Products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of one kilogram (heading No. 35.06);
- (k) Metaldehyde and other similar substances put up in forms (e.g., tablets, sticks or similar forms) for use as fuels (heading No. 36.08);
- (l) Photographic chemicals falling within heading No. 37.08;
- (m) Disinfectants, insecticides, fungicides, and the like put up in forms or packings for sale by retail (heading No. 38.11), products put up as charges for fire extinguishing grenades (heading No. 38.17) and ink removers put up in packings for sale by retail (heading No. 38.19).

3. Articles which could be included in two or more of the headings of this Chapter shall be classified in the latest of those headings.

4. In the headings of Subchapters II to VII, any reference to halogenated, sulphonated or nitrated derivatives shall include a reference to sulphohalogenated, nitrohalogenated, nitrosulphonated or nitrosulphohalogenated derivatives.

5. (a) The esters of acid-function organic compounds falling within Subchapters I to VII with organic compounds of these Subchapters shall be classified with that compound which is classified in the heading placed last in the Subchapters;

(b) Esters of ethyl alcohol or glycerol with acid-function organic compounds of Subchapters I to VII shall be classified with the corresponding acid-function compounds;

(c) The salts of the esters referred to in (a) or (b) above with inorganic bases shall be classified with the corresponding esters;

(d) The salts of other acid- or phenol-function organic compounds falling within Subchapters I to VII with inorganic bases shall be classified with the corresponding acid or phenol function organic compounds.

6. The compounds of headings numbered 29.31 to 29.34 are organic compounds the molecules of which contain, in addition to atoms of hydrogen, oxygen or nitrogen, atoms directly linked to carbon atoms, of other non-metals or of metals (such as sulphur, arsenic, mercury and lead). Heading No. 29.31 (organo-sulphur compounds) and heading No. 29.34 (other organo-inorganic compounds) shall not include sulphonated or halogenated derivatives (including compound derivatives) which, apart from hydrogen, oxygen and nitrogen, only have directly linked to carbon the atoms of sulphur and of halogens which give them their nature of sulphonated or halogenated derivatives (or compound derivatives).

7. Heading No. 29.35 (heterocyclic compounds) shall not include internal ethers, methylenedioxy compounds, epoxides with three or four member rings, cyclic acetals, cyclic polymers of aldehydes and of thioaldehydes, anhydrides of polybasic acids, cyclic ureides and imides of polybasic acids.

<b>I. Hydrocarbons; Halogenated, Sulphonated or Nitrated Derivatives of Hydrocarbons</b>	
29.01 Hydrocarbons	ad val. 10%
29.02 Halogen derivatives of hydrocarbons	ad val. 10%
29.03 Sulphonated or nitrated derivatives of hydrocarbons; sulphohalogenated, nitrohalogenated, nitrosulphonated, nitrosulphohalogenated derivatives of hydrocarbons	ad val. 10%
<b>II. Alcohols and their Halogenated, Sulphonated or Nitrated Derivatives</b>	
29.04 Acyclic alcohols; halogenated, sulphonated or nitrated derivatives of acyclic alcohols including derivatives of ethyl alcohol), including fusel oil	ad val. 10%
29.05 Cyclic alcohols and their halogenated, sulphonated or nitrated derivatives	ad val. 10%
<b>III. Phenols, Phenol-Alcohols and their Halogenated, Sulphonated or Nitrated Derivatives</b>	
29.06 Phenols and phenol-alcohols	ad val. 10%
29.07 Halogenated, sulphonated or nitrated	ad val. 10%

derivatives of phenols and phenol-alcohols	
IV. Ethers, Alcohol Peroxides, Ether Peroxides, Epoxides, Acetals and Hemiacetals, and their Halogenated, Sulphonated or Nitrated Derivatives	
29.08 Ethers, ether-alcohols, ether-phenols, ether-alcohol phenols, alcohol peroxides, ether peroxides, and their halogenated, sulphonated or nitrated derivatives	ad val. 10%
29.09 Epoxides with a three or four member ring, epoxyalcohols, epoxyphenols and epoxyethers; halogenated, sulphonated or nitrated derivatives thereof	ad val. 10%
29.10 Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated or nitrated derivatives	ad val. 10%
V. Aldehyde-Function Compounds	
29.11 Aldehydes, aldehyde-alcohols, aldehyde-ethers, aldehyde-phenols and other single or complex oxygen-function aldehydes	ad val. 10%
29.12 Halogenated, sulphonated or nitrated derivatives of aldehydes and other substances falling within heading No. 29.11	ad val. 10%
VI. Ketone-Function Compounds and Quinone-Function Compounds	
29.13 Ketones, ketone-alcohols, ketone-phenols, ketone-aldehydes, quinones, quinone-alcohols, quinone-phenols, quinone-aldehydes and other single or complex oxygen-function ketones and quinones, and their halogenated, sulphonated or nitrated derivatives	ad val. 10%
VII. Acids, Acid Anhydrides, Acid Halides, Acid Peroxides and Peracids, and their Halogenated, Sulphonated or Nitrated Derivatives	
29.14 Monoacids and their anhydrides, acid halides, acid peroxides and peracids, and their halogenated, sulphonated or nitrated derivatives	ad val. 10%
29.15 Polyacids and their anhydrides, acid halides, acid peroxides, peracids, and their halogenated, sulphonated or nitrated derivatives	ad val. 10%
29.16 Alcohol-acids, aldehyde-acids, ketone-acids, phenol-acids and other single or complex oxygen-function acids, and their anhydrides, acid halides, acid peroxides, and peracids, and their halogenated, sulphonated	ad val. 10%

or nitrated derivatives	
VIII. Inorganic Esters and their Salts	
29.17 Sulphuric esters and their salts	ad val. 10%
29.18 Nitrous and nitric esters	ad val. 10%
29.19 Phosphoric esters and their salts, including lactophosphates	ad val. 10%
29.20 Carbonic esters and their salts	ad val. 10%
29.21 Other esters of mineral acids (excluding halides) and their salts	ad val. 10%
IX. Nitrogen-Function Compounds	
29.22 Amine-function compounds	ad val. 10%
29.23 Single or complex oxygen-function amino-compounds	ad val. 10%
29.24 Quaternary ammonium salts and hydroxides, including lecithins and other phosphoaminolidines	ad val. 10%
29.25 Organic substitution derivatives of hydrazine or of hydroxylamine	ad val. 10%
29.26 Amide-function compounds:	
A. Paraethoxyphenylurea (dulcin)	l.w., kg. P7.50
B. Other	ad val. 10%
29.27 Imide-function compounds and imine-function compounds:	
A. Benzoic sulphimides (saccharin) and their salts	l.w. kg. P7.50
B. Other	ad val. 10%
29.28 Nitrile-function compounds	ad val. 10%
29.29 Diazo-, azo-, and azoxy-compounds	ad val. 10%
29.30 Compounds with other nitrogen-functions	ad val. 10%
X. Organo-Inorganic Compounds and Heterocyclic Compounds	
29.31 Organo-sulphur compounds	ad val. 10%
29.32 Organo-arsenic compounds	ad val. 10%
29.33 Organo-mercury compounds	ad val. 10%
29.34 Other organo-inorganic compounds	ad val. 10%
29.35 Heterocyclic compounds, including nucleic acids	ad val. 10%
29.36 Sulphonamides	ad val. 10%
XI. Provitamins, Vitamins, Hormones and Enzymes, Natural or Reproduced by Synthesis	
29.37 Lactones and lactams	ad val. 10%
29.38 Provitamins and vitamins, including concentrates	ad val. 10%
29.39 Hormones	ad val. 10%
29.40 Enzymes	ad val. 10%

XII. Glycosides and Vegetable Alkaloids, Natural or Reproduced by Synthesis, their Salts, Ethers, Esters and Other Derivatives	
29.41 Glycosides, their salts, ethers, esters and other derivatives	ad val. 10%
29.42 Vegetable alkaloids, the salts, ethers, esters and other derivatives:	
A. Of opium	ad val. 10%
B. Of cinchona	ad val. 10%
C. Other	ad val. 10%
XIII. Other Organic Compounds	
29.43 Sugars, chemically pure, other than sucrose	ad val. 10%
29.44 Antibiotics	ad val. 10%
29.45 Other organic compounds:	
A. Artificial sweetening agents not otherwise provided for	l.w., kg. P7.50
B. Other	ad val. 10%

## CHAPTER XXX

### Pharmaceutical Products

#### NOTES:

1. For the purpose of heading No. 30.03 “medicaments” means articles (other than food or beverages, such as dietetic, diabetic or fortified foods, tonic beverages, mineral waters) not falling within heading No. 30.02 or 30.04 which are either:

(a) Constituents comprising two or more products mixed or compounded together for therapeutic or prophylactic uses; or

(b) Unmixed products suitable for such uses put up in measured does or in packings of a kind sold by retail for therapeutic or prophylactic purposes.

For the purposes of these provisions, all solutions of unmixed products shall be treated as “unmixed substance” except nonaqueous solutions of chemical products, and colloidal solutions; these are treated as “mixed products”.

Unmixed products which do not fulfill the conditions of paragraph (b) above shall be classified according to their nature (e.g., as vegetable products, chemical products).

2. The headings of this Chapter shall not apply to:

(a) Natural or artificial mineral or aerated waters (heading No. 22.01);

(b) Aqueous distillates of natural perfumes suitable for medicinal use (heading No. 33.05);

(c) Dentifrices of all kinds including those having therapeutic or prophylactic properties (heading No. 33.06);

(d) Medicated soaps of all kinds (heading No. 34.01).

3. Heading No. 30.05 shall apply only to:

(a) Sterile surgical catgut and similar sterile suture material;

(b) Sterile laminaria and laminaria tents;

(c) Opacifying preparations for X-ray examinations;

(d) Diagnostic reagents, not falling in heading No. 30.03, put up in measured doses or prepared and designed to be applied to the patient;

(e) Dental cements and other dental fillings;

(f) Plaster-coated fracture bandages;

(g) First-aid boxes and kits.

30.01 Glands and other organs and other substances of animal origin, dried, concentrated or in solution or other media, of a kind used for medical or surgical purposes; extracts of any of the above organs or substances, whether or not in solution or other media	ad val. 10%
30.02 Immunizing (preventive or curative) sera; microbic vaccines, microbic cultures and similar products of microbic origin:	
A. In capsules, pills, tablets, lozenges, troches, ampules, tubes or other similar receptacles	ad val. 10%
B. Other	Free
30.03 Medicaments (including veterinary medicaments)	ad val. 30%
30.04 Wadding (including absorbent cotton), gauze, bandages and similar articles (e.g., dressings, adhesive plasters, poultices) impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes	ad val. 20%
30.05 Other pharmaceutical articles	ad val. 15%

## CHAPTER XXXI

### Fertilizers

NOTES:

1. Heading No. 31.02 shall apply only to the following articles, provided that they are not put up in the forms or packings described in heading No. 31.05:

(a) Articles which answer to one or other of the descriptions given below:

- (1) Sodium nitrate containing not more than sixteen per cent by weight of nitrogen;
  - (2) Ammonium nitrate containing not more than thirty-three per cent by weight of nitrogen;
  - (3) Ammonium sulphonitrate, whether or not pure;
  - (4) Ammonium sulphate, whether or not pure;
  - (5) Calcium nitrate containing not more than sixteen per cent by weight of nitrogen;
  - (6) Calcium nitrate-magnesium nitrate, whether or not pure;
  - (7) Calcium cyanamide containing not more than twenty-two per cent by weight of nitrogen, whether or not treated with oil;
  - (8) Urea containing not more than forty-five per cent by weight of nitrogen;
- (b) Fertilizers consisting of any of the articles described in (a) above, but without quantitative criteria, mixed together;
- (c) Fertilizers consisting of ammonium chloride or of any of the articles described in (a) or (b) above, but without quantitative criteria, mixed with chalk, gypsum or other natural mineral non-fertilizing substances.

2. Heading No. 31.03 shall apply only to the following articles, provided that they are not put up in the forms or packings described in heading No. 31.05:

- (a) Articles which answer to one or other of the descriptions given below:
- (1) Natural calcium phosphates, apatite and phosphated chalks, finely ground so that not less than ninety per cent by weight passes through a 100 mesh sieve;
  - (2) Basic slag;
  - (3) Disintegrated (calcined) calcium phosphates (thermophosphates);
  - (4) Superphosphates (single, double or triple);
  - (5) Calcium hydrogen phosphate containing not less than 0.2 per cent by weight of fluorine;
- (b) Fertilizers consisting of any of the articles described in (a) above, but without quantitative criteria, mixed together.

3. Heading No. 31.04 shall apply only to the following articles, provided that they are not put in forms or packings described in heading No. 31.05:

- (a) Articles which answer to one or other of the descriptions given below:
- (1) Crude natural potassium salts (carnallite, kainite, sylvinite and other);

- (2) Crude potassium salts obtained by the treatment of residues of beet molasses;
- (3) Potassium chloride, whether or not pure, except as provided in Note 6(c) below;
- (4) Potassium sulphate containing not more than fifty-two per cent by weight of K<sub>2</sub>O;
- (5) Magnesium sulphate-potassium sulphate containing less than twenty-seven per cent by weight of K<sub>2</sub>O.
- (b) Fertilizers consisting of any of the articles described in (a) above, but without quantitative criteria, mixed together.
4. Ammonium phosphates containing not less than six milligrams of arsenic per kilogram are included in heading No. 31.05. Potassium nitrate containing not more than ninety-eight per cent by weight of KNO<sub>3</sub> are included in heading No. 31.05.
5. For the purposes of the quantitative criteria specified in Notes 1(a), 2(a), 3(a) and 4 above, the calculation shall be made on the dry anhydrous product.
6. This Chapter does not cover:
- (a) Animal blood or powdered bone, horn or hoof (Chapter 5);
- (b) Separate chemically defined compounds (other than those answering to the description in Notes 1(a), 2(a), 3(a) and 4 above);
- (c) Cultured crystals of potassium chloride, not optically worked, weighing not less than 2.5 grams each (heading No. 38.19); optically worked crystals (heading No. 90.01).

31.01 Guano and other natural animal or vegetable fertilizers, whether or not mixed together, but not chemically treated	Free
31.02 Mineral or chemical fertilizers, nitrogenous	ad val. 5%
31.03 Mineral or chemical fertilizers, phosphatic	ad val. 5%
31.04 Mineral or chemical fertilizers, potassic	ad val. 5%
31.05 Other fertilizers; fertilizers of all kinds, in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding ten kilograms:	
A. Composite and other fertilizers	ad val. 5%
B. Fertilizers of all kinds, in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding ten kilograms	ad val. 10%

## CHAPTER XXXII

### **Tanning and Dyeing Extracts; Tanning and their Derivatives; Dyes, Colors, Paints and Varnishes; Putty, Fillers and Stoppings; Inks**

NOTES:

1. This Chapter does not cover:

(a) Separate chemically defined elements and compounds (except those falling within headings numbered 32.04 and 32.05, inorganic luminophores falling within heading No. 32.07 and dyes in forms or packings of a kind sold by retail falling within heading No. 32.09);

(b) Tannates included in headings numbered 28.49 to 28.52 inclusive and proteic derivatives of tannins in headings numbered 35.01 to 35.04.

2. Heading No. 32.05 shall include mixtures of stabilized diazonium salts and coupling compounds for the production of insoluble azoic dyestuffs on the fiber.

3. Headings numbered 32.05, 32.06 and 32.07 shall apply, respectively, to synthetic organic dyestuffs (including pigment dyestuffs), color lakes or other coloring material put up as concentrated dispersions in artificial plastics, rubber or other media. The headings shall not apply to prepared pigments falling within heading No. 32.09.

4. Solutions (other than collodions) consisting of any of the products specified in headings numbered 39.01 to 39.06 in volatile organic solvents shall be classified in heading No. 32.09 provided that the weight of the solvent exceeds twenty per cent of the weight of the solution.

32.01 Tanning extracts of vegetable origin	ad val. 15%
32.02 Tannins (tannic acid), including water-extracted gallnut tannin, their salts, ethers, esters and other derivatives	ad val. 15%
32.03 Synthetic tanning substances; artificial bates for pretanning (e.g., of enzymatic, pancreatic or bacterial origin)	ad val. 15%
32.04 Coloring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo) or of animal origin	ad val. 15%
32.05 Synthetic organic dyestuffs (including pigment dyestuffs); synthetic organic luminophores; products of the kind known as optical bleaching agents, substantive to the fiber; natural indigo	ad val. 25%
32.06 Color lakes	ad val. 25%
32.07 Other coloring matter; inorganic luminophores	ad val. 15%
32.08 Prepared pigments, prepared opacifiers and prepared colors, vitrifiable enamels and glazes, liquid lusters, and similar products of the kind used in the ceramic, enameling and glass industries; engobes (slips); frit and	ad val. 15%

other glass, in the form of powder or granules	
32.09 Varnishes, lacquers and lacquer enamels; other paints and enamels; distempers, water pigments of the kind used for finishing leather, pigments in linseed oil, white spirit, spirits of turpentine, varnish or other paint or enamel media; prepared dyes in forms or packings of a kind sold by retail:	
A. Prepared dyes in forms or packings of a kind sold by retail	ad val. 25%
B. Other	ad val. 75%
32.10 Artists', students' and amusement colors, in tablets, tubes, pans and similar forms, including such colors in boxes with or without brushes, palettes or other accessories	ad val. 10%
32.11 Prepared driers	ad val. 15%
32.12 Glaziers' putty; grafting putty; filling and stopping pastes for painters' and similar uses:	
A. Glaziers' putty	ad val. 30%
B. Other	ad val. 20%
32.18 Writing ink, printing ink and other inks:	
A. Writing and drawing inks	ad val. 50%
B. Other	ad val. 20%

### CHAPTER XXXIII

#### Essential Oils and Resinoids; Perfumery, Cosmetics and Toilet Preparations

NOTES:

1. This Chapter does not cover:
  - (a) Soaps falling within heading No. 34.01; or
  - (b) Spirits of turpentine or other products falling within heading No. 38.07.
2. Heading No. 33.04 shall not apply to articles which are ready for use as perfumery or toilet preparations (heading No. 33.06) or as preparations of food or drink (heading No. 21.07).
3. Heading No. 33.06 shall apply, INTER ALIA, to dentifrices, shaving creams or shampoos, whether or not containing soap or detergents.

33.01 Essential oils (terpenics or not); concretes and absolutes; resinoids	ad val. 50%
33.02 Terpenic by-products of the deterpenation of essential oils	ad val. 50%
33.03 Concentrates of essential oils in fats or in fixed oils, obtained by cold absorption or by maceration	ad val. 50%

33.04 Mixtures of two or more odoriferous substances (essential oils, resinoids or synthetic aromatics) or mixtures with a basic of one or more of these substances, of a kind used as raw materials in the perfumery, food, drink or other industries	ad val. 50%
33.05 Aqueous distillates of natural perfumes, including distillates suitable for medicinal uses	ad val. 40%
33.06 Perfumery, cosmetics and toilet preparations	ad val. 20%

#### CHAPTER XXXIV

#### **Soap, Organic Surface-Active Agents, Washing Preparations, Lubricating Preparations, Artificial Waxes, Prepared Waxes, Polishing and Scouring Preparations, candles and Similar Articles, Modeling Pastes and Dental Waxes**

NOTES:

1. This Chapter does not cover dentifrices, shaving creams or shampoos containing soap or organic surface-active agents (heading No. 33.06).
2. Heading No. 34.01 should apply only to soap consisting of water soluble salts of higher fatty acids with or without the addition of other substances (e.g., disinfectants, abrasive powders, fillers, medicaments).
3. The reference in heading No. 34.03 to petroleum and shale oils shall apply to the products in heading No. 27.10.
4. In heading No. 34.04 the expression "prepared waxes, not emulsified or containing solvents" shall apply only to:
  - (a) Mixtures of animal waxes, mixtures of vegetable waxes and mixtures of artificial waxes;
  - (b) Mixtures of different classes of waxes (animal, vegetable, mineral and artificial);
  - (c) Mixtures of waxy consistency not emulsified or containing solvents, with a basis of one or more waxes, and containing fats, resins, mineral substances, dyes or other materials.
5. Heading No. 34.04 shall not apply to:
  - (a) Waxes consisting of mixtures of synthetic hydrocarbons or of mixtures of any of the products in heading No. 27.13; or
  - (b) Separate chemically defined organic compounds (Chapter 29).

34.01 Soap, including medicated soap	ad val. 40%
34.02 Organic surface-active agents; surface-	ad val. 25%

active preparations and washing preparations, whether or not containing soap	
34.03 Lubricating preparations of mixtures of oils or greases or of mixtures with a basis of oils or greases, but not including preparations consisting seventy per cent or more by weight of petroleum or shale oils	ad val. 15%
34.04 Artificial waxes (including water-soluble waxes); prepared waxes, not emulsified or containing solvents	ad val. 20%
34.05 Footwear, furniture and floor polishes and creams, metal polishes, scouring powders and similar preparations, but excluding prepared waxes falling within heading No. 34.04:	
A. Polishes, creams and similar preparations for footwear and other articles of leather	ad val. 100%
B. Other	ad val. 40%
34.06 Candles, tapers bright lights and the like	ad val. 60%
34.07 Modeling pastes (including those put up for children's amusement and assorted modeling pastes); preparations of a kind known as "dental wax" in plates, horseshoe shapes, sticks and similar forms	ad val. 15%

## CHAPTER XXXV

### Albuminoidal Substances and Glues

#### NOTES:

1. This Chapter does not cover:

- (a) The salts and other organic products included in headings numbered 28.49 to 28.52, inclusive;
- (b) Protein substances put up as medicaments (heading No. 30.03);
- (c) Gelatin postcards and other products of the printing industry (Chapter 49).

2. In this Chapter glues put up in packages not exceeding a net weight of one kilogram shall fall within heading No. 35.06.

35.01 Casein, caseinates and other casein derivatives; casein glues	ad val. 15%
35.02 Albumins, albuminates and other albumin derivatives	ad val. 15%
35.03 Gelatin (including gelatin in rectangles, whether or not colored or surface-worked) and	ad val. 15%

gelatin derivatives; glues derived from bones, hides, nerves, tendons, or similar products, and fish glues; isinglass	
35.04 Peptones and other protein substances and their derivatives; hide powder, whether or not chromed	ad val. 15%
35.05 Dextrins; soluble or roasted starches; starch glues	ad val. 15%
35.06 Prepared glues not otherwise provided for; products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of one kilogram	ad val. 40%

### CHAPTER XXXVI

#### **Explosives; Pyrotechnic Products; Matches; Pyrophoric Alloys, Certain Combustible Preparations**

NOTES:

1. This Chapter does not cover separate chemically defined compounds other than those described in Note 2(a) or (b) below.

2. Heading No. 36.08 shall apply only to:

(a) Metaldehyde, hexamethylenetetramine and similar substances, put up in forms (e.g., tablets, sticks or similar forms) for use as fuels; fuels with a basis of alcohol, and other similar solid or semi-solid fuels;

(b) Liquid fuels (e.g., petrol) of a kind used in mechanical lighters, in containers of a capacity not exceeding three hundred cubic centimeters;

(c) Resin torches, firelighters and the like.

36.01 Propellant powders	ad val. 10%
36.02 Prepared explosives, other than propellant powders	ad val. 10%
36.03 Mining, blasting and safety fuses	ad val. 10%
36.04 Percussion and detonating caps; igniters; detonators	ad val. 10%
36.05 Firecrackers and pyrotechnic products (e.g., fireworks, fog signals, fuses, amorces), rain rockets:	
A. Firecrackers	l.wl., kg. P5.00
B. Other	ad val. 30%
36.06 Matches (excluding Bengal matches)	l.w., kg. P1.50
36.07 Ferrocerium and other pyrophoric alloys in all forms	ad val. 100%
36.08 Other combustible preparations and	ad val. 60%

products	
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## CHAPTER XXXVII

### Photographic and Cinematographic Articles

NOTES:

1. Heading No. 37.03 shall apply only to:

(a) Chemical products mixed or compounded for photographic uses (e.g., sensitized emulsions, developers and fixers); and

(b) Unmixed substances, suitable for such uses and put up in measured portions or put up for retail sale in a form ready for use.

2. Heading No. 37.08 does not apply to photographic pastes or gums (heading No. 35.06), varnishes (Chapter 32) or similar products which shall be classified under their respective headings.

37.01 Plates, sensitized, unexposed, of glass or other materials (including film in the flat):	
A. For radiography	ad val. 10%
B. Other	ad val. 25%
37.02 Roll-film, sensitized, unexposed, perforated or not:	
A. For radiography and for cinematography	ad val. 10%
B. Other	ad val. 25%
37.03 Sensitized paper, paperboard and cloth, unexposed or exposed but not developed:	
A. Unexposed	ad val. 25%
B. Exposed but not developed	ad val. 10%
37.04 Sensitized plates and film, exposed but not developed, negative or positive, other than cinematographic films	ad val. 10%
37.05 Plates, unperforated film, and perforated film of a length not exceeding four meters, exposed and developed, negative or positive	ad val. 10%
37.06 Cinematographic film, exposed, whether or not developed, consisting only of a sound track, negative or positive	ad val. 20%
37.07 Other cinematographic film, exposed, whether or not developed and whether or not incorporating a sound track, negative or positive:	
A. Cinemascope, vista-vision and similar films producing panoramic or three-dimensional perspective, multi-colored	linear meter P0.80
B. Two dimensional film, multi-colored	linear meter P0.70
C. Other	linear meter P0.50

D. Newsreels, travelogues, technical and scientific films and short films	linear meter P0.20
37.08 Chemical products and flashlight materials of a kind and in a form suitable for use in photography	ad val. 10%

## CHAPTER XXXVIII

### Miscellaneous Chemical and Related Products

NOTES:

1. This Chapter does not cover:

(a) Separate chemically defined elements and compounds with the exception of the following:

(1) Artificial graphite (heading No. 38.01);

(2) Disinfectants, insecticides, fungicides and the like, put up in forms or packings for sale by retail (heading No. 38.11);

(3) Products put up as charges for fire extinguishers or put up in fire-extinguishing grenades (heading No. 38.17);

(4) Products specified in Note 2(a) and (b) below;

(b) Medicaments (heading No. 30.03).

2. Heading No. 38.19 shall include, INTER ALIA, the following articles:

(a) Cultured crystals, not optically worked, weighing not less than two and a half grams each, of magnesium oxide or of the halides of the alkali or of the alkaline earth metals;

(b) Ink removers put up in packings for sale by retail;

(c) Stencil correctors put up in packings for sale by retail;

(d) Ceramic firing testers (Seeger cones).

38.01 Artificial graphite; colloidal graphite	ad val. 10%
38.02 Animal black (e.g., bone black, ivory black), including spent animal black	ad val. 10%
38.03 Activated carbon (decolorizing, depolarizing or absorbent); activated diatomite, activated clay, activated bauxite and other activated natural mineral products	ad val. 10%
38.04 Spent oxide produced in coal gas purification	ad val. 10%
38.05 Tall oil	ad val. 10%
38.06 Concentrated sulphite lye	ad val. 10%

38.07 Spirits of turpentine (gum, wood and sulphate) and other terpenic solvents produced by the distillation or other treatment of coniferous woods; crude dipentene; sulphite turpentine; pine oil (excluding "pine oils" not rich in terpineol)	ad val. 10%
38.08 Rosin and resin acids, and derivatives thereof other than ester gums included in heading No. 39.05; rosin spirit and rosin oils	ad val. 10%
38.09 Wood tar; wood tar oils (other than the light oils falling within heading No. 38.18); wood creosote; wood naphtha; acetone oil	ad val. 10%
38.10 Vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products	ad val. 10%
38.11 Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (e.g., sulphur-treated bands, wicks and candles, fly-papers)	ad val. 10%
38.12 Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries	ad val. 10%
38.13 Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes	ad val. 10%
38.14 Prepared additives for heavy mineral oils; anti-knock preparations for motor fuels	ad val. 10%
38.15 Prepared rubber accelerators	ad val. 10%
38.16 Prepared culture media for development of microorganisms	Free
38.17 Preparations and charges for fire extinguishers; charged fire-extinguishing grenades:	
A. Preparations and charges for fire extinguishers:	
1. Foam type	ad val. 55%
2. Soda-acid type	ad val. 100%
3. Other	ad val. 25%
B. Other	ad val. 25%
38.18 Compounded solvents and thinners for	ad val. 10%

varnishes and similar products	
38.19 Chemical products and preparations of the chemical and allied industries (including those consisting of mixtures of natural products) not otherwise provided for; residual products of the chemical and allied industries, not otherwise provided for	ad val. 10%

## SCHEDULE VII

### **Artificial Resins and Plastic Materials, Cellulose Esters and Ethers and Articles Thereof; Rubber, Synthetic Rubber, Rubber Substitutes (Factice), and Articles thereof**

#### CHAPTER XXXIX

#### **Artificial Resins and Plastic Materials, Cellulose Esters and Ethers; Articles Thereof**

NOTES:

1. This Chapter does not cover:

- (a) Synthetic rubber, as defined for the purposes of Chapter 40, or articles thereof;
- (b) Saddlery or harness (heading No. 42.01) or travel articles, handbags or other receptacles falling within heading No. 42.02;
- (c) Plaits, wickerwork or other articles falling within Chapter 46;
- (d) Synthetic or artificial textiles (Schedule XI) or articles thereof ;
- (e) Footwear, headgear, umbrellas, sunshades, walking sticks, whips, riding crops, fans or parts thereof or other articles falling within Schedule XII;
- (f) Imitation jewelry falling within heading No. 71.16;
- (g) Articles falling within Schedule XVI (machines and mechanical or electrical appliances);
- (h) Parts of vehicles or aircraft (Schedule XVII);
- (i) Worked optical elements of artificial plastics, spectacle frames, drawing instruments or other articles falling within Chapter 90;
- (j) Articles falling within Chapter 91 (e.g., clocks, watches and parts thereof);
- (k) Musical instruments or parts thereof or other articles falling within Chapter 92;
- (l) Furniture or parts of furniture (Chapter 94);
- (m) Brushes or other articles falling within Chapter 96;

(n) Toys, games or sports requisites (Chapter 97); or

(o) Buttons, slide fasteners, combs, mouthpieces or stems for smoking pipes, cigarette holders or the like, parts of vacuum flasks or the like, pens, propelling pencils or other articles falling within Chapter 98.

2. Headings numbered 39.01 to 39.06 shall apply to materials answering to the description in the respective headings if in the following forms only:

(a) Liquid or paste (including emulsions, dispersions and solutions);

(b) Blocks, lumps, powders (including molding powders), granules, flakes and similar bulk forms;

(c) Tubes, rods, sticks, profile shapes;

(d) Plates, sheets, strips, film and foil, whether or not printed or otherwise surface-worked, and rectangular articles cut therefrom, not further worked;

(e) Waste and scrap.

39.01 Condensation and polycondensation products, whether or not modified or polymerized (e.g., phenoplasts, aminoplasts, alkyds, linear polycondensation products, silicones)	ad val. 20%
39.02 Polymerization products (e.g., polyethylenes and derivatives, polyisobutylene, polystyrene, chloride and acetate of polyvinyl and other polyvinyl derivatives, polyacrylic derivatives, polyallyl esters, copolymers, coumaroneindene resins)	ad val. 20%
39.03 Regenerated cellulose; cellulose nitrate, acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (e.g., collodions celluloid); vulcanized fiber	ad val. 20%
39.04 Hardened proteins (e.g., hardened casein and hardened gelatin)	ad val. 20%
39.05 Natural resins modified by fusion (run gums); artificial resins obtained by esterification of natural resins or of resinic acids (ester gums); chemical derivatives of natural rubber (e.g., chlorinated rubber, rubber hydrochloride, oxidized rubber, cyclized rubber)	ad val. 20%
39.06 Other artificial high polymers, artificial resins and plastic materials	ad val. 20%
39.07 Articles of materials of the kinds described	ad val. 70%

in headings numbered 39.01 to 39.06	
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## CHAPTER XL

### **Rubber, Synthetic Rubber, Rubber Substitutes (Factice), and Articles Thereof**

#### NOTES:

1. Except where the context otherwise requires, throughout this Code the expression “rubber” means natural rubber, balata, guttapercha and similar natural gums, synthetic rubber, rubber substitutes derived from oils (factice) and such substances reclaimed therefrom.

2. This Chapter does not cover the following articles of rubber and textiles, which fall generally within Schedule XI:

(a) Elastic fabric or articles thereof, or knitted or crocheted fabric or articles, elastic (including rubberized);

(b) Plates, sheets, strips or profile shapes, and articles thereof consisting —

(1) of one or two ply fabric covered on one or more sides with rubber and weighing not more than one and a half kilograms per square meter;

(2) of felt covered on one or more sides with rubber, in which the rubber does not exceed fifty per cent by weight;

(c) Textile hosepiping waterproofed by internal coating with rubber.

3. The following are neither covered by this Chapter:

(a) Footwear or parts thereof (Chapter 64);

(b) Headgear or parts thereof (including bathing caps, Chapter 65);

(c) Mechanical or electrical appliances or parts thereof (including electrical articles of all kinds), of hardened rubber (Schedule XVI);

(d) Articles falling within Chapters 90, 92, 94 and 96;

(e) Toys, games or sports requisites (other than sports gloves, Chapter 97); or

(f) Buttons, combs, smoking pipe stems, pens or other articles falling within Chapter 98.

4. In heading No. 40.02 the expression “synthetic rubber” applies only to synthetic thermoplastic substances which, on being cured with sulphur or otherwise, acquire at normal temperature (15° to 20° C.) a high reversible extensibility (not less than 500 per cent) and which, by the action of saponifying agents, are not convertible into soluble products of lesser molecular weight; such substances include polybutadiene, polychlorobutadiene (GRM), polybutadiene-styrene (GRS), polyacrylonitrilebutadiene (GRA) and thioplasts (GRP).

5. Headings numbered 40.01 and 40.02 shall not apply to rubber containing fillers, reinforcing or vulcanizing agents, accelerators or coloring matter.

6. Vulcanized rubber thread of a cross-section exceeding five millimeters is deemed to be strip falling within heading No. 40.08.

7. Heading No. 40.10 shall include transmission, conveyor or elevator belts or belting of textile fabric, impregnated, coated, covered or laminated with rubber or made from textile yarn or cord, impregnated or coated with rubber.

<b>I. Raw Rubber</b>	
40.01 Natural rubber, balata, gutta-percha and similar natural gums, raw, including latex, whether or not stabilized	ad val. 15%
40.02 Synthetic rubber including synthetic latex whether or not stabilized; rubber substitutes derived from oils (factice)	ad val. 15%
40.03 Reclaimed rubber	ad val. 15%
40.04 Waste, parings and powder of unhardened rubber; worn out articles of unhardened rubber, fit only for the recovery of rubber	ad val. 15%
<b>II. Unvulcanized Rubber</b>	
40.05 Plates, sheets and strips of unvulcanized rubber	ad val. 25%
40.06 Unvulcanized rubber in other forms or states (e.g., rods, tubes and profile shapes, solutions and dispersions); articles of unvulcanized rubber (e.g., impregnated textile thread; unvulcanized rubber adhesives on backings of any material including vulcanized rubber, except adhesive plasters for medical and surgical purposes, whether medicated or not; rings and discs):	
A. Rubber cement	ad val. 50%
B. Camelback for recapping worn-out tires, including other tire repair materials such as cushion gum, tread gum and rubberized cord fabrics	g.w., kg. P1.40
	and ad val. 25%
C. Other	ad val. 25%
<b>III. Articles of Unhardened Vulcanized Rubber</b>	
40.07 Vulcanized rubber thread and cord, whether or not textile covered, and textile thread covered or impregnated with vulcanized rubber	ad val. 25%
40.08 Plates and sheets (not cut, or cut into rectangles), strips and profile shapes of unhardened vulcanized rubber:	
A. Foam rubber	ad val. 100%
B. Other	ad val. 25%

40.09 Piping and tubing of unhardened vulcanized rubber	ad val. 25%
40.10 Transmission, conveyor or elevator belts or belting of vulcanized rubber	ad val. 10%
40.11 Rubber tires and tubes for vehicles and aircraft:	
A. For automobiles, jeeps, scooters and motorcycles	ad val. 60%
B. For bicycles and velocipedes	ad val. 50%
C. For trucks, tractors and aircraft	ad val. 30%
D. Other	ad val. 15%
40.12 Hygienic, medical and surgical articles (including teats), of unhardened vulcanized rubber, with or without fittings of hardened rubber	ad val. 25%
40.13 Articles of apparel and clothing accessories (including gloves) for all purposes, of rubber	ad. val. 25%
40.14 Other articles of unhardened vulcanized rubber:	
A. Rubber band	ad val. 200%
B. Other	ad val. 50%
IV. Hardened Rubber	
40.15. Hardened rubber (ebonite and vulcanite), in bulk, plates or sheets (not cut, or cut into rectangles), rods or tubes; scrap, waste and powder of hardened rubber	ad val. 25%
40.16 Other articles of hardened rubber (ebonite and vulcanite)	ad val. 25%

### SCHEDULE VIII

#### **Raw Hides and Skins, Leather, Furskins and Articles Thereof; Saddlery and Harness; Travel Articles, Handbags and the Like; Articles of Gut (Other than Silkworm Gut)**

#### CHAPTER XLI

#### **Raw Hides and Skins (Other than Furskins) and Leather**

NOTES:

1. This Chapter does not cover:

- (a) Parings or similar waste, of raw hides or skins (heading No. 05.06);
- (b) Bird skins or parts of birds, complete with feathers, unworked or cleaned, but not further prepared (heading No. 05.07) or worked or mounted (heading No. 67.01);

(c) Raw hides or skins with their hair or fur, including those of Persian, Astrakhan, Caracul and similar lambs, Indian lambs and Mongolian, Tibetan or Yemen goats or kids, heading No. 43.01; however, raw hides and skins, with their hair or fur, of bovine cattle (including buffalo), of equine animals or other solipeds, of swine (including peccary), of chamois, of reindeer, of elk or of deer, and of sheep, lambs or goats fall within heading No. 41.01; or

(d) Skins or hides of any kind dressed in a manner making them suitable for use as furskins (heading No. 43.02).

2. Throughout this Code the expression “composition leather” shall mean only substances of the kind referred to in heading No. 41.10 i.e., composition leather with a basis of leather or leather fiber.

41.01 Raw hides and skins (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool	ad val. 10%
41.02 Rovine cattle hide leather (including buffalo leather) and equine leather, except leather falling within heading No. 41.06, 41.07 or 41.08:	
A. For sole, belting, welting harness and saddlery	ad val. 50%
B. Other	ad val. 35%
41.03 Sheep and lamb skin leather, except leather falling within heading No. 41.06, 41.07 or 41.08	ad val. 40%
41.04 Goat and kid skin leather, except leather falling within heading No. 41.06, 41.07 or 41.08	ad val. 45%
41.05 Other kinds of leather, except leather falling within heading No. 41.06, 41.07 or 41.08	ad val. 50%
41.06 Chamois dressed leather	ad val. 50%
41.07 Parchment dressed leather	ad val. 50%
41.08 Patent leather and metalized leather	ad val. 50%
41.09 Parings and waste of leather	ad val. 30%
41.10 Composition leather with a basis of leather or leather fiber, in slabs, sheets or rolls	ad val. 30%

## CHAPTER XLII

### **Articles of Skins, Hides or Leather; Saddlery and Harness; Travel Articles, Handbags and the Like; Articles of Animal Gut (Other than Silkworm Gut)**

NOTES:

1. This Chapter does not cover:

(a) Surgical catgut (heading No. 30.05);

(b) Articles of apparel (except gloves) lined with fur or artificial fur, or bearing fur or artificial fur on the outside except in the form of mere trimming (heading No. 43.03 or 43.04);

(c) String or net bags (Schedule XI);

(d) Footwear or parts thereof (Chapter 64);

(e) Headgear or parts thereof (Chapter 65);

(f) Whips or riding crops (heading No. 66.02);

(g) Strings for musical instruments (heading No. 92.09);

(h) Furniture or parts thereof (Chapter 94);

(i) Toys, games or sports requisites other than sports gloves (Chapter 97); or

(j) Buttons or other articles falling within heading No. 98.01.

2. An incomplete or unfinished article in this Chapter shall be classified with the corresponding complete or finished article, provided it has the essential character of that complete or finished article.

3. Articles such as phials, brushes, scissors and the like, incorporated in certain articles of a kind falling within this Chapter are classified according to their nature, if detachable without damaging either of the articles in question.

4. For the purposes of heading No. 42.03, the expression “articles of apparel and clothing accessories” shall apply, INTER ALIA, to gloves (including sports gloves), aprons and other protective clothing, braces, belts, bandoliers and wrist straps.

42.01 Saddlery and harness, of any material (e.g., saddles, harness, collars, traces, kneepads and boots), for any kind of animal	ad val. 70%
42.02 Travel articles (e.g., trunks, suitcases, hatboxes, traveling bags, haversacks, knapsacks, rucksacks, kitbags), handbags, wallets, purses, satchels, brief cases, collar boxes, dressing cases, pouches, toilet bags, tool cases and similar containers of skin, hide, leather or of composition leather, of vulcanized fiber, of synthetic plastic material, of paperboard or of textile fabric	ad val. 100%
42.03 Articles of apparel and clothing accessories of skin, hide, leather or of composition leather	ad val. 100%
42.04 Articles of leather or of composition leather of a kind used in machinery or mechanical appliances or for industrial purposes	ad val. 20%

42.05 Other articles of skin, hide, leather or of composition leather	ad val. 70%
42.06 Articles made from gut, from goldbeater's skin, from bladders or from tendons	ad val. 65%

### CHAPTER XLIII

#### Furskins and Artificial Fur; Manufacturers Thereof

NOTES:

1. This Chapter does not cover:

(a) Bird skins or parts of birds, complete with feathers, unworked or cleaned but not further prepared (heading No. 05.07), or worked or mounted (heading No. 67.01);

(b) Raw hides or skins, with their hair or fur, of a kind falling within Chapter 41. (see Note 1(c) to that Chapter), or hides or skins tanned with their hair or fur but not dressed in a manner rendering them suitable for use as furskins (Chapter 41);

(c) Gloves consisting of leather and fur or of artificial fur (heading No. 42.03);

(d) Footwear or parts thereof (Chapter 64);

(e) Headgear or parts thereof (Chapter 65); or

(f) Toys, games or sports requisites (Chapter 97).

2. For the purposes of heading No. 43.02, the expression "plates, crosses and similar forms" means skins sewn together in rectangles or crosses, but not other assembled skins ready for immediate use (or requiring only cutting to become ready for use), nor skins or parts of skins sewn together in the form of garments or parts or accessories of garments.

3. Articles of apparel and apparel accessories (except those excluded by Note 1) lined with fur or artificial fur or to which fur or artificial fur is attached on the outside except as mere trimming shall be classified under heading No. 43.03 or 43.04 as the case may be.

4. In this Chapter the expression "artificial fur" means any imitation of fur consisting of wool, hair or other fibers gummed or sewn on to leather, woven fabrics or other materials, but does not include imitation furskins obtained by weaving (e.g., articles falling within heading No. 58.04).

43.01 Raw furskins	ad val. 50%
43.02 Dressed furskins, including furskins assembled in plates, crosses and similar forms; dressed heads, paws, tails and the like (not fabricated)	ad val. 60%
43.03 Articles of furskins	ad val. 100%
43.04 Artificial fur and articles made thereof	ad val. 100%

### SCHEDULE IX

**Wood and Articles Thereof; Wood Charcoal; Cork and Articles Thereof;  
Manufacturers of Straw, of Esparto and of Other Plaiting Materials; Basketware  
and Wickerwork**

**CHAPTER XLIV**

**Wood and Articles Thereof; Wood Charcoal**

NOTES:

1. This Chapter does not cover:

(a) Wood of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes (heading No. 12.07);

(b) Wood of a kind used primarily in dyeing or in tanning (heading No. 13.01);

(c) Activated charcoal (heading No. 38.03);

(d) Footwear or parts thereof (Chapter 64);

(e) Articles falling within Chapter 66 (e.g., umbrellas and walking sticks and parts thereof);

(f) Articles falling within heading No. 68.09;

(g) Articles falling within Schedule XVII (e.g., wheelwrights' wares);

(h) Articles falling within Chapter 91 (e.g., clocks and clock cases);

(i) Musical instruments or parts thereof (Chapter 92);

(j) Parts of firearms (heading No. 93.06);

(k) Furniture or parts thereof falling within Chapter 94;

(l) Toys, games or sports requisites or other articles falling within Chapter 97; or

(m) Smoking pipes or the like or parts thereof, buttons, pencils or other articles falling within Chapter 98.

2. Articles of wood with parts and/or accessories of glass, marble or other materials (except those mentioned in Note 1 (a) of Chapter 71), imported unassembled or disassembled shall be classified as such articles of wood, provided that the parts or accessories are imported at the same time.

3. In this Chapter, the expression "improved wood" means wood which has been subjected to chemical or physical treatment (being, in the case of layers bonded together, treatment in excess of that needed to ensure a good bond), and which has thereby acquired increased density or hardness together with improved mechanical strength or resistance to chemical or electrical agencies.

4. Headings numbered 44.19 to 44.28 shall apply to articles of the respective descriptions of plywood, cellular wood, “improved” wood or reconstituted wood as they apply to such articles of wood.

5. Heading No. 44.25 shall not apply to tools in which metals parts form the working edge or surface.

44.01 Fuel wood, in logs, in billets, in twigs or in faggots; wood waste, including sawdust	g.w., 100 kgs. P200
44.02 Wood charcoal (including shell and nut charcoal), agglomerated or not	g.w., 100 kgs. P2.50
44.03 Roundwood in the rough, whether or not stripped of its bark or roughed down by means of axe or adze:	
A. Poles for electric transmission wires (e.g., telegraph, telephone, lighting, electric power) cubic meter	P6.00
B. Other cubic meter	P8.00
44.04 Wood, roughly squared or half-squared, but not further manufactured:	
A. Oak, fir, white pine, redwood, spruce, camphor, sandalwood, bird’s-eye maple, pencil cedar, Port Orford cedar, ebony, teak and lignum vitae cubic meter	P10.00
B. Other cubic meter	P15.00
44.05 Wood sawn or cut lengthwise but not further prepared, of a thickness exceeding five millimeters:	
A. Oak, fir, white pine, redwood, spruce, camphor, sandalwood, bird’s-eye maple, pencil cedar, Port Orford cedar, ebony, teak and lignum vitae cubic meter	P15.00
B. Other cubic meter	P25.00
44.06 Wood paving blocks cubic meter	P25.00
44.07 Railway or tramway sleepers (ties) of wood cubic meter	P30.00
44.08 Wooden staves for barrels, tuns, casks, vats and the like not further prepared than sawn on one or both surfaces	ad val. 40%
44.09 Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; chips and chipwood	ad val. 60%
44.10 Wood, roughly trimmed or rounded, but not turned, bent or otherwise worked, suitable for the manufacture of walking sticks, handles of umbrellas, tools and the like	ad val. 60%
44.11 Drawn wood, match splints and wooden pegs or pins for footwear	ad val. 70%

44.12 Wood wool and wood flour	ad val. 100%
44.13 Wood (including blocks, strips and friezes for parquet, not assembled), planed, tongued, grooved, rebated, chamfered, V-jointed, center V-jointed, beaded or center-beaded and the like, but not further manufactured	ad val. 70%
44.14 Veneer sheets and sheets for plywood (sawn, sliced or peeled), of a thickness not exceeding five millimeters, whether or not reinforced with paper or fabric	ad val. 100%
44.15 Plywood (including blockboard, laminboard and battenboard) and veneered wood, whether or not containing any material other than wood; inlaid wood and wood marquetry	ad val. 100%
44.16 Cellular wood panels, whether or not faced with base metal	ad val. 100%
44.17 "Improved" wood, in sheets, blocks or the like	ad val. 100%
44.18 Reconstituted wood, being wood shavings, sawdust or wood flour agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like	ad val. 100%
44.19 Wooden beadings and moldings, including molded skirting and other molded boards	ad val. 100%
44.20 Wooden picture frames, photograph frames, mirror frames and the like	ad val. 100%
44.21 Complete wooden packing cases, boxes, crates, drums and similar packings imported assembled, unassembled or partly assembled	ad val. 200%
44.22 Casks, barrels, vats, tubs, buckets and other coopers' products and parts thereof, of wood, other than staves falling within heading No. 44.08	ad val. 50%
44.23 Builder's carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels)	ad val. 100%
44.24 Household utensils of wood	ad val. 100%
44.25 Wooden tools, tool bodies, tool handles, brush bodies and handles, boot and shoe lasts and trees	ad val. 100%
44.26 Turned spools, cops, bobbins, sewing thread reels and the like, of wood	ad val. 100%
44.27 Cabinet work and small joiner-made articles of wood (e.g., boxes, small cases, pen cases and wall coat racks); book and wall shelves and fancy articles of wood for ornamental purposes or	

personal adornment, not otherwise provided for; parts of the foregoing articles:	
A. Lamp pendants, wall and table lamps, wall brackets and other similar lighting fittings	ad val. 100%
B. Other	ad val. 100%
44.28 Other articles of wood (e.g., foundry molds, traveling chests, trunks, suitcases and valises)	ad val. 100%

## CHAPTER XLV

### Cork and Articles Thereof

NOTES:

1. This Chapter does not cover:
  - (a) Footwear or parts thereof (Chapter 64);
  - (b) Headgear or parts thereof (Chapter 65); or
  - (c) Toys, games or sports requisites (Chapter 97).
2. Natural cork roughly squared or without the outer bark shall fall within heading No. 45.02 and not within heading No. 45.01.

45.01 Natural cork, unworked, crushed, granulated or ground; waste cork	ad val. 15%
45.02 Natural cork in slabs, blocks, boards, planks, sheets, rods, sticks and the like (including cubes or square slabs, cut or trimmed to size for corks or stoppers)	ad val. 15%
45.03 Articles of natural cork:	
A. Stoppers, discs, wafers and washers	ad val. 20%
B. Other	ad val. 25%
45.04 Agglomerated cork and articles thereof:	
A. Slabs, blocks, boards, planks, sheets, rods, sticks and the like	ad val. 15%
B. Stoppers, discs, wafers and washers	ad val. 20%
C. Other	ad val. 25%

## CHAPTER XLVI

### Manufactures of Plaiting Materials; Basketware and Wickerwork

NOTES:

1. In this Chapter the expression "plaiting materials" includes straw, osier or willow, canes, reeds, strips of wood, strips of vegetable fiber or bark, unspun textile fibers,

monofil and strips of paper, but not horsehair, textile yarns or monofil or strip of heading No. 51.02.

2. This Chapter does not cover:

- (a) Twine, cordage, ropes or cables, plaited or not (heading No. 59.04);
- (b) Footwear or headgear or parts thereof (Chapter 64 or 65); or
- (c) Furniture or parts thereof (Chapter 94).

3. For the purposes of heading No. 46.02 the expression “plaiting materials bound together” means plaiting materials placed side by side and bound together, in the form of sheets, whether the binding materials are of spun textile fiber or not.

46.01 Plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips	ad val. 100%
46.02 Plaiting materials woven or bound together in sheet form, including screens, mats and matting; straw envelopes for bottles	ad val. 100%
46.03 Articles of basketwork or wickerwork made directly to shape from plaiting materials; articles made up from goods falling within heading No. 46.01 or 46.02	ad val. 150%

#### SCHEDULE X

#### Papermaking Material; Paper and Paperboard and Articles Thereof

#### CHAPTER XLVII

#### Papermaking Material

NOTE:

If it is doubtful whether articles declared to be waste paper are only suitable for papermaking, they shall not be classified under heading No. 47.02 unless they are used for that purpose or are made unfit for any other purpose under customs supervision. If this is not expedient or if such a procedure is refused by the importer, the articles shall be classified according to their nature.

47.01 Pulp derived by mechanical or chemical means from any fibrous vegetable material	ad val. 10%
47.02 Waste paper (including old and out of date newspapers and periodicals) and paperboard; scrap articles of paper or of paperboard, fit only for use in papermaking	ad val. 25%

#### CHAPTER XLVIII

#### Paper and Paperboard; Articles of Paper Pulp, of Paper or of Paperboard

NOTES:

1. This Chapter does not cover:

- (a) Paper or paperboard, sensitized (heading No. 37.03);
- (b) Paper-reinforced stratified plastic sheeting (headings numbered 39.01 to 39.06), or vulcanized fiber (heading No. 39.03), or articles of such materials (heading No. 39.07);
- (c) Articles falling within heading No. 42.02 (e.g., travel articles);
- (d) Articles falling within any heading in Chapter 46 (manufacturers of plaiting material);
- (e) Paper yarn or textile articles of paper yarn (Schedule XI);
- (f) Abrasive paper (heading No. 68.06) or paperbacked mica splittings (heading No. 68.15), but does cover paper coated with mica powder;
- (g) Paperbacked metal foil (Schedule XV), but does cover metalized paper;
- (h) Perforated paper or paperboard for musical instruments (heading No. 92.10); or
- (i) Articles falling within any heading in Chapter 97 (e.g., toys, games and sports requisites) or Chapter 98 (e.g., buttons).

2. Headings numbered 48.01 and 48.02 shall apply only to paper or paperboard which has not been processed after manufacture.

3. If an article falling within headings numbered 48.01 to 48.07, or subheadings thereunder, is susceptible of classification within two or more headings or subheadings because it combines several characteristics which substantially affect classification, the heading or subheading involving the highest rate of duty shall prevail. Where the rates of duty are equal, or in the case of free rates, the article shall be classified under the heading or subheading number which appears last.

4. Headings numbered 48.01 to 48.07, or subheadings thereunder, shall not apply to paper, paperboard or cellulose wadding —

- (a) in strips or rolls of a width not exceeding fifteen centimeters;
- (b) in rectangular sheets (unfolded if necessary) of which no dimension exceeds fifty centimeters; or
- (c) cut into shapes other than rectangular shapes.

5. For the purposes of heading No. 48.11 “wallpaper” means paper in rolls of a length exceeding six meters, suitable for wall or ceiling decoration, being —

- (a) paper with one or with two margins, with or without guide marks; or
- (b) paper without margins, surface-colored or design-printed, coated or embossed, of a width not exceeding sixty centimeters.

6. Heading No. 48.15 shall apply, INTER ALIA, to paper wool, paper strip (whether or not folded or coated) of a kind used for plaiting, and to toilet paper in rolls or packets, but not to the articles mentioned in Note 7.

7. Heading No. 48.21 shall apply, INTER ALIA, to cards for statistical machines Jacquard cards, paper lace, shelf edging, paper tablecloths, serviettes and handkerchiefs, paper gaskets, molded or pressed articles of wood pulp, dress patterns.

8. Paper, paperboard and cellulose wadding, and articles thereof, falling within Chapter 48 shall not be treated as printed matter falling within Chapter 49, only by reason of their containing printed characters or pictures which are merely incidental to the primary use of the articles.

9. "Newsprint paper" is paper neither sized nor coated nor satin-finished nor glossed, in rolls or in sheets of a width of not less than 35 centimeters, of a weight per square meters of not less than 45 grams or more than 60 grams, containing not less than 70% by weight of mechanical wood pulp.

10. The criterion for the distinction between paper and paperboard is the weight per square meter. Products of a weight per square meter exceeding 300 grams are deemed to be paperboard; others are deemed to be paper.

11. Water lines and water marks do not affect the classification of paper or of paperboard.

I. Paper and Paperboard, in Rolls or in Sheets	
48.01 Paper and paperboard (including cellulose wadding), machine made:	
A. Paper:	
1. Newsprint	ad val. 25%
2. Bookpaper	ad val. 5%
3. Mimeograph paper	ad val. 40%
4. Bond paper	ad val. 40%
5. Cigarette paper exceeding 15 cm. in width	ad val. 10%
6. Kraft paper:	
(a) Wholly of sulphate pulp	ad val. 25%
(b) Other	ad val. 40%
7. Other	ad val. 25%
B. Paperboard:	
1. Kraftboard	ad val. 25%
2. Chipboard, boxboard and newsboard	l.w., kg. P0.15
and	ad val. 65%
3. Leatherboard, trunk board and countershank board	l.w., kg. P0.15
and	ad val. 65%
4. Other	ad val. 25%
C. Cellulose wadding	ad val. 15%
48.02 Handmade paper and paperboard	ad val. 30%

48.03 Parchment or greaseproof paper and paperboard and imitations thereof, and glazed transparent paper	ad val. 35%
48.01 Composite paper or paperboard (made by sticking flat layers together), not surface-coated or impregnated, whether or not internally reinforced:	
A. Paper:	
1. Asphalt laminated	ad val. 25%
2. Other	ad val. 40%
B. Paperboard:	
1. Asphalt laminated	ad val. 40%
2. Other	ad val. 65%
48.05 Paper and paperboard, corrugated (with or without flat surface sheets), creped, crinkled, embossed or perforated:	
A. Paper	ad val. 40%
B. Paperboard	ad val. 65%
48.06 Paper and paperboard, ruled, lined or squared, but not otherwise printed:	
A. Paper	ad val. 40%
B. Paperboard	ad val. 65%
48.07 Coated (including surface-colored, decorated or printed) or impregnated paper and paperboard in rolls or sheets, not being printed matter falling within Chapter 49;	
A. Carbon paper and stencil sheets	ad val. 30%
B. Other	ad val. 25%
48.08 Filter blocks of paper pulp, with or without asbestos fibers	
ad val. 10%	
48.09 Building board of wood pulp or of vegetable fiber, whether or not bonded with natural or artificial resins or with similar substances;	
A. Thermal and acoustic building board	ad val. 35%
B. Other	sq. meter P0.45
and	ad val. 75%
II. Paper and Paperboard Cut to Size or Shape and Articles of Paper or Paperboard	
48.10 Cigarette papers, cut to size, whether or not in the form of booklets or tubes:	
A. In bobbins, of not more than 3.4 cm. in width	ad val. 10%
B. Other	ad val. 30%
48.11 Wallpaper, lincrusta, borders and friezes; window transparencies of paper	
ad val. 100%	
48.12 Floor coverings with a backing of paper or of paperboard, whether or not cut to size, with or without linoleum compound	
ad val. 100%	
48.13 Carbon and other copying papers (including typewriting stencils), cut to size, whether or not put in boxes:	
A. Stencil sheets:	
1. Valued at P1.80 or less per 24 sheets	24 sheets P0.80 and ad val. 60%
2. Valued at more than P1.80 per 24 sheets	ad val. 30%

B. Carbon paper	ad val. 50%
C. Other	ad val. 25%
48.14 Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums of paper or paperboard containing an assortment of paper stationery	ad val. 50%
48.15 Other paper and paperboard, cut to size or shape:	
A. Paper:	
1. Cigarette paper of 15 cm. or less in width but not cut to cigarette size	ad val. 30%
2. Gummed tape, not printed	ad val. 25%
3. Other	ad val. 45%
B. Paperboard	l.w., kg. P0.15
and	ad val. 75%
C. Cellulose wadding	ad val. 20%
48.16 Boxes, bags and other packing containers, of paper or paperboard	ad val. 80%
48.17 Box files and storage boxes, of paper or paperboard, of a kind commonly used in offices, shops and the like	ad val. 40%
48.18 Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting pads, binders (looseleaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard	ad val. 50%
48.19 Paper or paperboard labels, whether or not printed or gummed	ad val. 80%
48.20 Bobbins, tubes, spools, and similar articles of paper or paperboard, of a kind suitable for use in spinning or in weaving, whether or not perforated or hardened; paper or paperboard cores for winding cloth or paper	ad val. 25%
48.21 Other articles of paper pulp, paper, paperboard or cellulose wadding	ad val. 50%

## CHAPTER XLIX

### **Printed Books, Newspapers, Pictures and Other Products of the Printing or Graphic Industry; Manuscripts, Typescripts and Plans**

#### NOTES:

1. This Chapter does not cover:

(a) Paper, paperboard or cellulose wadding, or articles thereof, in which printing is merely incidental to their primary use (Chapter 48);

(b) Playing cards or other articles falling within any heading in Chapter 97; or

(c) Original engravings, prints or lithographs (heading No. 99.02) postage or similar stamps falling within heading No. 99.04, articles more than one hundred years old or other articles falling within any heading in Chapter 99.

2. Newspapers, magazines, reviews, journals and like periodicals which are bound otherwise than in paper, and sets of newspapers, magazines, reviews, journals or like published periodicals comprising more than one number under a single cover shall be treated as falling within heading No. 49.01 and not within heading No. 49.02.

3. Heading No. 49.01 shall apply, INTER ALIA, to a collection of printed reproductions of works of art with a relative text put up with numbered pages in a form suitable for binding as a book.

4. Heading numbered 49.01 and 49.02 shall not apply to books and periodicals published for advertising purposes by or for an advertiser named therein, or to books and periodicals which are primarily devoted to advertising (heading No. 49.11).

5. For the purposes of heading No. 49.03 the expression “picture books” means —

(a) books in which the pictures form the principal interest and the text is subsidiary; and

(b) books in which at least half of the pages do not bear any text.

6. For the purposes of heading No. 49.06 the expression “manuscripts and typescripts” shall extend to carbon copies or photographic copies of manuscripts and typescripts. References in this Chapter to any printed matter of any kind include references to any matter which is reproduced by means of duplicating machine.

7. For the purposes of heading No. 49.09 the expression “picture postcards” means illustrated cards bearing one or more printed words indicating their use.

8. Books of instructions, directions, for use and similar printed matter imported with an article and of a kind normally supplied with such an article shall be regarded as forming part thereof.

9. Where photographs and printed pictures are framed, the frames shall be subject to duty separately.

49.01 Printed books, booklets, brochures, pamphlets and leaflets	ad val. 10%
49.02 Newspapers, magazines, reviews, journals and like published periodicals whether or not illustrated	Free
49.03 Children’s picture books, including painting books	ad val. 10%

49.04 Music, printed or in manuscript, whether or not bound or illustrated	ad val. 10%
49.05 Maps and hydrographic and similar charts of all kinds, including atlases, wall maps and topographical plans, printed on paper or other materials	ad val. 10%
49.06 Industrial plans and drawings, architectural, engineering and other plans, whether original or photographic reproduction; manuscripts and typescripts	ad val. 10%
49.07 Unused postage, revenue and similar stamps of current or new issue in the Philippines; stamp-impressed paper; treasury notes, banknotes, stock, share and bond certificates and similar documents of title; check books and the like:	
A. Unsigned stock, share and bond certificates and similar documents of title, including check books and stamp-impressed paper	ad val. 80%
B. Other	ad val. 10%
49.08 Decalcomanias and transfer papers of all kinds	ad val. 20%
49.09 Picture postcards, Christmas cards and other picture greeting cards, printed by any process, with or without trimmings	ad val. 75%
49.10 Calendars of any kind, including calendar blocks:	
A. Advertising local products, business houses, firms, offices, associations, corporations, trades or professions	ad val. 80%
B. Other	ad val. 25%
49.11 Other printed matter, including printed pictures and photographs:	
A. Advertising local products, business houses, firms, offices, associations, corporations, trades or professions	ad val. 75%
B. Advertising foreign products, business houses, firms, offices, associations, corporations, trades or professions; pictures and photographs of actual persons, either living or dead, and religious pictures or photographs not exceeding twelve copies each of such pictures or photographs in each shipment	Free
C. Other	ad val. 50%

## SCHEDULE XI

### Textiles and Textile Articles

NOTES:

1. This Schedule does not cover:

- (a) Animal brushmaking bristles or hair (heading No. 05.02); horsehair or horsehair waste (heading No. 05.03);
- (b) Human hair or articles thereof (heading No. 05.01, 67.03 or 67.04), except straining cloths of a kind used in oil presses and the like (heading No. 59.17);
- (c) Vegetable materials falling within Chapter 14;
- (d) Asbestos fiber (heading No. 25.24) or articles of asbestos (heading No. 68.13 or 68.14);
- (e) Articles falling within heading No. 30.04 (medicated wadding, bandages and the like);
- (f) Sensitized textile fabric (heading No. 37.03);
- (g) Monofil of a diameter exceeding one millimeter and strip (artificial straw and the like) of a width exceeding five millimeters, of synthetic or artificial textile material (Chapter 39);
- (h) Skins with their wool on (Chapter 41);
- (i) Articles falling within heading No. 42.01 or 42.02 (saddlery, harness, travel articles, haversacks, handbags and the like);
- (j) Plaits and fabrics of monofil of a diameter exceeding one millimeter and strip (artificial straw and the like) of a width exceeding five millimeters, of synthetic or artificial plastic materials (Chapter 46);
- (k) Cellulose wadding (Chapter 48);
- (l) Footwear or parts thereof, gaiters or leggings or similar articles classified in Chapter 64 (other than articles falling within heading No. 63.01 and footwear without applied soles of woven or knitted textiles which remain classified in this Schedule);
- (m) Headgear or parts thereof (Chapter 65), other than articles falling within heading No. 63.01;
- (n) Hair nets of any kind (heading No. 65.05 or 67.04);
- (o) Articles falling within Chapter 67 (feather articles, artificial flowers, wigs, hair prepared for use in postiche, fans);
- (p) Abrasive-coated threads, cords or fabric (heading No. 68.06);
- (q) Glass fiber or articles thereof, other than embroidery with glass threads on a visible ground of fabric (Chapter 70);
- (r) Articles falling within Chapter 94 (furniture and bedding); or
- (s) Articles falling within Chapter 97 (toys, games and sports requisites).

2. (a) Articles of a kind falling within any heading in Chapters 50 to 57 and containing two or more textile materials shall be classified according to the following rules:

(1) Articles containing more than ten per cent by weight of silk, waste silk or noil silk or any combination thereof shall be classified in Chapter 50, and, for the purposes of classification in that Chapter, as if consisting wholly of that one of those materials which predominates in weight;

(2) All other articles shall be classified as if consisting wholly of that one textile material which predominates in weight over any other single textile material.

(b) For the purpose of the above rules:

(1) Metalized yarn shall be treated as a single textile material and its weight shall be taken as the aggregate of the weight of the textile and metal components, and, for the classification of woven fabrics, metal thread shall be regarded as a textile material;

(2) Where a heading in question refers to articles of different textile materials (e.g., silk and waste silk or carded sheep's or lambs' wool and combed sheep's or lamb's wool), all those materials shall be treated as being one and the same;

(3) Except as provided in (1), the weight of constituents other than textile materials shall not be included in the weight of the articles.

(c) The provisions of paragraphs (a) and (b) above shall be applied also to the yarns referred to in Notes 3 and 4 below.

3. (a) For the purposes of this Schedule, and subject to the exceptions in paragraph (b) below, yarns (single, multiple or cabled) of the following descriptions shall be treated as "twine, cordage, ropes and cables":

(1) Of silk, waste silk, noil silk or synthetic or artificial textiles exceeding two millimeters in diameter, but not put up on bobbins, tubes, cards or similar supports or in hanks or skeins;

(2) Of two or more monofil of any diameter made of synthetic or artificial textile or plastic materials;

(3) Of coir:

(aa) Polished or glazed;

(bb) Not polished or glazed and consisting of three or more plies;

(4) Of flax, ramie or cotton:

(aa) Polished or glazed but not put up on bobbins, tubes, cards or similar supports or in hanks or skeins;

(bb) Not polished or glazed and exceeding two millimeters in diameter;

(5) Of true hemp:

(aa) Polished or glazed but not put up on bobbins, tubes, cards or similar supports or in hanks or skeins;

(bb) Not polished or glazed:

(i) Singles exceeding 1.5 millimeters in diameter;

(ii) Multiple or cabled exceeding two millimeters in diameter;

(6) Of jute, Manila hemp, sisal or other vegetable fibers:

(aa) Polished or glazed;

(bb) Not polished or glazed:

(i) Singles exceeding 1.5 millimeters in diameter;

(ii) Multiple or cabled exceeding two millimeters in diameter;

(7) Textile yarns reinforced with metal.

(b) Exceptions:

(1) Yarns consisting of or containing sheep's or lambs' wool or other animal hair, and paper yarn, other than yarns reinforced with metal;

(2) Synthetic or artificial continuous filament tow and synthetic or artificial fibers in slivers or rovings;

(3) Silkworm gut; monofil of heading No. 51.02; imitation catgut of silk or of synthetic or artificial textile materials;

(4) Metalized yarn, not being yarn reinforced with metal; and

(5) Chenille yarn and gimped yarn.

4. (a) For the purposes of Chapters 50, 51, 53, 54, 55 and 56, the expression "put up for retail sale" in relation to yarn means, subject to the exceptions in paragraph (b) below, yarn put up:

(1) In balls or on cards, reels, tubes or similar supports when the quantity per article does not exceed two hundred grams gross in the case of flax yarn, one hundred and twenty-five grams gross in the case of cotton, eighty-five grams gross in the case of silk, waste silk, noil silk, sheep's or lambs' wool and fine animal hair, or five hundred meters in other cases;

(2) In hanks or skeins of a weight not exceeding eighty-five grams; or

(3) In hanks or skeins comprising several smaller hanks or skeins, each of uniform weight not exceeding eighty-five grams, separated by dividing threads which render them independent one of the other.

(b) Exceptions:

(1) Single yarn of any textile material;

(2) Multiple or cabled yarn of silk, waste silk or noil silk, unbleached;

(3) Multiple or cabled yarn of any textile material (except silk, waste silk or noil silk), unbleached, in hanks or skeins;

(4) Multiple or cabled yarn of silk, waste silk or noil silk, of a length not less than 75,000 meters per kilogram, measured multiple, bleached or dyed; and

(5) Multiple or cabled yarn put up on supports indicating their use in the textile industry (e.g., cops, twisting mill tubes, pirns, conical bobbins or spindles).

5. (a) For the purpose of heading No. 55.07 “gauze” means a fabric with a warp composed wholly or in part of standing or ground threads and crossing or doup threads which cross the standing or ground threads making a half turn, a complete turn or more to form loops through which weft threads pass;

(b) For the purpose of heading No. 55.09 the expression “woven fabrics, unfigured” means fabrics which are woven wholly in one of the basic weaves, namely, plain or tabby, twill, and satin weaves;

(c) For the purpose of heading No. 58.08 “plain” means consisting solely of a single series of regular meshes of the same shape or size without any pattern or filling-in of the meshes. In applying this definition no account shall be taken of any minor open spaces which are inherent in the formation of the meshes.

6. For the purposes of this Schedule the expression “made-up” means:

(a) Cut otherwise than into rectangles;

(b) Made ready for use (or merely needing separation by cutting dividing threads) and not requiring sewing or further fabrication (e.g., certain dusters, towels, tablecloths, scarf squares, blankets);

(c) Hemmed or with rolled edges (except fabrics in the piece), or with edges prevented from unraveling by means of knotted fringes;

(d) Cut to size and having undergone a process of drawn thread work;

(e) Assembled by sewing, gumming or otherwise (other than piece goods consisting of two or more lengths of identical material joined end to end and piece goods composed of two or more fabrics assembled face to face, whether or not padded).

7. The headings of Chapters 50 to 57 and, except where the context otherwise requires, the headings of Chapters 58 to 60 shall not apply to articles made-up within the meaning of Note 6 above. Chapters 50 to 57 shall not apply to articles falling within Chapter 58 or 59.

## CHAPTER L

### Silk and Waste Silk

50.01 Silkworm cocoons suitable for reeling	ad val. 5%
50.02 Raw silk (not thrown)	ad val. 10%
50.03 Silk waste (including cocoons unsuitable for reeling, silk noils and pulled or garnetted rags), whether in the crude or unworked) state or processed but not spun	ad val. 20%
50.04 Silk yarn, other than yarn of waste or noil silk, not put up for retail sale	ad val. 20%
50.05 Yarn spun from silk waste other than noil, not put up for retail sale	ad val. 20%
50.06 Yarn spun from noil silk, not put up for retail sale	ad val. 20%
50.07 Silk yarn and yarn spun from waste or noil silk, put up for retail sale	ad val. 25%
50.08 Silkworm gut; imitation catgut of silk	ad val. 10%
50.09 Woven fabrics of silk or of waste silk other than noil	ad val. 75%
50.10 Woven fabrics of noil silk	ad val. 75%

## CHAPTER LI

### Continuous Synthetic and Artificial Textiles

#### NOTES:

1. Throughout this Code, the expression “synthetic textiles” means extruded filaments or fibers produced from substances obtained by chemical synthesis (e.g., polyamides and vinyl esters).
2. Throughout this Code, the expression “artificial textiles” means filaments or fibers obtained by extrusion of solutions of chemically transformed cellulose, proteins, algae and similar animal or vegetable materials.
3. Heading No. 51.01 shall not apply to synthetic or artificial textile fibers of uniform length laid parallel in bundles not exceeding two meters in length, which fall within Chapter 56.
4. The expression “yarn of continuous synthetic or artificial textiles” shall not apply to yarn (known as “ruptured filaments yarn”) of which the majority of filaments have been ruptured by passage through rollers or other devices (Chapter 56).

5. In heading No. 51.02, the expressions “monofil” and “strip (artificial straw and the like)” shall apply respectively only to monofil of a diameter not exceeding one millimeter and to strip of a width not exceeding five millimeters, of synthetic or artificial textile materials.

51.01 Yarn of continuous synthetic or artificial textiles, not put up for retail sale	ad val. 30%
51.02 Monofil, strip (artificial straw and the like) and imitation catgut, of synthetic or artificial textile materials	ad val. 10%
51.03 Yarn of continuous synthetic or artificial textiles, put up for retail sale	ad val. 40%
51.04 Woven fabrics of continuous synthetic or artificial textiles, including woven fabrics of monofil or strip of heading No. 51.02:	
A. Of rayon:	
1. In the grey	ad val. 50%
2. Other	ad val. 80%
B. Other	ad val. 80%

## CHAPTER LII

### Metalized Textiles

52.01 Metalized yarn, being textile yarn spun with metal or covered with metal by any process	ad val. 100%
52.02 Woven fabrics of metal thread or of metalized yarn, provided that such fabrics are clearly of a kind used in articles of apparel, furnishing or similar purposes	ad val. 100%

## CHAPTER LIII

### Wool and Other Animal Hair

NOTE:

The expression “fine animal hair” means hair of alpaca, llama, vicuna, yak, camel (wool hair only), Angora, Tibetan, Kashmir and similar goats (but not common goats), rabbit (including Angora rabbit), hare, beaver, nutria and musk rat.

53.01 Sheep’s or lambs’ wool, not carded or combed	ad. val. 10%
53.02 Other animal hair (fine or coarse), not carded or combed	ad val. 10%
53.03 Waste of sheep’s or lambs’ wool and of other animal hair (fine or coarse), not pulled or garnetted	ad val. 20%
53.04 Waste of sheep’s or lambs’ wool and other animal hair (fine or coarse), pulled or garnetted	ad val. 20%

(including pulled or garnetted rags)	
53.05 Sheep's or lambs' wool and other animal hair (fine or coarse), carded or combed	ad val. 20%
53.06 Yarn of carded sheep's or lambs' wool (woolen yarn), not put up for retail sale	ad val. 20%
53.07 Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale	ad val. 20%
53.08 Yarn of fine animal hair (carded or combed), not put up for retail sale	ad val. 20%
53.09 Yarn of horsehair or of other coarse animal hair, not put up for retail sale	ad val. 20%
53.10 Yarn of sheep's or lambs' wool, of horsehair or other animal hair (fine or coarse), put up for retail sale	ad val. 25%
53.11 Woven fabrics of sheep's or lambs' wool or of fine animal hair	ad val. 80%
53.12 Woven fabrics of coarse animal hair other than horsehair	ad val. 80%
53.13 Woven fabrics of horsehair	ad val. 80%

#### **CHAPTER LIV**

##### **Flax and Ramie**

54.01 Flax, raw or processed but not spun; flax tow and waste (including pulled or garnetted rags)	ad val. 40%
54.02 Ramie, raw or processed but not spun; ramie noils and waste (including pulled or garnetted rags)	ad val. 50%
54.03 Flax or ramie yarn, not put up for retail sale	ad val. 50%
54.04 Flax or ramie yarn, put up for retail sale	ad val. 50%
54.05 Woven fabrics of flax or of ramie	ad val. 80%

(Subject to the provisions of Republic Act No. 1392, as amended.)

#### **CHAPTER LV**

##### **Cotton**

#### NOTES:

1. The weight of tapes, boards and immediate wrappings used for covering or holding fabrics falling within this Chapter shall be treated as forming part of the dutiable weight of such fabrics.

2. For the purpose of determining whether a fabric weighs less or over a certain weight per 100 square meters, the weights of tapes, boards and immediate wrappings shall not be included.

55.01 Cotton, not carded or combed	Free
55.02 Cotton linters	ad val. 10%
55.03 Cotton waste (including pulled or garnetted rags), not carded or combed	ad val. 25%
55.04 Cotton, carded or combed	ad val. 20%
55.05 Cotton yarn, put up for retail sale	ad val. 35%
55.06 Cotton yarn, put up for retail sale	ad val. 35%
55.07 Cotton gauze (leno fabric)	ad val. 30%
55.08 Terry toweling and similar terry fabrics, of cotton	ad val. 60%
55.09 Other woven fabrics, unfigured, of cotton:	
A. Weighing less than 8 kgs. per 100 square meters:	
1. In the grey	kg. P0.90 or ad val. 15%
2. Bleached	kg. P1.15 or ad val. 20%
3. Other	kg. P1.40 or ad val. 25%
B. Weighing from 8 kgs. to 15 kgs. per 100 square meters:	
1. In the grey	kg. P0.65 or ad val. 10%
2. Bleached	kg. P0.90 or ad val. 10%
3. Other	kg. P1.15 or ad val. 20%
C. Weighing over 15 kgs. per 100 square meters:	
1. In the grey	kg. P0.40 or ad val. 10%
2. Bleached	kg. P0.65 or ad val. 15%
3. Other	kg. P0.90 or ad val. 20%
D. Duck and canvas weighing over 30 kgs. per 100 square meters	kg. P0.40 or ad val. 10%
55.10 Other woven fabrics, figured, of cotton:	
A. Weighing less than 8 kgs. per 100 square meters:	
1. In the grey	kg. P1.00 or ad val. 15%
2. Bleached	kg. P1.25 or ad val. 20%
3. Other	kg. P1.50 or ad val. 25%
B. Weighing from 8 kgs. to 15 kgs. per 100 square meters:	
1. In the grey	kg. P0.75 or ad val. 10%
2. Bleached	kg. P1.00 or ad val. 15%
3. Other	kg. P1.25 or ad val. 20%
C. Weighing over 15 kgs. per 100 square meters:	
1. In the grey	kg. P0.50 or ad val. 10%
2. Bleached	kg. P0.75 or ad val. 15%
3. Other	kg. P1.00 or ad val. 20%

## CHAPTER LVI

### **Discontinuous Synthetic and Artificial Textiles**

NOTE:

Synthetic or artificial textile fibers in slivers or rovings weighing less than two grams per meter shall be classified under heading No. 56.04.

56.01 Discontinuous synthetic or artificial textiles, not carded, combed or otherwise prepared for spinning	ad val. 5%
56.02 Waste (including yarn waste and pulled or garnetted rags) of synthetic or artificial textiles (continuous or discontinuous), not carded, combed or otherwise prepared for spinning	ad val. 20%
56.03 Synthetic or artificial textiles, discontinuous or waste, carded, combed or otherwise prepared for spinning	ad val. 25%
56.04 Yarn of discontinuous or waste synthetic or artificial textiles, not put up for retail sale	ad val. 30%
56.05 Yarn of discontinuous or waste synthetic or artificial textiles, put up for retail sale	ad val. 40%
56.06 Woven fabrics of discontinuous or waste synthetic or artificial textiles:	
A. Of rayon:	
1. In the grey	ad val. 50%
2. Other	ad val. 80%
B. Other	ad val. 80%

### **CHAPTER LVII**

#### **Other Vegetable Textile Materials; Yarn and Woven Fabric of Paper Yarn**

57.01 True hemp ( <i>cannabis sativa</i> ), raw or processed but not spun; tow and waste of true hemp (including pulled or garnetted rags)	ad val. 10%
57.02 Manila hemp ( <i>abaca</i> ; <i>musa textilis</i> ), raw or processed but not spun; tow and waste of Manila hemp (including pulled or garnetted rags or ropes)	ad val. 10%
57.03 Jute, raw or processed but not spun; tow and waste of jute (including pulled or garnetted rags or ropes)	ad val. 10%
57.04 Other vegetable textile fibers, raw or processed but not spun; waste of such fibers (including pulled or garnetted rags or ropes)	ad val. 10%
57.05 Yarn of true hemp	ad val. 20%
57.06 Yarn of jute	ad val. 20%

57.07 Yarn of other vegetable textile fibers	ad val. 20%
57.08 Paper yarn	ad val. 20%
57.09 Woven fabrics of true hemp	ad val. 100%
57.10 Woven fabrics of jute	ad val. 100%
57.11 Woven fabrics of other vegetable textile fibers	ad val. 100%
57.12 Woven fabrics of paper yarn	ad val. 100%

### CHAPTER LVIII

#### **Carpets, Mats, Matting and Tapestries; Pile and Chenille Fabrics; Narrow Fabrics; Trimmings; Tulle and Other Net Fabrics; Lace; Embroidery**

NOTES:

1. The headings of this Chapter shall not apply to coated or impregnated fabrics, elastic fabrics or elastic trimmings, machinery belting or other articles falling within Chapter 59, or to boucle fabrics falling within Chapters 50 to 57, inclusive. Embroidery on any textile base falls within heading No. 58.10.

2. In headings numbered 58.01 and 58.02 the words “carpets” and “rugs” shall extend to fabrics having the characteristics of floor coverings but intended for use for other purposes. These headings shall not apply to felt carpets, which fall within Chapter 59.

3. For the purpose of heading No. 58.05, the expression “narrow woven fabrics” means all woven fabrics of a width not exceeding thirty centimeters, whether woven as such or cut from wider pieces, provided with selvages (woven, gummed or made otherwise) on both edges, and also tubular woven fabrics of a flattened width not exceeding thirty centimeters. Narrow woven fabrics in the form of fringes shall fall within heading No. 58.07.

4. Heading No. 58.08 shall not apply to nets or netting in the piece made of twine, cordage or rope, which shall fall within heading No. 59.05.

5. In heading No. 58.10, the expression “embroidery” means, INTER ALIA, embroidery with metal or glass thread on a visible ground of textile fabric and sewn applique work of sequins, beads or ornamental motifs of textile or other materials. The heading shall not apply to needlework tapestry (heading No. 58.03).

6. The headings of this Chapter shall include articles of the descriptions specified therein when made of metal thread, provided that such articles are clearly of a kind used for apparel, furnishing and similar purposes.

58.01 Carpets, carpeting and rugs, knotted (made-up or not)	ad val. 100%
58.02 Other carpets, carpeting, rugs, mats and matting, and “Kelem”, “Schumacks” and “Karamanie” rugs and the like (made up or not)	ad val. 100%

58.03 Handmade tapestries of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needleworked tapestries (e.g., petit point and cross stitch), made in panels and the like by hand	ad val. 100%
58.04 Woven pile fabrics and chenille fabrics (other than terry toweling or other terry fabrics of cotton falling within heading No. 55.08 and fabrics falling within heading No. 58.05)	ad val. 80%
58.05 Narrow woven fabrics and narrow fabrics (boldoc) consisting of warp without weft, assembled by means of an adhesive, other than articles falling within heading No. 58.06	ad val. 60%
58.06 Woven labels, not embroidered, of a kind used for marking wearing apparel, in strips or cut to shape or size	ad val. 50%
58.07 Chenille yarn, gimped yarn (other than metalized yarn of heading No. 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece, tassels, pompons and the like	ad val. 100%
58.08 Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain:	
A. Of cotton, other vegetable textiles or rayon	ad val. 50%
B. Of synthetic or of other artificial textiles	ad val. 60%
C. Other	ad val. 70%
58.09 Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs:	
A. Of cotton, other vegetable textiles or rayon	ad val. 70%
B. Of synthetic or of other artificial textiles	ad val. 75%
C. Other	ad val. 80%
58.10 Embroidery (including embroidery on felt), in the piece, in strips or in motifs	ad val. 100%

## CHAPTER LIX

### **Wadding and Felt; Twine Cordage, Ropes and Cables; Special Fabrics; Impregnated and Coated Fabrics; Textile Articles of a Kind Suitable for Industrial Use**

NOTES:

1. For the purposes of this Chapter, the expression “textile fabrics” shall apply only to the textile fabrics of Chapters 50 to 57 and headings numbered 58.04 and 58.05, the braids and trimmings in the piece of heading No. 58.07, the tulle and other net fabrics of headings numbered 58.08 and 58.09 and lace of heading No. 58.09 and the knitted and crocheted fabrics of heading No. 60.01.

2. Headings numbered 59.08 and 59.12 shall not apply to fabrics in which the impregnation or coating is not apparent or is apparent only by reason of a resulting change in color.

Heading No. 59.12 shall also not apply to:

- (a) Fabrics painted with designs (other than painted canvas being theatrical scenery, studio back cloths or the like);
- (b) Fabrics covered with textile flock or dust, powdered cork or the like and bearing designs resulting from these treatments; or
- (c) Fabrics finished with normal dressings having a basis of amylaceous or similar substances.

3. Heading No. 59.11 shall apply only to:

- (a) Textile fabrics impregnated, coated, covered or laminated with rubber (other than expanded, foam or sponge rubber):
  - (1) Weighing not more than one and a half kilograms per square meter; or
  - (2) Weighing more than one and a half kilograms per square meter and containing less than fifty per cent by weight of rubber.
- (b) Fabrics composed of parallel textile yarns agglomerated with rubber (e.g., fabrics of the kind used in the manufacture of tires), irrespective of their weight per square meter.

4. Heading No. 59.16 shall not apply to:

- (a) Transmission, conveyor or elevator belts or belting of a thickness of less than three millimeters (Chapters 50 to 57); or
- (b) Transmission, conveyor or elevator belts or belting of textile fabric, impregnated, coated, covered or laminated with rubber or made from textile yarn, twine or cord, impregnated or coated with rubber (heading No. 40.10).

5. Heading No. 59.17 shall apply to the following articles which are not falling within any other heading of Schedule XI:

- (a) Textile products whether in the piece or cut to length (other than those having the character of the products of headings numbered 59.14 to 59.16), only as specified hereunder:

(1) Textile fabric, felt and felt-lined woven fabric coated, covered or laminated with rubber, leather or other material, of a kind commonly used as card clothing and other similar fabric of a kind commonly used in machinery or plant;

(2) Bolting cloth;

(3) Straining cloth of a kind commonly used in oil presses and the like, of textile fibers or of human hair;

(4) Woven textile felts, whether or not impregnated or coated, of a kind commonly used in papermaking or other machinery, tubular or endless with single or multiple warp and/or weft, or flat woven with multiple warp and/or or weft;

(5) Textile fabrics reinforced with metal of a kind commonly used in machinery or plant;

(6) Textile fabrics of the metalized yarn falling within heading No. 52.01, of a kind commonly used in papermaking or other machinery;

(7) Cords, braids, and similar textile articles, whether or not coated, impregnated or reinforced with metal, of a kind commonly used in machinery or plant as packing or lubricating materials;

(b) Textile articles (other than those of headings numbered 59.14 to 59.16) of a kind commonly used in machinery or plant (e.g., gaskets, washers, polishing discs, other machinery parts).

59.01 Wadding and articles of wadding; textile flock and dust and mill neps:	
A. Wadding and articles of wadding:	
1. Sanitary towels and napkins	ad val. 40%
2. Other	ad val. 25%
B. Other	ad val. 20%
59.02 Felt and articles thereof, whether or not impregnated or coated:	
A. In the piece	ad val. 30%
B. Other	ad val. 60%
59.03 Bonded fiber fabrics and articles thereof, whether or not impregnated or coated	ad val. 35%
59.04 Twine, cordage, ropes and cables, plaited or not:	
A. Of hemp (i.e., abaca and true hemp)	ad val. 100%
B. Other	ad val. 25%
59.05 Nets and netting made of twine, cordage or rope, and made-up fishing nets of yarn, twine, cordage or rope	ad val. 60%
59.06 Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics:	
A. Shoe laces	ad val. 100%
B. Other	ad val. 60%
59.07 Textile fabrics coated with gum or	ad val. 25%

amylaceous substances, of the kinds used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar woven fabrics for hatshapes and similar uses	
59.08 Textile fabrics impregnated or coated with preparations of cellulose derivatives or of other artificial plastic materials	ad val. 25%
59.09 Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil	ad val. 30%
59.10 Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not	ad val. 70%
59.11 Rubberized textile fabrics, other than rubberized knitted or crocheted articles	ad val. 30%
59.12 Textile fabrics otherwise impregnated or coated: painted canvas being theatrical scenery, studio back cloths or the like	ad val. 50%
59.13 Elastic fabrics and trimmings (other than knitted or crocheted articles) consisting of textile materials combined with rubber threads	ad val. 40%
59.14 Wicks, of woven, plaited or knitted textile materials, for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles:	
A. Wicks for candles	ad val. 50%
B. Other	ad val. 25%
59.15 Textile hose-piping and similar tubing, whether or not armored with metal or fitted with metal accessories	ad val. 15%
59.16 Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material	ad val. 10%
59.17 Other textile fabrics and textile articles of a kind commonly used in machinery or plant	ad val. 10%

## CHAPTER LX

### Knitted and Crocheted Articles

NOTES:

1. This Chapter does not cover:

(a) Crochet lace of heading No. 58.09;

(b) Knitted or crocheted fabrics, impregnated or coated (other than rubberized fabrics), and other knitted or crocheted articles falling within Chapter 59;

(c) Corsets, corset belts, suspender belts, brassieres, braces, suspenders, garters or the like (heading No. 61.09); or

(d) Used clothing or other articles falling within heading No. 63.01.

2. Headings numbered 60.02 to 60.06 shall apply to:

(a) Articles of the kinds described therein (finished or unfinished, complete or incomplete) and parts thereof, knitted or crocheted directly to shape or made-up from knitted or crocheted fabric; and

(b) Knitted or crocheted fabric shaped for making the articles referred to in (a) above.

3. For the purposes of this Chapter, shirts of all kinds, pajama sleeping suits and theatrical flesh tights shall be classified as “undergarments”.

4. The headings of this Chapter shall include articles of the descriptions specified therein when made of metal thread, provided such articles are clearly of a kind used for apparel, furnishing or similar purposes.

5. For the purposes of this Chapter:

(a) “Elastic” means consisting of textile materials combined with rubber threads; and

(b) “Rubberized” means impregnated, coated or covered with rubber, or made with textile thread coated or impregnated with rubber.

6. For the purpose of heading No. 60.06, knitted or crocheted articles are not considered to be elastic articles only by reason of their containing rubber thread or elastic forming merely a supporting band.

60.01 Knitted or crocheted fabric, not elastic nor rubberized:	
A. Of cotton, other vegetable textiles or rayon	ad val. 65%
B. Of synthetic or of other artificial textiles	ad val. 70%
C. Other	ad val. 70%
60.02 Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberized	
ad val. 70%	
60.03 Stockings, understockings, socks, ankle socks, sockettes, footwear without applied soles and the like, knitted or crocheted, not elastic nor rubberized:	
A. Of cotton, other vegetable textiles or rayon	ad val. 100%
B. Of synthetic or of other artificial textiles	ad val. 110%

C. Other	ad val. 110%
60.04 Undergarments, knitted or crocheted, not elastic nor rubberized:	
A. Of cotton, other vegetable textiles or rayon	ad val. 65%
B. Of synthetic or of other artificial textiles	ad val. 80%
C. Other	ad val. 80%
60.05 Outer garments and other articles, knitted or crocheted, not elastic nor rubberized:	
A. Of cotton, other vegetable textiles or rayon	ad val. 70%
B. Of synthetic or of other artificial textiles	ad val. 75%
C. Other	ad val. 75%
60.06 Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic kneecaps and elastic stockings):	
A. In the piece	ad val. 40%
B. Other	ad val. 65%

## CHAPTER LXI

### Articles of Apparel and Clothing Accessories of Textile Fabric, Other Than Knitted or Crocheted Articles

#### NOTES:

1. The headings of this Chapter shall apply to articles of the kinds described therein only when made-up of any textile fabric (including felt, bonded fiber fabric, braid or trimmings of heading No. 58.07, tulle or other net fabrics and lace) or of fabric of metal thread, but not including articles of knitted or crocheted material other than those falling within heading No. 61.09.

2. The headings of this Chapter do not cover:

(a) Articles of apparel and accessories therefor lined with fur or artificial fur or bearing fur or artificial fur on the outside except in the form of mere trimming (heading No. 43.03 or 43.04);

(b) Used clothing or other articles falling within heading No. 63.01;

(c) Articles of apparel and accessories therefore containing feathers or down except as mere trimming or padding (heading No. 67.01); or

(d) Surgical belts, trusses or other orthopedic articles (heading No. 90.19).

3. For the purposes of headings numbered 61.01 to 61.04:

(a) Articles which cannot be identified as either men's or boys' garments or as women's or girls' garments shall be classified in heading No. 61.02 or 61.04 as the case may be;

(b) The expression "infants' garments" shall apply to:

(1) Garments which are not identifiable as for wear by either boys or girls, and

(2) Babies' napkins.

4. For the purposes of this Chapter, shirts of all kinds, pajama sleeping suits and articles of apparel of similar type are classified as "undergarments" which fall in heading No. 61.03 or 61.04 as the case may be.

5. Scarves and articles of the scarf type, square or approximately square, of which no side exceeds sixty centimeters are assimilated to handkerchiefs (heading No. 61.05). Handkerchiefs of which any side exceeds sixty centimeters shall be classified in heading No. 61.06.

6. The headings of this Chapter shall also apply to unfinished or incomplete articles of the kinds described therein and to shaped textile fabric for making such articles including knitted or crocheted fabric shaped for making articles classified in heading No. 61.09.

61.01 Men's and boys' outer garments:	
A. Of cotton, other vegetable textiles or rayon	ad val. 100%
B. Of synthetic or of other artificial textiles	ad val. 110%
C. Other	ad val. 120%
61.02 Women's, girls' and infants' outer garments:	
A. Of cotton, other vegetable textiles or rayon	ad val. 100%
B. Of synthetic or of other artificial textiles	ad val. 110%
C. Other	ad val. 120%
61.03 Men's and boys' undergarments, including collars, shirt fronts and cuffs:	
A. Of cotton, other vegetable textiles or rayon	ad val. 90%
B. Of synthetic or of other artificial textiles	ad val. 100%
C. Other	ad val. 110%
61.04 Women's, girls' and infants' undergarments:	
A. Of cotton, other vegetable textiles or rayon	ad val. 90%
B. Of synthetic or of other artificial textiles	ad val. 100%
C. Other	ad val. 110%
61.05 Handkerchiefs	ad val. 75%
61.06 Shawls, scarves, mufflers, mantillas, veils and the like	ad val. 75%
61.07 Ties, bow ties and cravats	ad val. 75%
61.08 Collars, tuckers, fallals, bodice fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments	ad val. 100%
61.09 Corsets, corset belts, suspender belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic	ad val. 100%

61.10 Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted articles	ad val. 100%
61.11 Made-up accessories for articles of apparel (e.g., dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)	ad val. 150%

## CHAPTER LXII

### Other Made-Up Textile Articles

NOTES:

1. The headings of this Chapter shall apply to the articles of the kinds described therein only when made-up of any textile fabric (other than felt and bonded fiber fabric) or of the braids or trimmings of heading No. 58.07, not being knitted or crocheted articles:

2. The headings of this Chapter do not cover:

(a) Articles falling within Chapter 58, 59 or 61;

(b) Used clothing or other articles falling within heading No. 63.01; or

(c) Articles containing fur or artificial fur except as mere trimming (heading No. 43.03 or 43.04) or feathers or down except as mere trimming or padding (heading No. 67.01).

62.01 Traveling rugs and blankets:	
A. Of cotton	ad val. 80%
B. Other	ad val. 100%
62.02 Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles:	
A. Of cotton and rayon textiles	ad val. 90%
B. Other	ad val. 100%
62.03 Sacks and bags of a kind used for the packing of articles	ad val. 100%
62.04 Tarpaulins, sails, awnings, sun blinds, tents and camping articles	ad val. 70%
62.05 Other made-up textiles articles (including dress patterns and footwear without applied soles):	
A. Shoe laces, other than those falling within heading No.	
59.06-A	ad val. 100%
B. Other	ad val. 60%

## CHAPTER LXIII

### Used Clothing and Other Textile Articles; Rags; Remnants

NOTES:

1. If it is doubtful whether articles declared as used or new rags and other scrap textile articles are fit only for the purposes specified in heading No. 63.02, they shall be classified thereunder only if they are torn under customs supervision. If this is not expedient or if such a procedure is refused by the importer, the articles shall fall within heading No. 63.01 or 63.03, as the case may be.

2. For the purpose of heading No. 63.03 the term “remnants” shall be held to mean all kinds of fabrics in assorted but not in uniform or approximately uniform lengths, not exceeding five meters each.

63.01 Clothing, clothing accessories, traveling rugs and blankets, household linen and furnishing articles (other than articles falling within heading No. 58.01, 58.02 or 58.03) of textile materials, footwear and headgear of any material, showing signs of appreciable wear and imported in bulk, bales, sacks or similar bulk packings:	
A. Clothing	ad val. 35%
B. Other	ad val. 40%
63.02 Used or new rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables, fit only for recovery of the fibers or for the manufacture of paper or artificial plastic materials or for use as industrial wipers	ad val. 5%
63.03 Remnants	ad val. 15%

## SCHEDULE XII

### **Footwear, Headgear, Umbrellas, Sunshades, Whips, Riding Crops and Parts Thereof; Prepared Feathers and Articles Made Therewith; Artificial Flowers; Articles of Human Hair; Fans**

#### CHAPTER LXIV

#### **Footwear, Gaiters and the Like and Parts Thereof**

#### NOTES:

1. This Chapter does not cover:

(a) Footwear, without applied soles, knitted, or crocheted (heading No. 60.03) or other textile fabric, except felt (heading No. 62.05);

(b) Footwear of asbestos (heading No. 63.13);

(c) Footwear showing signs of appreciable wear and imported in bulk, bales, sacks or similar packings (heading No. 63.01);

(d) Orthopedic footwear (heading No. 90.19). Footwear and inner soles of which have been simply arched to alleviate flatfootedness is not, however, regarded as orthopedic footwear and is classified in this Chapter;

(e) Footwear with skates permanently affixed, footwear of the nature of toys, carnival articles or Christmas decorations (Chapter 97).

2. For the purposes of headings numbered 64.05 and 64.06, the expression “parts” shall not include pegs, boot protectors, eyelets, boot hooks, buckles, braid, laces or pompons (which shall be classified according to their constituent materials) or buttons or other articles falling within heading No. 98.01.

3. For the purposes of heading No. 64.01, the expression “rubber or artificial plastic material” shall include any textile fabric coated or covered externally with one or both of these materials.

64.01 Footwear (including overshoes) with outer soles and uppers of rubber or artificial plastic material	pair P2.00 or ad val. 50%
64.02 Footwear with outer soles of leather; composition leather, rubber or artificial plastic material, other than footwear falling within heading No. 64.01	pair P4.00 or ad val. 60%
64.03 Footwear with outer soles of wood or cork	pair P2.00 or ad val. 50%
64.04 Footwear with outer soles of other materials	pair P4.00 or ad val. 60%
64.05 Parts of footwear (including uppers, insoles and screw-on heels), of any material except metal:	
A. For footwear falling within heading No. 64.03	ad val. 100%
B. For other footwear	ad val. 100%
64.06 Gaiters, spats, leggings, puttees and similar articles and parts thereof	ad val. 60%

## CHAPTER LXV

### Headgear and Parts Thereof

#### NOTES:

1. This Chapter does not cover:

(a) Old headgear falling within heading No. 63.01;

(b) Hair nets of human hair (heading No. 67.04);

(c) Asbestos headgear (heading No. 68.13); or

(d) Doll’s hats or other toy hats, or carnival articles (Chapter 97).

2. Heading No. 65.02 shall not apply to hatshapes made by sewing (other than hatshapes made by the sewing in spirals of plaited or other strips).

65.01 Hatforms, hat bodies and hoods of felt, neither blocked to shape nor with made brims; plateaux and manchons (including slit manchons) of felt	ad val. 30%
65.02 Hatshapes, plaited or made from plaited or other strips of any material neither blocked to shape nor with made brims	ad val. 50%
65.03 Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No. 65.01, trimmed or not	ad val. 50%
65.04 Hats and other headgear, plaited or made from plaited or other strips of any material, trimmed or not	ad val. 60%
65.05 Hats and other headgear (including hair nets), knitted, netted or crocheted or made up from any textile fabric in the piece, trimmed or not	ad val. 60%
65.06 Other headgear, trimmed or not:	
A. Safety helmets for military personnel, firemen, miners and divers	ad val. 10%
B. Other	ad val. 50%
65.07 Head bands, linings, covers, hat frames (including spring frames for opera hats), peaks and chinstraps, for headgear	ad val. 50%

## CHAPTER LXVI

### Umbrellas, Sunshades, Walking Sticks, Whips, Riding Crops and Parts Thereof

#### NOTES:

1. This Chapter does not cover:

- (a) Measure walking sticks, or the like (heading No. 90.16);
- (b) Firearm sticks, sword sticks or the like (Chapter 93); or
- (c) Articles falling within Chapter 97 (e.g., toy umbrellas and toy sunshades).

2. Heading No. 66.03 shall not apply to trimmings of textile material, or to covers, tassels, thongs or umbrella cases. Such goods imported with, but not fitted to, articles falling within heading No. 66.01 or 66.02 shall not be treated as forming part of those articles but shall be classified separately, in general, according to their constituent materials.

66.01 Umbrella and sunshades (including walking stick umbrellas, and garden and similar umbrellas)	ad val. 75%
66.02 Walking sticks (including climbing sticks)	ad val. 100%

and seat sticks), canes, whips, riding crops and the like	
66.03 Parts, fittings, trimmings and accessories of articles falling within heading No. 66.01 or 66.02	ad val. 50%

## CHAPTER LXVII

### **Prepared Feathers and Down and Articles thereof; Artificial Flowers, Foliage or Fruits; Articles of Human Hair; Fans**

NOTES:

1. This Chapter does not cover:

- (a) Straining cloth of human hair (heading No. 59.17);
- (b) Floral motifs of lace, of embroidery or the like (Schedule XI);
- (c) Footwear of feathers (Chapter 64);
- (d) Hats of feathers or of artificial flowers or foliage (Chapter 65);
- (e) Feather dusters (heading No. 96.04), powder puffs (heading No. 96.05) or hair sieves (heading No. 96.06); or
- (f) Toys, sports requisites or carnival articles (Chapter 97).

2. Heading No. 67.01 shall not apply to:

- (a) Articles (e.g., bedding) in which feathers or down constitute only filling or padding;
- (b) Articles of apparel and accessories thereto in which feathers or down constitute no more than mere trimming or padding;
- (c) Artificial flowers or foliage or parts thereof or made up articles of heading No. 67.02; or
- (d) Fans (heading No. 67.05).

3. Heading No. 67.02 shall not apply to:

- (a) Articles of glass (Chapter 70);
- (b) Artificial flowers, foliage or fruit of pottery, stone, metal, wood, and the like, obtained in one piece by molding, forging, carving, stamping or other process, or consisting of parts assembled otherwise than by binding, glueing or similar methods.

67.01 Feathers and down and skins or other parts of birds with their feathers or down, bleached, dyed or otherwise worked or mounted; articles made of feathers or down	ad val. 175%
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67.02 Artificial flowers, foliage or fruits and parts thereof; articles made of artificial flowers, foliage or fruits	ad val. 60%
67.03 Human hair, dressed (laid parallel), thinned, bleached or otherwise worked; animal hair similarly prepared for use in postiche	ad val. 150%
67.04 Wigs, false beards, hair pads, curls, switches and the like, of human or animal hair or of textiles; other articles of human hair (including hair nets)	ad val. 150%
67.05 Fans and hand screens, with or without mounts and blades, guards and handles therefor, of any material	ad val. 100%

### **SCHEDULE XIII**

#### **Articles of Stone, Plaster, Cement, Asbestos, Mica and Similar Materials; Ceramic Products; Glass and Glassware**

#### **CHAPTER LXVIII**

#### **Articles of Stone, Plaster, Cement, Asbestos, Mica and Similar Materials**

NOTES:

1. This Chapter does not cover:

- (a) Articles falling within Chapter 25;
- (b) Coated or impregnated paper falling within heading No. 48.07 (e.g., paper coated with mica powder or graphite, bituminized or asphalted paper), filter blocks of paper pulp and asbestos (heading No. 48.08);
- (c) Coated or impregnated textile fabric falling within Chapter 59 (e.g., mica-coated fabric, bituminized or asphalted fabric);
- (d) Articles falling within Chapter 71. Abrasive articles made from dust or power of precious or semi-precious stones or synthetic or reconstructed precious stones are, however, classified in the present Chapter;
- (e) Lithographic stones, prepared heading No. 84.34);
- (f) Electrical insulators or fittings of insulating material (heading No. 85.25 or 85.26);
- (g) Articles falling within Chapter 91 (e.g., clocks and clock cases);
- (h) Articles falling within heading No. 95.07;
- (i) Toys, games or sports requisites (Chapter 97);

(j) Articles falling within heading No. 98.01 (e.g., buttons), 98.05 (e.g., slate pencils) or 98.06 (e.g., drawing slates); or

(k) Works of art, collectors' pieces or antiques (Chapter 99).

2. Heading No. 68.04 shall not apply to mounted articles (heading No. 82.04 or Chapter 84 or 85).

68.01 Road and paving setts, curbs and flagstones, of natural stone (except slate)	ad val. 30%
68.02 Worked monumental or building stone (except slate) or steatite, and articles thereof, (including mosaic cubes), other than articles falling within heading No. 68.01:	
A. Marble	ad val. 150%
B. Other	ad val. 100%
68.03 Worked slate and articles of slate, including articles of agglomerated slate	ad val. 50%
68.04 Millstones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, trueing and cutting wheels, heads, discs and points), of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but not mounted on frameworks; segments and other finished parts of such stones and wheels	ad val. 15%
68.05 Hand polishing stones, whetstones, oilstones, hones and the like, of natural stone, of agglomerated natural or artificial abrasives, or of pottery	ad val. 15%
68.06 Natural or artificial abrasive powder or grain on a base of woven fabric, of paper, of paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up:	
A. Sandpaper and emery cloth	ad val. 20%
B. Other	ad val. 10%
68.07 Slag wool, rock wool and similar mineral wools; exfoliated vermiculite and similar expanded mineral materials; compounded heat resisting or heat or sound insulating mineral substances and articles thereof, not fired, other than substances and articles with a basis of asbestos	ad val. 15%
68.08 Articles of asphalt or of similar materials (e.g., of petroleum pitch or coal tar pitch)	ad val. 25%
68.09 Panels, boards, tiles, blocks and similar articles of vegetable fiber, of wood fiber, of straw, of wood shavings or of wood waste	ad val. 25%

(including sawdust), agglomerated with cement, plaster or with other mineral binding substances	
68.10 Other articles of plastering material	ad val. 50%
68.11 Articles of cement, of concrete (including railway or tramway sleepers of concrete) or of artificial stone (including granulated marble agglomerated with cement) and slag cement, reinforced or not	ad val. 60%
68.12 Articles of asbestos cement, of cellulose fiber cement or the like:	
A. Of asbestos cement	ad val. 85%
B. Other	ad val. 25%
68.13 Fabricated asbestos and articles thereof (e.g., asbestos board, thread and fabric; asbestos clothing, asbestos jointing), reinforced or not, other than articles falling within heading No. 68.14; heat resisting or heat or sound insulating mixtures of asbestos with magnesium carbonate, similar mixtures with a basis of asbestos and articles of any such mixtures	ad val. 25%
68.14 Friction material of a kind suitable for brakes, for clutches or the like, with a basis of asbestos or other mineral substances, or of cellulose, whether or not combined with textile or other materials, in the form of segments, discs, washers, strips, sheets, plates, rolls and the like	ad val. 15%
68.15 Worked mica and articles of mica, including bonded mica splittings on a support of paper or fabric (e.g., micanite and micafolium)	ad val. 25%
68.16 Articles of stone or of other mineral substances, not otherwise provided for	ad val. 50%

## CHAPTER LXIX

### Ceramic Products

#### NOTES:

1. The headings of this Chapter shall apply only to products of earth or clay, whether or not mixed with other materials, which have been fired after shaping. Heading No. 69.04 shall apply also to silica-lime bricks produced by steam treatment under pressure. Headings numbered 69.04 to 69.14 shall apply only to such articles other than heat insulating ware and refractory ware.

2. This Chapter does not cover:

- (a) Articles falling within Chapter 71 (e.g., imitation jewelry);
- (b) Electrical insulators or fittings of insulating material (heading No. 85.25 or 85.26);

- (c) Artificial teeth (heading No. 90.19);
- (d) Articles falling within Chapter 91 (e.g., clocks and clock cases);
- (e) Toys, games or sports requisites (Chapter 97);
- (f) Smoking pipes, buttons or other articles falling within Chapter 98; or
- (g) Original statuary, collectors' pieces or antiques (Chapter 99).

3. Stoppers, lids and other closures of any material imported together with ceramic articles for use in connection therewith shall be regarded as parts of such articles. Spare stoppers, lids and other closures shall be classified according to their constituent material.

I. Heat-Insulating and Refractory Articles	
69.01 Heat-insulating bricks, blocks, tiles and other heat-insulating articles of infusorial earths, of kieselguhr, of siliceous fossil meal or of similar siliceous earths	ad val. 10%
69.02 Refractory bricks, blocks, tiles and similar refractory constructional articles, other than those falling within heading No. 69.01	ad val. 10%
69.03 Other refractory articles (e.g., retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths, rods), other than those falling within heading No. 69.01	ad val. 10%
II. Other Ceramic Products	
69.04 Building bricks (including building blocks, support or filler tiles and the like)	ad val. 50%
69.05 Roofing tiles, chimney pots, cowls, chimney liners, cornices and other constructional articles	ad val. 50%
69.06 Piping, conduits and guttering (including angles, bends and similar fittings)	ad val. 25%
69.07 Unglazed setts, flags and paving, hearth and wall tiles	ad val. 40%
69.08 Glazed setts, flags and paving, hearth and wall tiles	g.w., 100 kgs. P24.00 or ad val. 100%
69.09 Laboratory, chemical and industrial wares; troughs, tubs and similar receptacles of a kind used in agriculture; pots, jars and similar articles of a kind used for the packing or transport of articles	ad val. 10%
69.10 Sinks, wash basins, bidets, water closet pans, urinals, baths and like sanitary fittings	ad val. 10%
69.11 Tableware and other articles of a kind commonly used for domestic or toilet	

purposes, of porcelain or china (including biscuit porcelain and parian):	
A. Undecorated (white or of one color)	ad val. 20%
B. Other	ad val. 40%
69.12 Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery:	
A. Undecorated (white or of one color)	ad val. 20%
B. Other	ad val. 40%
69.13 Statuettes, ornaments other furnishing articles and articles of personal adornment	ad val. 50%
69.14 Articles not otherwise provided for	ad val. 40%

## CHAPTER LXX

### Glass and Glassware

#### NOTES:

1. This Chapter does not cover:

(a) Ceramic enamels (heading No. 32.08);

(b) Articles falling within Chapter 71 (e.g., imitation jewelry);

(c) Electrical insulators or fittings of insulating material (heading No. 85.25 or 85.26);

(d) Optically worked glass, hypodermic syringes, thermometers, barometers, hydrometers, diptometers or other articles falling within Chapter 90;

(e) Toys, games, sports requisites, Christmas tree ornaments or other articles falling within Chapter 97; or

(f) Buttons, fitted vacuum flasks, complete scent or similar sprays or other articles falling within Chapter 98.

2. Stoppers, lids and other closures, of any material, imported together with glass articles for use in connection therewith, shall be regarded as parts of such articles. Spare stoppers, lids and other closures shall be classified according to their constituent materials.

3. The reference in heading No. 70.07 to “cast, rolled or sheet glass (including flashed or wired glass), whether or not surface ground or polished, cut to shape other than rectangular shape, or bent or otherwise worked (edge worked, engraved and the like)” shall apply to articles made from such glass, provided they are not framed or fitted with other materials.

4. For the purposes of this Chapter, the expression “glass” shall include fused quartz and fused silica.

70.01 Waste glass (cullet); glass in the mass (excluding optical glass)	ad val. 10%
70.02 Glass of the variety known as “enamel”	ad val. 10%

glass, in the mass, rods and tubes	
70.03 Glass in balls, rods and tubes, unworked (not being optical glass)	ad val. 10%
70.04 Unworked cast or rolled glass (including flashed or wired glass), whether figured or not, in rectangles	ad val. 25%
70.05 Unworked sheet glass (including flashed glass), drawn or blown, in rectangles	ad val. 25%
70.06 Cast, rolled or sheet glass (including flashed or wired glass) in rectangles, surface ground or polished, but not further worked	ad val. 30%
70.07 Cut, rolled or sheet glass (including flashed or wired glass), whether or not surface ground or polished, cut to shape other than rectangular shape, or bent or otherwise worked (edge worked, engraved and the like); multiple-walled insulating glass; leaded lights:	
A. Multiple-walled heat or sound insulating glass and leaded lights	ad val. 10%
B. Other	ad val. 50%
70.08 Safety (laminated) glass and toughened glass, whether or not shaped or otherwise worked	ad val. 50%
70.09 Glass mirrors (including rearview mirrors), unframed, framed or backed	ad val. 90%
70.10 Glass carboys, demijohns, jars, pots, tubular containers and similar containers of a kind used for the packing or transport of articles; stoppers, lids and other closures of glass:	
A. Carboys, demijohns and tubular containers	ad val. 10%
B. Opal glass containers	ad val. 20%
C. Other	ad val. 40%
70.11 Glass bulbs and glass envelopes (including tubes) for electric lamps, for electronic valves and the like	ad val. 15%
70.12 Glass inners for vacuum flasks and other vacuum vessels, and blanks therefor	ad val. 15%
70.13 Household and office glassware, other than articles falling within heading No. 70.19	ad val. 50%
70.14 Illuminating glassware, signaling glassware and optical elements of glass, not optically worked nor of optical glass	ad val. 25%
70.15 Clock and watch glasses and similar glasses (including glass of a kind used for sunglasses but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like; glass spheres and segments of	ad val. 15%

spheres of a kind used for the manufacture of clock and watch glasses and the like	
70.16 Bricks, tiles, slabs, pairing blocks, squares and other articles of pressed or molded glass of a kind commonly used in building; multi-cellular glass in blocks, slabs, plates and similar forms, and panels	ad val. 35%
70.17 Glassware, whether or not graduated or calibrated, of a kind used for laboratory, medical, surgical, dental or hygienic purposes; glass serum ampules and the like	ad val. 10%
70.18 Optical glass and elements of optical glass, not optically worked; blanks for corrective spectacle lenses	ad val. 10%
70.19 Glass beads, imitation pearls, imitation precious and semi-precious stones, imitation flowers and similar fancy or decorative glass smallwares and articles thereof; glass mosaic cubes; artificial eyes of glass other than those for wear by humans; ornaments and other fancy articles of lamp-worked glass	ad val. 50%
70.20 Glass fiber, yarns, fabrics, and articles thereof	ad val. 15%
70.21 Other articles of glass	ad val. 50%

#### SCHEDULE XIV

#### **Pearls, Precious and Semi-Precious Stones, Precious Metals, Rolled Precious Metals, and Articles Thereof; Imitation Jewelry; Coins**

#### CHAPTER LXXI

#### **Pearls, Precious and Semi-Precious Stones, Precious Metals, Rolled Precious Metals, and Articles Thereof; Imitation Jewelry**

#### NOTES:

1. Except as provided below, all articles consisting wholly or partly of pearls, of precious or semi-precious stones, of synthetic or reconstructed precious or semi-precious stones, of precious metals, or of rolled precious metals shall be classified within this Chapter. The exceptions are as follows:

(a) Articles in which precious metal or rolled precious metal constitutes only minor trimmings (e.g., monograms, bands, fasteners), but which do not contain pearls, precious or semi-precious stones, or synthetic or reconstructed precious or semi-precious stones;

(b) Amalgams of precious metal, and colloidal precious metal (heading No. 28.49); and sterile surgical suture materials (heading No. 30.05);

- (c) Handbags and other articles falling within heading No. 42.02;
- (d) Metalized yarn (heading No. 52.01), textile fabric of metal yarn or of metalized yarn (heading No. 52.02) and articles of such yarns or fabric falling within Schedule XI;
- (e) Footwear (Chapter 64) and headgear (Chapter 65);
- (f) Umbrellas, walking sticks and other articles falling within Chapter 66;
- (g) Fans and hand screens (heading No. 67.05);
- (h) Coins (heading No. 72.01);
- (i) Mounted glaziers' diamonds and other tools falling within heading No. 82.01, 82.02, 82.03, 82.04 or 82.05, and machinery, mechanical appliances and electrical goods, and parts thereof (Schedule XVI), provided that such parts are not wholly of precious or semi-precious stones, or synthetic or reconstructed precious or semi-precious stones;
- (j) Articles falling within Chapter 90, 91 or 92 (scientific instruments, clocks and watches or musical instruments);
- (k) Arms or parts thereof (Chapter 93);
- (l) Articles falling within headings of Chapter 98 other than headings numbered 98.01 and 98.12; or
- (m) Original sculptures and statuary (heading No. 99.03), collectors' pieces (heading No. 99.05) and articles other than pearls or precious or semi-precious stones, of an age exceeding 100 years (heading No. 99.06).

2. The expression "pearls" shall include cultured pearls.

3. The expression "precious metals" means silver, gold, platinum and other metals of the platinum group.

4. The expression "other metals of the platinum group" means iridium, osmium, palladium, rhodium and ruthenium.

5. Alloys (other than amalgams) of precious metal with base metal, in which no one precious metal constitutes as much as two per cent by weight, shall be treated as base metal and not as alloys of precious metal. Other alloys (other than amalgams) containing precious metal shall be classified according to the following rules:

(a) An alloy containing two per cent or more, by weight, of platinum shall be treated only as an alloy of platinum;

(b) An alloy containing two per cent or more, by weight, of gold but no platinum, or less than two per cent of platinum, shall be treated only as an alloy of gold;

(c) Other alloys containing two per cent or more of silver shall be treated as alloy of silver.

For the purpose of this Note, the expression “platinum” shall mean any or all of the metals of the platinum group.

6. Except where otherwise provided, the designation under which a precious metal is mentioned in any heading or subheading of this Code also extends to the alloys of precious metal placed, according to Note 5 above, on equal footing with such metal. This does not, however, apply to precious metal rolled on base metal, or to base metal plated or coated with platinum, gold or silver.

7. Rolled precious metals are products made of metal upon one or more surfaces of which there is affixed by welding, hot-rolling or other mechanical means, a covering of precious metal.

Articles of base metal inlaid with precious metal shall be treated in the same manner as rolled precious metal articles.

8. For the purpose of heading No. 71.12, the expression “jewelry” means:

(a) Any small object of personal adornment (e.g., rings, bracelets, necklaces, brooches, earrings, watch chains, fobs, pendants, tiepins, cuff links, dress-studs, religious or other medals and insignia); and

(b) Articles of personal use of a kind normally carried in the pocket, in the handbag or on the person (such as cigar and cigarette cases, powder boxes and compacts, chain purses, snuff and cachou boxes, rosaries and the like).

9. Goldsmiths’ and silversmiths’ wares, within the meaning of heading No. 71.13, are tablewares, toilet sets, writing sets, smokers’ requisites, articles for interior decoration and articles for religious use.

10. The expression “imitation jewelry” means jewelry within the meaning of paragraph (a) of Note 8 above (but not including buttons, studs, cuff links and other articles of heading No. 98.01), not containing pearls, precious or semi-precious stones, or synthetic reconstructed precious or semi-precious stones, or precious metal (otherwise than as plating) and composed —

(a) wholly or partly of base metal, whether or not plated with precious metal; or

(b) of at least two materials, no account being taken of materials used only for assembly (e.g., necklace strings).

I. Pearl and Precious and Semi-Precious Stones	
71.01 Pearls unworked or worked, but neither mounted, set nor strung (except ungraded pearls temporarily strung for convenience of transport)	ad val. 150%
71.02 Precious and semi-precious stones, unworked, cut or otherwise worked, but neither set nor strung (except ungraded stones temporarily strung for convenience of transport)	ad val. 150%

71.03 Synthetic or reconstructed precious or semi-precious stones, unworked, cut or otherwise worked, but neither set nor strung (except ungraded stones temporarily strung for convenience of transport)	ad val. 100%
71.04 Dust and powder of natural or synthetic precious or semi-precious stones	ad val. 100%
<b>II. Precious Metals and Rolled Precious Metals, Unwrought, Unworked or Semi-Manufactured</b>	
71.05 Silver, including silver gilt and platinum plated silver, unwrought or semi-manufactured	ad val. 100%
71.06 Rolled silver, unworked or semi-manufactured	ad val. 100%
71.07 Gold, including platinum-plated gold, unwrought or semi-manufactured	ad val. 100%
71.08 Rolled gold on base metal or silver, unworked or semi-manufactured	ad val. 100%
71.09 Platinum and other metals of the platinum group, unwrought or semi-manufactured	ad val. 100%
71.10 Rolled platinum, or other platinum group metals, on base metal or precious metal, unworked or semi-manufactured	ad val. 100%
71.11 Goldsmiths', silversmiths' and jewelry sweepings, residues, lemls, and other precious metal waste and scrap	ad val. 90%
<b>III. Jewelry, Goldsmiths' and Silversmiths' Wares and Other Articles</b>	
71.12 Jewelry of precious metal or rolled precious metal	ad val. 150%
71.13 Goldsmiths' and silversmith' wares, of precious metal or rolled precious metal, other than articles falling within heading No. 71.12	ad val. 150%
71.14 Other articles of precious metal or rolled precious metal	ad val. 150%
71.15 Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed), not set on or mounted with precious metal or rolled precious metal	ad val. 150%
71.16 Imitation jewelry	ad val. 100%

## **CHAPTER LXXII**

### **Coins**

NOTES:

This Chapter does not cover collectors' pieces (heading No. 99.05).

72.01 Coins	Free
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## **SCHEDULE XV**

### **Base Metals and Articles of Base Metals**

#### NOTES:

1. This Schedule does not cover:

- (a) Metallic powders prepared as colors (heading No. 32.09);
- (b) Ferrocium or other pyrophoric alloys (heading No. 36.07);
- (c) Headgear or parts thereof, of metal (heading No. 65.06 or 65.07);
- (d) Frames or parts of umbrellas, sunshades, walking sticks or other articles falling within heading No. 66.03;
- (e) Articles falling within Chapter 71 (e.g., precious metal alloys, rolled precious metal and imitation jewelry);
- (f) Articles falling within Schedule XVI (machinery, mechanical appliances and electrical articles);
- (g) Assembled railway or tramway track (heading No. 86.10) or other articles falling within Schedule XVII (vehicles, ships and boats, aircraft);
- (h) Instruments or apparatus of base metal of a kind falling within Schedule XVIII;
- (i) Lead shot (heading No. 93.07) or other articles falling within Schedule XIX (arms and ammunition);
- (j) Articles falling within Chapter 94 (furniture and mattress supports);
- (k) Hand sieves (heading No. 96.06);
- (l) Articles falling within Chapter 97 (toys, games and sports requisites); or
- (m) Buttons, pens, pencil holders, pen nibs or other articles falling within Chapter 98.

2. The headings in Chapters 73 to 81 shall not apply to any articles falling within Chapter 82 or 83.

3. Classification of alloys:

- (a) An alloy of base metals containing more than ten per cent, by weight, of nickel shall be classified as an alloy of nickel, except in the case of an alloy in which iron predominates by weight.

(b) Ferroalloys and master alloys (as defined in Chapters 73 and 74) shall be classified under headings numbered 73.02 and 74.02, respectively.

(c) Any other alloy of base metals shall be classified as an alloy of the metal which predominates by weight.

4. Unless the context otherwise requires, any reference in this Code to a base metal shall include a reference to alloys which, by virtue of Note 3 above, shall be classified as alloys of that metal.

5. Classification of composite articles:

Except where the headings otherwise require, articles of base metal (including articles of mixed materials treated as articles of base metal under the General Rules of Classification) containing two or more base metals shall be treated as articles of the base metal predominating by weight. For this purpose —

(a) iron and steel, or different kinds of iron or steel, are regarded as one and the same metal, and

(b) an alloy is regarded as being entirely composed of that metal as an alloy of which, by virtue of Note 3, it is classified.

6. For the purposes of this Schedule, the expression “scrap and waste” means scrap and waste fit only for resmelting, for reforging or for use as a basis for the manufacture of chemicals.

## CHAPTER LXXIII

### Iron and Steel and Articles Thereof

NOTES:

1. As used in this Chapter, the following words and phrases shall mean:

(a) Pig iron (heading No. 73.01):

A ferrous product containing, by weight 1.9 per cent or more of carbon and containing, separately or together:

less	than	15	per	cent	phosphorus,	
not	more	than	8	per	cent	silicon,
not	more	than	6	per	cent	manganese,
not	more	than	30	per	cent	chromium,
not	more	than	40	per	cent	tungsten,
and	an	aggregate	of	not	more	than
10	per	cent	of	other	alloy	elements
(e.g.,		nickel,		copper,		aluminum,
titanium,		vanadium,		molybdenum).		

(b) Spielgeleisen (heading No. 73.01):

A ferrous product containing, by weight, more than six per cent but not more than thirty per cent of manganese and otherwise conforming to the specification at (a) above.

(c) Ferroalloys (heading No. 73.02):

Alloys of iron which are not usefully malleable and are commonly used as raw material in the manufacture of ferrous metals and which contain, by weight, separately or together:

more than 8 per cent of silicon, or more than 30 per cent manganese, or more than 30 per cent of chromium, or more than 40 per cent of tungsten, or a total of more than ten per cent of other alloy elements (e.g., copper, aluminum, titanium, vanadium, molybdenum, niobium), and which do not contain more than ninety per cent (ninety-two per cent in the case of ferroalloys containing manganese or ninety-six per cent in the case of ferroalloys containing silicon) of nonferrous alloy elements.

(d) Alloy steel (heading No. 73.15):

Steel containing less than 1.9 per cent carbon and containing, by weight, one or more elements in the following proportions: more than 2 per cent of manganese and silicon taken together,

2.00	per	cent	or	more	of	manganese,
2.00	per	cent	or	more	of	silicon,
0.50	per	cent	or	more	of	nickel,
0.50	per	cent	or	more	of	chromium,
0.10	per	cent	or	more	of	molybdenum,
0.10	per	cent	or	more	of	vanadium,
0.30	per	cent	or	more	of	tungsten,
0.30	per	cent	or	more	of	cobalt,
0.30	per	cent	or	more	of	aluminum,
0.40	per	cent	or	more	of	copper,
0.10	per	cent	or	more	of	lead,
0.12	per	cent	or	more	of	phosphorus,
0.10	per	cent	or	more	of	sulphur,
0.20	per	cent	or	more	of	phosphorus and sulphur,
0.10	per	cent	or	more	of	phosphorus and sulphur, taken together, or
0.10	per	cent	or	more	of	other elements, taken separately.

(e) High carbon steel (heading No. 73.15): Steel containing, by weight, less than 1.9 per cent but not less than 0.6 per cent of carbon.

(f) Puddle bars and pilings (heading No. 73.06);

Products for rolling, remelting or forging obtained by shingling and hot rolling either:

(1) balls of puddled iron, or

(2) packets of scrap iron or steel or puddled iron.

(g) Ingots (heading No. 73.06): Products for rolling or forging obtained by casting into molds.

(h) Blooms and billets (heading No. 73.07): Semi-finished products of rectangular section, of a cross-sectional area exceeding 1,225 square millimeters and of such dimensions that the thickness exceeds one quarter of the width.

(i) Slabs and sheet bars (heading No. 73.07):

Semi-finished products of rectangular section, of a thickness not less than six millimeters, of a width not less than one hundred fifty millimeters and of such dimensions that the thickness does not exceed one quarter of the width.

(j) Coils for rerolling (heading No. 73.08): Coiled semi-finished products, of rectangular section, not less than 1.5 millimeters thick, of a width exceeding five hundred millimeters and of a weight of not less than five hundred kilograms per piece.

(k) Universal plates (heading No. 73.09): Products of rectangular section, hot-rolled lengthwise in a closed box or universal mill, of a thickness not less than six millimeters but not exceeding one hundred millimeters, and of a width exceeding one hundred and fifty millimeters, but not exceeding 1,200 millimeters.

(l) Hoop and strip (heading No. 73.12): Rolled products with sheared or unsheared edges, of rectangular section, of a thickness not exceeding six millimeters, of a width not exceeding five hundred millimeters and of such dimensions that the thickness does not exceed one tenth of the width, in straight strips, coils, or flattened coils.

(m) Sheets and plates (heading No. 73.13): Rolled products (other than coils for rerolling as defined in paragraph (j) above) of a thickness not exceeding one hundred and twenty-five millimeters and, if in rectangles, of a width exceeding five hundred millimeters. Heading No. 73.13 shall apply, INTER ALIA, to sheets or plates which have been cut to non-rectangular shape, perforated, corrugated, curved, channeled, ribbed, polished or coated.

(n) Wire (heading No. 73.14): Cold drawn products of solid section of any cross-sectional shape, of which no cross-sectional dimension exceeds thirteen millimeters. In the case of headings numbered 73.26 and 73.27, however, the term "wire" includes rolled products of the same dimensions.

(o) Bars and rods (heading No. 73.10): Products of solid section which do not conform to the entirety of any of the definitions (h), (i), (j), (k), (l), (m) and (n) above and which have cross-sections in the shape of circles, segments of circles, isosceles triangles, rectangles, hexagons, octagons or quadrilaterals with only two sides parallel and the other sides equal.

(p) Hollow mining drill steel (heading No. 73.10): Hollow steel products, being products of other than square or circular section and suitable for mining drills, of which the greatest external dimension exceeds fifteen millimeters but does not exceed fifty millimeters, and of which the latest internal dimension does not exceed one-third of the greatest external dimension. Other steel hollow bars shall be treated as falling within heading No. 73.18.

(q) Angles, shapes and sections (heading No. 73.11): Products, other than those falling within heading No. 73.16, which do not conform to the entirety of any of the definitions (h), (i), (j), (k), (l), (m) and (n) above, and which do not have cross-sections in the form of circles, segments of circles, isosceles triangles, rectangles, hexagons, octagons or quadrilaterals with only two sides parallel and the other two sides equal, and which are not hollow.

2. Headings numbered 73.06 to 73.14 shall not apply to articles of alloy or high carbon steel (heading No. 73.15).

3. The expression “high-pressure hydroelectric conduits of steel” (heading No. 73.19) means riveted or welded circular steel tubes or pipes of a diameter exceeding four hundred millimeters and of a thickness exceeding 10.5 millimeters.

73.01 Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps, and similar forms	Free
73.02 Ferroalloys	Free
73.03 Scrap and waste of iron or steel	Free
73.04 Pellets of cast iron or steel, whether or not broken or graded	Free
73.05 Iron or steel powder; sponge iron or steel	Free
73.06 Puddle bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel	Free
73.07 Blooms, billets, slabs and sheet bars (including tinplate bars), and roughly forged pieces, of iron or steel	Free
73.08 Iron or steel coils for rerolling	Free
73.09 Universal plates of iron or steel	ad val. 10%
73.10 Bars and rods (including wire rod) of iron or steel, hot-rolled, forged or cold-finished (including precision-made); hollow mining drill steel:	
A. Hollow mining drill steel	ad val. 10%
B. Hot-rolled concrete or reinforcing bars of which the cross-sectional dimension is not less than 6.3 millimeters nor more than 31.6 millimeters	g.w., kgs. P6.50 or ad val. 35%
C. Other	ad val. 15%
73.11 Angles, shapes, sections and sheet piling, of iron or steel, hot-rolled, forged or cold-finished, whether or not drilled or punched, but not assembled:	
A. Angles of which the maximum cross-sectional dimension does not exceed eighty-eight millimeters and channels of which the maximum cross-sectional dimension does not exceed seventy-five millimeters	ad val. 25%
B. Riveted, welded, punched or drilled	ad val. 40%
C. Other	ad val. 15%
73.12 Hoop and strip of iron or steel, hot-rolled	ad val. 15%

or cold-rolled	
73.13 Sheets and plates of iron or steel, hot-rolled or cold-rolled	ad val. 15%
73.14 Iron or steel wire, single strand, whether or not coated, but not insulated	ad val. 15%
73.15 Alloy steel and high carbon steel in the forms mentioned in headings numbered 73.06 to 73.14	ad val. 10%
73.16 Railway and tramway track construction materials of iron or steel, such as rails, checkrails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fishplates, chairs, chair wedges, bedplates and ties	ad val. 10%
73.17 Tubes and pipes of cast iron	ad val. 25%
73.18 Tubes and pipes of iron (other than of cast iron) or steel, excluding high-pressure hydroelectric conduits	ad val. 10%
73.19 High-pressure hydroelectric conduits of steel, and bends therefor	ad val. 10%
73.20 Tube and pipe fittings of iron or steel (e.g., joints, elbows, unions and flanges)	ad val. 10%
73.21 Assembled sheet piling of cast iron, iron or steel; girders, beams, joists and pillars made from assembled elements; structures and finished parts for assembly into structures (e.g., bridge sections, roofing frameworks, shutters, pylons, balconies, balustrades, verandas, window and door frames) of cast iron, iron or steel	ad val. 20%
73.22 Reservoirs, tanks, vats and similar containers, of iron or steel, of a capacity exceeding three hundred liters, whether or not fitted with exterior heat-insulating covering, but not fitted with mechanical or thermal equipment	ad val. 40%
73.23 Casks, drums, cans, boxes and similar containers, of sheet or plate iron or steel, of a description commonly used for the conveyance or packing of articles:	
A. Drums	ad val. 35%
B. Other	ad val. 15%
73.24 Compressed gas cylinders and similar pressure containers, of iron or steel	ad val. 15%
73.25 Stranded wire, cables, cordage, ropes, plaited bands, slings, and the like, of iron or steel wire, other than insulated cables	ad val. 10%
73.26 Barbed iron or steel wire; twisted single strand hoop or flat wire, barbed or not, and loosely twisted double strand wire, of a kind suitable for fencing, of iron or steel:	

A. Barbed wire	ad val. 40%
B. Other	ad val. 15%
73.27 Woven wire (including wire gauze, wire cloth, wire fencing and netting) and welded wire grill, of iron or steel:	
A. Wire fencing	ad val. 40%
B. Other	ad val. 15%
73.28 Expanded metal of iron or steel	ad val. 15%
73.29 Chains and parts and fittings thereof, of iron or steel	ad val. 15%
73.30 Anchors and grapnels and parts thereof, of iron or steel	Free
73.31 Nails, tacks, staples, hook nails, cramps, studs, spikes and drawing pins, of iron or steel (other than copper-headed nails):	
A. Common wire or finishing nails, 2.54 centimeters or more in length	ad val. 50%
B. Staple wire for paper fastening	ad val. 55%
C. Other	ad val. 20%
73.32 Bolts and nuts (including bolt ends, screw studs and other screws for metal), whether or not threaded or tapped, screws for wood, screw hooks, screw rings and the like, of iron or steel; rivets (excluding tubular or bifurcated), cotters, cotter-pins, washers and spring washers, of iron or steel:	
A. Bolts and nuts, rivets and washers	ad val. 50%
B. Other	ad val. 15%
73.33 Needles for hand sewing, including embroidery; hand carpet and knitting needles, bodkins, crochet hooks and the like, and embroidery stiletos of iron or steel, including blanks	ad val. 15%
73.34 Pins (excluding hatpins and other ornamental pins and drawing pins), hairpins, hairclips and curling grips, of iron or steel	ad val. 15%
73.35 Springs (excluding hairsprings falling within Chapter 91) of iron or steel	ad val. 15%
73.36 Stoves, grates, kitchen ranges, cookers, fires and the like (including combined stoves and boilers), not electrically operated, and parts thereof, of iron or steel	ad val. 25%
73.37 Central heating boilers (excluding steam generating boilers and combined stoves and boilers), radiators and other central heating apparatus, not electrically operated, and parts thereof, of iron and steel	ad val. 20%
73.38 Household and sanitary articles and parts thereof, of iron or steel, not otherwise provided for	ad val. 25%

73.39 Iron or steel wool; pot scourers and scouring and polishing pads, gloves and the like, of iron or steel	ad val. 15%
73.40 Other articles of iron or steel	ad val. 25%

## CHAPTER LXIV

### Copper and Articles Thereof

NOTES:

1. For the purposes of heading No. 74.02, “master alloys” means alloys, except copper phosphide (phosphor copper) containing more than 8 per cent by weight of phosphorous, of copper with other materials in any proportion, not usefully malleable and commonly used as raw materials in the manufacture of other alloys or as deoxidants, desulphurizing agents, or for similar uses in the metallurgy of non-ferrous metals. Copper phosphide (phosphor copper) containing more than 8 per cent by weight of phosphorous falls within heading No. 28.55 and not within this Chapter.

2. As used in this Chapter the following words and phrases shall mean:

(a) Wire (heading No. 74.03): Rolled, extruded or drawn products of solid section, of which no cross-sectional dimension exceeds six millimeters.

(b) Wrought bars, rods, angles, shapes and sections (heading No. 74.03: Rolled, extruded or drawn products of solid section, of which the maximum cross-sectional dimension exceeds six millimeters and which, if they are flat, have a thickness exceeding one-tenth of the width.

Also cast or sintered product, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or descaling), and forged products of the same forms and dimensions.

(c) Wrought plates, sheets and strips (heading No. 74.04): Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds six millimeters, and of which the thickness exceeds 0.15 millimeters but does not exceed one-tenth of the width. Heading No. 74.04 shall apply to such products, whether or not cut to shape, perforated, corrugated, ribbed, channeled, curved, polished or coated.

3. Heading No. 74.07 shall apply, INTER ALIA, to tubes, pipes and hollow bars which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned. Heading No. 74.08 shall apply, INTER ALIA, to tube and pipe fittings which have been similarly treated.

74.01 Copper matte: unwrought copper (refined or not); copper waste and scrap	Free
74.02 Master alloys	ad val. 10%
74.03 Wrought bars, rods, angles, shapes and sections, of copper; copper wire:	

A. Neither polished nor coated	ad val. 20%
B. Polished or coated, but not otherwise worked:	
1. Plated or coated, with gold or silver	ad val. 35%
2. Other	ad val. 20%
74.04 Wrought plates, sheets and strips, of copper:	
A. Neither polished nor coated	ad val. 10%
B. Polished or coated:	
1. Plated or coated with gold or silver	ad val. 35%
2. Other	ad val. 20%
74.05 Copper foil (whether or not embossed, in rectangles, cut to shape, perforated, coated, printed or backed with paper or other reinforcing material), of a thickness not exceeding 0.15 millimeters, excluding any backing	ad val. 20%
74.06 Copper powders and flakes	ad val. 20%
74.07 Tubes, pipes and hollow bars, of copper	ad val. 10%
74.08 Tube and pipe fittings (e.g., joints, elbows, sockets and flanges), of copper	ad val. 10%
74.09 Reservoirs, tanks, vats and similar containers, of copper, of a capacity exceeding three hundred liters, heat-insulated or not, but not fitted with mechanical or thermal equipment	ad val. 20%
74.10 Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated cables	ad val. 10%
74.11 Woven wire (including wire gauze and wire cloth), wire grill and wire fencing or netting, of copper	ad val. 20%
74.12 Expanded metal of copper	ad val. 20%
74.13 Chain and parts and fittings thereof, of copper:	
A. Neither polished nor coated	ad val. 20%
B. Polished or coated:	
1. Plated or coated with gold or silver	ad val. 35%
2. Other	ad val. 20%
74.14 Nails, tacks, staples, drawing pins and unthreaded hooks, and cramps or hooknails, of copper (including copper-headed iron or steel nails)	ad val. 15%
74.15 Bolts and nuts (threaded or not), screws, screw studs, screw hooks, screw rings and the like, rivets (excluding tubular or bifurcated rivets), cotters, cotter-pins and washers (including spring washers), of copper	ad val. 15%
74.16 Springs of copper	ad val. 15%

74.17 Household heating apparatus (not being geysers or electrically operated) and parts thereof, of copper	ad val. 20%
74.18 Other household and sanitary articles and parts thereof, of copper	ad val. 25%
74.19 Other articles of copper	ad val. 25%

## CHAPTER LXXV

### Nickel and Articles Thereof

#### NOTES:

1. As used in this Chapter the following words and phrases shall mean:

(a) Wire (heading No. 75.02): Rolled, extruded or drawn products of solid section, of which no cross-sectional dimension exceeds six millimeters.

(b) Wrought bars, rods, angles, shapes and sections (heading No. 75.02): Rolled, extruded or drawn products of solid section, of which the maximum cross-sectional dimension exceeds six millimeters and which, if they are flat, have a thickness exceeding one-tenth of the width. Also cast or sintered products, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or descaling), and forged products of the same forms and dimensions.

(c) Wrought plates, sheets and strips (heading No. 75.03): Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds six millimeters, and of which the thickness does not exceed one-tenth of the width. Heading No. 75.03 shall apply to such products whether or not cut to shape, perforated, corrugated, ribbed, channeled, curved, polished or coated.

2. Heading No. 75.04 shall apply, INTER ALIA to tubes, pipes, hollow bars and tube and pipe fittings which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned,

75.01 Nickel matte; unwrought nickel (excluding electroplating anodes); nickel waste and scrap	Free
75.02 Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire	ad val. 10%
75.03 Wrought plates, sheets and strips, of nickel, including nickel foil, powders and flakes	ad val. 10%
75.04 Tubes, pipes, hollow bars, and tube and pipe fittings (e.g., joints, elbows, sockets and flanges), of nickel	ad val. 15%
75.05 Electroplating anodes, of nickel, wrought or unwrought	ad val. 10%
75.06 Other articles of nickel	ad val. 25%

## CHAPTER LXXVI

## Aluminum and Articles Thereof

NOTES:

1. As used in this Chapter the following words and phrases shall mean:

(a) Wire (heading No. 76.02): Rolled, extruded or drawn products of solid section, of which no cross-sectional dimension exceeds six millimeters.

(b) Wrought bars, rods, angles, shapes and sections (heading No. 76.02): Rolled, extruded or drawn products of solid section, of which the maximum cross-sectional dimension exceeds six millimeters and which, if they are flat, have a thickness exceeding one-tenth of the width. Also cast or sintered products, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or descaling), and forged products of the same forms and dimensions.

(c) Wrought plates, sheets and strips (heading No. 76.03): Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds six millimeters, and of which the thickness exceeds 0.15 millimeters but does not exceed one-tenth of the width. Heading No. 76.03 shall apply to such products whether or not to cut shape, perforated, corrugated, ribbed, channeled, curved, polished or coated.

2. Heading No. 76.06 shall apply, INTER ALIA, to tubes, pipes, and hollow bars which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned. Heading No. 76.07 shall apply, inter alia, to tube and pipe fittings which have been similarly treated.

76.01 Unwrought aluminum; aluminum waste and scrap	Free
76.02 Wrought bars, rods, angles, shapes and sections of aluminum; aluminum wire	ad val. 10%
76.03 Wrought plates, sheets and strips, of aluminum	ad val. 10%
76.04 Aluminum foil (whether or not embossed, in rectangles; cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness not exceeding 0.15 millimeters (excluding any backing)	ad val. 30%
76.05 Aluminum powders and flakes	ad val. 20%
76.06 Tubes, pipes and hollow bars, of aluminum	ad val. 10%
76.07 Tube and pipe fittings (e.g., joints, elbows, sockets and flanges), of aluminum	ad val. 10%
76.08 Structures and fabricated parts thereof (e.g., roofing, struts, partitions), of aluminum	ad val. 10%
76.09 Reservoirs, tanks, vats and similar containers, of aluminum, of a capacity exceeding	ad val. 20%

three hundred liters, heat-insulated or not, but not fitted with mechanical or thermal equipment	
76.10 Casks, drums, cans, boxes and similar containers, (including rigid tubular containers), of aluminum, of a description commonly used for conveyance or packing of articles	ad val. 20%
76.11 Compressed gas cylinders and similar pressure containers, of aluminum	ad val. 10%
76.12 Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminum wire, but excluding insulated cables	ad val. 10%
76.13 Woven wire (including wire gauze and wire cloth), wire grill and wire netting, of aluminum	ad val. 15%
76.14 Expanded metal of aluminum	ad val. 15%
76.15 Household and sanitary articles and parts thereof, of aluminum	ad val. 35%
76.16 Other articles of aluminum:	
A. Flexible tubular containers suitable for packing colors or other products, with or without stoppers	ad val. 40%
B. Other	ad val. 25%

#### CHAPTER LXXVII

##### Magnesium and Beryllium, and Articles Thereof

77.01 Unwrought magnesium; magnesium waste (excluding shavings of uniform size) and scrap	Free
77.02 Wrought magnesium in bars, rods, angles, shapes or sections; wire, sheets, strip or foil, tubes, pipes or hollow bars, of magnesium; shavings of uniform size, powder or flakes, of magnesium	ad val. 10%
77.03 Other articles of magnesium	ad val. 25%
77.04 Beryllium, unwrought or wrought, and articles of beryllium:	
A. Unwrought	Free
B. Other	ad val. 15%

#### CHAPTER LXXVIII

##### Lead and Articles Thereof

#### NOTES:

1. As used in this Chapter the following words and phrases shall mean:

(a) Wire (heading No. 78.02): Rolled, extruded or drawn products of solid section, of which no cross-sectional dimension exceeds six millimeters.

(b) Wrought bars, rods, angles, shapes and sections (heading No. 78.02): Rolled, extruded or drawn products of solid section, of which the maximum cross-sectional dimension exceeds six millimeters and which, if they are flat, have a thickness exceeding one-tenth of the width.

Also cast or sintered products of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or descaling), and forged products of the same forms and dimensions.

(c) Wrought plates, sheets, and strips (heading No. 78.03): Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds six millimeters, of which the thickness does not exceed one-tenth of the width, and which are of a weight exceeding 1,700 grams per square meter. Heading No. 78.03 shall apply to such products whether or not cut to shape, perforated, corrugated, ribbed, channeled, curved, polished or coated.

2. Heading No. 78.05 shall apply, INTER ALIA, to tubes, pipes, and hollow bars, and tube and pipe fittings which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned.

78.01 Unwrought lead (including argentiferous lead); lead waste and scrap	Free
78.02 Wrought bars, rods, angles, shapes and sections, of lead; lead wire	ad val. 15%
78.03 Wrought plates, sheets and strips, of lead	ad val. 15%
78.04 Lead foil (whether or not embossed, cut to shape, perforated, coated, printed or backed with paper or other reinforcing material), of a weight per square meter (excluding any backing) not exceeding 1,700 grams; lead powders and flakes	ad val. 10%
78.05 Tubes, pipes, hollow bars, and tube and pipe fittings (e.g., joints, elbows, sockets, flanges and S-bends), of lead	ad val. 10%
78.06 Other articles of lead:	
A. Flexible tubular containers suitable for packing colors or other products, including tubes of lead, plated or rolled with tin, with or without stoppers	ad val. 10%
B. Other	ad val. 25%

## CHAPTER LXXIX

### Zinc and Articles Thereof

NOTES:

1. As used in this Chapter the following words and phrases shall mean:

(a) Wire (heading No. 79.02): Rolled, extruded or drawn product of solid section, of which no cross-sectional dimension exceeds six millimeters.

(b) Wrought bars, rods, angles, shapes and sections (heading No. 79.02): Rolled, extruded or drawn products of solid section, of which the maximum cross-sectional dimension exceeds six millimeters and which, if they are flat, have a thickness exceeding one-tenth of the width. Also cast or sintered products, of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or descaling), and forged products of the same forms and dimensions.

(c) Wrought plates, sheets and strips (heading No. 79.03): Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds six millimeters, and of which the thickness does not exceed one-tenth of the width. Heading No. 79.03 shall apply to such products whether or not to cut shape, perforated, corrugated, ribbed, channeled, curved, polished or coated.

2. Heading No. 79.04 shall apply, INTER ALIA, to tubes, pipes, and hollow bars, and tube and pipe fittings which have been polished or coated, or which have been shaped or worked such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned.

79.01 Zinc spelter; unwrought zinc; zinc waste and scrap	Free
79.02 Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire	ad val. 10%
79.03 Wrought plates, sheets and strips, of zinc, including foil; zinc powder and flakes	ad val. 15%
79.04 Tubes, pipes and hollow bars, and tube and pipe fittings (e.g., joints, elbows, sockets and flanges), of zinc	ad val. 10%
79.05 Gutters, roof filleting, roof ridging, skylight frames, and other fabricated building components, of zinc	ad val. 30%
79.06 Other articles of zinc	ad val. 25%

## CHAPTER LXXX

### Tin and Articles Thereof

NOTES:

1. As used in this Chapter the following words and phrases shall mean:

(a) Wire (heading No. 80.02): Rolled, extruded or drawn products of solid section, of which no cross-sectional dimension exceeds six millimeters.

(b) Wrought bars, rods, angles, shapes and sections (heading No. 80.02): Rolled, extruded or drawn products of solid section, of which the maximum cross-sectional dimension

exceeds six millimeters and which, if they are flat, have thickness exceeding one-tenth of the width. Also cast or sintered products of the same forms and dimensions, which have been subsequently machined (otherwise than by simple trimming or descaling), and forged products of the same forms and dimensions.

(c) Wrought plates, sheets and strips (heading No. 80.03): Flat-surfaced, wrought products (coiled or not), of which the maximum cross-sectional dimension exceeds six millimeters, of which the thickness does not exceed one-tenth of the width and which are of a weight exceeding one kilogram per square meter. Heading No. 80.03 shall apply to such products whether or not cut to shape, perforated, corrugated, ribbed, channeled, curved, polished or coated.

2. Heading No. 80.05 shall apply, INTER ALIA, to tubes, pipes, hollow bars, and tube and pipe fittings, which have been polished or coated, or which have been shaped or worked, such as bent, coiled, threaded, drilled, waisted, cone-shaped or finned.

80.01 Unwrought tin; tin waste and scrap	Free
80.02 Wrought bars, rods, angles, shapes and sections, of tin; tin wire	ad val. 15%
80.03 Wrought plates, sheets and strips, of tin	ad val. 10%
80.04 Tin foil (whether or not embossed, in rectangles, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight per square meter (excluding any backing) not exceeding one kilogram; tin powders and flakes	ad val. 10%
80.05 Tubes, pipes, hollow bars, and tube and pipe fittings (e.g., joints, elbows, sockets and flanges), of tin	ad val. 10%
80.06 Other articles of tin:	
A. Flexible tubular containers suitable for packing colors or other products, with or without stoppers	ad val. 10%
B. Other	ad val. 25%

## CHAPTER LXXXI

### Other Base Metals Employed in Metallurgy and Articles Thereof

NOTE:

Heading No. 81.04 shall apply only to base metals usable in metallurgy, that is to say: bismuth, cadmium, cobalt, chromium, gallium, germanium, indium, manganese, niobium (columbium), rhenium, antimony, titanium, thorium, thallium, uranium, vanadium, zirconium.

81.01 Tungsten (wolfram) unwrought or wrought, and articles thereof:
--

A. Unwrought; waste and scrap	Free
B. Other	ad val. 10%
81.02 Molybdenum, unwrought or wrought, and articles thereof:	
A. Unwrought; waste and scrap	Free
B. Other	ad val. 10%
81.03 Tantalum, unwrought or wrought, and articles thereof:	
A. Unwrought; waste and scrap	Free
B. Other	ad val. 10%
81.04 Other base metals, unwrought or wrought, and articles thereof:	
A. Unwrought; waste and scrap	Free
B. Other	ad val. 10%

## CHAPTER LXXXII

### Tools, Implements, Cutlery, Spoons and Forks, of Base Metals; Parts Thereof

#### NOTES:

1. Except where the context otherwise requires, tools, implements, articles of cutlery, spoons, forks and other articles of a kind described in heading No. 82.14 shall be treated as falling within this Chapter only if the blade, working edge or surface is of base metal, or of metallic carbides or precious or semi-precious stones fitted on to a support of base metal. Grinding wheels and the like (including grinding, sharpening, polishing, trueing and cutting wheels, heads, discs and points) of agglomerated natural or artificial abrasives, with or without cores, shanks, sockets, axles and the like of other materials, but not mounted in frameworks, shall be classified in heading No. 68.04; other tools with the blade, working edge or surface of base metal fitted or covered with abrasive materials shall, however, be classified in this Chapter.

2. Headings of this Chapter shall be construed as extending to blanks and parts (not being parts separately specified as such), of base metal, of the articles described therein, provided they are recognizable as blanks or parts of such articles. Heading No. 82.13 shall extend to blades for electric hair clippers. (Toolholders for mechanical hand tools fall within heading No. 84.48.)

3. Sets, other than manicure or chiropody sets (heading No. 82.13), comprising an assortment of tools, cutlery, spoons, forks or other articles of a kind falling within the different headings of this Chapter, fitted in cabinets, boxes, cases or the like, shall be classified as that one of the constituent articles which is chargeable with the highest rate of duty.

4. Boxes, case and similar containers for tools, cutlery or other articles falling within this Chapter, shall be treated as forming part of such articles if imported therewith and of a kind normally sold with such articles at an inclusive price.

82.01 Spades, shovel, picks, hoes, forks and rakes; axes, bill hooks, timber wedges and similar hewing tools; scythes, sickles, hay knives, grass shears and other hand tools of a kind used in agriculture, horticulture or forestry:

A. Shovels	ad val. 35%
B. Other	ad val. 15%
82.02 Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)	ad val. 10%
82.03 Pliers (including cutting pliers), pincers, tweezers, tinmen's snip, perforating punches and the like; spanners and wrenches (but not including tap wrenches); files and rasps	ad val. 10%
82.04 Hand tools, including mounted glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils; hand, table and bench vices and clamps; portable forges and mounted grinding wheels (hand or pedal-operated)	ad val. 10%
82.05 Lathe tools, bits, dies, taps, press tools and other tools for power tools or mechanical hand tools, including rock drilling bits and the like	ad val. 10%
82.06 Knives and cutting blades (other than saw blades) for machines or for mechanical appliances	ad val. 10%
82.07 Tool tips and plates, sticks and the like for tool tips, unmounted, of agglomerated metal carbides (e.g., carbides of tungsten, molybdenum or vanadium)	ad val. 10%
82.08 Coffee mills, mincers, juice extractors and similar household appliances of mechanical type, of a weight not exceeding ten kilograms	ad val. 15%
82.09 Knives, other than knives falling within heading No. 82.06:	
A. Gold or silver plated	ad val. 20%
B. Other	ad val. 15%
82.10 Blades for knives falling within heading No. 82.09	ad val. 10%
82.11 Razors and razor blades and parts thereof (including razor blade blanks, whether or not in strips)	ad val. 25%
82.12 Scissors (including tailors' shears), and blades therefor	ad val. 25%
82.13 Other articles of cutlery (e.g., secateurs, hair clippers, butchers' cleavers, paper knives); manicure and chiropody sets and appliances (including nail files):	
A. Manicure and chiropody sets and appliances (including files)	ad val. 30%

B. Other	ad val. 25%
82.14 Spoons, forks, fish knives, butter knives, ladles, and similar kitchen or tableware:	
A. Gold or silver plated	ad val. 25%
B. Other	ad val. 20%
82.15 Handles of base metal for articles falling within headings numbered 82.09, 82.13 and 82.14.	ad val. 15%

### CHAPTER LXXXIII

#### Miscellaneous Articles of Base Metal

NOTE:

In this Chapter a reference to parts of articles shall in no case apply to chains, nails, bolts, nuts, screws, springs and other articles of iron or steel of a kind described in heading No. 73.29, 73.31, 73.32 or 73.35 nor to similar articles of other base metals (Chapters 74 to 81, inclusive).

83.01 Locks, padlocks, spring live-bolt latches and parts thereof, of base metal; keys, finished or not, of base metal	ad val. 15%
83.02 Base metal fittings and mountings of a kind suitable for furniture, doors, windows, blinds, coachwork, saddlery, trucks, and the like (including automatic door closers); base metal hatracks, hat pegs, brackets and the like:	
A. Racks and pegs and similar supports for hats, clothes, towels and dishcloths	ad val. 40%
B. Other	ad val. 15%
83.03 Safes, strongboxes, armored or reinforced strong room doors and compartments, and cash and deed boxes, of base metal:	
A. Safes, cash and deed boxes	ad val. 30%
B. Other	ad val. 20%
83.04 Filing cabinets, racks, sorting boxes, paper trays, paper rests and similar office equipment, of base metal, other than office furniture falling within heading No. 94.03	ad val. 40%
83.05 Fittings for file and loose-leaf binders, bulldog clips, paper clips, letter corners, indexing tags and similar stationery articles, of base metal:	
A. Paper file fasteners	ad val. 80%
B. Paper clips	ad val. 50%
C. Other	ad val. 30%
83.06 Statuettes, ornaments and fancy articles of a kind used for interior decorations, of base metals	ad val. 100%
83.07 Lamps and lighting fittings and parts thereof, of base metal (excluding switches,	ad val. 100%

electric lamp holders, electric lamps for vehicles, electric battery or magneto lamps, and other articles falling within Chapter 85)	
83.08 Flexible tubing and piping, of base metal	ad val. 15%
83.09 Tubular and bifurcated rivets; clasps, frames with clasps for handbags and the like, buckles, buckle clasps, hooks, eyes and eyelets and the like, of base metal, of a kind commonly used for clothing, travel articles, handbags, on other textile or leather articles:	
A. Gold or silver plated	ad val. 35%
B. Other	ad val. 20%
83.10 Beads and spangles, of base metal:	
A. Gold or silver plated	ad val. 60%
B. Other	ad val. 40%
83.11 Bells and gongs (non-electric) and parts thereof, of base metal:	
A. Gold or silver plated	ad val. 60%
B. Other	ad val. 40%
83.12 Photograph, picture and similar frames, and mirrors, of base metal:	
A. Frames	ad val. 100%
B. Mirrors	ad val. 80%
83.13 Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal:	
A. Crown caps	kg. P1.20 and ad val. 70%
B. Other	ad val. 20%
83.14 Sign plates, numbers, letters and other signs, of base metal:	
A. Gold or silver plated	ad val. 150%
B. Other	ad val. 100%
83.15 Welding electrodes, rods or tubes, solder in wire or rods, coated or cored with flux materials; prepared metal brazing plates of a kind used in metallurgy:	
A. Welding electrodes, coated or cored with flux	ad val. 100%
B. Other	ad val. 10%

## SCHEDULE XVI

### Machinery and Mechanical Appliances; Electrical Equipment; Parts Thereof

#### NOTES:

1. This Schedule does not cover:

(a) Transmission, conveyor or elevator belts of vulcanized rubber (heading No. 40.10) or other articles of a kind used on machinery, mechanical or electrical appliances, of unhardened vulcanized rubber (e.g., washers) (heading No. 40.14);

(b) Articles of leather or of composition leather (heading No. 42.04) or of furskin (heading No. 43.03), of a kind used on machinery or mechanical appliances or for industrial purposes;

(c) Bobbins, spools, cops, cones, cores and similar supports, of a kind used on machinery, mechanical appliances or electrical goods, falling within Chapters 39, 40, 44, 48 or Schedule XV ;

(d) Perforated cards of paper or paperboard for Jacquard or similar machines, falling within heading No. 48.21;

(e) Transmission, conveyor or elevator belts of textile material (heading No. 59.16) or other articles of textile material of a kind commonly used in machinery or plant (heading No. 59.17);

(f) Articles wholly of precious or semi-precious stones or of synthetic or reconstructed precious or semi-precious stones, falls within heading No. 71.02 or 71.03;

(g) Cables, chains, bolts, nuts, screws, springs and other articles of iron or steel of a kind described in heading No. 73.25, 73.29, 73.32 or 73.35, nor to similar articles of other base metals (Chapters 74 to 81);

(h) Articles falling within Chapter 82 or Chapter 83;

(i) Vehicles, aircraft, ships or boats (Schedule XVII);

(j) Articles falling within Chapter 90;

(k) Clocks, watches and other articles falling within Chapter 91;

(l) Brushes of a kind used as parts of machines, falling within heading No. 96.02; or

(m) Articles falling within Chapter 97.

2. Subject to Note 1 above, parts of machines or of other articles falling within this Schedule (not being parts of the articles described in headings numbered 84.64, 85.23, 85.24, 85.25 and 85.27) are to be classified according to the following rules:

(a) Articles of a kind described in any of the headings of Chapters 84 and 85 in all cases shall be classified in their respective headings;

(b) Other parts, if suitable for use solely or principally with a particular kind of machine or other article, or with a number of machines or other article falling within the same heading (including a machine or other article falling within heading No. 84.59 or 85.22) shall be classified with the machines or articles of that kind except that parts falling within any of the headings numbered 84.38, 84.48 and 84.55 shall be classified respectively in those headings;

(c) All other parts are to be classified in heading No. 85.23 if containing electrical connectors, insulators, coils, contracts or other electrical features; otherwise they shall be classified in heading No. 84.65.

3. An incomplete machine shall be classified with the corresponding complete machine (and not with parts of such a machine if its parts are separately specified), provided it has the essential character of such a complete machine.

4. A machine (or an incomplete machine classified as if it were complete by virtue of the preceding Note 3) imported unassembled or disassembled shall be classified as a machine of the corresponding kind.

5. Unless the headings otherwise, require, composite machines consisting of two or more machines fitted together to form a whole, and other machines adapted for the purpose of performing two or more complementary or alternative functions shall be classified as if consisting only of that component or as being that machine which performs the principal function.

6. Motors and transmission, conveyor or elevator belts, for machinery or appliances to which they are fitted, or, if packed separately for convenience of transport, which are clearly intended to be fitted to or mounted on a common base with the machine or appliance, shall be classified under the same heading as such machinery or appliances.

7. For the purposes of these Notes, the expression "machine" means any machine, apparatus or appliance of a kind falling within Schedule XVI.

#### **CHAPTER LXXXIV**

##### **Boilers, Machinery and Mechanical Appliances; Parts Thereof**

###### **NOTES:**

1. This Chapter does not cover portable electromechanical hand tools (heading No. 85.05), electromechanical household appliances (heading No. 85.06), or other electrical machinery or appliances falling within Chapter 85. Other machines and mechanical appliances in which electricity serves only for motive force or some other function subsidiary to the principal function of the machine or appliance, shall not be treated as falling within Chapter 85.

2. A machine or appliance which answers to a description in one or other of the headings numbered 84.01 to 84.21, and at the same time to a description in one or other of the headings numbered 84.22 to 84.60, shall be classified under the former heading and not the latter.

Heading No. 84.17 shall, however, not apply to:

- (a) Germination plant, incubators and brooders, falling within heading No. 84.28;
- (b) Grain dampening machines falling within heading No. 84.29;
- (c) Diffusing apparatus for sugar juice extraction falling within heading No. 84.30;
- (d) Textile decatizing machines falling within heading No. 84.40.

Heading No. 84.17 shall not apply to machinery or plant in which the change of temperature, though necessary, is subsidiary to the main mechanical function.

3. Engines falling within headings numbered 84.06 to 84.08, inclusive shall include engines fitted with gear boxes.

4. Heading No. 84.62 shall apply, INTER ALIA, to steel balls of a tolerance not exceeding one percent. Other steel balls shall be classified under heading No. 73.40.

84.01 Steam-generating boilers	ad val. 10%
84.02 Boilerhouse plant including economizers, superheaters, soot removers, and gas recoverers and the like; steam condensers	ad val. 10%
84.03 Producer gas and water gas generators, with or without purifiers; acetylene gas generators (water process)	ad val. 10%
84.04 Steam engines (including mobile engines, but not steam tractors falling within heading No. 87.01 or mechanically propelled road rollers falling within heading No. 84.09) with self-contained boilers	ad val. 10%
84.05 Steam power units, not incorporating boilers	ad val. 10%
84.06 Internal combustion engines:	
A. Engines:	
1. Diesel or semi-diesel	ad val. 10%
2. Other:	
a. For passenger cars other than buses:	
(1) With less than six cylinders	ad val. 20%
(2) With six cylinders	ad val. 25%
(3) With more than six cylinders	ad val. 30%
b. For sports car	ad val. 100%
c. Other	ad val. 10%
B. Parts	ad val. 10%
84.07 Hydraulic engines, including regulators therefor	ad val. 10%
84.08 Other engines and motors	ad val. 10%
84.09 Mechanically propelled road rollers	ad val. 10%
84.10 Pumps for liquid (whether or not fitted with measuring devices); liquid elevators of bucket, chain, screw, band and similar kinds	ad val. 10%
84.11 Air pumps, vacuum pumps and air or gas compressors (including motor pumps and turbo-pumps and compressors); ventilators, blowers and the like	ad val. 10%
84.12 Air conditioning machines, self-contained, comprising a motor-driven ventilator and elements for changing the temperature and humidity of air:	
A. Air conditioning machines	ad val. 70%
B. Parts and accessories:	

1. Shell, tube and coil water-cooled condensers, blowers, liquid receivers, cooling towers, finned evaporator and condenser coils	ad val. 40%
2. Other	ad val. 10%
84.13 Force feed furnace burners (atomizers) for fuel oil, for pulverized coal or for compressed gas; mechanical stokers, automatic grates and similar appliances	ad val. 10%
84.14 Industrial and laboratory furnaces and ovens, non-electric	ad val. 10%
84.15 Refrigerators and refrigerating equipment (electric and other):	
A. Household refrigerators, freezers and beverage coolers:	
1. Compression type	ad val. 120%
2. Absorption type	ad val. 40%
3. Parts and accessories:	
a. Bodies or shells, doors, food compartments, liners, back and bottom plate assemblies	ad val. 100%
b. Other	ad val. 10%
B. Other	ad val. 20%
84.16 Calendaring and rolling machines for any purpose (other than metal-working or metal-rolling machines) and cylinders therefor	ad val. 10%
84.17 Machinery or plant, whether or not electrically heated, for the treatment of materials by heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vaporizing, condensing, cooling and/or other processes necessitating a change of temperature, not being machinery or plant of a kind used for household purposes; instantaneous or storage waters, non-electrical	ad val. 10%
84.18 Centrifuges; filtering machinery or apparatus (other than filter funnels, milk strainers and the like) for liquids or gases, operating by physical or mechanical action	ad val. 10%
84.19 Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing, capsuling or labeling bottles, cans, boxes, bags or other containers; other packing or wrapping machinery; machinery for aerating mineral waters; dish washing machines:	
A. Machines for washing and drying dishes	ad val. 60%

B. Other	ad val. 20%
84.20 Weighing machinery (excluding balances of a sensitivity of five centigrams or better), including weight-operated counting and checking machines; weights therefor	ad val. 15%
84.21 Appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers (charged or not); steam or sand blasting machines and similar jet projecting machines:	
A. Fire extinguishers:	
1. Foam type and soda-acid type, 2 ½ gallon capacity	ad val. 80%
2. Other	ad val. 10%
B. Sprayers, hand operated	ad val. 35%
C. Other	ad val. 10%
84.22 Lifting, handling, loading or unloading machinery, telfers and conveyors (e.g., lifts, hoists, winches, cranes, transporter cranes, jacks, pulley tackles, belt conveyors, teleferics), not being machinery falling within heading No. 84.23	ad val. 10%
84.23 Earth excavating, leveling, boring and extracting machinery, stationary or mobile (e.g., mechanical shovels, coal cutters, excavators, scrapers, levelers, bulldozers); pile drivers; snow plows, not jet-propelled (including snow plow attachments)	ad val. 10%
84.24 Agricultural machinery for soil preparation and cultivation (e.g., plows, harrows, cultivators, seed and fertilizer distributors):	
A. Animal drawn	ad val. 10%
B. Other	ad val. 5%
84.25 Harvesting, threshing or winnowing machinery; straw or fodder presses; hay or grass mowers; egg-grading or other grading machines for agricultural produce (other than those of a kind used in the bread grain milling industry falling within heading No. 84.29)	ad val. 10%
84.26 Dairy machinery (including milking machines)	ad val. 10%
84.27 Presses, crushers and other machinery of a kind used in wine making, cider making, fruit juice preparation or the like	ad val. 10%
84.28 Other agricultural, horticultural, poultry keeping, beekeeping and forestry	ad val. 10%

machinery and appliances	
84.29 Machinery of a kind used in the bread grain milling industry and other machinery for the working of cereals or leguminous vegetable:	
A. Rice hullers and cone-type rice mills	ad val. 35%
B. Other	ad val. 10%

84.30 Machinery, not falling within any other heading of this Chapter, of a kind used in the following food or drink industries:

bakery, confectionery, chocolate manufacture, macaroni, ravioli or similar cereal food manufacture, the preparation of meat, fish, fruit or vegetable (including mincing or slicing machines), sugar manufacture or brewing:

A. Crushers, mill rollers, returner bar toes, scraper plates and mill coupling of cast iron, and mill liners of cast bronze, for sugar manufacture or refining	ad val. 40%
B. Other	ad val. 10%
84.31 Machinery for making paper pulp and for making and finishing paper or paperboard	ad val. 10%
84.32 Bookbinding machinery, including book-sewing machines	ad val. 10%
84.33 Paper or paperboard cutting machines of all kinds; other machinery for making up paper or paperboard	ad val. 10%
84.34 Machinery, apparatus and accessories for type-founding and typesetting; machinery, other than the machine tools falling within headings numbered 84.45, 84.46 and 84.47, for preparing printing plates or cylinders; printing type, impressed flongs and matrices, printing blocks, plates and cylinders; lithographic stones, plates and cylinders prepared for printing purposes	ad val. 10%
84.35 Other printing machinery, not being machines for printing textile fabric, wallpaper or the like; machines for uses ancillary to printing	ad val. 10%
84.36 Machinery of a kind used in the preparation or processing of natural or other textile fibers (including machines for extruding synthetic or artificial textiles); textile spinning and twisting machines;	ad val. 10%

doubling, throwing and reeling (including weft winding) machines	
84.37 Weaving machines, knitting machines, and machines for making tulle, lace, embroidery, trimmings or net; warping, warp sizing and other machines for preparing yarns for weaving, knitting and the like	ad val. 10%
84.38 Auxiliary machinery for use with machines of heading No. 84.37 (dobbies, Jacquards, automatic stop motions, shuttle changing mechanism and the like); parts and accessories for machines of the present heading or for machines falling within headings numbered 84.36 and 84.37 (e.g., spindles, spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald lifters, hosiery needles)	ad val. 10%
84.39 Machinery for the manufacture or finishing of felt in the piece or in stages, including felt hatmaking machines and hatmaking blocks	ad val. 10%
84.40 Machinery for washing, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up articles; fabric folding, reeling or cutting machines; laundry and dry cleaning machinery; machines of a kind used in the manufacture of linoleum or other floor coverings for applying the paste to the base fabric or other support; machines of a type used for printing a repetitive design or repetitive words on textile, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved plates or roller therefor	ad val. 10%
84.41 Sewing machines; furniture specially adapted for sewing machines; sewing machine needles:	
A. Sewing machines:	
1. With wooden cabinets and wooden parts	ad val. 50%
2. Other	ad val. 30%
B. Wooden cabinets and other wooden parts especially adapted for sewing machines	ad val. 100%
C. Heads and other parts and accessories	ad val. 10%
84.42 Machinery (other than sewing machines) for preparing, tanning and working hides, skins and leather (including boot and shoe machinery)	ad val. 10%

84.43 Converters, casting ladles, ingot molds and casting machines of a kind used in metal foundry and metallurgy	ad val. 10%
84.44 Rolling mills and rolls therefor	ad val. 10%
84.45 Machine tools for working metal or metallic carbides, not being machines falling within heading No. 84.49 or 84.50	ad val. 10%
84.46 Machine tools for working stone and the like or glass in the cold, other than machines falling within heading No. 84.49	ad val. 10%
84.47 Machine tools for working wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials, or other hard carving materials, other than machines falling within heading No. 84.49	ad val. 10%
84.48 Accessories and parts of machines falling within headings numbered 84.45 to 84.47, including work and tool holders, self-opening dieheads, dividing heads and other appliances for machine tools; tool holders for mechanical hand tools of headings numbered 82.04, 84.49 and 85.05	ad val. 10%
84.49 Tools adapted for working in the hand, pneumatic or with self-contained non-electric motors	ad val. 10%
84.50 Gas-operated welding, brazing, cutting and surface-tempering appliances	ad val. 10%
84.51 Typewriters, other than typewriters incorporating calculating mechanism; check-writing machines	ad val. 15%
84.52 Calculating machines; accounting machines, cash registers and similar machines (e.g., postage franking, ticket issuing machines) incorporating a totaling device	ad val. 15%
84.53 Statistical machines of a kind operated in conjunction with punched cards (e.g., punching, checking, sorting, calculating and tabulating machines); accounting machines operated in conjunction with similar punched cards	ad val. 15%
89.54 Other office machinery and mechanical appliances (e.g., hectograph or stencil duplicating machines, addressing machines, coin-sorting, coin-counting and wrapping machines, pencil-sharpening machines,	ad val. 15%

perforating and stapling machines)	
84.55 Parts and accessories (other than covers, carrying cases and the like) of machinery or appliances of a kind falling within headings numbered 84.51, 84.52, 84.53 and 84.54	ad val. 10%
84.56 Machinery for sorting, screening, washing, crushing, grinding or mixing earth, stone and similar solid substances; machinery for agglomerating or molding solid fuels, ceramic paste, concrete, plastering materials and the like, or for shaping foundry molds of sand	ad val. 10%
84.57 Glassworking machines (other than machines for working glass in the cold), and machines for making electric lamp bulbs, lamps and valves	ad val. 10%
84.58 Automatic vending machines (e.g., stamp, cigarette, chocolate and food machines), not being games of skill or chance	ad val. 40%
84.59 Machinery or appliances not falling within any other heading in this Chapter	ad val. 15%
84.60 Molds for metal (other than ingots molds), for glass, for rubber or for artificial plastic materials, including pressure-casting molds	ad val. 10%
84.61 Taps, cocks, valves and other appliances, of base metal, for regulating the flow of fluids through pipes	ad val. 10%
84.62 Ball, needle or roller bearings	ad val. 10%
84.63 Shafts, gearing, gearboxes, flywheels, clutches, pulleys, bearing blocks, shims and other transmission equipment for machinery	ad val. 10%
84.64 Gaskets and similar joints of metal and asbestos, sets or assortments of gaskets and similar joints, dissimilar in composition, for engines, pipes, tubes and the like, put up in pouches, envelopes or similar packings	ad val. 10%
84.65 Machinery parts (not electrical) not falling within any other heading in this Chapter	ad val. 10%

#### CHAPTER LXXXV

#### Electrical Machinery and Equipment; Parts Thereof

NOTES:

1. This Chapter does not cover:

(a) Thermoelectric apparatus (e.g., electrically heated blankets, clothing, footwarmers) of textiles, artificial plastic material or leather and other non-metallic materials, such articles shall be classified in the relative material Chapter;

(b) Articles of glass falling with heading No. 70.11 (e.g., glass bulbs for lamps);

(c) Electrically heated furniture of Chapter 94.

2. Heading No. 85.06 shall apply only to the following electromechanical machines of a type commonly used in the home, hotels and the like, namely, vacuum cleaners, floor polishers, food grinders and mixers, fruit juice extractors, room ventilators, and other machines of the type used in the home, hotels, restaurants, offices, schools, hospitals, kitchen, pantries and canteens, provided the weight of such other machines does not exceed twenty kilograms. The heading does not apply to dish washing machines (heading No. 84.19), centrifugal and other clothes washing machines (heading No. 84.18 or 84.40), roller and other ironing machines (heading No. 84.16 or 84.40), sewing machines (heading No. 84.41), or to thermoelectric apparatus (heading No. 85.12).

85.01 Electric generators, motors, transformers, converters (rotary or static), rectifiers, inductors, reactors, frequency transformers and similar machinery and apparatus, other than those falling within heading No. 85.08, 85.09 or 85.21:	
A. Electrical transformers, transformers for radio, electronic amplifiers and television sets up to 5 kilovolt amperes; fluorescent ballasts	ad val. 60%
B. Other	ad val. 10%
85.02 Electromagnets; electromagnetic chucks, clamps, vises, and similar electromagnetic appliances; electromagnetic clutches and couplings; electromagnetic brakes; electromagnetic lifting heads; permanent magnets and articles of special magnetic alloy having a shape characteristic of permanent magnets	ad val. 10%
85.03 Primary cells and batteries	ad val. 20%
85.04 Electric accumulators and parts thereof:	
A. Accumulators	each P19.25 and ad val. 75%
B. Parts:	
1. Accumulator plates	ad val. 100%
2. Other	ad val. 15%
85.05 Tools adapted for working in the hand, with self-contained electric motor	ad val. 10%
85.06 Electromechanical domestic appliances, with self-contained electric motor	ad val. 25%
85.07 Electric shavers and hair clippers	ad val. 25%
85.08 Electrical starting and ignition	ad val. 10%

equipment for internal combustion engines (including ignition magnetos, dynamo magnetos, ignition coils, starter motors and dynamos); sparking plugs and glow plugs	
85.09 Electrical lighting and signaling equipment and electrical windscreen wipers, defrosters and demisters, for cycles and motor vehicles	ad val. 10%
85.10 Portable electric battery and magneto lamps, other than lamps falling within heading No. 85.09:	
A. Miner's safety lamps	ad val. 10%
B. Other	ad val. 20%
85.11 Industrial and laboratory electric furnaces and ovens; electric induction and capacitance heating equipment; electric welding, brazing and soldering machines and apparatus and similar machines and apparatus for cutting	ad val. 10%
85.12 Electric geysers and other electric water heaters and immersion heaters; electric soil heating apparatus; and electric space heating apparatus; electric hair dressing appliances (e.g., hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; thermoelectric domestic appliances; electric heating resistances, other than those of carbon:	
A. Household appliances (e.g., flat irons, ovens, stones, heaters, toasters)	ad val. 40%
B. Other	ad val. 20%
85.13 Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier-current line systems)	ad val. 10%
85.14 Microphones and stands therefor; loud speakers; electric amplifiers:	
A. Microphones and stands therefor; loudspeakers	ad val. 25%
B. Electric amplifiers and preamplifiers, intercommunication sets including high fidelity sets	ad val. 60%
85.15 Radio and television transmitting and receiving apparatus (including those incorporating gramophones) and television cameras; radio and radar communication, detection, navigational aid and remote control apparatus:	
A. Radio and television receiving apparatus (including those incorporating gramophones and high-fidelity systems):	
1. With cabinets	ad val. 80%
2. Without cabinets	ad val. 60%
3. Parts and accessories:	
(a) Cabinets	ad val. 100%

(b) Chassis	ad val. 60%
(c) Radio coils and dial assemblies	ad val. 50%
(d) Other	ad val. 10%
B. Transmitters, one kilowatt or less and 500 megacycles or less, except television video-transmitters	ad val. 60%
C. Other	ad val. 10%
85.16 Electromechanical equipment for traffic control or for signaling to road or rail vehicles, ships, aircraft and other vehicles (including railway signals and point remote controls)	ad val. 10%
85.17 Electric sound or visual signaling apparatus (e.g., bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No. 85.09 or 85.16:	
A. Fire alarms	ad val. 10%
B. Other	ad val. 20%
85.18 Electrical condensers, fixed or variable	ad val. 20%
85.19 Electric current controlling, regulating and distributing apparatus (e.g., switches, fuses, junction boxes, plugs and sockets, rheostats, voltage regulators, relays, lighting arrestors, switchboards and control panels); resistances (including carbon resistance lamps and barretters) other than heating elements	ad val. 10%
85.20 Electric light lamp bulbs and tubes and are lamps, including infrared and ultraviolet lamp bulbs:	
A. Incandescent lamps for general use, from ten watts to three hundred watts with voltage ranging from six volts to three hundred volts	ad val. 150%
B. Flourescent lamps, straight type, from fourteen watts to forty watts	ad val. 150%
C. Ultraviolet and infrared lamps	ad val. 10%
D. Other	ad val. 15%
E. Parts	ad val. 10%
85.21 Thermionic and electronic tubes and valves, including cathode-ray tubes; photoelectric cells; crystal diodes, triodes and the like (including transistors): mounted piezo-electric crystals	ad val. 10%
85.22 Electrical articles and apparatus not falling within any other heading of this Chapter	ad val. 20%
85.23 Electrically insulated (including	ad val. 10%

enamelled or anodized) wire, cable, strip and other forms of conductors, whether or not fitted with connectors	
85.24 Carbon brushes, arc lamp carbons, battery carbons, microphone carbons, carbon electrodes and other articles of carbon of a kind used for electrical purposes	ad val. 10%
85.25 Insulators of any material	ad val. 10%
85.26 Insulating fittings for electrical machinery, appliances or equipment wholly of insulating material, not being insulators falling within heading No. 85.25	ad val. 10%
85.27 Electrical conduit tubing and joints therefor, of base metal lined with insulating material	ad val. 10%
85.28 Electrical parts of machinery and apparatus, not being articles falling within any of the preceding headings of this Chapter:	
A. Flourescent and incandescent lamp fixtures	ad val. 40%
B. Other	ad val. 10%

#### **SCHEDULE XVII**

#### **Vehicles, Aircraft and Parts Thereof; Vessels and Certain Associated Transport Equipment**

**NOTES:**

1. This Schedule does not cover articles falling within headings numbered 97.01, 97.03 and 97.08 and bobsleighs, toboggans and the like falling within heading No. 97.06.
2. Throughout this Schedule the expressions "parts" and "parts and accessories" shall not apply to the following articles, whether or not they are identifiable as for the articles of this Schedule:
  - (a) Joints, washers and the like (classified according to their constituent material or in heading No. 84.64);
  - (b) Cables, chains, nails, bolts, nuts, screws, springs and other articles of iron or steel of a kind described in heading No. 73.25, 73.29, 73.31, 73.32 or 73.35, nor to similar articles of other base metals (Chapters 74 to 81 inclusive);
  - (c) Articles of base metal of a kind described in headings numbered 83.01, 83.02, 83.07, 83.11 and 83.14;
  - (d) Machines and mechanical appliances and other articles falling within headings numbered 84.01 to 84.58, 84.61, 84.62 and 84.64 and parts of engines and motors falling within heading No. 84.63;

- (e) Electrical machinery and equipment (Chapter 85);
- (f) Articles falling within Chapter 90;
- (g) Clocks (Chapter 91);
- (h) Arms (Chapter 93);
- (i) Brushes of a kind used as parts of vehicles (heading No. 96.02).

3. References in Chapters 86 to 88 to parts and accessories shall not apply to parts and accessories which are not suitable for use solely or principally with the articles of this Schedule. A part or accessory which answers to a description in two or more of the headings of this Schedule shall be classified under that heading which corresponds to the principal use of that part or accessory.

4. Flying machines specially constructed so that they can also be used as road vehicles are classified as flying machines. Amphibious motor vehicles are classified as motor vehicles.

5. An incomplete or unfinished article of this Schedule shall be classified as the corresponding complete or finished article, provided it has the essential character of such complete or finished article.

6. Unless otherwise provided, an article of this Schedule (or an incomplete or unfinished article classified as if it were complete or finished by virtue of the preceding Note 5) imported unassembled shall be classified as an article of the corresponding kind.

## **CHAPTER LXXXVI**

### **Railway and Tramway Locomotives, Rolling Stock and Parts Thereof: Railway and Tramway Track Fixtures and Fittings; Traffic Signaling Equipment of All Kinds**

(Not Electrically Operated)

#### NOTES:

1. This Chapter does not cover:

(a) Railway or tramway sleepers or ties of wood (heading No. 44.07) or of concrete (heading No. 68.11);

(b) Railway and tramway track construction materials, of iron or steel falling within heading No. 73.16; or

(c) Electrically operated signaling apparatus falling within heading No. 85.16.

2. Heading No. 86.09 shall apply, INTER ALIA, to: Axles, wheels, metal tires, hoops and hubs and other parts of wheels;

Chassis and bogies;

Axle boxes; brake gear;

Buffers for rolling stock, coupling gear and corridor connections;

Coachwork.

3. Heading No. 86.10 shall apply, INTER ALIA, to: Assembled track, turntables, platform, buffers, loading gauges; Semaphores, mechanical signal discs, level crossing control gear, signal and point controls, whether or not they are fitted for electric lighting.

86.01 Steam rail locomotives and tenders	ad val. 10%
86.02 Electric rail locomotive, other than self-generating	ad val. 10%
86.03 Other rail locomotives, including diesel-electric	ad val. 10%
86.04 Motorized rail and tramway coaches, and self-propelled track inspection trolleys	ad val. 10%
86.05 Railway and tramway passenger coaches and luggage vans; hospital coaches, prison coaches, testing coaches, traveling post office coaches and other special purpose rail coaches	ad val. 10%
86.06 Railway and tramway workshop vans and trucks breakdown cranes and other service vans and trucks (including track inspection trolleys, not self-propelled)	ad val. 10%
86.07 Railway and tramway vans, wagons and trucks for transporting merchandise	ad val. 10%
86.08 Tanks, reservoirs and similar containers especially designed and equipped to be equally suitable for transporting merchandise by road, rail or ship	ad al. 10%
86.09 Parts of railway and tramway locomotives and rolling stock	ad val. 10%
86.10 Railway and tramway fixtures and fittings; mechanical equipment, not electrically operated, for signaling to or controlling road, rail or other vehicles, ships or aircraft; parts of the foregoing fixtures, fittings or equipment	ad val. 10%

#### CHAPTER LXXXVII

#### Vehicles, Other Than Railway or Tramway Rolling Stock, and Parts Thereof

NOTES:

1. The headings of this Chapter shall not apply to railway or tramway rolling stock.

2. For the purpose of this Chapter, tractors are deemed to be vehicles constructed essentially for hauling or pushing another vehicle or appliance and unsuitable, alone, for carrying passengers or merchandise.

3. Motor chassis fitted with cabs and shall fall within heading No. 87.02 and not within heading No. 87.04.

4. Headings numbered 87.10 and 87.14 shall not apply to children's cycles which are not fitted with ball bearings and are not constructed in the normal form of adults' cycles. Such children's cycles shall fall within heading No. 97.01.

87.01 Tractors (other than those falling within heading No. 87.07), whether or not fitted with power take-offs, winches or pulleys	ad val. 10%
87.02 Motor vehicles for the transport of persons or articles; sports motor vehicles:	
A. Vans, trucks and buses:	
1. Diesel or semi-diesel	ad val. 15%
2. Other	ad val. 20%
B. Passenger vehicles other than buses:	
1. Diesel or semi-diesel:	
(a) Unassembled	ad val. 20%
(b) Assembled	ad val. 35%
2. Other:	
(a) Unassembled:	
(1) With not more than four cylinders	ad val. 25%
(2) With six cylinders	ad val. 60%
(3) With more than six cylinder	ad val. 100%
(b) Assembled:	
(1) With not more than four cylinders	ad val. 40%
(2) With six cylinders	ad val. 80%
(3) With more than six cylinders	ad val. 160%
C. Sports cars	ad val. 250%
D. Other:	
1. Diesel or semi-diesel	ad val. 15%
2. Other	ad val. 25%
87.03 Motor platform trucks with lifting and handling equipment, fire engines, fire escapes, scavengers, spraying trucks, crane trucks, and similar special purpose motor vehicles	ad val. 5%
87.04 Motor vehicle chassis fitted with engines:	
A. Diesel or semi-diesel	ad val. 15%
B. Other	ad val. 25%
87.05 Motor vehicle bodies and cabs:	

A. Bodies for trucks and buses	ad val. 40%
B. Other	ad val. 15%
87.06 Parts and accessories of tractors and other motor vehicles	ad val. 10%
87.07 Factory, warehouse and similar self-propelled trucks and tractors (including forklift trucks and crane trucks); parts thereof:	
A. Trucks and tractors	ad val. 10%
B. Parts	ad val. 5%
87.08 Tanks and other armored fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles:	
A. Tanks, and other armored fighting vehicles	ad val. 10%
B. Parts	ad val. 5%
87.09 Motorcycles, autocycles and cycles fitted with an auxiliary motor, with or without sidecars; sidecars of all kinds	ad val. 40%
87.10 Cycles (including delivery tricycles), not motorized	ad val. 40%
87.11 Invalid carriages, fitted with means of mechanical propulsion (motorized or not)	ad val. 10%
87.12 Parts and accessories of articles falling within headings numbered 87.09, 87.10 and 87.11:	
A. Bicycle frames and carriers	ad val. 40%
B. Other	ad val. 10%
87.13 Baby carriages and invalid carriages (other than motorized or otherwise mechanically propelled) and parts thereof	ad val. 10%
87.14 Other vehicles (including trailers), not mechanically propelled, and parts thereof:	
A. Vehicles	ad val. 20%
B. Parts thereof	ad val. 10%

## CHAPTER LXXXVIII

### **Aircraft and Parts Thereof; Parachutes, Catapult and Other Similar Launching Gear; Ground Flying Trainers**

88.01 Balloons and airships	ad val. 10%
88.02 Flying machines, gliders and kites; rotochutes	ad val. 10%
88.03 Parts of balloons, airships, flying machines, gliders and kites	ad val. 10%
88.04 Parachutes; parts thereof and accessories thereto	ad val. 10%
88.05 Catapults and similar aircraft launching gear; ground flying trainers; parts of any of the foregoing articles	ad val. 10%

## CHAPTER LXXXIX

### **Ships, Boats and Floating Structures**

#### NOTES:

1. A hull, unfinished or disassembled ship, boat, or other vessel shall be classified as a vessel of a particular kind if it has the essential character of a vessel of that kind. In other cases such articles shall be classified within heading No. 89.01.

2. Ferryboats of all kinds shall fall within heading No. 89.01 and not within heading No. 89.03.

3. If it is doubtful whether ships, boats and other vessels for breaking up (heading No. 89.04) are imported for the purpose specified therein they shall be classified thereunder only if they are knocked down under customs supervision. If this is not expedient or if such a procedure is refused by the importer, the articles shall fall within the corresponding headings in this Chapter.

89.01 Ships, boats and other vessels not falling within any of the following headings of this Chapter:	
A. Coming under the vessel's own steam, sail or other motive power	Free
B. Other:	
1. Not exceeding 3,000 gross registered tons	ad val. 25%
2. Over 3,000 gross registered tons	ad val. 15%
89.02 Tugs:	
A. Coming under the vessel's own steam, sail or other motive power	Free
B. Other	ad val. 25%
89.03 Light vessels, fire-floats, dredgers of all kinds, floating cranes and similar special purpose vessels; floating docks	ad val. 15%
89.04 Ships, boats and other vessels for breaking up	Free
89.05 Floating structures other than vessels (e.g., pontoons and cofferdams, landing stages, buoys and beacons)	ad val. 25%

## SCHEDULE XVIII

### **Optical, Photographic, Cinematographic, Measuring, Calibrating, Precision, Medical and Surgical Instruments and Apparatus; Clocks and Watches; Musical Instruments; Sound Recorders and Reproducers; Parts Thereof**

## CHAPTER XC

### **Optical, Photographic, Cinematographic, Measuring, Calibrating, Precision, Medical and Surgical Instruments and Apparatus; Parts Thereof**

NOTES:

1. This Chapter does not cover:

(a) Optical elements, not optically worked, falling within Chapters 38, 39, 70, 71 and other Chapters;

(b) Articles of a kind used in machines, appliances, instruments, or apparatus, of rubber falling within heading No. 40.14, of leather or of composition leather falling within heading No. 42.04, or of textiles (heading No. 59.17);

(c) Mica eyepieces for goggles, falling within heading No. 68.15;

(d) Refractory articles of heading No. 69.03; laboratory, chemical and industrial wares of heading No. 69.09;

(e) Glassware falling within heading No. 70.15 or 70.17;

(f) Cables, chains, bolts, nuts, screws, springs and other articles of iron or steel of a kind described in heading No. 73.25, 73.29, 73.32 or 73.35 and similar articles of other base metals (Chapters 74 to 18 inclusive);

(g) Pumps incorporating measuring devices, of heading No. 84.10; weight-operated counters and checking machinery, weights imported separately from balances (heading No. 84.20); lifting and handling equipment of heading No. 84.22; dividing heads and other appliances for machine tools (except optical appliances), of heading No. 84.48; valves and other appliances of heading No. 84.61;

(h) Searchlights and spotlights of a kind used on motor vehicles, of heading No. 85.09, and radio navigational aid or radar apparatus of heading No. 85.15;

(i) Cinematographic sound recorders, reproducers and recorders, operating solely by a magnetic process (heading No. 92.11); magnetic soundheads (heading No. 92.13);

(j) Toy instruments and other apparatus of Chapter 97; or

(k) Capacity measures, which shall be classified according to the material or which they are made.

2. An incomplete or unfinished machine, appliance, instrument or apparatus shall be classified with the corresponding complete or finished machine, appliance, instrument or apparatus, provided it has the essential character of that complete or finished article.

3. Subject to Notes 1 and 2 above and Note 5 below, parts and accessories which are suitable for use solely or principally with machines, appliances, instruments or apparatus falling with any heading of this Chapter shall be classified with those machines, appliances, instruments or apparatus, except that:

(a) Optically worked optical elements of heading No. 90.01 or 90.02 remain classified in those headings;

(b) Parts and accessories constituting in themselves machines, appliances, instruments or apparatus of any particular heading of this Chapter or of Chapters 84, 85 and 91 shall be classified in that heading;

(c) Parts and accessories of machines, appliances, instruments or apparatus falling within heading No. 90.24, 90.26, 90.27 or 90.28, other than parts and accessories classified in accordance with subparagraph (b) above shall be classified in heading No. 90.29.

4. Heading No. 90.05 shall not apply to astronomical telescopes of a kind unsuitable for terrestrial observation (heading No. 90.06), telescopic sights for fitting to firearms, or telescopes for machines, appliances, instruments or apparatus of this Chapter (heading No. 90.13).

5. Heading No. 90.10 shall not apply to parts and accessories designed to be mounted on the instruments falling within heading No. 90.07, 90.08 or 90.09 (e.g., rangefinders, exposure meters), such articles shall be classified in these latter headings.

6. Measuring, checking or calibrating optical instruments, appliances and machines which, but for this Note could be classified both in heading No. 90.13 and in heading No. 90.16, shall be classified in heading No. 90.16.

7. Heading No. 90.28 shall apply and apply only to:

(a) Instruments and apparatus for measuring electrical quantities;

(b) Machines, appliances, instruments or apparatus of a kind described in heading No. 90.14, 90.15, 90.16, 90.22, 90.23, 90.24, 90.25 or 90.27 (other than stroboscopes), the operation of which depends on an electrical phenomenon which varies according to the factor to be ascertained, and

(c) Instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or similar radiations.

90.01 Lenses, prisms, mirrors, plane parallel elements and other optical elements, of any material, optically worked, unmounted	ad val. 15%
90.02 Lenses, prisms, mirrors, plane parallel elements and other optical elements, of any material, optically worked, mounted and suitable for fitting to instruments or appliances	ad val. 15%
90.03 Frames, mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like:	
A. Plastic or celluloid frames for spectacles and sunglasses	ad val. 150%
B. Gold or silver plated frames for spectacles and sunglasses	ad val. 100%
C. Other	ad val. 15%

90.04 Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other:	
A. Spectacles and sunglasses	ad val. 60%
B. Other	ad val. 20%
90.05 Refracting telescopes (monocular and binocular), prismatic or not	ad val. 25%
90.06 Astronomical instruments (e.g., reflecting telescopes, transit instruments and equatorial telescopes), and mounting therefor	ad val. 10%
90.07 Photographic cameras (including phototypographical cameras)	ad val. 30%
90.08 Cinematograph cameras, projectors, sound recorders and sound reproducers; any combination of these articles	ad val. 15%
90.09 Image projectors (other than cinematograph projectors); photographic (except cinematographic) enlargers and reducers	ad val. 15%
90.10 Auxiliary equipment and accessories for photography and cinematography (e.g., printing frames, driers, glazers, film printing, including cinematograph optical printers, developing and synchronizing apparatus, spools for winding film, screens for cinematograph projection)	ad val. 15%
90.11 Microscopes and diffraction cameras, electron and proton	Free
90.12 Compound optical microscopes, including microphotographic, microcinematographic and microprojection apparatus	Free
90.13 Optical appliances and instruments (including searchlights and spotlights), not falling within any other heading of this Chapter	ad val. 40%
90.14 Surveying (including photogrammetrical surveying), hydrographic, navigational, meteorological, hydrological and geophysical instruments	ad val. 15%
90.15 Balances of a sensitivity of five centigrams or better, and weights therefor	ad val. 10%
90.16 Mathematical, drawing and marking-out instruments, drafting machines, pantographs, slide rules, calculating discs and the like; measuring, checking and calibrating	ad val. 10%

instruments, appliances and machines, not falling within any other heading of this Chapter (e.g., micrometers, calipers, gauges, measuring rods, comparators, balancing machines); profile projectors	
90.17 Medical, dental, surgical or veterinary instruments and appliances (including electromedical apparatus and ophthalmic instruments)	ad val. 5%
90.18 Mecnotherapeutic, psychological aptitude-testing, ozonotherapeutic, oxygenotherapeutic, artificial respiration, aerosoltherapeutic and similar apparatus; massage and similar apparatus; gas masks and similar respirators	ad val. 10%
90.19 Prosthetic and orthopedic appliances (e.g., artificial limbs or parts of limbs, special hooks and tools for amputees, braces, canes and crutches) and splints used in connection therewith; sensory aids (e.g., ear tubes, audiphones, and Braille books, typewriters, writing boards, slates, watches and paper used exclusively by and for the blind) and other equipments and devices (e.g., talking book machines and artificial eyes and teeth)	Free
90.20 Radiological apparatus (other than infra-red and ultraviolet ray apparatus, and instruments for measuring or detecting alpha, beta, gamma or X-radiations)	Free
90.21 Demonstration and instructional instruments and apparatus unsuitable for industrial use	ad val. 10%
90.22 Machines and appliances for testing mechanically the hardness, strength, compressibility, elasticity and like properties of industrial materials (metals, wood, textiles, paper, plastics and other materials)	ad val. 10%
90.23 Hydrometers and similar instruments; thermometers, barometers, hygrometers, psychrometers, recording or not; any combination of these instruments	ad val. 10%
90.24 Instruments and apparatus, non-electric, (e.g., manometers, thermostats, level gauges, pyrometers, flowmeters, heat meters, automatic oven-draught regulators, gas	ad val. 10%

analysis apparatus, calorimeters) for analyzing, measuring, indicating and controlling the flow, depth, temperature, pressure and other variable properties of liquids and gases, not being articles falling within heading No. 90.14 or 90.25	
90.25 Instruments and apparatus for physical or chemical research or analysis (polarimeters, refractometers, spectrometers, photometers, and other) or for viscosity, porosity, expansion and similar tests (viscosimeters, porosimeters, dilatometers and other); microtomes	ad val. 5%
90.26 Gas, liquid and electricity supply or production meters; calibrating meters therefor	ad val. 10%
90.27 Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators (including magnetic speed indicators) and tachometers (other than articles falling within heading No. 90.14); stroboscopes	ad val. 15%
90.28 Electrical measuring, checking, calibrating, controlling or analyzing instruments and apparatus	ad val. 15%
90.29 Parts and accessories of instruments or apparatus falling within headings numbered 90.24, 90.26, 90.27 and 90.28	ad val. 10%

## CHAPTER XCI

### Clocks and Watches and Parts Thereof

#### NOTES:

1. For the purposes of headings numbered 91.02 and 91.07, the expression “watch movements” means movements regulated by a balance wheel and hair-spring and not exceeding twelve millimeters in thickness measured with the plate and bridge piece.
2. Headings numbered 91.07 and 91.08 shall not apply to spring-operated or weight-operated mechanisms not fitted, nor adopted to be fitted, with escapements (heading No. 84.08).
3. Heading No. 91.11 shall not apply to screws, chain, weights, clock or watch glasses, or articles of general use, which shall be classified separately; clock and watch springs shall be classified as clock or watch parts (heading No. 91.11).

4. Except as provided in Notes 2 and 3, movements and other parts of a kind used in clocks or watches and in other articles (e.g., precision instruments) shall fall within this Chapter and not within any other Chapter.

91.01 Pocket watches, wrist watches and other watches, including stop watches:	
A. Stop watches	ad val. 25%
B. Other:	
1. With cases set with precious or semi-precious stones or with pearls	ad val. 60%
2. With cases of precious metal	ad val. 50%
3. With cases of rolled precious metal	ad val. 40%
4. With gold-plated or silver-plated cases	ad val. 30%
5. Other	ad val. 20%
91.02 Clocks with watch movements (excluding clocks falling within heading No. 91.03):	
A. Alarm clocks	ad val. 20%
B. Other	ad val. 25%
91.03 Instruments panel clocks and clocks of a similar type specially constructed for motor vehicles, aircraft and other vehicles	ad val. 20%
91.04 Other clocks	ad val. 20%
91.05 Time of day recording apparatus; apparatus with clock movement or with synchronous motor for measuring, recording or otherwise indicating intervals of time	ad val. 20%
91.06 Time switches with clock or watch movements or with synchronous motors	ad val. 20%
91.07 Watch movements (including stop watch movements), assembled	ad val. 15%
91.08 Clock movements, assembled	ad val. 15%
91.09 Watch cases and parts thereof, including watch case blanks:	
A. Watch cases set with precious or semi-precious stones or pearls	ad val. 50%
B. Other:	
1. Of precious metal	ad val. 40%
2. Of rolled precious metal	ad val. 30%
3. Gold-plated or silver-plated	ad val. 20%
4. Other	ad val. 10%
91.10 Clock cases and cases of similar type, and parts thereof	ad val. 40%
91.11 Other clock and watch parts	ad val. 20%

## CHAPTER XCII

**Musical Instruments; Sound Recorders and Reproducers; Parts and Accessories Thereof**

NOTES:

1. This Chapter does not cover:

(a) Sensitized films for photoelectric recording (heading No. 37.02) or film containing a sound track, photoelectrically recorded (heading No. 37.06);

(b) Articles of general use such as hinges, handles, fittings or mountings, falling within Schedule XV;

(c) Microphones, amplifiers, loudspeakers, switches (hand or foot operated), head sets and other electrical equipment (Chapter 85) for use with but not incorporated in the instruments falling within this Chapter; sound recorders or reproducers combined with a radio receiver (heading No. 85.15);

(d) Brushes for cleaning musical instruments (heading No. 96.02);

(e) Toy instruments (heading No. 97.03) (Musical instruments which, by the character of the material used, their rougher finish and lack of musical ability or due to any other characteristics, are clearly toys); or

(f) Collectors' pieces or antiques (heading No. 99.05 or 99.06).

2. For the purposes of this Chapter, an incomplete or unfinished instrument or apparatus shall be classified as the corresponding complete or finished article, provided it has the essential character of such a complete or finished article.

3. Perforated music rolls (heading No. 92.10) and gramophone records and the like (heading No. 92.12) imported with an instrument shall be treated as separate articles and not forming part of such instrument.

92.01 Pianos and other keyboard stringed instruments including automatic pianos (whether or not with keyboard); harps:	
A. Pianos	ad val. 250%
B. Other	ad val. 25%
92.02 Other string musical instruments:	
A. Guitars and ukeleles	ad val. 60%
B. Other	ad val. 25%
92.03 Pipe and reed organs, including harmoniums and the like but excluding mouth organs	ad val. 25%
92.04 Accordions, concertinas and similar musical instruments; mouth organs	ad val. 25%
92.05 Other wind musical instruments	ad val. 25%
92.06 Percussion musical instruments (e.g., drums, xylophones, cymbals, castanets)	ad val. 20%

92.07 Electromagnetic, electrostatic, electronic and similar musical instruments (e.g., pianos, organs and accordions)	ad val. 25%
92.08 Musical instruments not falling within any preceding heading of this Chapter (e.g., orchestrations, street organs, musical boxes, musical saws); mechanical singing birds; decoy calls and effect of all kinds; mouth-blown sound signaling instruments (e.g., whistles, boat-swains' pipes)	ad val. 40%
92.09 Musical instrument strings	ad val. 15%
92.10 Parts and accessories of musical instruments (other than strings), including mechanisms for musical boxes and perforated music rolls; metronomes, tuning forks and pitch pipes of all kinds:	
A. Piano parts and accessories	ad val. 5%
B. Other	ad val. 15%
92.11 Gramophones, dictating machines and other sound recorders and reproducers, including record players and tape decks with or without sound heads and those incorporating high fidelity system:	
A. With amplifiers, cases, cabinets, panels or high fidelity system	ad val. 80%
B. Other	ad val. 10%
92.12 Gramophone records and other sound recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles for recording sound:	
A. Gramophone records	each P1.00 and ad val. 80%
B. Other	ad val. 30%
92.13 Other accessories and parts of gramophones or other sound reproducers and recorders	ad val. 15%

## SCHEDULE XIX

### Arms and Ammunition; Parts Thereof

#### CHAPTER XCIII

### Arms and Ammunition; Parts Thereof

#### NOTES:

1. This Chapter does not cover:
  - (a) Articles falling within Chapter 36 (e.g., percussion caps, detonators, signaling flares);
  - (b) Screws, rivets, springs or other parts of general use falling within Schedule XV;
  - (c) Armed fighting vehicles (heading No. 87.08);

- (d) Telescopic sights and other optical devices suitable for use with arms (Chapter 90);
- (e) Bows, arrows, fencing foils or other articles falling within Chapter 97; or
- (f) Collectors' pieces or antiques (heading No. 99.05 or 99.06).

2. For the purposes of this Chapter incomplete or unfinished arms are to be classified with the corresponding complete or finished articles, provided they have the essential character of such complete or finished articles.

93.01 Side arms (e.g., swords, cutlasses and bayonets) and parts thereof	ad val. 30%
93.02 Revolvers and pistols, being firearms	ad val. 50%
93.03 Artillery weapons, machine guns, submachineguns and other military firearms and projectors (other than revolvers and pistols)	ad val. 100%
93.04 Other firearms, including very light pistols, pistols and revolvers for firing blank shot only, line-throwing guns and the like	ad val. 50%
93.05 Arms of other description, including air, spring and similar pistols, rifles and guns:	
A. Air rifles, .177 caliber	ad val. 75%
B. Other	ad val. 40%
93.06 Parts of arms, including roughly sawn gun stock blocks and gun barrel blanks, but not including parts of sidearms:	
A. Gun stocks of wood	ad val. 40%
B. Other	ad val. 15%
93.07 Bombs, grenades, torpedoes, mines, guided weapons and missiles, and similar ammunitions of war, and parts thereof; ammunition of all kinds, and parts thereof, including lead shot and cartridge wads	ad val. 15%

## SCHEDULE XX

### Miscellaneous Manufactured Articles

#### CHAPTER XCIV

#### **Furniture and Parts Thereof; Bedding, Mattresses, Mattress Supports, Cushions and Similar Stuffed Furnishings**

NOTES:

1. This Chapter does not cover:

- (a) Pneumatic mattresses or pillows (heading No. 40.14 or 62.05) or pneumatic cushions (heading No. 40.12, 40.14, 04 62.05);

(b) Standard lamps, table lamps, wall lamp brackets and other lighting fittings, which are classified according to the constituent material (e.g., headings numbered 44.27, 70.14, 83.07);

(c) Chairs, seats and other furniture of stone or ceramic falling within Chapter 68 or 69;

(d) Mirrors designed for placing on the floor or ground (e.g., chevalglasses or swing-mirrors) falling within heading No. 70.09;

(e) Springs, locks, furniture or door fittings or mounting or the like, and safes or strongboxes, falling within Schedule XV;

(f) Refrigerators (heading No. 84.15) other than iceboxes (heading No. 94.03); furniture specially adapted for sewing machines (heading No. 84.41);

(g) Radiogramophones, wireless or television sets or cabinets therefor (heading No. 85.15);

(h) Pedestal-type dentists' spittoons falling within heading No. 90.17;

(i) Articles falling within Chapter 91 (e.g., clocks and clock cases);

(j) Cabinets and tables specially designed for the articles falling within heading No. 92.11 (heading No. 92.13); or

(k) Articles of furniture having the character of toys (heading No. 97.03), or billiard tables and other furniture specially constructed for games (heading No. 97.04).

2. The references in heading No. 94.01 to chairs and other seats and in headings numbered 94.02 and 94.03 to furniture shall not apply to articles which are not designed for placing on the floor or ground.

3. An article of furniture, whether or not comprising sheets, parts or fittings of glass, marble or the like, imported unassembled, shall be treated as a single assembled article of furniture, provided that the parts are imported together.

94.01 Chairs and other seats (including seats convertible into beds), and parts thereof	ad val. 100%
94.02 Medical or surgical furniture (e.g., operating tables, hospital beds with mechanical fittings); dentists' and other chairs with mechanical elevating, rotating or reclining movements; parts of the foregoing articles:	
A. Barbers' and hairdressers' chairs	ad val. 50%
B. Other	ad val. 10%
94.03 Other furniture and parts thereof	ad val. 100%
94.05 Mattress supports; articles of bedding or furnishing fitted with spring or stuffed with any material, or of foam rubber, whether or not covered (e.g., mattresses, quilts, eider down, cushions, poufs and pillows)	ad val. 75%

## CHAPTER XCV

### Articles and Manufactures of Carving or Molding Materials

#### NOTES:

1. This Chapter does not cover:

- (a) Articles falling within Chapter 66 (e.g., parts of umbrellas, walking sticks);
- (b) Fans or hand screens (heading No. 67.05);
- (c) Articles falling within Chapter 71 (e.g., imitation jewelry);
- (d) Cutlery or other articles falling within Chapter 82, whether or not having handles or other parts of carving or molding materials. (The headings of the present Chapter apply, however, to separate handles or other parts of such articles);
- (e) Articles falling within Chapter 90 (e.g., spectacle frames);
- (f) Articles falling within Chapter 91 (e.g., clock or watch cases);
- (g) Articles falling within Chapter 92 (e.g., musical instruments and parts thereof );
- (h) Articles falling within Chapter 93 (arms and parts thereof);
- (i) Articles falling within Chapter 94 (furniture and parts thereof );
- (j) Brushes, powder puffs or other articles falling within Chapter 96;
- (k) Articles falling within Chapter 97 (toys, games and sports requisites);
- (l) Articles falling within Chapter 98 (e.g., buttons, cuff links, smoking pipes, combs); or
- (m) Collectors' pieces or antiques (Chapter 99).

2. For the purposes of heading No. 95.03, the term “ivory” has the meaning assigned to it in Note 3 of Chapter 5.

95.01 Worked tortoise shell and articles of tortoise shell	ad val. 150%
95.02 Worked mother-of-pearl and articles of mother-of-pearl	ad val. 150%
95.03 Worked ivory and articles of ivory	ad val. 150%
95.04 Worked bone (excluding whalebone) and articles of bone (excluding whalebone)	ad val. 150%
95.05 Worked whalebone, horn, coral and other animal carving material and articles of whalebone, horn, coral and other animal carving material	ad val. 150%
95.06 Worked vegetable carving material (e.g.,	ad val. 100%

corozo) and articles of vegetable carving material	
95.07 Worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum, and articles of those substances	ad val. 100%
95.08 Molded or carved article of wax, of stearin, of natural gums or natural resins (e.g., copal or rosin), or of modeling pastes, and other molded or carved articles, not otherwise provided for; worked, unhardened gelatin (except gelatin falling within heading No. 35.03) and articles of unhardened gelatin	ad val. 100%

### CHAPTER XCVI

#### Brooms, Brushes, Feather Dusters, Powder Puffs and Sieves

NOTES:

1. This Chapter does not cover:

(a) Articles falling within Chapter 71 (e.g., articles comprising precious metal, rolled precious metal, or precious or semi-precious stones);

(b) Brushes manufactured specially for medical, dental, surgical or veterinary purposes (heading No. 90.17); or

(c) Toys (Chapter 97).

2. In heading No. 96.03, the expression “prepared knots and tufts for broom or brushmaking” shall apply only to unmounted knots and tufts of animal hair or of fiber, ready for incorporation without division into brooms or brushes, whether or not the tops are trimmed and the butts glued or coated.

96.01 Brooms and brushes consisting of twigs or fibers merely bound together and not mounted in head (e.g., besoms and whisks), with or without handles	ad val. 60%
96.02 Other brooms, brushes and mops (including brushes of a kind used as parts of machines):	
A. Brushes for use as parts of machine	ad val. 10%
B. Other	ad val. 50%
96.03 Prepared knots and tufts for broom or brushmaking	ad val. 30%
96.04 Feather dusters	ad val. 175%
96.05 Powder puffs and pads for applying cosmetics or toilet preparations, of any material	ad val. 80%

96.06 Hand sieves and riddles, of any material	ad val. 40%
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**CHAPTER XCVII**

**Toys, Games and Sports Requisites; Parts Thereof**

NOTES:

1. This Chapter does not cover:
  - (a) Fireworks or other pyrotechnic articles falling within heading No. 36.05;
  - (b) Yarns, monofil, cords or imitation catgut for fishing, cut to length but not made up into fishing lines (Chapter 39 or Schedule XI);
  - (c) Sports clothing or fancy dress of textiles (Chapter 60 or 61);
  - (d) Textile flag or bunting of Chapter 62;
  - (e) Sports footwear (Chapter 64) or sports headgear (Chapter 65);
  - (f) Climbing sticks, whips, riding crops or the like (heading No. 66.02);
  - (g) Articles falling within Schedule XVII;
  - (h) Children's cycles fitted with ball bearings and in the normal form of adults' cycles (heading No. 87.10);
  - (i) Arms and other articles of Chapter 93; or
  - (j) Racket strings, tents or similar camping articles, or gloves (classified, in general, according to the material of which they are made); sports bags and other containers of heading No. 42.02.
2. The headings of this Chapter shall include articles in which pearls, precious or semi-precious stones, or synthetic or reconstructed precious or semi-precious stones, precious metals or rolled precious metals constitute only minor components.
3. In heading No. 97.02 the term "dolls" shall apply only to such articles as are representations of human beings.
4. An incomplete or unfinished article shall be classified as the corresponding complete or finished article, provided it has the essential character of that complete or finished article. Identifiable parts and accessories of articles falling in the headings of this Chapter are also classified with such articles provided the parts and accessories are not articles of general use.

97.01 Wheeled toys designed to be ridden by children (e.g., toy bicycles, tricycles, scooters and pedal motor cars); dolls' prams and dolls' push chairs	ad val. 50%
97.02 Dolls	ad val. 50%

97.03 Other toys	ad val. 50%
97.04 Equipment for parlor, table and funfair games for adults or children (including billiard tables and pintables and table-tennis requisites); playing cards, mahjong sets, dice, dominoes, chess, checker and similar games:	
A. Billiard tables, bowling alleys or frames thereof, pingpong or table-tennis tables and other tables especially constructed and adapted for parlor games	ad val. 100%
B. Other	ad val. 50%
97.05 Carnival articles; entertainment articles (e.g., conjuring tricks and novelty jokes); Christmas tree decorations and similar articles for Christmas festivities (e.g., artificial Christmas trees, Christmas stockings, imitation yule logs, Nativity scenes and figures therefor)	ad val. 60%
97.06 Appliances, apparatus, accessories and requisites for gymnastics, athletics or for sports and outdoor games (e.g., baseball, basketball, volleyball, football, golf, tennis, badminton, pelota, roller skates)	ad val. 30%
97.07 Fishhooks, line fishing rods and tackle, landing nets and the like; hunting requisites (e.g., lures):	
A. Fishhooks	ad val. 15%
B. Other	ad val. 35%
97.08 Roundabouts, swings, shooting galleries and other fairground amusements; traveling circuses, traveling menageries and traveling theaters	ad val. 50%

## CHAPTER XCVIII

### Miscellaneous Manufactured Articles

#### NOTES:

1. This Chapter does not cover:

(a) Eyebrow and other cosmetic pencils (heading No. 33.06);

(b) Buttons, studs, cuff links or other articles of a kind described in heading No. 98.01 or 98.12, if made wholly or partly of precious metal or rolled precious metal (subject to the provisions of Note 1 (a) to Chapter 71) or if containing pearls or precious or semi-precious stones, or synthetic or reconstructed precious or semi-precious stones (Chapter 71).

2. Subject to Note 1 above, the headings in this Chapter shall apply to articles of the kind described whether or not composed wholly or partly of precious metal or rolled precious

metal or of pearls or precious or semi-precious stones, or synthetic or reconstructed precious or semi-precious stones.

3. A case or box for an article of a kind falling within this Chapter and imported therewith shall be deemed to be a part of such article if it is of a kind normally sold therewith at an inclusive price. Similar cases or boxes imported separately shall be classified elsewhere in this Act, in general, according to their constituent material.

98.01 Buttons and button molds, studs, cuff links, snap fasteners, button rings and fasteners, press studs and push buttons; blanks and parts of such articles:	
A. Blanks and parts of such articles	ad val. 40%
B. Other	ad val. 100%
98.02 Slide fasteners and parts thereof	
ad val. 50%	
98.03 Fountain pens, stylographic pens and pencils (including ball point pens and pencils), penholders, pencil holders, propelling or sliding pencils; parts and fitting thereof, other than those falling within heading No. 98.04 or 98.05	
ad val. 25%	
98.04 Pen nibs and nib points	
ad val. 20%	
98.05 Pencils (excluding propelling and sliding pencils), pencil leads, slate pencils, crayons and pastels, drawing charcoals and writing and drawing chalks; tailors' and billiards chalks; parts and fittings thereof:	
A. Parts and fittings, including pencil leads	ad val. 15%
B. Lead pencils, wax crayons, writing and drawing chalks:	
1. Lead pencils	gross P1.50 and ad val. 30%
2. Wax crayons	ad val. 85%
3. Writing and drawing chalks	ad val. 40%
C. Other (e.g., slate pencils, pastels, drawing charcoals, tailors' and billiards chalks).	ad val. 25%
98.06 Writing and drawing slates and boards, framed or not	
ad val. 50%	
98.07 Hand operated date, sealing and similar stamps, composing sticks and hand printing sets incorporating such composing sticks	
ad val. 60%	
98.08 Typewriter and similar ribbons, whether or not on spools; ink pads, with or without boxes:	
A. Ribbons:	
1. Typewriter ribbons ready for use	spool P0.30 and ad val. 75%
2. Other	ad val. 25%
B. Ink pads	
ad val. 50%	
98.09 Sealing wax (including bottle-sealing wax) in sticks, cakes or similar forms; copying pastes with a basis of gelatin	
ad val. 25%	
98.10 Mechanical and similar lighters, including chemical and electrical lighters, and parts thereof, excluding flints and wicks	
ad val. 60%	

98.11 Smoking pipes, pipe bowls, stems and other parts of smoking pipes (including blocks of wood or root roughly shaped); cigar and cigarette holders and parts thereof	ad val. 60%
98.12 Combs, hair slides and the like	ad val. 125%
98.13 Corset busks and similar supports for articles of apparel and clothing accessories	ad val. 50%
98.14 Scent and similar sprays of a kind used for toilet purposes, and mounts and heads therefor	ad val. 100%
98.15 Vacuum flasks and other vacuum vessels, complete with cases; parts thereof, other than glass inners	ad val. 20%
98.16 Tailors' dummies and other lay figures; automata and other animated displays of a kind used for shop window dressing; parts thereof and accessories thereto	ad val. 50%

## SCHEDULE XXI

### Works of Art, Collectors' Pieces, and Antiques

#### CHAPTER XCIX

### Works of Art, Collectors' Pieces, and Antiques

#### NOTES:

1. This Chapter does not cover:

(a) Unused postage, revenue or similar stamps of current or new issue in the Philippines (heading No. 49.07);

(b) Theatrical scenery, studio backcloths or the like, of painted canvas (heading No. 59.12); or

(c) Pearls or precious or semi-precious stones (heading No. 71.01 or 71.02).

2. For the purposes of heading No. 99.02, the expression "original engravings, prints and lithographs" means impressions produced directly, in black and white or in color, of one or of several plates wholly executed by hand by the artist, signed and numbered by him, irrespective of the process or of the material employed by him, but not including any mechanical or photomechanical process.

3. Heading No. 99.03 shall not apply to mass-produced reproductions or works of conventional craftsmanship of a commercial character.

4. (a) Subject to Chapter Notes 1 to 3, articles falling within headings of this Chapter shall be classified in whichever of those headings is appropriate and not in any other heading of this Code.

(b) Heading No. 99.06 shall not apply to articles falling within any of the preceding headings of this Chapter.

5. Frames around pictures, paintings, drawings, pastels, engravings, prints and lithographs shall form part of the latter, provided the frames are of a kind and of a value normal to such articles. "Normal value" shall be held to mean a value not greater than that of the framed articles. If, however, the value of the frame is greater than that of the framed articles the frame shall be classified as if imported separately.

99.01 Paintings, drawings and pastels executed entirely by hand, other than industrial drawings falling within heading No. 49.06 and manufactured decorated wares	Free
99.02 Original engravings, prints and lithographs	Free
99.03 Original sculptures and statuary, in any material	Free
99.04 Postage, revenue and similar stamps (including stamp postmarks and franked envelopes, letter cards and the like), used, or if unused, not of current or new issue in the Philippines	Free
99.05 Collections, specimens and collectors' pieces of zoological, botanical, mineralogical, anatomical, historical, archaeological, paleontological, ethnographic or numismatic interest	Free
99.06 Antiques, being articles of an age exceeding one hundred years	Free

SECTION 105. Conditionally Free Importations. — The following articles shall be exempt from the payment of import duties upon compliance with the formalities prescribed in, or with the regulations which shall be promulgated by the Commissioner of Customs with the approval of the department head:

a. Animals and plants for scientific, experimental, propagation, botanical, breeding, zoological and national defense purposes: Provided, That no live trees, shoots, plants and moss, and bulbs, tubers and seeds for propagation purposes may be imported under this section, except by order of the Government of the Philippines or other duly authorized institutions: Provided, further, That the free entry of animals for breeding purposes shall be restricted to animals of a recognized breed, duly registered in the book of record established for that breed: And provided, finally, That certificate of such record, and pedigree of such animal duly authenticated by the proper custodian of such book of record, shall be produced and submitted to the Collector of Customs, together with affidavit of the owner or importer, that such animal is the identical animal described in said certificate of record and pedigree.

b. Aquatic products (e.g., fish, crustaceans, mollusks, marine animals, seaweed, fish oil, roe), including preparations or manufactures thereof, caught or gathered by vessels of

Philippine registry: Provided, That they are imported in such vessels or in crafts attached thereto: And provided, further, That they have not been landed in any foreign territory or, if so landed, they have been landed solely for transshipment without having been advanced in condition.

c. Samples of the kind, in such quantity and of such dimensions or construction as to render them unsalable or of no appreciable commercial value, models not adapted for practical use and samples of medicine properly marked "physicians' samples not for sale".

Commercial samples, except those that are not readily and easily identifiable (e.g., precious and semi-precious stones, cut or uncut, and jewelry set with precious or semi-precious stones), the value of any single importation of which does not exceed ten thousand pesos, upon the giving of a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges thereon, conditioned for the exportation of said samples within six months from the date of the acceptance of the import entry, or in default thereof, the payment of the corresponding duties, taxes and other charges. If the value of any single consignment of such commercial samples exceeds ten thousand pesos, the importer thereof may select any portion of same not exceeding in value ten thousand pesos for entry under the provisions of this subsection, and the excess of the consignment may be entered in bond, or for consumption, as the importer may elect.

d. Articles, including binnacles, propellers, and the like, the character of which, as imported, prevents their use for other purposes than the construction, equipment, or repair of vessels and aircraft, and life-preservers and life buoys, related equipment and parts and accessories thereof, which are necessary for the take-off and landing and for the safe navigation of vessels and aircraft.

e. Equipment for use in the salvage of vessels or aircraft, upon identification and the giving of a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges thereon, conditioned for the exportation thereof or payment of the corresponding duties, taxes and other charges within six months from the date of acceptance of the import entry: Provided, That the Collector of Customs may extend the time for exportation or payment of duties, taxes and other charges for a term not exceeding six months from the expiration of the original period.

f. Cost of repairs made in foreign countries upon vessels or aircraft documented, registered or licensed in the Philippines, upon proof satisfactory to the Collector of Customs (1) that adequate facilities for such repairs are not afforded in the Philippines, or (2) that such vessels or aircraft, while in the regular course of her voyage or flight was compelled by stress of weather or other casualty to put into a foreign port to make such repairs in order to secure the safety seaworthiness or airworthiness of the vessel or aircraft to enable her to reach her port of destination.

g. Articles brought into the Philippines for repair, processing or reconditioning to be re-exported upon completion of the repair, processing or reconditioning: Provided, That the Collector of Customs may, in his discretion, require the giving of a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges thereon,

conditioned for the exportation thereof or payment of the corresponding duties, taxes and other charges within six months from the date of acceptance of the import entry.

h. Medals, badges, cups and other small articles bestowed as trophies or prizes, or those received or accepted as honorary distinctions.

i. Wearing apparel and household effects, including those articles provided for under subsections “j” and “k”, and belonging to residents of the Philippines returning from abroad, which were exported from the Philippines by such returning residents upon their departure therefrom or during their absence abroad, upon the identity of such articles being established to the satisfaction of the Collector of Customs; personal and household effects brought into the Philippines by returning residents, the export value of which does not exceed five hundred pesos, solely for personal or household use but not imported for the account of any other person nor intended for barter, sale or hire: Provided, That such returning residents have not received the benefit of any exemption hereunder within one hundred and eighty days from and after the date of the last exemption granted: And provided, further, That in the event the total export value of the imported article or articles exceeds the amount of five hundred pesos, such article or articles shall be subject to duty only on the amount in excess of five hundred pesos; articles of the same kind and class purchased in foreign countries by residents of the Philippines during their absence abroad and accompanying them upon their return to the Philippines, or arriving within a reasonable time which in no case shall exceed ninety (90) days before or after the owner’s return, upon proof satisfactory to the Collector of Customs that same have been in their use abroad for more than one year; articles in any single shipment consigned to any single person when the total export value of such shipment does not exceed one hundred pesos: Provided, That when the export value exceeds the amount of one hundred pesos, only the amount in excess of one hundred pesos shall be subject to duty.

j. Wearing apparel, articles of personal adornment, toilet articles, portable tools and instruments, theatrical costumes, and similar personal effects, accompanying travelers or tourists in their baggage or arriving within a reasonable time, in the discretion of the Collector of Customs, before or after the owners, in use of and necessary and appropriate for the wear or use of such persons according to their profession or position for the immediate purposes of their journey and their present comfort and convenience: Provided, That this exemption shall not be held to apply to articles intended for other persons or for barter, sale or hire: Provided, further, That the Collector of Customs may, in his discretion, require a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges upon articles classified under this subsection, conditioned for the exportation thereof or payment of the corresponding duties, taxes and other charges, within six months from the date of acceptance of the import entry: And provided, finally, That the Collector of Customs may extend the time for exportation or payment of duties, taxes and other charges for a term not exceeding six months from the expiration of the original period.

k. Vehicles, horses, harness, bed and table linen, table service, furniture, musical instruments and personal effects of like character, owned and imported by travelers or tourists for their convenience and comfort, upon identification and the giving of a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges

thereon, conditioned for the exportation thereof or payment of the corresponding duties, taxes and other charges within six months from the date of acceptance of the import entry: Provided, That the Collector of Customs may extend the time for exportation or payment of duties, taxes and other charges for a term not exceeding six months from the expiration of the original period.

l. Professional instruments and implements, tools of trade, occupation or employment, wearing apparel, domestic animals, and personal and household effects, including those of the kind and class provided for under subsections “j” and “k” and belonging to persons coming to settle in the Philippines, in quantities and of the class suitable to the profession, rank or position of the person importing them, for their own use and not for barter or sale, accompanying such persons, or arriving within a reasonable time, in the discretion of the Collector of Customs, before or after the arrival of their owners, upon the production of evidence satisfactory to the Collector of Customs that such persons are actually coming to settle in the Philippines, that the articles are brought from their former place of abode, that change of residence is bona fide, and that the privilege of free entry under this subsection has never been previously granted to them: Provided, That neither merchandise of any kind, nor machinery or other articles for use in manufacture, shall be classified under this subsection.

m. Animals, vehicles, portable theaters, circus and theatrical equipment, including musical instruments, sceneries, panoramas, properties, saddlery, wax figures and similar objects for public entertainment, and other articles for display in public expositions, or for exhibition or competition for prizes, and devices for projecting pictures and parts and appurtenances therefor, upon identification and the giving of a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges thereon, conditioned for exportation thereof or payment of the corresponding duties, taxes and other charges within six months from the date of acceptance of the import entry: Provided, That the Collector of Customs may extend the time for exportation or payment of duties, taxes and other charges for a term not exceeding six months from the expiration of the original period; and technical and scientific films when imported by technical, cultural and scientific institutions, and not to be exhibited for profit: Provided, That if any of the said films is exhibited for profit, the proceeds therefrom shall be subject to confiscation, in addition to the penalty provided under section three thousand six hundred and ten of this Code.

n. Articles (e.g., photographic, sound recording, electrical and other equipment, vehicles, animals, costumes, apparel, properties, supplies, unexposed motion picture films) brought by foreign producers for making or recording motion pictures on location in the Philippines, upon identification and the giving of a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges thereon, conditioned for exportation thereof or payment of the corresponding duties, taxes and charges within six months from the date of acceptance of the import entry. Unexposed motion picture films allowed free entry under bond for exportation falling within this subsection and subsequently exposed, whether or not developed, may be reexported free of import duties, taxes and other charges.

Negative films, undeveloped, exposed outside the Philippines by resident Filipino citizens or by producing companies of Philippine registry where the principal actors and artists employed for the production are Filipinos, upon affidavit by the importer that such exposed films are the same films previously exported from the Philippines. As used in this paragraph, the terms “actors” and “artists” include the persons working the photographic camera or other photographic and sound recording apparatus by means of which the film is made.

o. Costumes, regalia and other articles, including office supplies and equipment, imported for the official use of members and attaches of foreign embassies, legations, consular officers and other representatives of foreign government: Provided, That the country which any such person represents accords like privileges to corresponding officials of the Philippines.

Articles imported for the personal or family use of the members and attaches of foreign embassies, legations, consular officers and other representatives of foreign governments: Provided, That such privilege shall be accorded under special agreements between the Philippines and the countries which they represent: And provided, further, That the privilege may be granted only upon specific instructions of the Department of Finance in each instance which will be issued only upon request of the Department of Foreign Affairs.

p. Regalia, gems, statuary, specimens or casts of sculptures imported for the bona fide use and by the order of any society incorporated or established solely for religious, philosophical, educational, scientific or literary purposes, or for the encouragement of the fine arts, or for the use and by the order of any institution of learning, public library, museum, orphan asylum or hospital, and not for barter, sale or hire: Provided, That the term “regalia” shall be held to embrace only such insignia of rank or office or emblems as may be worn upon the person or borne in the hand during public exercises or ceremonies of the society or institution, and shall not include articles of furniture or fixtures, or ordinary wearing apparel, nor personal property of individuals.

q. Musical organs imported for the bona fide use and by the owner of any society incorporated or established for religious or educational purposes, or, expressly for presentation thereto.

r. Scientific apparatus, instruments and utensils specially imported for the bona fide use and by the order of any society or institution incorporated or established solely for educational, scientific, or charitable purposes, or for the encouragement of the fine arts, or for the bona fide use and by the order of any institution of learning in the Philippines, and not for barter, sale or hire.

s. Philosophical, historical, economic, scientific, technical and vocational books specially imported for the bona fide use and by the order of any society or institution, incorporated or established solely for philosophical, educational, scientific, charitable or literary purposes, or for the encouragement of the fine arts, or for the bona fide use of and by the order of any institution of learning in the Philippines: Provided, That the provisions of

this subsection shall apply to books not exceeding two copies of any one work when imported by any individual for his own use, and not for barter, sale or hire.

Bibles, missals, prayerbooks, koran, ahadith and other religious books of similar nature and extracts therefrom, hymnal and hymns for religious uses, specially prepared books, music and other instrumental aids for the deaf, mute or blind, and textbooks prescribed for use in any school in the Philippines: Provided, That complete books published in parts in periodical form shall not be classified herein.

t. Newsprint, whenever imported by or for publishers for the exclusive use in the publication of newspapers.

u. Articles donated to public or private institutions established solely for educational, scientific, cultural, charitable, health, relief, philanthropic or religious purposes, for free distribution among, or exclusive use of, the needy.

v. Food, clothing, house-building and sanitary-construction materials, and medical, surgical and other supplies for use in emergency relief work, when imported by or directly for the account of any victim, sufferer, refugee, survivor or any other person affected thereby, or by or for the account of any relief organization, not operated for profit, for distribution among the distressed individuals, whenever the President shall, by proclamation, declare an emergency to exist by reason of a state of war, pestilence, cholera, plague, famine, drought, typhoon, earthquake, fire, flood and similar conditions: Provided, That the importation free of duty of articles described in this herein subsection shall continue only during the existence of such emergency, or within such limits and subject to such conditions as the President may, by his proclamation, deem necessary to meet the emergency.

w. Philippine articles previously exported from the Philippines and returned without having been advanced in value or improved in condition by any process of manufacture or other means, and upon which no drawback or bounty has been allowed, and foreign articles when returned after having been loaned and exported for use temporarily abroad solely for exhibition, examination or experimentation, for scientific or educational purposes, and foreign containers packed with exported Philippine articles and returned empty if imported by or for the account of the person or institution who exported them from the Philippines and not for sale, subject to identification: Provided, That any Philippine article falling under this subsection upon which drawback or bounty has been allowed shall, upon re-importation thereof, be subject to a duty under this subsection equal to the amount of such drawback or bounty.

x. Large containers (e.g., demijohns, cylinders, drums, casks and other similar receptacles of metal, glass or other material) which are, in the opinion of the Collector of Customs, of such a character as to be readily identifiable may be delivered to the importer thereof upon identification and the giving of a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges thereon, conditioned for the exportation thereof on payment of the corresponding duties, taxes and other charges within one year from the date of acceptance of the import entry.

y. Supplies or ship stores listed as such for the use of the vessel; supplies which are intended for the reasonable requirements of the vessel in her voyage outside the Philippines, including such articles transferred from a bonded warehouse in any collection district to any vessel engaged in foreign trade, for use or consumption of the passengers or its crew on board such vessel as sea stores; or articles purchased abroad for sale on board a vessel as saloon stores or supplies: Provided, That any surplus or excess of such ship, sea or saloon stores arriving from foreign ports shall be dutiable according to the corresponding heading or subheading.

z. Articles and salvage from vessels recovered after the period of two years from the date of filing the marine protest or the time when the vessel was wrecked or abandoned as determined by the Collector of Customs, or such part of Philippine vessel or her equipment, wrecked or abandoned in Philippine waters or elsewhere: Provided, That articles and salvage recovered within the said period of two years shall be dutiable according to the corresponding heading or subheading.

aa. Articles of easy identification exported from the Philippines for repairs abroad and subsequently reimported: Provided, That the cost of the repairs made to any such article shall pay a rate of duty of twenty-five per cent ad valorem.

bb. Coffins or urns containing human remains, bones or ashes, and all articles for ornamenting said coffins or urns and accompanying same; used personal and household effects, not merchandise, of deceased persons, upon identification as such, satisfactory to the Collector of Customs.

SECTION 106. Drawbacks: a. On Fuel Used for Propulsion of Vessels. — On all fuel imported into the Philippines which is afterwards used for the propulsion of vessels of Philippine registry engaged in trade with foreign countries, or in the coastwise trade, a refund shall be allowed equal to the duty imposed by law upon such fuel, less one per cent thereof, which shall be paid under such rules and regulations as may be prescribed by the Commissioner of Customs with the approval of the department head.

b. On Articles Made from Imported Materials or Similar Domestic Materials and Wastes Thereof. — Upon the exportation of articles manufactured or produced in the Philippines, including the packing, covering, putting up, marking or labeling thereof, either in whole or in part of imported materials, or from similar domestic materials of equal quantity and productive manufacturing quality and value, such question to be determined by the Collector of Customs, there shall be allowed a drawback equal in amount to the duties paid on the imported materials so used, or where similar domestic materials are used, to the duties paid on the equivalent imported similar materials, less one per cent thereof: Provided, That the exportation shall be made within three years after the importation of the foreign material used or constituting the basis for drawback: And provided, further, That when the articles exported or coverings thereof are in part of materials grown or produced in the Philippines not entitled to drawback under this section, the imported materials, or the similar domestic materials of equal quantity and productive manufacturing quality and value entitled to drawback, shall so appear in the completed articles or packages that the quantity or measure thereof may be ascertained: And provided, finally, That the imported materials, or the similar domestic materials entitled

to drawback under this section for which drawback is claimed, shall be identified; that the quantity of such materials used and the amount of duty paid thereon or, if the domestic materials, paid upon its equivalent, shall be ascertained; and that the fact of their exportation shall be established; and the refund if made shall be paid to the manufacturer, producer, or exporter, or to the duly authorized agent of any of them, under and in accordance with such rules and regulations as the Commissioner of Customs shall prescribe with the approval of the department head.

## **TITLE II**

### **Administrative Provisions**

#### **PART 1**

##### **Bases of Assessment of Duty**

SECTION 201. Basis of Dutiable Value. — Whenever an imported article is subject to an ad valorem rate of duty, the duty shall be assessed upon the market value or price at which, at the time of exportation, the same, like or similar article is freely offered for sale in the principal markets of the exporting country for exportation to the Philippines, in the usual wholesale quantities and in the ordinary course of trade (excluding internal excise taxes to be remitted or rebated), plus ordinary expenses prior and incidental to the lading of such article on board the vessel or aircraft at the port of export (including taxes or duties, if any) and freight paid as well as insurance premium paid covering the transportation of such article to the port of entry in the Philippines.

When the value of the article cannot be ascertained in accordance with the preceding paragraph, the value shall be the domestic wholesale market value or selling price of the same, like or similar imported article in the principal market of the Philippines on the date of exportation of the article under appraisal, in the usual wholesale quantities and in the ordinary course of trade, minus the import duty and other taxes as well as a commission not exceeding six per centum if any has been paid or contracted to be paid on goods secured otherwise than by purchase, and profits not to exceed eight per centum and a reasonable allowance for general expenses not to exceed eight per centum on purchased goods, and all other expenses incidental to the delivery from the port of importation to the principal market in the Philippines.

SECTION 202. Bases of Dutiable Weight. — On articles that are subject to specific rate of duty, based on weight, the duty shall be ascertained as follows:

a. When articles are dutiable by the gross weight, the dutiable weight thereof shall be the weight of same, together with the weight of all containers, packages, holders and packings, of any kind, in which said articles are contained, held or packed at the time of importation.

b. When articles are dutiable by the legal weight, the dutiable weight thereof shall be the weight of same, together with the weight of the immediate containers, holders and/or packing in which such articles are usually contained, held or packed at the time of importation and/or, when imported in retail packages, at the time of their sale to the

public in usual retail quantities: Provided, That when articles are packed in single container, the weight of the latter shall be included in the legal weight.

c. When articles are dutiable by the net weight, the dutiable weight thereof shall be only the actual weight of the articles at the time of importation, excluding the weight of the immediate and all other containers, holders or packing in which such articles are contained, held or packed.

d. Articles affixed to cardboard, cards, paper, wood or similar common material shall be dutiable together with the weight of such holders.

e. When a single package contains imported articles dutiable according to different weights, or to weight and value, the common exterior receptacles shall be prorated and the different proportions thereof treated in accordance with the provisions of this Code as to the dutiability or non-dutiability of such packing.

SECTION 203. General Rules of Classification. — The interpretation and application of the provisions of this Code relating to the classification of articles imported into the Philippines shall be governed by the following principles:

RULE 1. The titles of schedules, chapters and subchapters are provided for ease of reference only; for legal purposes, classification shall be determined according to the terms of the headings or subheadings and any relative schedule or chapter notes and, provided such headings, subheadings or notes do not otherwise require, according to the succeeding rules.

RULE 2. Any reference in a heading or subheading to a material or substance shall include a reference to mixtures or combinations of that material or substance with other materials or substances. Any reference to articles of a given material or substance shall include a reference to articles consisting wholly or partly of such material or substance. The classification of articles consisting of more than one material or substance shall be according to the principles of Rule 3.

RULE 3. When articles are, prima facie, classifiable under two or more headings or subheadings, classification shall be effected as follows:

a. The heading or subheading which provides the most specific description shall be preferred to any other heading or subheading providing a more general description.

b. Mixtures and composite articles which consist of different materials or are made up of different components and which cannot be classified by reference to “a” shall be classified as if they consisted of the material or component which give the articles their essential character, insofar as this criterion is applicable.

c. When articles cannot be classified by reference to “a” or “b” they shall be classified under the heading or subheading which provides the highest rate of duty.

RULE 4. Where in a note to a schedule or chapter it is provided that certain articles are not covered by that schedule or chapter a reference being made to another schedule or

chapter or to a particular heading or subheading, the note shall, unless the context requires otherwise, refer to all the articles falling within that other schedule or chapter or heading or subheading notwithstanding that only certain of those articles are referred to by description in the note.

RULE 5. When dutiable and duty-free articles or those dutiable at different rates are packed together or mingled in such manner that the value of each class of such article cannot be readily determined by the officials of the Bureau of Customs, all such articles shall pay duty at the rate applicable to that article in the package which is subject to the highest rate of duty, unless the importer or consignee segregates such article at his own risk and on his account, under the supervision of customs officials, within fifteen days after the acceptance of import entry covering same, and before delivery, in order that the value of each article may be determined.

RULE 6. In classifying manufactured products, no account shall be taken of the following:

a. Insignificant parts of composite goods, in particular such as are used solely for mounting or connecting separate parts (e.g., nails, rivets, screws, washers, gaskets, locks, clamps, eyelets, clasps, hinges, bolts, cornerpieces, bands, threads, strings, beltings, straps, ropes);

b. Negligible processing, refinement and decorations;

c. Manufacturers' marks or names or trade marks, indications of the country of origin of the types of articles, their sizes or capacities, calibration marks, indications of graduation and the like, not of an ornamental character.

RULE 7. Unless otherwise provided for, unfinished and incomplete articles shall be classified as the finished and complete articles, provided their intended use is recognizable.

RULE 8. Unless otherwise provided for, the separate parts and unassembled pieces of articles which normally consist of various component parts, shall be classified as complete articles, when imported together by the same importer, owner or consignee from the same seller or shipper on the same vessel or vehicle. The absence of certain non-essential parts does not affect the application of this provision.

RULE 9. Accessories and spare parts shall be classified with the articles with which they are imported, when, by their character and quantity, they correspond to such articles and when they are usually sold together with them and are included in the price of such article.

RULE 10. Cases, boxes, caskets, sheaths and the like, of normal type (e.g., such as are used for cutlery, binoculars, microscopes, watches, musical instruments, weapons, sport goods) imported with the corresponding articles, shall be classified as such articles; if imported separately, they shall be classified under the corresponding heading or subheading of this Code.

RULE 11. No duties shall be assessed on account of the usual coverings or holdings of articles dutiable otherwise than ad valorem, nor those free of duty, except as in this Code expressly provided, but if there be used for covering or holding imported articles, whether dutiable or free, any unusual article, form or material adapted for use otherwise than in the bona fide preservation or transportation of such article to the Philippines, such covering or holding shall be classified under the corresponding heading or subheading of this Code.

RULE 12. When the interior container or packing of any article dutiable by weight is of an unusual character, such container or packing shall be classified under the corresponding heading or subheading of this Code.

RULE 13. When an article falling within a heading or subheading is subject to ad valorem or specific rate of duty, it shall be subject to either the ad valorem or the specific rate of duty whichever is higher.

RULE 14. Unless otherwise provided for, the term “used” or any provision indicating designation by use, for the purpose of classification and taxation of articles shall mean the chief or predominant use of such articles notwithstanding any fugitive or incidental use to which such articles may be subjected.

RULE 15. Articles not falling within any heading or subheading of this Code shall be classified under the heading or subheading appropriate to articles to which they are most akin.

SECTION 204. Rate of Exchange. — For the assessment and collection of import duty upon imported articles and for other purposes, the value and prices thereof quoted in foreign currency shall be converted into the currency of the Philippines at the current rate of exchange or value specified or published, from time to time, by the Central Bank of the Philippines.

SECTION 205. Effective Date of Rates of Import Duty. — Imported articles shall be subject to the rate or rates of import duty existing at the time of entry, or withdrawal from warehouse in the Philippines, for consumption.

On and after the day when this Code shall go into effect all articles previously imported, for which no entry has been made, and all articles previously entered without payment of duty and under bond for warehousing, transportation, or any other purpose, for which no permit of delivery to the importer or his agent has been issued, shall be subject to the rates of duty imposed by this Code and to no other duty, upon the entry, or withdrawal thereof from warehouse, for consumption.

On articles abandoned or forfeited to, or seized by, the government, and then sold at public auction, the rate of duty and the tariff in force on the date of the auction shall apply: Provided, That duty based on the weight, volume and quantity of articles shall be levied and collected on the weight, volume and quantity at the time of their entry into the warehouse or the date of abandonment, forfeiture and/or seizure.

SECTION 206. Entry, Withdrawal from Warehouse, for Consumption. — Imported articles shall be deemed “entered” in the Philippines for consumption when the specified entry form is properly filed and accepted, together with any related documents required by the provisions of this Code and/or regulations to be filed with such form at the time of entry, at the port or station by the customs official designated to receive such entry papers and any duties, taxes, fees and/or other lawful charges required to be paid at the time of making such entry have been paid or secured to be paid with the customs official designated to receive such monies, provided that the article has previously arrived within the limits of the port of entry.

Imported articles shall be deemed “withdrawn” from warehouse in the Philippines for consumption when the specified form is properly filed and accepted, together with any related documents required by any provisions of this Code and/or regulations to be filed with such form at the time of withdrawal, by the customs official designated to receive the withdrawal entry and any duties, taxes, fees and/or other lawful charges required to be paid at the time of withdrawal have been deposited with the customs official designated to receive such payment.

SECTION 207. Revised Trade Agreement not Affected. — Nothing in this Code shall be construed to abrogate or in any manner impair or affect the provisions of the Revised Agreement concluded between the Philippines and the United States on September 6, 1955.

## **PART 2**

### **Special Duties**

SECTION 301. Dumping Duty. —

a. Whenever the Secretary of Finance (hereinafter called the Secretary”) has reason to believe, from invoices or other papers or from information made available to him by any government agency or interested party, that a specific kind or class of foreign article, whether dutiable or duty-free, is being sold or is likely to be sold for exportation to, or in, the Philippines, at a price less than its fair value, as hereinafter defined, the importation or sale of which might injure, or prevent the establishment of, or is likely to injure an industry in the Philippines, he shall so advise the Tariff Commission (hereinafter called the “Commission”).

b. The Commission, upon receipt of such advice from the Secretary, shall conduct an investigation to —

1. Verify if the kind or class of articles in question is being sold or is likely to be sold for exportation to, or in, the Philippines at a price less than its fair value;
2. Determine if, as a result thereof, an industry in the Philippines is being injured or is likely to be injured or is prevented from being established by reason of the importation or sale of such kind or class of article into the Philippines; and

3. Ascertain the difference, if any, between the purchase price or, in the absence thereof, the exporter's sales price, and the fair value of the article. The Commission shall submit its findings to the Secretary within one month after receipt of the aforesaid advice.

c. The Secretary shall, within fifteen days from the report of the Commission, decide whether the article in question is being imported in violation of this section and shall give due notice of such finding and shall direct the Commissioner of Customs to cause the dumping duty, to be levied, collected and paid, as prescribed in this section, in addition to any other duties, taxes and charges imposed by law on such article.

d. The "dumping duty" as provided for in subsection "e" hereof shall be equal to the difference between the purchase price or, in the absence thereof, the exporter's sales price, and the fair value of the article.

e. For the purpose of this section —

1. The "fair value" of an article shall be its foreign market value, or, in the absence of such value, its cost of production.

2. The "purchase price" of an imported article shall be the price at which such article has been purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account the article is imported, plus, when not included in such price —

(a) The cost of all containers and coverings and all other costs, charges and expenses incident to placing the article in condition, packed ready for shipment to the Philippines;

(b) The amount of any export tax paid in the country of exportation on the exportation of the article to the Philippines;

(c) The amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the article to the Philippines; and

(d) The amount of any taxes imposed in the country of exportation upon the manufacturer, producer or seller, in respect to the manufacture, production or sale of the article, which have been rebated, or which have not been collected, be reason of the exportation of the article of the Philippines.

Any additional costs, charges and expenses incident to bringing the article from the place of shipment in the country of exportation to the place of delivery in the Philippines and Philippine customs duties imposed thereon shall not be included.

3. The "exporter's sale price" of an imported article shall be the price at which such article is sold or agreed to be sold in the Philippines, before or after the time of exportation, by or for the account of the exporter, including —

(a) The cost of all containers and coverings and all other costs, charges and expenses incident to placing the article in condition, packed ready for shipment to the Philippines;

(b) The amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the article to the Philippines; and

(c) The amount of any taxes imposed in the country of exportation upon the manufacturer, producer or seller in respect to the manufacture, production or sale of the article, which have been rebated, or which have not been collected, by reason of its exportation to the Philippines. The following amount, if included, shall be deducted —

(1) The amount of costs, charges and expenses, and Philippine customs duties, incident to bringing the article from the place of shipment in the country of exportation to the place of delivery in the Philippines;

(2) The amount of commissions, if any, for selling in the Philippines the particular article under consideration;

(3) An amount equal to the expenses, if any, generally incurred by or for the account of the exporter in the Philippines in selling identical or substantially identical article; and

(4) The amount of any export tax paid in the country of exportation on the exportation of the article to the Philippines.

4. The “foreign market value” of an imported article shall be the price, at the time of exportation of such article to the Philippines, at which such or similar article is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade for home consumption (or, if not sold or offered for sale for home consumption, then for exportation to countries other than the Philippines), including the cost of all containers and coverings and all other costs, charges and expenses incident to placing the article in condition packed ready for shipment to the Philippines, except that in the case of articles purchased or agreed to be purchased by the person by whom or for whose account the article is imported, prior to the time of exportation, the foreign market value shall be ascertained as of the date of such purchase or agreement to purchase. In the ascertainment of foreign market value for the purpose of this section, no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account.

5. The “cost of production” of an imported article shall be the sum of —

(a) The cost of materials of, and of fabrication, manipulation or other process employed in manufacturing or producing, identical or substantially identical article, at a time preceding the date of shipment of the particular article under consideration which would ordinarily permit the manufacture or production of the particular article under consideration in the usual course of business;

(b) The usual general expenses not less than 10 per cent of such cost, in the case of identical or substantially identical articles;

(c) The cost of all containers and coverings, and all other costs, charges and expenses incident to placing the particular article under consideration in condition, packed ready for shipment to the Philippines; and

(d) An addition for profit not less than 8 per cent of the sum of the amounts determined under subparagraphs (a) and (b) hereof, equal to the profit which is originally added, in the case of articles of the same general character as the particular article under consideration, by manufacturers or producers in the country of manufacture or production who are engaged in the same general trade as the manufacturer or producer of the particular article under consideration.

f. For the purposes of this section the “exporter” of an imported article shall be the person by whom or for whose account the article is imported into the Philippines —

1. If such person is the agent or principal of the exporter, manufacturer or producer; or
2. If such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in the business of the exporter, manufacturer or producer; or
3. If the exporter, manufacturer or producer owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in any business conducted by such persons; or
4. If any person or persons, jointly or severally, directly or indirectly, through stock ownership or control or otherwise, own or control in the aggregate 20 per cent or more of the voting power or control in the business carried on by the person by whom or for whose account the article is imported into the Philippines, and also 20 per cent or more of such power or control in the business of the exporter, manufacturer or producer.

g. Pending investigation and final decision of the case, the article in question, and articles of the same specific kind or class subsequently imported under similar circumstances, shall be released to the owner, importer, consignee or agent upon the giving of a bond in an amount equal to the double the estimated value thereof. Articles which may have been delivered under the provision of section fifteen hundred and three of this Code prior to the institution of the investigation provided in this section shall, pending final decision, be ordered returned to the custody of the collectors of customs unless released under bond in accordance with this section.

h. Any aggrieved party may only appeal the amount of dumping duty that is levied and collected by the Commissioner of Customs to the Court of Tax Appeals in the same manner and within the same period provided for by law in the case of appeals from decisions of the Commissioner of Customs.

i. (1) The article, if it has not been previously released under bond as provided in subsection “g” hereof, shall be released after payment by the party concerned of the corresponding dumping duty in addition to any other duties, taxes and charges, if any, or re-exported by the owner, importer, consignee or agent, at his option and expense, upon the filing of a bond in an amount equal to double the estimated value of the article,

conditioned upon the presentation of a landing certificate issued by a consular officer of the Philippines at the country of destination; or

(2) If the article has been previously released under bond, as provided in subsection “g” hereof, the party concerned shall be required to pay the corresponding dumping done in addition to any other duties, taxes and charges, if any.

j. Any investigation to be conducted by the Commission under this section shall include a hearing or hearings where the owner, importer, consignee or agent of the imported article, the local producers of a like article, other parties directly affected, and such other parties as in the judgment of the Commission are entitled to appear, shall be given an opportunity to be heard and to present evidence bearing on the subject matter.

k. It shall be the duty of collectors of customs at all ports of entry to levy and collect the dumping duty in accordance with subsection “d” hereof on the specific kind or class of article as to which the Secretary has made a decision of dumping.

It shall also be their duty to bring to the attention of the Secretary, thru the Commissioner of Customs, any case coming within their notice which may, in their opinion, require action as provided in this section.

l. The Secretary shall promulgate all rules and regulations necessary to carry out the provisions of this section.

#### SECTION 302. Countervailing Duty. —

a. On articles dutiable under this Code, upon the production, manufacture or export of which any bounty, subsidy or subvention is directly or indirectly granted in the country of origin and/or exportation, and the importation of which has been determined by the Secretary, after investigation and report of the Commission, as likely to materially injure an established industry, or prevent or considerably retard the establishment of an industry in the Philippines, there shall be levied a countervailing duty equal to the ascertained or estimated amount of such bounty, subsidy or subvention: Provided, That the exception of any exported article from a duty or tax imposed on like articles when destined for consumption in the country of origin and/or exportation or the refunding of such duty or tax, shall not be deemed to constitute a grant of a bounty, subsidy or subvention within the meaning of this section; however, should an article be allowed drawback by the country of origin and/or exportation, only the ascertained or estimated excess of the amount of the drawback over the total amount of the duties and/or internal taxes, if any, shall constitute a bounty, subsidy or subvention.

b. The Commission, on its own motion or upon application of any interested party, when in its judgment there is good and sufficient reason therefor, shall ascertain, determine or estimate the net amount of such bounty, subsidy or subvention and shall transmit to the Secretary the amounts so ascertained, determined or estimated, if any. Wherever it is ascertained that the conditions which necessitated the imposition of the countervailing duty have ceased to exist, and the Commission shall so certify to the Secretary, the latter shall take the necessary steps to suspend or discontinue the imposition of such duty.

c. The Secretary shall make all rules and regulations necessary to carry out the provisions of this section.

SECTION 303. Marking of Imported Articles and Containers. —

a. Marking of Articles. — Except as hereinafter provided, every article of foreign origin (or its container, as provided in subsection “b” hereof) imported into the Philippines shall be marked in any official language of the Philippines and in a conspicuous place as legibly, indelibly and permanently as the nature of the article (or container) will permit in such manner as to indicate to an ultimate purchaser in the Philippines the name of the country of origin of the article. The Commissioner of Customs shall, with the approval of the department head, issue rules and regulations to —

(1) Determine the character of words and phrases or abbreviations thereof which shall be acceptable as indicating the country of origin and prescribe any reasonable method of marking, whether by printing, stenciling, stamping, branding, labeling or by any other reasonable method, and a conspicuous place on the article or container where the marking shall appear;

(2) Require the addition of any other words or symbols which may be appropriate to prevent deception or mistake as to the origin of the article or as to the origin of any other article with which such imported article is usually combined subsequent to importation but before delivery to an ultimate purchaser; and

(3) Authorize the exception of any article from the requirements of marking if —

(a) Such article is incapable of being marked;

(b) Such article cannot be marked prior to shipment to the Philippines without injury;

(c) Such article cannot be marked prior to shipment to the Philippines, except at an expense economically prohibitive of its importation;

(d) The marking of a container of such article will reasonably indicate the origin of such article;

(e) Such article is a crude substance;

(f) Such article is imported for use by the importer and not intended for sale in its imported or any other form;

(g) Such article is to be processed in the Philippines by the importer or for his account otherwise than for the purpose of concealing the origin of such article and in such manner that any mark contemplated by this section would necessarily be obliterated, destroyed or permanently concealed;

(h) An ultimate purchaser, by reason of the character of such article or by reason of the circumstance of its importation, must necessarily know the country of origin of such article even though it is not marked to indicate its origin;

(i) Such article was produced more than twenty years prior to its importation into the Philippines; or

(j) Such article cannot be marked after importation except at an expense which is economically prohibitive, and the failure to mark the article before importation was not due to any purpose of the importer, producer, seller or shipper to avoid compliance with this section.

b. Marking of Containers. — Whenever an article is excepted under subdivision (3) of subsection “a” of this section from the requirements of marking, the immediate container, if any, of such article, or such other container or containers of such article as may be prescribed by the Commissioner of Customs with the approval of the department head, shall be marked in such manner as to indicate to an ultimate purchaser in the Philippines the name of the country of origin of such article in any official language of the Philippines, subject to all provisions of this section, including the same exceptions as are applicable to articles under subdivision (3) of subsection “a”.

c. Marking Duty for Failure to Mark. — If at the time of importation any article (or its container, as provided in subsection “b” hereof), is not marked in accordance with the requirements of this section, there shall be levied, collected and paid upon such article a marking duty of 5 per cent ad valorem, which shall be deemed to have accrued at the time of importation, except when such article is exported or destroyed under customs supervision and prior to the final liquidation of the corresponding entry.

d. Delivery Withheld until Marked. — No imported article held in customs custody for inspection, examination or appraisal shall be delivered until such articles and/or their containers, whether released or not from customs custody, shall have been marked in accordance with the requirements of this section and until the amount of duty estimated to be payable under subsection “c” of this section shall have been deposited. Nothing in this section shall be construed as excepting any article or its container from the particular requirements of marking provided for in any provisions of law.

e. The failure or refusal of the owner or importer to mark the articles as herein required within a period of thirty days after due notice shall constitute as an act of abandonment of said articles and their disposition shall be governed by the provisions of this Code relative to abandonment of imported articles.

SECTION 304. Discrimination by Foreign Countries. —

a. The President, when he finds that the public interest will be served thereby, shall by proclamation specify and declare new or additional duties in an amount not exceeding 50 per cent of the existing rates as hereinafter provided upon articles wholly or in part the growth or product of, or imported in a vessel of, any foreign country whenever he shall find as a fact that such country —

(1) Imposes, directly or indirectly, upon the disposition in, or transportation in transit through or re-exportation from such country of any article wholly or in part the growth or product of the Philippines any unreasonable charge, exaction, regulation or limitation which is not equally enforced upon the like articles of every foreign country; or

(2) Discriminates in fact against the commerce of the Philippines, directly or indirectly, by law or administrative regulation or practice, by or in respect to any customs, tonnage, or port duty, fee, charge, exaction, classification, regulation, condition, restriction or prohibition, in such manner as to place the commerce of the Philippines at a disadvantage compared with the commerce of any foreign country.

b. If at any time the President shall find it to be a fact that any foreign country has not only discriminated against the commerce of the Philippines, as aforesaid but has, after the issuance of a proclamation as authorized in subsection “a” of this section, maintained or increased its said discriminations against the commerce of the Philippines, the President is hereby authorized, if he deems it consistent with the interests of the Philippines, to issue a further proclamation directing that such product of said country or such articles imported in its vessels as he shall deem consistent with the public interests, shall be excluded from importation into the Philippines.

c. Any proclamation issued by the President under the authority of this section shall, if he deems it consistent with the interests of the Philippines, extend to the whole of any foreign country or may be confined to any subdivision or subdivisions thereof; and the President shall, whenever he deems the public interests require, suspend, revoke, supplement or amend any such proclamation.

d. All articles imported contrary to the provisions of this section shall be forfeited to the Government of the Philippines and shall be liable to be seized, prosecuted and condemned in like manner and under the same regulations, restrictions and provisions as may from time to time be established for the recovery, collection, distribution and remission of forfeiture to the government by the tariff and customs laws. Whenever the provision of this section shall be applicable to importations into the Philippines of articles wholly or in part the growth or product of any foreign country, they shall be applicable thereto whether such articles are imported directly or indirectly.

e. It shall be the duty of the Commission to ascertain and at all times to be informed whether any of the discriminations against the commerce of the Philippines enumerated in subsections “a” and “b” of this section are practiced by any country; and if and when such discriminatory acts are disclosed, it shall be the duty of the Commission to bring the matter to the attention of the President, together with recommendation.

f. The Secretary shall make such rules and regulations as are necessary for the execution of such proclamation as the President may issue in accordance with the provisions of this section.

g. The authority granted herein to the President shall be exercised only when Congress is not in session.

### **PART 3**

#### **Flexible Tariff**

SECTION 401. Flexible Clause. —

a. The President, upon investigation by the Commission and recommendation of the National Economic Council, is hereby empowered to reduce by not more than fifty per cent or to increase by not more than five times the rates of import duty expressly fixed by statute (including any necessary change in classification) when in his judgment such modification in the rates of import duty is necessary in the interest of national economy, general welfare and/or national defense.

b. Before any recommendation is submitted to the President by the Council pursuant to the provisions of this section, the Commission shall conduct an investigation in the course of which it shall hold public hearings wherein interested parties shall be afforded reasonable opportunity to be present, to produce evidence and to be heard. The Commission may also request the views and recommendations of any government office, agency or instrumentality, and such office, agency or instrumentality shall cooperate fully with the Commission.

c. The President shall have no authority to transfer articles from the duty-free list to the dutiable list nor from the dutiable list to the duty-free list of the tariff.

d. The power of the President to increase or decrease rates of import duty within the limits fixed in subsection "a" shall include the authority to modify the form of duty. In modifying the form of duty the corresponding ad valorem or specific equivalents of the duty with respect to imports from the principal concerning foreign country for the most recent representation period shall be used as basis.

e. The Commissioner of Customs shall regularly furnish to the Commission a copy each of all customs import entries containing every pertinent information appearing in the collectors' liquidated duplicates, including the consular invoice and/or the commercial invoice. The Commission or its duly authorized agents shall have access to and the right to copy all the customs import entries and other documents appended thereto as finally in the General Auditing Office.

f. The Commission is authorized to adopt such reasonable procedure, rules and regulations as it may deem necessary to carry out the provisions of this section.

g. Any order issued by the President pursuant to the provisions of this section shall take effect thirty days after its issuance.

h. The provisions of this section shall not apply to any article the importation of which into the Philippines is or may be governed by Section 402 of this Code.

i. The authority herein granted to the President shall be exercised only when Congress is not in session.

#### SECTION 402. Promotion of Foreign Trade. —

a. For the purpose of expanding foreign markets for Philippine products as a means of assisting in the economic development of the country, in overcoming domestic unemployment, in increasing the purchasing power of the Philippine peso, and in establishing and maintaining better relationship between the Philippines and other

countries, the President, upon investigation by the Commission and recommendation of the National Economic Council, is authorized from time to time:

(1) To enter into trade agreements with foreign governments or instrumentalities thereof; and

(2) To modify import duties (including any necessary change in classification) and other import restrictions, as are required or appropriate to carry out and promote foreign trade with other countries: Provided, however, That in modifying import duties no increase shall exceed by five times or the decrease be more than fifty per cent of the rate of duty expressly fixed by this Code.

b. The proclaimed duties and other import restrictions shall apply to articles the growth, produce or manufacture of all foreign countries, whether imported directly or indirectly: Provided, That the President may suspend the application of any concession to articles the growth, produce or manufacture of any country because of its discriminatory treatment of Philippine commerce or because of other acts (including the operations of international cartels) or policies which in his opinion tend to defeat the purposes set in this section; and the proclaimed duties and other import restrictions shall be in force and effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part.

c. Every trade agreement concluded pursuant to this section shall be subject to termination upon due notice to the foreign government concerned at the end of not more than five years from the date on which the agreement comes into force and, if not then terminated, shall be subject to termination thereafter upon not more than six months' notice.

d. The authority of the President to enter into trade agreements under this section shall terminate on the expiration of five years from the date of enactment of this Code: Provided, That trade agreements concluded pursuant to the provisions of this section and subsisting as of the date of the expiration of this authority shall remain in force for the period fixed in the agreement in and may not be extended but he may be sooner terminated in accordance with the preceding subsection.

e. Nothing in this section shall be construed to give any authority to cancel or reduce in any manner any of the indebtedness of any foreign country to the Philippines or any claim of the Philippines against any foreign country.

f. Before any trade agreement is conducted with any foreign government or instrumentality thereof, reasonable public notice of the intention to negotiate an agreement with such a government or instrumentality shall be given in order that any interested person may have an opportunity to present his views to the Commission which shall seek information and advice from the Department of Agriculture and Natural Resources, the Department of Commerce and Industry, the Central Bank of the Philippines and from such other sources as it may deem appropriate.

g. (1) The Commission, upon its own motion, or in pursuance of a request of the President or a resolution of either house of Congress, or upon application of any

interested party when in the judgment of the Commission there is good and sufficient reason therefor, shall conduct an investigation to determine whether any product, as a result of any concession granted under a trade agreement, is being imported into the Philippines in such increased quantities as to cause or threaten serious injury to the domestic industry producing like or directly competitive products. The Commission shall render a report thereof to the President, through the National Economic Council, within three months after the motion, request, resolution or application was received.

Should the Commission find that the representations made in accordance with the preceding paragraph are justified, it shall recommend to the President, through the National Economic Council the withdrawal or modification of the concession, its suspension in whole or in part, or the establishment of import quota which shall not be less than ten per centum or more than one hundred per centum of the average annual quantity imported or, in the absence thereof, the average annual value of such importation, during the three calendar years immediately preceding the date such quota is fixed, to the extent and for the time necessary to prevent or remedy such injury.

(2) Upon receipt of the report of the findings and recommendation of the Commission, the President may prescribe such adjustments in the rates of import duties, or such other modifications as are recommended by the Commission to be necessary to prevent or remedy serious injury to the respective domestic industry.

h. Nothing in this section shall be construed to preclude giving effect to any executive agreement or any future preferential trade agreement with the United States, or to extend to any other country the preferential treatment accorded by the Philippines to the products of the United States of America.

i. The Commission is authorized to adopt such reasonable procedure, rules and regulations as it may deem necessary to execute its functions under this section.

## **PART 4**

### **Tariff Commission**

SECTION 501. Chief Officials of the Tariff Commission. — The Tariff Commission shall be under a chief and assistant chief to be known as Commissioner and Assistant Commissioner, and who shall be appointed by the President with the consent of the Commission on Appointments. They shall hold office during good behavior unless sooner removed in accordance with law.

The Commissioner and Assistant Commissioner shall each receive twelve thousand and ten thousand pesos, per annum, respectively.

SECTION 502. Qualifications. — No person shall be eligible for appointment as Commissioner and as Assistant Commissioner unless he is a natural-born citizen of the Philippines and who by experience and academic training is possessed of qualifications requisite for developing expert knowledge of tariff problems. They shall not, during their tenure in office, engage in the practice of any profession, or intervene directly or indirectly in the management or control of any private enterprise which may, in any way,

be affected by the functions of his office; nor shall he, directly or indirectly, be financially interested in any contract with the Government, or any subdivision or instrumentality thereof.

SECTION 503. Appointment and Compensation of Officials and Employees. — All employees of the Commission shall be appointed by the Commissioner in accordance with the civil service law except a private secretary each to the Commissioner and the Assistant Commissioner.

The Commissioner shall adopt a salary schedule for the principal executive and technical personnel in accordance with the following rates, any provision of law to the contrary notwithstanding:

1. Executive director	P8,400.00
2. Technical assistants	7,200.00
3. Chiefs of division	7,200.00
4. Commodity specialists	6,600.00
5. Research economists, tariff researchers, cost accountants, and statisticians	6,000.00
6. Librarian-researcher	4,800.00
7. Junior commodity specialists, junior research economists, junior tariff researchers, junior cost accountants, and junior statisticians	3,600.00

SECTION 504. Official Seal. — The Commission is authorized to adopt an official seal.

SECTION 505. Functions of the Commission. — The Commission shall investigate —

- (a) the administration of and the fiscal and industrial effects of the tariff and customs laws of this country now in force or which may hereafter be enacted;
- (b) the relations between the rates of duty on raw materials and the finished or partly finished products;
- (c) the effects of ad valorem and specific duties and of compound specific and ad valorem duties;
- (d) all questions relative to the arrangement of schedules and classification of articles in the several schedules of the tariff law;
- (e) the tariff relations between the Philippines and foreign countries, commercial treaties, preferential provisions, economic alliances, the effect of export bounties and preferential transportation rates;
- (f) the volume of importations compared with domestic production and consumption;
- (g) conditions, causes, and effects relating to competition of foreign industries with those of the Philippines, including dumping and cost of production; and

(h) in general, to investigate the operation of customs and tariff laws, including their relation to the national revenues, their effect upon the industries and labor of the country, and to submit reports of its investigations as hereinafter provided.

SECTION 506. Assistance to the President and Congress. — In order that the President and the Congress may secure information and assistance, it shall be the duty of the Commission to —

(a) Ascertain conversion costs and costs of production in the principal growing, producing or manufacturing centers of the Philippines, whenever practicable;

(b) Ascertain conversion costs and costs of production in the principal growing, producing or manufacturing centers of foreign countries of articles imported into the Philippines whenever such conversion costs or costs of production are necessary for comparison with those in the Philippines;

(c) Select and describe representative articles imported into the Philippines similar to or comparable with those locally produced; select and describe articles of the Philippines similar to or comparable with such imported articles; and obtain and the samples of articles so selected, whenever advisable;

(d) Ascertain import costs of such representative articles so selected;

(e) Ascertain the grower's, producer's or manufacturer's selling prices in the principal growing, producing or manufacturing centers of the Philippines of the articles of the Philippines so selected; and

(f) Ascertain all other facts which will show the differences in or which affect competition between articles of the Philippines and those imported in the principal markets of the Philippines.

SECTION 507. Reports of the Commission. — The Commission shall place at the disposal of the President any member of the Congress of the Philippines or each member thereof all information at its command; shall make such investigation and report as may be required by the President and the Congress of the Philippines and shall report to the President and Congress on the first Monday of December of each year hereafter a statement of methods adopted and a summary of all reports made during the year.

SECTION 508. Access to Documents. — The Commission or its duly authorized representative shall have access to any document, paper or record, pertinent to the subject matter under investigation, in the possession of any person, firm, co-partnership, corporation or association engaged in the production, importation or distribution of any article under investigation, and shall have power to summon witnesses, take testimony, administer oaths, and to issue subpoena duces tecum requiring the production or books, papers or documents relating to the matter under investigation.

SECTION 509. Sworn Statements. — The Commission may order the taking of sworn statements at any stage of any proceeding or investigation before it. Such sworn statements may be taken before any person having power to administer oaths.

SECTION 510. Verified Statements. — The Commission is authorized to require any importer, grower, producer, manufacturer or seller to file with the Commission a statement, under oath, giving his selling prices in the Philippines of any article imported, grown, produced, fabricated or manufactured by him.

SECTION 511. Rules and Regulations of the Commission. — The Commission shall adopt and promulgate such rules and regulations as may be necessary to carry out the provisions of this Code.

SECTION 512. Appropriation. — The amount of three hundred thousand pesos is hereby appropriated to carry out the purpose of Part 4, Title II, Book I of this Code. Subsequent appropriations shall be provided for in the succeeding General Appropriation Act.

SECTION 513. Transitory Provision. — Upon the effectivity of this Code the personnel, funds, equipment, property and appropriations of the Tariff Division under the Department of Finance are hereby transferred to the Tariff Commission under this Code.

## **BOOK II**

### **Customs Law**

#### **TITLE I**

#### **The Bureau of Customs**

##### **PART 1**

##### **Organization, Function and Jurisdiction of the Bureau**

SECTION 601. Chief Officials of Bureau of Customs. — The Bureau of Customs shall have one chief and one assistant chief, to be known respectively at the Commissioner (hereinafter known as the “Commissioner”) and Assistant Commissioner of Customs, who shall each receive an annual compensation in accordance with the rates prescribed by existing laws. The Assistant Commissioner of Customs shall be appointed by the proper department head.

SECTION 602. Functions of the Bureau. — The general duties, powers and jurisdiction of the bureau shall include:

- a. The assessment and collection of the lawful revenues from imported articles and all other dues, fees, charges, fines and penalties accruing under the tariff and customs laws.
- b. The prevention and suppression of smuggling and other frauds upon the customs.
- c. The supervision and control over the entrance and clearance of vessels and aircraft engaged in foreign commerce.
- d. The general supervision, control and regulation of vessels engaged in the carrying of passengers and freight or in towage in coastwise trade and in the bays and rivers of the Philippines.

- e. The prohibition and suppression of unnecessary noises, such as explosion of gasoline engines, the excessive blowing of whistles or sirens, and other needless and disturbing sounds made by water craft in the ports of the Philippines or in parts of rivers included in such ports.
- f. The exclusion, if the conditions of traffic should at any time so require, of vessels of more than one hundred and fifty tons from entering, berthing or mooring in the Pasig River.
- g. The admeasurement, registration, documenting and licensing of vessels built or owned in the Philippines, the recording of sales, transfers and encumbrances of such vessels, and the performance of all the duties pertaining to marine registry.
- h. The inspection of Philippine vessels, and supervision over the safety and sanitation of such vessels.
- i. The enforcement of the lawful quarantine regulations for vessels entering Philippine ports.
- j. The enforcement of the tariff and customs laws and all other laws, rules and regulations relating to the tariff and customs administration.
- k. The licensing of marine officers who have qualified in the examination required by law to be carried on Philippine vessels, the determination of the qualifications of pilots, the regulation of this service, and the fixing of the fees which they may charge.
- l. The supervision and control over the handling of foreign mails arriving in the Philippines, for the purpose of the collection of the lawful duty on dutiable articles thus imported and the prevention of smuggling through the medium of such mails.

SECTION 603. Territorial Jurisdiction. — For the due and effective exercise of the powers conferred by law and to the extent requisite therefor, said bureau shall have the right of supervision and police authority over all seas within the jurisdiction of the Philippines and over all coasts, ports, airports, harbors, bays, rivers and inland waters navigable from the sea.

When a vessel becomes subject to seizure by reason of an act done in Philippine waters in violation of the tariff and customs laws, a pursuit of such vessel begun within the jurisdictional waters may continue beyond the maritime zone, and the vessel may be seized on the high sea. Imported articles which may be subject to seizure for violation of the tariff and customs laws may be pursued in their transportation in the Philippines by land, water or air and such jurisdiction exerted over it at any place therein as may be necessary for the due enforcement of the law.

SECTION 604. Jurisdiction over Premises Used for Customs Purposes. — The Bureau of Customs shall, for customs purposes, have exclusive control, direction and management of custom-houses, warehouses, offices, wharves, and other premises in the respective ports of entry, in all cases without prejudice to the general police powers of the city or municipality wherein such premises are situated.

SECTION 605. Enforcement of Port Regulation of Bureau of Quarantine. — Customs officials and employees shall cooperate with the quarantine authorities in the enforcement of the port quarantine regulations promulgated by the Bureau of Quarantine and shall give effect to the same in so far as they are connected with matters of shipping and navigation.

SECTION 606. Power of the President to Subject Premises to Jurisdiction of Bureau of Customs. — When any public wharf, landing place, street or land, not previously under the jurisdiction of the Bureau of Customs, in any port of entry, is necessary or desirable for any proper customs purpose, the President of the Philippines may, by executive order, declare such premises to be under the jurisdiction of the Bureau of Customs, and thereafter the authority of such Bureau in respect thereto shall be fully effective.

SECTION 607. Annual Report of Commissioner. — The annual report of the Commissioner shall, among other things, contain a compilation of the (a) volume and value of articles imported into the Philippines and the corresponding customs duties assessed and collected thereon itemized in accordance with the tariff classification provided in this Code and (b) volume and value of articles exported from the Philippines for the preceding year.

SECTION 608. Commissioner to Make Rules and Regulations. — The Commissioner shall, subject to the approval of the department head, make all rules and regulations necessary to enforce the provisions of this Code.

## **PART 2**

### **Collection Districts and Ports of Entry**

SECTION 701. Collection Districts and Ports of Entry thereof. — For administrative purposes, the Philippines shall be divided into as many collection districts as there are at present existing, the respective limits of which may be changed from time to time by the Commissioner, upon the approval of the department head. The principal ports of entry for the respective collection districts shall be Manila, Sual, Tabaco, Cebu, Pulupandan, Sia-in, Iloilo, Davao, Legaspi, Zamboanga, Jolo, Aparri, Jose Panganiban, Cagayan, Cagayan, Tacloban, San Fernando, Hinigaran, Dumaguete City and Batangas.

SECTION 702. Power of the President to Open and Close Subports. — Subports of entry may be opened or closed by executive order, in the discretion of the President of the Philippines. When a subport is closed, its existing personnel shall be reassigned to other duties by the Commissioner subject to the approval of the department head.

SECTION 703. Collector of Customs at Port of Entry. — At each principal port of entry there shall be a Collector of Customs (hereinafter known as the “Collector”) who shall be responsible to the Commissioner, and who shall be the official head of the customs service in his port and district. The Collector shall have jurisdiction over all matters arising from the enforcement of tariff and customs laws within his collection district: Provided, however, That the Commissioner shall have the authority to review any such action upon appeal as provided in section two thousand three hundred and thirteen of this

Code. No appointment to any position under the Collector shall be made without the recommendation of the Collector concerned.

SECTION 704. Seal of Collector of Customs. — In the office of the Collector of a collection district there shall be kept a seal of such design as the Commissioner shall describe, with the approval of the department head, with which shall be sealed all documents and records requiring authentication in such office.

SECTION 705. Authority of Assistant or Deputy Collectors of Customs. — An assistant collector at a principal port of entry may, in the name of the Collector and subject to his supervision and control, perform any particular act which might be done by the Collector himself; at subports, a deputy collector may, in his own name, exercise the general powers of a collector, subject to the supervision and control of the Collector of the port.

SECTION 706. Appointment of Special Deputies with Limited Powers. — Collectors may, with the approval of the Commissioner, appoint from their force such number of special deputies as may be necessary for the proper conduct of the public business, with authority to sign such documents and perform such service as may be specified in writing.

SECTION 707. Succession of Assistant or Deputy Collector to Position of Acting Collector. — In the absence or disability of a Collector at any port or in case of a vacancy in his office, the temporary discharge of his duties shall devolve upon the assistant or deputy collector of the port. Where no assistant or deputy collector is available, an official to serve in such contingency may be designated in writing by the Collector from his own force. The Collector making such designation shall report the same without delay to the Commissioner and the Auditor General, forwarding to them the signature of the person so designated.

SECTION 708. Designation of Official as Customs Inspector. — At a coastwise port where no customs official or employee is regularly stationed, the Commissioner may designate any national, provincial or municipal official of the port to act as an inspector of customs for the purpose of enforcing the laws and regulations of the Bureau of Customs in the particular port; but all such designations shall be made with the consent of the proper department head of the official so designated.

SECTION 709. Authority of Collector to Remit Duties. — A Collector shall have discretionary authority to remit the assessment and collection of customs duties, taxes and other charges when the aggregate amount of such duties, taxes and other charges is less than ten pesos, and he may dispense with the seizure of articles of less than ten pesos in value except in cases of prohibited importations or the habitual or intentional violation of the tariff and customs laws.

SECTION 710. Records to be kept by Customs Officials. — Collectors, assistant collectors, deputy collectors, surveyors, and other customs officials acting in such capacities are required to keep true, correct and permanent records of their official transactions, to submit the same to the inspection of authorized officials at all times, and to turn over all records and official papers to their successors or other authorized officials.

SECTION 711. Port Regulation. — A Collector may prescribe local administrative regulations, not inconsistent with law or the general bureau regulations, for the government of his port or district, the same to be effective upon approval by the Commissioner.

SECTION 712. Reports of Collector to Commissioner. — A Collector shall make report to the Commissioner from time to time concerning prospective or newly begun litigation in his district touching matters relating to the customs service; and he shall, in such form and detail as shall be required by the Commissioner, make regular monthly reports of all transactions in his port and district.

## **TITLE II**

### **Registration of Vessels, Coastwise Trade and Licensing of Marine Officers**

#### **PART 1**

##### **Registration and Inspection of Vessels, and Licensing of Marine Officers**

SECTION 801. Registration and Documentation of Vessels. — The Bureau of Customs is vested with exclusive authority over the registration and documentation of Philippine vessels. By it shall be kept and preserved the records of registration and of transfers and encumbrances of vessels; and by it shall be issued all certificates, licenses or other documents incident to registration and documentation, or otherwise requisite for Philippine vessels.

SECTION 802. Vessels Required to be Registered. — Every vessel used in the Philippine waters, not being a transient of foreign registry shall be registered in the Bureau of Customs. To this end, it shall be the duty of the master, owner or agent of every vessel to make application to the proper Collector for the registration thereof within fifteen days after the vessel becomes subject to such registration.

A vessel of three tons gross or less shall not be registered, unless the owner shall so desire, nor shall documents or licenses of any kind be required for such vessel, but the proper fee shall be charged for admeasurement, when admeasurement is necessary, except when the same is engaged in towing or carrying of articles and passengers for hire.

SECTION 803. Where Registration to be Effected. — The registration of a vessel shall be effected at its home port, being a port of entry, or at the port of entry of the district of the vessel's home port.

SECTION 804. Data to be Noted in Register of Vessels. — In the register of vessels, to be kept at each port of entry, the following facts concerning each vessel there registered shall be noted in such form and detail as the Commissioner shall prescribe:

- a. Name of vessel.
- b. Rig of vessel.
- c. Material of hull.

- d. Principal dimensions.
- e. Gross tonnage.
- f. Net tonnage.
- g. Where built.
- h. Year when built.
- i. Name, citizenship, nationality and residence of owner.
- j. Date of issuance of certificate of Philippine registry.
- k. Any material change of condition in respect to any of the preceding items.
- l. Any other fact required to be there noted by the regulations of the Bureau of Customs.

SECTION 805. Record of Documents Affecting Title. — In the record of transfers and encumbrances of vessels, to be kept at each principal port of entry, shall be recorded at length all transfers, bills of sale, mortgages, liens or other documents which evidence ownership or directly or indirectly affect the title of registered vessels, and therein shall be recorded all receipts, certificates or acknowledgment cancelling or satisfying, in whole or in part, any such obligations. No other record of any such document or paper shall be required than such as is affected hereunder.

SECTION 806. Certificate of Philippine Registry. — Upon registration of a vessel of domestic ownership, and of more than fifteen tons gross a certificate of Philippine registry shall be issued for it. If the vessel is of domestic ownership and of fifteen tons gross or less, the taking of the certificate of Philippine registry shall be optional with the owner.

“Domestic ownership”, as used in this section, means ownership vested in citizens of the Philippines, or corporations or associations organized under the laws of the Philippines at least seventy-five per centum of the capital stock of which is wholly owned by citizens of the Philippines, and, in the case of corporations or associations which will engage in coastwise trade the president or managing directors thereof shall be such citizens: Provided, That the certificate of Philippine registry issued to a vessel prior to the approval of this Code shall not be affected: Provided, further, That any vessel of more than fifteen tons gross which on February eight, nineteen hundred and eighteen, had a certificate of Philippine registry under existing law, shall likewise be deemed a vessel of domestic ownership if there has been no change in its ownership or if the stock of the association or corporation owning such vessel has not been transferred to persons who are not citizens of the Philippines, and if any such vessel should have been totally lost through shipwreck, collision or any other marine disaster, while being lawfully operated, it may be replaced with another vessel of the same or lesser tonnage by the same person, association or corporation owning and operating same by virtue of this section, under such terms and conditions as may be prescribed by the Commissioner consistent with public policy and with the view of its utility for government service in case of war or any

public emergency: Provided, further, That the controlling interest in the corporation shall not be considered as held by citizens of the Philippines: (a) if at least seventy-five percent of the stock is not held by such citizens and such stock is subject to any trust or fiduciary obligation in favor of any person not a citizen of the Philippines; (b) if the majority of stock in said corporation entitled to vote is not in the hands of citizens of the Philippines; (c) if by means of a contract or agreement, the majority of the stock can be voted directly or indirectly in favor of any person not a citizen of the Philippines; or (d) if by any other means, the control of the association or corporation is conferred upon or allowed to be exercised by any person not a citizen of the Philippines.

SECTION 807. When Control is Deemed not Held by Citizens of the Philippines. — It shall not be considered that seventy-five per centum of the capital stock of a corporation is held by citizens of the Philippines: (a) if the certificates of seventy-five per centum of the capital stock are not held by such citizens and such certificates are subject to some trust or other fiduciary obligation in favor of a person not a citizen of the Philippines; (b) if seventy-five per centum of the stock of said corporation entitled to vote is not in the hands of citizens of the Philippines; (c) if by means of some contract or agreement more than twenty-five per centum of the stock in such corporation can be voted directly or indirectly in favor of any person not a citizen of the Philippines; or (d) if by any other means, the control of any interest in the corporation in excess of twenty-five per centum has been conferred upon or is allowed to be exercised by any person not a citizen of the Philippines.

The provisions of this section shall be applicable to the administrators and trustees of all persons coming under its provisions and to the successors or assigns of such persons.

SECTION 808. Certificate of Ownership. — Upon registration of a vessel of more than five tons gross, a certificate of ownership shall be issued for it, if the vessel does not take a certificate of Philippine registry. If such vessel is of five tons gross or less, the taking of a certificate of ownership shall be optional with the owner.

SECTION 809. Form and Contents of Certificate of Philippine Registry. — The certificate of Philippine registry shall be in such form as shall be prescribed by the Commissioner, and it shall show that the vessel is engaged in legitimate trade and is entitled to protection and flag of the Philippines.

SECTION 810. Privileges Conferred by Certificate of Philippine Registry. — A certificate of Philippine registry confers upon the vessel the right to engage, consistently with law, in the Philippine coastwise trade and entitles it to the protection of the authorities and the flag of the Philippines in all ports and on the high seas, and at the same time secures to it the same privileges and subjects it to the same disabilities as, under the laws of the Philippines, pertain to foreign-built vessels transferred abroad to citizens of the Philippines.

SECTION 811. Investigation Into Character of Vessel. — No application for a certificate of Philippine registry shall be approved until the Collector is satisfied from an inspection of the vessel that it is engaged or destined to be engaged in legitimate trade and that it is

of domestic ownership as such ownership is defined in section eight hundred and six hereof.

A Collector may at any time inspect a vessel or examine its owner, master, crew or passenger in order to ascertain whether the vessel is engaged in legitimate trade and is entitled to have or retain the certificate of the Philippine registry.

The Collector may at any time make an administrative investigation as to the ownership or title of any vessel engaged in the coastwise trade and whether such title or ownership is in accordance with the requirements of law; and any vessel sold, transferred or mortgaged to any person not a citizen of the Philippines without previous approval of the President of the Philippines, or leased or chartered to any citizen or national of a country with which the Philippines has no diplomatic relations, or put under foreign registry or flag without such approval, or operated in violation of any of the provisions of this Code, shall be seized by the Government of the Republic of the Philippines; and any person, corporation, company or association violating any of the provisions of this section shall be guilty of a misdemeanor and be punished by a fine of not more than five thousand pesos or imprisonment for not more than five years, or both: Provided, That in the event the person guilty of such violation is a corporation, company or association, the manager or, in his default, the president thereof shall be criminally responsible for such violation.

SECTION 812. License of Yachts Exclusively for Pleasure. — The Commissioner may license yachts used and employed exclusively as pleasure vessels owned by Filipino citizens, on terms which will authorize them to proceed from port to port of the Philippines and to foreign ports without entering or clearing at the customhouse: Provided, however, That any yacht so licensed, upon arriving from a foreign port in the Philippines after having previously advised the Commissioner by telegraph of its probable arrival, shall enter at a port of entry in the Philippines and shall immediately report its arrival to the customs authorities. Such license shall be in such form as the Commissioner shall prescribe. Such vessels shall have their name and port of registration placed on some conspicuous portion of their hulls, and in all respects be subject to the laws of the Philippines, and shall be liable to seizure and forfeiture for any violation of these provisions.

SECTION 813. Violation by Master or Owner. — Any master or owner violating the provisions of the preceding section shall be liable to a fine of from five thousand pesos in addition to any other penalty imposed by law.

SECTION 814. Identification of Yachts and Owners. — For the identification of yachts and their owners, a commission to sail for pleasure in any designated yacht owned by a citizen of the Philippines designating the particular cruise may be issued by the Commissioner and shall be a token of credit to any Filipino official and to the authorities of any foreign power. All such licensed yachts shall use a signal of the form, size and colors prescribed by the Commissioner.

SECTION 815. Report of Accident to Vessel. — When any Philippine vessel required to register sustains or causes any accident involving loss of life, material loss of property, or serious injury to any person, or receives any damage affecting her seaworthiness or her

efficiency, the managing owner, agent or master of such vessel shall, by the first available mail send to the Collector of the district within which such vessel belongs or of that within which such accident or damage occurred, a report thereof, stating the name of the vessel, the port to which she belongs, and the place where she was, the nature and probable occasion of the casualty, the number and names of those lost and the estimated amount of loss or damage to the vessel or cargo; and shall furnish such other information as shall be called for.

When the managing owner or agent of such vessel has reason to believe that it has been lost, he shall promptly send notice in writing to the Collector at her home port giving advice of such loss and the probable occasion therefor, stating the name of the vessel and the names of all persons on board so far as the same can be ascertained, and shall furnish, upon request of the Collector, such additional information as shall be required.

SECTION 816. Application of Shipping Laws to Government Boats. — Vessels owned or operated by the Government shall not be subject to the requirement of this Code relative to registration and navigation except in so far as prescribed in the regulations of the Bureau of Customs.

SECTION 817. Revocation of Certificate. — When it shall appear to the Commissioner that any certificate of Philippine registry or certificate of ownership was illegally or improperly issued, he may cancel the same.

SECTION 818. Inspection of Hulls, Boilers and Other Constructional Features. — In the exercise of the authority conferred upon the Bureau of Customs over the coastwise trade and over Philippine vessels and shipping generally, it shall be the duty of the Commissioner to cause adequate technical inspections to be made from time to time and as occasion may require of the hulls, engines, boilers and other mechanical and constructional features of all vessels of foreign or private ownership navigating in any waters of the Philippines, on common trade routes open to general or competitive navigations, and carrying passengers from any port of the Philippines, to any other place or country and to fix the standard which must be attained in respect thereto: Provided, however, That every vessel of foreign registry holding a certificate issued under Regulation 11 or 12 of the International Conference on Safety of Life at Sea, 1948, shall be exempt from any inspection save that which may be necessary for the purpose of verifying the said certificate and whether the conditions of the ship's seaworthiness corresponds substantially with that stated in the certificate: Provided, further, That vessels belonging to countries which are not signatories to the International Conference on Safety of Life at Sea, 1948, which have inspection laws similar to those of the Philippines, shall, if the laws of said countries grant reciprocal rights to vessels of Philippine registry, be exempt from any inspection save that which may be necessary to convince customs authorities that the condition of the vessel, its boilers and life-saving equipment are as stated in the current certificate of inspection.

The hulls, engines and boilers of all steam vessels engaged in coastwise traffic shall be inspected at least once a year or in case of the hulls of a wooden vessel, at least once every two years.

SECTION 819. Inspection Certificate. — A certificate of inspection shall be issued to a vessel if it shall be found upon inspection that said vessel conforms with the requirements applicable to it: Provided, That any vessel of Philippine registry arriving from a foreign port with an unexpired certificate issued, upon the request of the Philippine Government, by a foreign government signatory to the International Conference on Safety of Life at Sea, 1948, shall be exempt from any inspection save that which may be necessary to convince customs authorities that the condition of the ship's seaworthiness corresponds substantially to that stated in the certificate, in which case the vessel shall be entitled to have a certificate of inspection issued to it. If the condition of the ship's seaworthiness does not correspond to that stated in the certificate, then the ship shall not be permitted to proceed to the sea without securing a new inspection certificate.

SECTION 820. Sanitary Inspection. — It shall be incumbent upon the Commissioner to provide an adequate system of sanitary inspection for Philippine vessels. To this end a sanitary inspector may be appointed for the port of Manila. At the other respective ports, the function of sanitary inspector may be exercised by the surveyor or other official thereunto deputed by the Collector. It shall be the duty of the sanitary inspector by personal examination to ascertain the sanitary condition of vessels subject to inspection by him and to see that the sanitary regulations of the Bureau of Customs are fully complied with, and a clearance shall not be granted to any such vessel until the sanitary inspector shall so certify.

SECTION 821. Fire-Fighting Apparatus and Life-Saving Equipment. — The regulations of the Bureau of Customs shall prescribe the mechanical equipment and fire-apparatus to be carried on Philippine vessels for the purpose of preventing and extinguishing fires.

Such vessels shall also be required to carry life-saving equipment, consisting of boats, life-preservers and other devices, to be prescribed by regulation, sufficient for the safety of the passengers and crew in cases of emergency; and provision shall be made for adequate means of utilizing such equipment.

SECTION 822. Certification of Applicant for Marine Officer. — If the Board of Marine Examiners shall find that the experience, habits and character of an applicant are such as to warrant the belief that he can safely be entrusted with the duties and responsibilities of the position for which he makes application and that the applicant has in other respects complied with the other requirements of law, it shall so certify to the Bureau of Customs which office shall issue the appropriate certificate.

SECTION 823. Issuance of Certificates. — (a) Candidates for mate and master having passed the requisite examination shall be entitled to a certificate entitling them to navigate in any ocean.

(b) Candidates for patron in major coastwise trade having passed the requisite examination shall be entitled to certificates authorizing them to navigate in the Philippine coastwise trade.

(c) Candidates for patron in the minor coastwise trade having passed the requisite examination shall be entitled to certificates authorizing them to navigate upon the seas,

harbors, bays, rivers or lakes for which they have shown proficiency and a thorough practical knowledge.

(d) Candidates for marine engineers having passed the requisite examinations shall be entitled to certificates authorizing them to navigate as such engineers on vessels of any tonnage propelled by any kind of machinery.

(e) Candidates for motor engineers having passed the requisite examinations shall be entitled to certificates authorizing them to act as such motor engineers on vessels of any tonnage propelled by internal combustion engines.

SECTION 824. Form of Certificate. — The several certificates herein provided for shall be issued in the form of diplomas signed by the Commissioner and countersigned by the department head and shall entitle the holders thereof to navigate in accordance with the authority contained in them and shall not be suspended nor revoked except as hereinafter provided.

SECTION 825. Physical Examination of Holders of Certificate. — Once in every five years, all holders of marine certificates shall be required to undergo a physical examination to determine their fitness to continue navigating. Any person who upon such examination is found to be physically unfit for the service shall thereafter be disqualified from engaging therein.

SECTION 826. Reinstatements. — Any person who has held the office of captain, mate, master or engineer and whose license or certificate has been revoked on account of physical defects shall be entitled to reinstatement upon the favorable certificate of a physician appointed by the Commissioner to make a second examination.

SECTION 827. Marine Investigation and Suspension or Revocation of Marine Certificate. — There shall be maintained in the Bureau of Customs at Manila a Board of Marine Inquiry to consist of five members, to wit: The Surveyor of the Port as chairman ex officio, two master marines and two chief engineers of the Philippine merchant marine, who shall be appointed by the department head. The members of the board shall receive a per diem of twenty pesos for each day of not less than seven hours of service rendered in connection with marine investigations. Three members present shall constitute a quorum for the transaction of business. In case of inability or absence of the Surveyor of the Port, a temporary chairman may be chosen by the members from among themselves. Such board shall have the power to investigate marine accidents and professional conduct of marine officers, giving the party affected an opportunity to be heard in his defense. The decision of the Commissioner based upon the findings and recommendations of the board, reprimanding a licensed marine officer or suspending or revoking any marine certificate on account of professional misconduct, intemperate habits, negligence or incapacity shall be final, unless, within thirty days after its promulgation, an appeal is perfected and filed with the department head who may confirm, revoke or modify said decision.

Rules and regulations governing the procedure of marine investigations shall be promulgated by the department head.

The Commissioner may, with the approval of the department head authorize the collectors to appoint boards for the purpose of investigating marine accidents or charges preferred against the marine officers in their respective districts. The proceedings of such investigations, together with findings and recommendations of said board shall be submitted, through the Commissioner, to the Board of Marine Inquiry, Manila, for final review and recommendation.

In order to safeguard lives and properties at sea, a Collector may withhold clearance of any Philippine vessel whenever he has reasonable cause to fear that the mental condition or capacity, whether permanent or otherwise, of her master, mate or engineer under investigation, pending the final decision thereon so warrants.

SECTION 828. Fees for Insurance of Certificates. — Any person to whom any certificate as master, mate, patron or engineer is issued, upon examination or by way of exchange shall pay:

For a certificate as master, sixty pesos.

First, second and third mates, and major patron, forty pesos.

Chief marine or motor engineer, sixty pesos.

Second, third and fourth motor engineers, forty pesos.

Bay, river and lake motor engineer and patrons, thirty pesos.

SECTION 829. Citizenship of Personnel on Board Vessels. — No Philippine vessel operating in the coastwise trade or on the high seas shall employ any officer or any member of the crew who is not a citizen of the Philippines.

SECTION 830. Complement of Watch and Engine-room Officers on Philippine Vessels. — Every vessel registered in the Philippines shall have the following officers:

(a) Every steam vessel with a gross tonnage of fifteen hundred tons or more shall have the following watch officers: one master, one first mate, one second mate and one third mate.

(b) Every steam or motor vessel with a gross tonnage of seven hundred but less than fifteen hundred tons, shall have the following officers: one master, one first mate and one second mate.

(c) Every steam or motor vessel with a gross tonnage of two hundred and fifty but less than seven hundred tons, shall have the following officers: one master, one first mate or second mate and one third mate.

(d) Every vessel with a gross tonnage of one hundred but less than two hundred and fifty tons, shall have the following officers: one first mate or one patron in the major coastwise trade, who shall have charge of the vessel as master, and one second or third mate or one patron in the minor coastwise trade, as mate; but when such vessels make runs of more than two hundred miles measured from the point of departure to the last point of call,

they shall carry two mates, who may be of the class of third mate or patron in the minor coastwise trade.

(e) Every steam or motor vessel with a gross tonnage of one hundred tons or less, shall have the following officers: one patron in the minor coastwise trade who shall have charge of the vessel as master; but when such vessel navigates more than twelve hours between the vessel's home port and last port of call it shall carry a mate who shall be at least a patron in the minor coastwise trade: Provided, That upon written application, the owner or agent of a motor vessel under thirty-five gross tons operating in places where licensed officers are not available, may be permitted by the Commissioner under such conditions as the latter may require, to operate such vessel without such licensed officers, for a reasonable time, in the discretion of the Commissioner: Provided, further, That such permit shall be granted only to vessels under thirty-five gross tons register operating within a radius of not more than one hundred miles from the principal port of operation or home port of the vessel, at the risk and responsibility of the operator and owner, and at a distance from shore of not more than six miles.

(f) Every vessel with a gross tonnage of five hundred or over shall carry, in addition to her complement of watch and engine-room officers established by this section at least one supercargo or purser whose duty it shall be, under the orders of the master, to receive and deliver the cargo and be responsible therefor, and to perform such other duties as do not require technical nautical knowledge. On vessels required by this section to carry a supercargo, the watch officers shall not be required to render services other than those appertaining to their respective technical branches; and nothing contained in this section shall be construed as preventing mariners from taking an additional mate in lieu of the supercargo above mentioned.

(g) Every sailing vessel or sailing vessel with auxiliary engine of one hundred and fifty gross tonnage or over, shall carry as officers, one patron in the major coastwise trade or one first mate, as master and every sailing vessel of thirty-five gross tonnage or over, but less than one hundred and fifty gross tonnage with or without auxiliary engine, shall be commanded by a patron in the minor coastwise trade.

(h) Every vessel engaged in the towing of logs, lumber bamboo; or lorchas, lighters, or others, on voyages of more than twelve hours' duration, shall carry, in addition to full complement of deck officers applicable to its gross tonnage shall carry one mate, who shall be a patron in the minor coastwise trade or a third mate.

(i) Every vessel navigating not more than twelve hours between its home port and last port of call and navigating during day time only shall have the following complement of engineers:

Up to one hundred twenty horsepower, one fourth engineer.

From one hundred and twenty-one horsepower upward, one third and one fourth engineers.

One third engineer to act as chief engineer and one fourth engineer when the motive power is over two hundred fifty horsepower.

(j) Every vessel navigating more than twelve hours between its home port and the last port of call and navigating at night, shall carry the following complement of engineers:

Less than two hundred and fifty horsepower, one chief engineer with rank of second engineer and one engineer with a rank inferior to second engineer.

Over two hundred and fifty but less than five hundred horsepower, one chief engineer with the rank of second engineer and one additional engineer with a rank inferior to second engineer.

Over five hundred horsepower, one chief engineer with a rank of chief engineer, one second and one third engineers: Provided, That a motor vessel of the LCT-Gray Marine type shall carry one third and one fourth engineers.

Over one thousand five hundred horsepower, one chief engineer, one second, one third and one fourth engineers.

Vessels coming under subsections (i) and (j) of this section shall not be required to have electricians on board. Their marine engineers shall take care of the electrical work on said vessels.

(k) Every motor or steam vessel with a gross tonnage of not more than thirty-five operating for pleasure or any purpose other than the transportation of passengers or freight for hire or profit, shall be required to carry not less than one licensed navigator and one licensed engineer. Motor or steam vessels of fifteen gross tonnage or less shall be exempt from the provisions of this subsection subject to such conditions as the Commissioner may require.

SECTION 831. Waters on Which Patron May Navigate. — No person shall be permitted to act as master or mate on any waters other than for which he has been duly licensed as such patron, and no patron shall be permitted to act as master on any vessel of a greater tonnage than for which he is licensed: Provided, That when there are no licensed patrons available, the Commissioner may permit other licensed marine officers to act as master or mate on vessels of a tonnage and in waters where, according to the law, vessels must navigate, commanded by licensed patrons, for a period to exceed six months and subject to such conditions as said official may prescribe.

## **PART 2**

### **Coastwise Trade**

SECTION 901. Ports Open to Coastwise Trade. — All ports and places in the Philippines shall be open to vessels lawfully engaged in the coastwise trade subject to the provisions of law applicable in particular cases.

SECTION 902. Vessels Eligible for Coastwise Trade. — The right to engage in the Philippine coastwise trade is limited to vessels carrying a certificate of Philippine registry.

SECTION 903. License for Coastwise Trade. — All vessels engaging in the coastwise trade must be duly licensed annually.

SECTION 904. Philippine Coastwise Emblem. — Vessels engaged in the Philippine coastwise trade shall fly at the mainmast the Philippine coastwise emblem, consisting of a rectangular white flag with one blue and one red stars ranged from staff to tip in the horizontal median line.

SECTION 905. Transportation of Passengers and Articles Between Philippine Ports. — Passengers shall not be received at one Philippine port for any other such port by a vessel not licensed for the coastwise trade, except upon special permission previously granted by the Collector; and subject to the same qualification, articles embarked at a domestic port shall not be transported to any other port in the Philippines, either directly or by way of a foreign port, or for any part of the voyage, in any other vessel than one licensed for the coastwise trade.

SECTION 906. Requirement of Manifest in Coastwise Trade. — Manifests shall be required for cargo and passengers transported from one place or port in the Philippines to another only when one or both of such places is a port of entry.

SECTION 907. Manifests Required Upon Departure From Port of Entry. — Prior to departure from a port of entry, the master of a vessel licensed for the coastwise trade shall make out and subscribe duplicate manifests of the whole of the cargo and all of the passengers taken on board such vessels, specifying in the cargo manifests the marks the marks and numbers of package, the port of destination, and the names of the consignees, together with such further information as may be required, and in the passenger manifests, the name, sex, age, residence, port of embarkation, and destination of all passengers, together with such further information as may be required. He shall deliver such manifests to the Collector, or other customs official duly authorized, before whom he shall swear to the best of his knowledge and belief, in respect to the cargo manifests, that the goods therein described, if foreign, were imported legally and that the duties, taxes and other charges thereon have been paid or secured, and in respect to the passenger manifests, that the information therein contained is true and correct as to all passengers taken on board. Thereupon, the said Collector, or customs official, shall certify the same on the manifests, the original of which he shall return to the master with a permit specifying thereon, generally, the lading on board such vessel, and authorizing him to proceed to his port of destination, retaining the duplicates.

SECTION 908. Manifests Required Prior to Unlading at Port of Entry. — Within twenty-four hours after the arrival at a port of entry of a vessel engaged in the coastwise trade, and prior to the unlading of any part of the cargo, the master shall deliver to the Collector or other proper customs official complete manifests of all the cargo and passengers brought into said port, together with the clearance manifests of cargo and passengers for said port granted at any port or ports of entry from which said vessel may have cleared during the voyage.

SECTION 909. Departure of Vessel Upon General Manifest. — The Commissioner may by regulation permit a vessel to depart coastwise from a port of entry upon the filing of a general manifest by the master thereof, the owners, agents or consignees being required to present the proper detailed manifest within forty-eight hours after the departure of the vessel.

SECTION 910. Bay and River License. — Annual licenses authorizing vessels of any tonnage to engage in the business of towing or carrying of articles or passengers in the bays, harbors, rivers and inland waters navigable from the sea shall be issued by the Collector of the various ports of entry under the conditions hereinbelow prescribed; and except as otherwise expressly provided, no vessel shall be permitted to engage in this character of business until the proper license therefor has been procured.

A bay and river license shall specify the particular port or other body of water in which the vessel in question may engage in business as aforesaid.

SECTION 911. Vessels Eligible for Bay and River License. — To be eligible for the bay and river license, a vessel must be built in the Philippines, and the ownership of such vessel must be vested in: (a) citizens of the Philippines; (b) domestic corporations or companies seventy-five per centum of whose corporate capital belongs to citizens of the Philippines: Provided, That the present owners of vessels with bay and river license under existing law who do not possess any of the requirements herein prescribed may nevertheless continue operating such vessels as eligible for said bay and river license.

SECTION 912. Exemption of Certain Craft from Requirement of Bay and River License. — No bay and river license shall be required of any of the following classes of vessels:

- a. Vessels of three tons net or less.
- b. Yachts, launches and other craft used exclusively for pleasure and recreation.
- c. Ship's boats and launches bearing the name and home port of the vessel plainly marked thereon.
- d. Vessels owned by the Government of the Philippines.

The exemption of any vessel shall at once cease if it engages in the business of transporting cargo or passengers, for hire.

SECTION 913. Revocation of License. — The Commissioner may, for cause at any time, revoke any coastwise license or bay and river license.

### **TITLE III**

#### **Vessels and Aircraft in Foreign Trade**

##### **PART 1**

###### **Entrance and Clearance of Vessels**

SECTION 1001. Ports Open to Vessels Engaged in Foreign Trade — Duty of Vessel to Make Entry. — Vessels engaged in the foreign trade shall touch at ports of entry only, except as otherwise specially allowed; and every such vessel arriving within a customs collection district of the Philippines from a foreign port shall make entry at the port of entry for such district and shall be subject to the authority of the Collector of the port while within his jurisdiction.

The master of any war vessel employed by any foreign government shall not be required to report and enter on arrival in the Philippines, unless engaged in the transportation of articles in the way of trade.

SECTION 1002. Control of Customs Official over Boarding or Leaving of Incoming Vessel and over Other Vessels Approaching the Former. — Upon the arrival in port of any vessel engaged in foreign trade, it shall be unlawful for any person (except the pilot, consul, quarantine officials, customs officials or other duly authorized persons) to board or leave the vessel without the permission of the customs official in charge; and it shall likewise be unlawful for any tugboat, rowboat or other craft to go along side and take any person aboard such vessel or take any person therefrom, except as aforesaid, or loiter near or along side such vessel. Unauthorized tugboats, and other vessels shall keep away from such vessel engaged in foreign trade at a distance of not less than fifty meters.

SECTION 1003. Quarantine Certificate for Incoming Vessel. — Entry of a vessel from a foreign port or place outside of the Philippines shall not be permitted until it has obtained a quarantine certificate issued by the Bureau of Quarantine.

SECTION 1004. Documents to be Produced by Master Upon Entry of Vessel. — For the purpose of making entry of a vessel engaged in foreign trade, the master thereof shall present the following documents, duly certified by him, to the customs boarding official:

- a. The original manifest of all cargo destined for the port, to be returned with the indorsement of the boarding official;
- b. Three copies of the same manifest, one of which, upon certification by the boarding official as to the correctness of the copy, shall be returned to the master;
- c. Two copies of store list;
- d. One copy of passenger list;
- e. One copy of the crew list;
- f. The original of all through cargo manifest, for deposit, while in port, with customs official in charge of the vessel;
- g. A passenger manifest of all aliens, in conformity with the requirement of the immigration laws in force in the Philippines;
- h. The shipping articles and register of the vessel, if of Philippine registry.

SECTION 1005. Manifest Required of Vessel From Foreign Port. — Every vessel from a foreign port must have on board a complete manifest of all her cargo.

All of the cargo intended to be landed at a port in the Philippines must be described in separate manifests for each port of call therein. Each manifest shall include the port of departure and the port of delivery with the marks, numbers, quantity and description of the packages and the names of the consignees thereof. Every vessel from a foreign port must have on board complete manifests of passengers and their baggage, in the

prescribed form, setting forth their destination and all particulars required by the immigration laws; and every such vessel shall have prepared for presentation to the proper customs official upon arrival in ports of the Philippines a complete list of all sea stores then on board. If the vessel does not carry cargo or passengers the manifest must show that no cargo or passenger, as the case may be, is carried from the port of departure to the port of destination in the Philippines.

A cargo manifest shall in no case be changed or altered after entry of the vessel, except by means of an amendment by the master, consignee or agent thereof, under oath, and attached to the original manifest: Provided, however, That after the invoice and/or entry covering an importation have been received and recorded in the office of the appraiser, no amendment of the manifest shall be allowed, except when it is obvious that a clerical error or any other discrepancy has been committed in the preparation of the manifest, without any fraudulent intent, discovery of which could not have been made until after examination of the importation has been completed.

SECTION 1006. Translation of Manifest. — The cargo manifest and each copy thereof shall be accompanied by a translation into the official language of the Philippines, if originally written in another language.

SECTION 1007. Manifests for Auditor and Collector — Papers to be Deposited with Consul. — Immediately after the arrival of a vessel from a foreign port, the master shall deliver or mail to the Auditor General, Manila, a copy of the cargo manifest properly indorsed by the boarding officer, and within twenty-four hours after arrival, he shall present to the Collector the original copy of the cargo manifest and, for inspection, the ship's register or other document in lieu thereof, together with the clearance and other papers granted to the vessel at the port of departure for the Philippines.

If the vessel does not depart within forty-eight hours from the time of its arrival, the register and other shipping documents shall be deposited with the consul of the nation to which the vessel belongs.

The person acting for the vessel in the matters above specified shall furnish such evidence as may be required by the Collector showing that the manifest has been supplied to the Auditor and, in the proper case, that the register has been deposited with the consul.

SECTION 1008. Transit Cargo. — When transit cargo from a foreign port or other local ports is forwarded from the port of importation, separate manifest, in triplicate, shall be presented by each carrier.

SECTION 1009. Clearance of Foreign Vessels To and From Coastwise Ports. — Passengers or articles arriving from abroad upon a foreign vessel may be carried by the same vessel through any port of entry to the port of destination in the Philippines; and passengers departing from the Philippines or articles intended for export may be carried in a foreign vessel through a Philippine port.

Upon such reasonable condition as he may impose, the Commissioner may clear foreign vessels for any port and authorize the conveyance therein of either articles or passengers brought from abroad upon such vessels; and he may likewise, upon such conditions as he

may impose, allow a foreign vessel to take cargo and passengers at any port and convey the same upon such vessel to a foreign port.

SECTION 1010. Requirement as to Delivery of Mail. — A vessel arriving within a collection district in the Philippines shall not be permitted to make entry or break bulk until it is made to appear, to the satisfaction of the Collector, that the master, consignee or agent of the vessel is ready to deliver to the postmaster of the nearest post office all mail matter on board of such vessel and destined for that port. Collectors are authorized to examine and search vessels for mail carried contrary to law.

SECTION 1011. Production of Philippine Crew. — The master of a Philippine vessel returning from abroad shall produce the entire crew listed in the vessel's shipping articles; and if any member be missing, the master shall produce proof satisfactory to the Collector that such member has died, absconded, has been forcibly impressed into other service, or has been discharged; and in case of discharge in a foreign country, he shall produce a certificate from the consul, vice-consul or consular agent of the Philippines there residing, showing that such discharge was effected with the consent of the representative of the Philippines aforesaid.

SECTION 1012. Record of Arrival and Entry of Vessels. — A record shall be made and kept open to public inspection in every customhouse of the dates of arrival and entry of all vessels.

SECTION 1013. Arrest of Vessel Departing Before Entry Made. — When a vessel arriving within the limits of a collection district from a foreign port departs or attempts to depart before entry shall have been made, not being thereunto compelled by stress of weather, duress of enemies, or other necessity, the Collector or surveyor of the port or the commander of any revenue cutter may arrest and bring back such vessel to the most convenient port.

SECTION 1014. Discharge of Ballast. — When not brought to port as article, ballast of no commercial value may be discharged upon permit granted by the Collector for such purpose.

SECTION 1015. Time for Unlading of Cargo. — Articles brought in a vessel from a foreign port shall be unladen only during regular working hours on regular work days. Unlading at any other time or day may only be done upon authority of the Collector conditioned on the payment of losses and overtime pay by the interested parties.

SECTION 1016. Entrance of Vessel through Necessity. — When a vessel from a foreign port is compelled by stress of weather or other necessity to put into any other port than that of her destination, the master, within twenty-four hours after her arrival, shall make protest under oath setting forth the causes or circumstances of such necessity. This protest, if not made before the Collector, must be produced to him, and a copy thereof lodged with him.

Within the same time, the master shall make report to the Collector if any part of the cargo was unladen from necessity or lost by casualty before arrival, and such fact should

be made to appear by sufficient proof to the Collector who shall give his approval thereto and the unloading shall be deemed to have been lawfully effected.

SECTION 1017. Unlading of Vessel in Port from Necessity. — If the situation is such as to require the unlading of the vessel pending sojourn in port, the Collector shall, upon sufficient proof of the necessity, grant a permit therefor, and the articles shall be unladen and stored under the supervision of the customs authorities.

At the request of the master of the vessel or of the owner thereof, the Collector may grant permission to enter and pay the duties, taxes and other charges on, and dispose of, such part of the cargo as may be of perishable nature or as may be necessary to defray the expenses attending the vessel.

Upon departure, the cargo, or a residue thereof, may be reladen on board the vessel, and the vessel may proceed with the same to her destination, subject only to the charge for storing and safe-keeping of the articles and the fees for entrance and clearance.

No port charges shall be collected on vessels entering through stress of weather or other causes above described.

SECTION 1018. Entry and Clearance of Vessels of a Foreign Government. — The entry and clearance of transport or supply ship of a foreign government shall be in accordance with the agreement by and between the Philippines and the foreign government.

SECTION 1019. Clearance of Vessel for Foreign Port. — Before a clearance shall be granted to any vessel bound to a foreign port, the master, or the agent thereof, shall present to the Collector the following properly authenticated documents:

- a. A bill of health from the quarantine official or official of the public health service in the port.
- b. Three copies of the manifest of export cargo, one of which, upon certification by the customs official as to the correctness of the copy, shall be returned to the master.
- c. Two copies of the passenger list, showing alien and other passengers.
- d. The register and shipping articles, if the vessel is of Philippine registry.
- e. The consular certificate of entry, if the vessel is of foreign registry, when required.
- f. A certificate of the Bureau of Posts to the effect that it received timely notice of the sailing of the vessel: Provided, That the Collector shall not permit any vessel to sail for a foreign port if the master or agent thereof refuses to receive bags of mail delivered to the same by the Bureau of Posts for transportation for reasonable compensation. In case the Director of Posts and said master or agent do not come to an agreement concerning the amount of the compensation to be paid for the carriage of the mail, the matter shall be submitted for decision to a Board of Referees composed of three members appointed, respectively, by the Bureau of Posts, the agency of the company to which the vessel concerned belongs, and the Bureau of Customs, which board shall fix a reasonable rate of compensation.

SECTION 1020. Detention of Warlike Vessel Containing Arms and Munitions. — Collectors shall detain any vessel of commercial registry manifestly built for warlike purposes and about to depart from the Philippines with a cargo consisting principally of arms and munitions of war, when the number of men shipped on board or other circumstances render it probable that such vessel is intended to be employed by the owner or owners to cruise or commit hostilities upon the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people with whom the Philippines is at peace, until the decision of the President of the Philippines be had thereon, or until the owner or owners shall give bond or security, in double the value of the vessel and cargo, that she will not be so employed, if in the discretion of the Collector such bond will prevent the violation of the provisions of this section.

SECTION 1021. Manifest of Export Cargo to be Delivered to Auditor. — The master shall, prior to departure, deliver or mail to the Auditor General, Manila, the returned copy of the manifest of export cargo.

SECTION 1022. Oath of Master of Departing Vessel. — The master of such departing vessel shall state under oath to the effect:

- a. That all cargo conveyed on said vessel, with destination to the Philippines, has been duly discharged or accounted for.
- b. That he has mailed or delivered to the Auditor General Manila, a true copy of the outgoing cargo manifest.
- c. That he has not received and will not convey any letters or other packets not enclosed in properly stamped envelopes sufficient to cover postage, except those relating to the cargo of the vessel, and that he has delivered at the proper foreign port all mails placed on board his vessel before his last clearance from the Philippines.
- d. That, if clearing without passenger, the vessel will not carry upon the instant voyage, from any Philippine port, any passenger of any class, or other person not entered upon the ship's declaration.

SECTION 1023. Extension of Time for Clearance. — At the time of clearance, the master of a departing vessel shall be required to indicate the time of intended departure, and if the vessel should remain in port forty-eight hours after the time indicated the master shall report to the Collector for an extension of time for departure, and without such extension the original clearance shall be of no effect.

SECTION 1024. Necessity of Tax Clearance. — A Collector shall not allow products to be laden aboard a vessel clearing for a foreign port until the shipper shall produce a receipt from an internal revenue official showing that the taxes and other charges upon such products have been paid or a certificate from a proper official showing that the products are exempt from the payment of taxes and other charges.

SECTION 1025. Export Product to Conform to Standard Grades. — A Collector shall not permit products for which standard grades have been established by the government to be

laden aboard a vessel clearing for a foreign port, unless the shipment conforms to the requirements of law relative to the shipment of such products.

## **PART 2**

### **Entrance and Clearance of Aircraft in Foreign Trade**

SECTION 1101. Designation of Airports of Entry. — The department head concerned upon recommendation of the Commissioner and the Director of the Bureau of Civil Aviation is authorized to designate airports of entry for civil aircraft arriving in the Philippines from any place outside thereof and for articles carried on such aircraft.

SECTION 1102. Notice of Arrival. — (a) Non-scheduled Arrivals. — In cases where entry of an aircraft in an area is required, except as hereinafter provided, timely notice of the intended flight shall be furnished to the Collector or other customs official in charge at or nearest the intended place of first landing in such area, and to the quarantine and immigration officials in charge at or nearest such place of landing. If dependable facilities for giving notice are not available before departure, any radio equipment the plane possesses shall be utilized to give notice during its approach so far as feasible. If he has not given timely notice or if the government officials have not arrived, the pilot in command on landing shall hold the aircraft and any baggage and article thereon intact and keep the passengers and crew members in a segregated place until the inspecting officials arrive. Except where the uncertainty of communication facilities is already known to the government offices in charge, any pilot in command who has not given timely notice shall furnish affidavit stating the reasons for his failure to do so. Such notice shall specify the type of aircraft, the registration marks thereon, the name of the pilot in command, the place of last departure, the international airport, or other place at which landing has been authorized, the number of alien passengers, number of citizen passengers, and the estimated time of arrival; and shall be sent so as to be received in sufficient time to enable the officials designated to inspect the aircraft to reach the international airport or such other place of first landing prior to the arrival of the aircraft.

(b) Schedule Arrivals. — Such advance notice will not be required in the case of aircraft of a scheduled airline arriving in accordance with the regular schedule filed with the Collector for the district in which the place of first landing in the area is situated and also with the immigration officials in charge of such place.

SECTION 1103. Landing at International Airports of Entry. — Except in the case of forced landings, aircraft arriving in the Philippines from any foreign port or place shall make the first landing at an international airport, unless permission to land elsewhere than at an international airport is first obtained from the Commissioner and in such cases the owner or person in charge of the aircraft shall pay the expenses, if any, incurred in inspecting the craft, articles, passengers and baggage carried therein, and such aircraft shall be subject to the authority of the Collector at the airport while within his jurisdiction.

SECTION 1104. Report of Arrival. — The pilot in command of any aircraft arriving from a foreign port or place shall immediately report his arrival to the Collector at the airport of entry or to the customs official detailed to meet the aircraft at the place of

landing. Such aircraft upon arrival shall be boarded by the quarantine official and after pratique is granted shall be boarded by customs official, and no person shall be permitted to board or leave the aircraft without the permission of the customs official in charge. The pilot in command or any other authorized agent of the owner or operator of the aircraft shall make the necessary entry. No such aircraft shall without previous permission therefor from the Collector, depart from the place of first landing or discharge articles, passengers or baggage.

SECTION 1105. Documents Required to be Presented in Making Entry. —

a. For the purpose of making entry, there shall be presented to the customs boarding official four copies of a general declaration which shall contain the following data:

1. Name of owner or operator of aircraft; registration marks and nationality of aircraft;
2. Points of clearance and entry and date of arrival;
3. Health and customs clearance at the last airport of departure;
4. Itinerary of aircraft including information as to airports of origin and departure dates;
5. Names and nationality of crew members;
6. List of passengers, their nationality, places of embarkation and destination, and number of accompanying baggages;
7. Cargo manifest together with information as to names of consignees, their nationalities and their addresses, numbers and marks of packages, nature of goods, destination, gross weight and value;
8. Store list.

b. The general declaration shall be written in English and certified to and duly signed by the pilot in command or operator of his aircraft or the authorized agent. If the aircraft does not carry cargo, passengers or immigrants, such facts must be shown in the manifest.

c. Cargo manifest shall in no case be changed or altered after entry of the aircraft, except by means of an amendment by the pilot in command or authorized agent thereof, under oath, and attached to the original manifest: Provided, however, That after the invoice and/or entry covering an importation have been received and recorded in the office of the appraiser, no amendment shall be allowed, except when it is obvious that a clerical error or any other discrepancy has been committed without any fraudulent intent in the preparation of the manifest, discovery of which could not have been made until after examination of the importation has been completed.

SECTION 1106. Manifest for Auditor General. — The pilot in command or authorized agent of an aircraft, upon arrival from a foreign country, shall deliver or mail to the Auditor General, Manila, a copy of the general declaration properly indorsed by the customs official; and within twenty-four hours after arrival he shall present to the Collector the original copy of the general declaration: Provided, That if the aircraft has

been authorized to land at the place other than an international airport of entry, the presentation of said papers should be made to the customs official detailed to meet the aircraft at the place of first landing in the Philippines.

SECTION 1107. Delivery of Mails. — Aircraft arriving within a customs collection district in the Philippines shall not be permitted to make entry until it is shown to the satisfaction of the Collector that the pilot in command or authorized agent is ready to deliver to the postmaster or the nearest post-office all mail matters on board such aircraft and destined for that port.

SECTION 1108. Imported Cargoes — Inspection: Payment of Duty. — All articles imported or brought into the Philippines by aircraft from a foreign port shall be unladen in the presence of and be inspected by customs officials and, whether dutiable or not, shall be duly entered through a customhouse at an airport of entry.

SECTION 1109. Bonding of Carrier Transporting Articles in Bond. — Aircraft of Philippine Registry engaged in conveying dutiable articles in bond from an airport of entry to another airport in the Philippines shall give security in the nature of a general transportation bond in a sum to be fixed by the Collector, conditioned that the carrier shall transport and deliver without delay, and in accordance with law and regulations, to the Collector at the port of destination all articles in bond delivered to such carrier and that all proper charges and expenses incurred by reason of such shipments shall be duly paid.

SECTION 1110. Manifest for Transit Cargo. — When transit cargo from a foreign port or other local ports is forwarded from the port of importation, separate manifest, in triplicate, shall be presented by each carrier.

SECTION 1111. Clearance for Foreign Ports. —

a. Any aircraft of Philippine registry transporting passengers or articles for hire, and all aircraft of foreign registry, bound to a foreign port, shall clear at an airport of entry or at the same place where such aircraft has been authorized to make its landing by the Commissioner.

b. Before clearance shall be granted to an aircraft bound to a foreign port, there shall be presented to the Collector or to the customs official detailed at the place of departure four copies of a general declaration properly signed by him and containing the following data:

1. Name of owner or operator of aircraft; registration marks and nationality of aircraft;
2. Point of clearance, date thereof and destination;
3. Health and customs clearance;
4. Itinerary of aircraft including information as to airports of destination and departure dates;
5. Names and nationality of crew members;

6. List of passengers, their nationality, place of embarkation and destination, and number of accompanying baggages;

7. Export cargo manifest with specifications as to names of consignees, their nationalities and addresses, numbers and marks of packages, nature of articles, destination, gross weight and values;

8. Store list.

SECTION 1112. Oath of Person in Charge of Departing Aircraft. — The pilot in command of such departing aircraft shall also state under oath to the effect that:

a. All cargo conveyed on said aircraft, with destination to the Philippines has been duly discharged or accounted for.

b. He has mailed or delivered to the Auditor General, Manila, a true copy of the outgoing general declaration.

c. He has not received nor will convey any letter or packet not enclosed in properly stamped envelope sufficient to cover postage, except those relating to the cargo of the aircraft, and that he has delivered to the proper foreign port all mails placed on board his aircraft before its last clearance from the Philippines.

d. If clearing without passengers, the aircraft will not carry upon departure from any Philippine airport, any passenger.

#### **TITLE IV**

### **Ascertainment, Collection and Recovery of Import Duty**

#### **PART 1**

#### **Importation in General**

SECTION 1201. Articles to Be Imported Only Through Customhouse. — All articles imported into the Philippines, whether subject to duty or not, shall be entered through a customhouse at a port of entry.

SECTION 1202. When Importation Begins and Deemed Terminated. — Importation begins when the carrying vessel or aircraft enters the jurisdiction of the Philippines with intention to unlade therein. Importation is deemed terminated upon payment of the duties, taxes and other charges due upon the articles, or secured to be paid, at a port of entry and the legal permit for withdrawal shall have been granted, or in case said articles are free of duties, taxes and other charges, until they have legally left the jurisdiction of the customs.

SECTION 1203. Owner of Imported Articles. — All articles imported into the Philippines shall be held to be the property of the person to whom the same are consigned; and the holder of a bill of lading duly indorsed by the consignee therein named, or, if consigned to order, by the consignor, shall be deemed the consignee thereof. The

underwriters of abandoned articles and the salvors of articles saved from a wreck at sea, along a coast or in any area of the Philippine may be regarded as the consignees.

SECTION 1204. Liability of Importer for Duties. — Unless relieved by laws or regulations, the liability for duties, taxes, fees and other charges attaching on importation constitutes a personal debt due from the importer to the government which can be discharged only by payment in full of all duties, taxes, fees and other charges legally accruing. It also constitutes a lien upon the articles imported which may be enforced while such articles are in custody or subject to the control of the government.

SECTION 1205. Importations by the Government. — Except as otherwise specifically provided, all importations by the government for its own use or that of its subordinate branches or instrumentalities, or corporations, agencies or instrumentalities owned or controlled by the government, shall be subject to the duties, taxes, fees and other charges provided for in this Code: Provided, however, That upon certification of the head of the department or political subdivision concerned, with the approval of the Auditor General, that the imported article is actually being used by the government or any of its political subdivision concerned, the amount of duty, tax, fee or charge shall be refunded to the government or the political subdivision which paid it.

SECTION 1206. Jurisdiction of Collector Over Importation of Articles. — The Collector shall cause all articles entering the jurisdiction of his district and destined for importation through his port to be entered at the customhouse, shall cause all such articles to be appraised and classified, and shall assess and collect the duties, taxes and other charges thereon, and shall hold possession of all imported articles upon which duties, taxes, and other charges have not been paid or secured to be paid, disposing of the same according to law.

SECTION 1207. Jurisdiction of Collector Over Articles of Prohibited Importation. — Where articles are of prohibited importation or subject to importation only upon conditions prescribed by law, it shall be the duty of the Collector to exercise such jurisdiction in respect thereto as will prevent importation or otherwise secure compliance with all legal requirements.

SECTION 1208. Imported Articles to be Received in General Order Stores. — Unless otherwise directed by the Collector, all articles except bulk cargo shall be received in general order stores.

SECTION 1209. Limit of Period for Discharge. — The period within which discharge should be effected is as follows:

Vessels of less than three hundred tons, eight working days after entry;

Vessels of three hundred tons and less than eight hundred tons, twelve working days after entry;

Vessels of eight hundred tons and upward, fifteen working days after entry.

The working days of a vessel shall be computed by excluding the date of entry, legal holidays and stormy days when in the opinion of the Collector, discharge of cargo is impracticable.

SECTION 1210. Disposition of Imported Articles Remaining on Vessel After Time for Unlading. — Imported articles remaining on board any vessel after the expiration of the said period for discharge, and not reported for transshipment to another port, may be unladen by the customs authorities and stored at the vessel's expense.

Articles so stored may be claimed and entered at any time within fifteen days after discharge or such longer period not beyond thirty days as the Collector shall approve. If not entered it shall be sold at public auction at the next ensuing regular sale, though at any time prior to sale it may be entered for consumption or warehouse, and be withdrawn upon payment of duties, taxes and other charges, and expenses.

SECTION 1211. Handling of Articles on Which Duty Has Not Been Paid. — Except when done under customs supervision, all unlading or transshipment of the cargo of vessels from foreign ports, which do not discharge at a wharf, must be by bonded lighters; and likewise, on land imported goods on which duty has not been paid shall be carried about and handled by bonded draymen or cartmen only.

SECTION 1212. Government Plan for Handling Imported Articles. — Government plant for handling articles on or around the customs premises shall be maintained at the port of Manila and at any port of entry prescribed by the Commissioner, when the proper conduct of the customs business shall so require.

Where such plants are established, it shall be their function to receive, land and deliver imported articles and to handle the same, so far as may be necessary, while on customs premises. Such plants shall also handle articles for export while on the customs premises, and, in the discretion of the Commissioner, may deliver article abroad vessels for export.

SECTION 1213. Receiving, Handling, Custody and Delivery of Articles. — The Bureau of Customs shall have exclusive supervision and control over the receiving, handling, custody and delivery of articles on the wharves and piers at all ports of entry and in the exercise of its functions it is hereby authorized to acquire, take over, operate and superintend such plants and facilities as may be necessary for the receiving, handling, custody and delivery of articles, and the convenience and comfort of passengers and the handling of baggage, as well as to acquire fire protection equipment for use in the piers: Provided, That whenever in his judgment the receiving, handling, custody and delivery of articles can be carried on by private parties with greater efficiency, the Commissioner may, after public bidding and subject to the approval of the department head contract with any private party for the service of receiving, handling, custody and delivery of articles, and in such event, the contract may include the sale or lease of government-owned equipment and facilities used in such service.

## **PART 2**

### **Entry at Customhouse**

SECTION 1301. Persons Authorized to Make Import Entry. — Imported articles must be entered in the customhouse at the port of entry within fifteen days from date of discharge of the last package from the vessel either (a) by the importer, being holder of the bill of lading, (b) by any other holder of the bill of lading in due course, (c) by a customs broker acting under authority from a holder of the bill, or (d) by a person duly empowered to act as agent or attorney-in-fact for such holder: Provided, That the Collector may grant an extension of not more than fifteen days.

SECTION 1302. Import Entries. — All imported articles, except importation admitted free of duty under subsection “o”, section one hundred and five of this Code, shall be subject to a formal or informal entry. Articles of a commercial nature intended for sale, barter or hire, the dutiable value of which is five hundred pesos or less, and personal and household effects or articles, regardless of value, imported in passenger’s baggage mail, or otherwise, for personal use, may be cleared on an informal entry whenever duty, tax or other charges are collectible.

The Collector may, when he deems it necessary for the protection of the revenue, require a formal entry regardless of value.

A formal entry may be for immediate consumption, or under bond for:

- a. Placing the articles in warehouse;
- b. Constructive warehousing and immediate transportation to other ports of the Philippines without appraisal; or
- c. Constructive warehousing and immediate exportation.

Import entries under bond shall be subject to the provisions of Title V, Book II of this Code.

SECTION 1303. Entry of Articles in Part for Consumption and in Part for Warehousing. — Import entries of articles covered by one bill of lading may be made simultaneously for both consumption and warehouse. Where an intent to export the articles is shown by the bill of lading and invoice, the whole or a part of a bill of lading (not less than one package may be entered for warehouse and immediate exportation. Articles received at any port from another port of the Philippines on any entry for immediate transportation without appraisal may be entered at the port of delivery either for consumption or warehouse.

SECTION 1304. Declaration of the Import Entry. — Except in case of informal entry, no entry of imported article shall be effected until there shall have been submitted to the Collector a written declaration, in such form as shall be prescribed by the Commissioner, containing statements of substance as follows:

- a. That the entry delivered to the Collector contains a full and true statement of all the articles which are the subject of the entry.

b. That the invoice and entry contain a just and faithful account of the actual cost of said articles, including and specifying the value of all containers or coverings, and that nothing has been omitted therefrom or concealed whereby the Government of the Republic of the Philippines might be defrauded of any part of the duties lawfully due on the articles.

c. That, to the best of declarant's information and belief, the invoice and all bills of lading relating to the articles are the only ones in existence relating to the importation in question and that they are in the state in which they were actually received by him; and, furthermore,

d. That, to the best of the declarant's information and belief, the entry, invoice and bill of lading, and the declaration thereon are in all respects genuine and true, and were made by the person by whom the same purport to have been made, respectively.

SECTION 1305. By Whom to be Signed. — The declaration shall be signed by the importer, consignee or holder of the bill, by or for whom the entry is effected, if such person is an individual, or in case of a corporation, firm or association, by its manager, or by a licensed customs broker duly authorized to act for either of them. When it is impracticable to obtain a declaration thus signed, the Collector may allow it to be signed by some person in interest having first and best knowledge of the facts. A Collector may also, in his discretion, require that the declaration shall be sworn to by the person signing the same.

SECTION 1306. Form and Contents of Import Entry. — Import entries shall be in the required number of copies in such form as prescribed by regulations. They shall be signed by the person making the entry of the articles, and shall contain the names of the importing vessel and master, port of departure and date of arrival, the number and marks of packages, or the quantity, if in bulk, and the nature of the articles contained therein, and its value as set forth in a proper invoice to be presented in duplicate with the entry.

SECTION 1307. Description of Articles. — The description of the articles in the import entry shall be in customary terms or communal designation, or, if feasible and practical, in tariff terms, and in the currency of the invoice; and the values of the several classes of articles shall be separately declared according to their respective rates of duty, and the totals of each class duly shown.

SECTION 1308. Invoice — Contents of . — Invoice of articles imported into the Philippines shall set forth —

a. The place where, the date when, and the person by whom and the person to whom the articles are sold or agreed to be sold, or if to be imported otherwise than in pursuance of a purchase, the place from which shipped, the date when, and the person to whom and the person by whom they are shipped;

b. The port of entry to which the articles are destined;

c. A detailed description of the articles in customary terms or commercial designation, including the grade or quality, numbers, marks or symbols under which sold by the seller

or manufacturer, together with the marks and numbers of the packages in which the articles are packed;

d. The quantities in the weights and measures of the country or place from which the articles are shipped, or in the weights and measures of the Philippines;

e. The purchase price of each item in the currency of the purchase and in the unit of the quantity in which the articles were bought and sold in the place or country of exportation, if the articles are shipped in pursuance of a purchase or an agreement to purchase;

f. The kind of currency; whether gold, silver or paper;

g. If the articles are shipped otherwise than in pursuance of a purchase or an agreement to purchase, the value for each item in the unit of quantity in which the articles are usually bought and sold, and in the currency in which the transactions are usually made, or, in the absence of such value, the price in such currency which the manufacturer, seller, shipper or owner would have received, or was willing to receive, for such articles if sold in the ordinary course of trade and in the usual wholesale quantities in the country of exportation;

h. All charges upon the articles itemized by name and amount when known to the seller or shipper; or all charges by name (e.g., commission, insurance, freight, cases, containers, coverings and cost of packing) included in invoice prices when the amounts for such charges are unknown to the seller or shipper;

i. All discounts, rebates, drawbacks and bounties separately itemized, allowed upon the exportation of the articles, all internal and excise taxes applicable to the home market;

j. The current price at which same, like or similar article is offered for sale for exportation to the Philippines, on the date the invoice is prepared or the date of exportation; and

k. Any other facts deemed necessary to a proper examination, appraisalment and classification of the articles which the Commissioner may require.

#### SECTION 1309. Certification of Invoice. —

a. Consular Certification Required. — Invoice required by the preceding section shall, at or before the shipment of the articles or as soon thereafter as conditions will permit, be produced for certification to the consular officer of the Philippines of the consular district in which the articles were manufactured or purchased, or from which they are shipped, as the case may be: Provided, That in the absence of a Philippine consul in the country of exportation, such invoice may be certified by the consul of any friendly country in the country of exportation, or by any responsible official of the country of exportation.

b. Declaration. — Every invoice prescribed above shall contain a declaration signed by the purchaser, manufacturer, seller, owner or agent setting forth that the invoice is in all respects correct and true and was made at the place whence the articles are exported to the Philippines; that it contains, if the articles were obtained by purchase or an agreement to purchase, a true and full statement of the date when, the place where, the person from

whom the same were purchased and the purchase price and unit of quantity thereof, and of all charges thereon; and that no discounts, bounties or drawbacks are contained in the invoice except such as have been allowed thereon; and when obtained in any other manner than by purchase or an agreement to purchase, the market value on wholesale price thereof at the time of exportation to the Philippines in the principal market of the country from which exported; that such market value is the price in the unit of quantity at which the articles described in the invoice are freely offered for sale to all purchasers in said market for exportation to the Philippines, and that it is the price which the manufacturer, seller, owner or agent making the declaration would have received and was willing to receive for such articles when sold in the ordinary course of trade in the usual wholesale quantities, and that it included all charges thereon; that the number, weight, measurement or quantity stated is correct, and that no invoice of the articles described different from the invoice so produced has been or will be furnished to anyone.

If the articles were purchased, or shipped otherwise than in pursuance of a purchase or an agreement to purchase, the declaration shall also contain a statement that the amount in the unit of quantity shown is that which was paid, or the price in the unit of quantity that the shipper would have received, or was willing to receive, for such articles, and that the currency stated in such invoice is the currency of the purchase, or in which the transaction is usually made.

c. Making and Signing. — The invoice to be certified in accordance with the provisions of this section shall be made out in five copies and signed by the manufacturer or seller if the articles have been purchase, or by the manufacturer, shipper or owner thereof if the same have been procured or obtained otherwise than by purchase, or by the duly authorized agent of such manufacturer, seller, shipper or owner.

d. Purchases in Different Consular Districts. — When articles have been purchased in different consular districts for shipment to the Philippines and are assembled for shipment and embraced in a single invoice which is produced for certification under the provisions of this section, there shall be attached to the consular invoice the original bills or invoices certified by the manufacturer or seller and received by the shipper showing the prices paid or to be paid for such articles. The consular officer to whom the invoice is so produced for certification may require that any such original bill or invoice be certified by the consular officer for the district in which the articles were purchased.

e. Disposition. — The original and the quintuplicate of the invoice shall be delivered to the exporter, the former to be forwarded to the consignee for use in making entry of the articles. The duplicate shall be filed in the office of the consular officer by whom the invoice was certified there to be kept until the Secretary of Foreign Affairs authorizes its destruction. The triplicate shall be promptly transmitted by the consular officer to the Collector of the port of entry named in the invoice, and the quadruplicate to the Tariff Commission, through the Department of Foreign Affairs.

SECTION 1310. Invoice to Accompany Every Importation over P500 in Export Value. — Except in case of personal and household effects accompanying a passenger as baggage, or arriving within a reasonable time which in no case shall exceed ninety days before or after the owner's return, or in case of other articles brought in for personal use,

no importation of articles exceeding five hundred pesos in export value shall be admitted to entry without the production of a duly certified invoice of the kind hereinabove described, or the filing of an affidavit made by the owner, importer or consignee before the Collector, showing why it is not possible to produce such invoice, together with a bond, conditioned upon the production of such invoice within a reasonable time, in an amount prescribed by law, rules or regulations. In the absence of such invoice, no entry shall be made based on the aforesaid affidavit unless the same be accompanied by a commercial invoice signed by the manufacturer or seller or a statement in the form of an invoice showing the purchase price of such articles in the unit of quantity and currency of the purchase, if same were purchased, or if obtained otherwise than by purchase, the market value or wholesale price thereof at the time of exportation to the Philippines at which sold or offered for sale in the principal markets of the country from whence imported for export to the Philippines, and in the currency and unit of quantity in which the transaction is usually made. This statement shall be verified by the oath of the owner, importer, consignee or agent desiring to make the entry, taken before the Collector and it shall be lawful for that official to examine the deponent under oath regarding the source of his knowledge, information or belief, concerning any matter contained in his affidavit, and to require him to produce any correspondence, document or statement of account in his possession or under his control, which may assist the customs authorities in ascertaining the value of the importation or of any part thereof; and in the event of his failure to produce such correspondence, document or statement of account when so required, such owner, importer, consignee or agent shall thereafter be barred from producing such correspondence, document or statement for the purpose of avoiding the imposition of additional duty, penalty or forfeiture incurred under this Code or any other Act in force in the Philippines unless it is shown to the satisfaction of the Collector that it was not in his power to produce the same when so demanded; but no articles shall be admitted to entry under the provisions of this section unless the Collector shall be satisfied that the failure to produce the required invoice is due to causes beyond the control of the owner, importer, consignee or agent: Provided, That whenever it is shown to the satisfaction of the Collector that it is impossible to produce the consular invoice required by this section, the entry of the articles may be effected upon the filing of a commercial or pro forma invoice and the payment of a surcharge provided by section twenty-five hundred and two of this Code.

SECTION 1311. Fraudulent Invoice Report. — Officers of the Philippine foreign service having knowledge or information of any case or practice by which a person obtaining verification of an invoice defrauds or may defraud the revenue of the Philippines shall report the facts to the Commissioner, through the Secretary of Foreign Affairs.

SECTION 1312. Bond for Subsequent Production of Invoice. — When it is impossible to produce the consular invoice at the time entry is made, the Collector may accept a commercial or pro forma invoice and require a bond to be given for the subsequent production of the consular invoice. In the case of articles dutiable ad valorem the bond shall be in an amount of not less than fifty per centum of the estimated duties, taxes and other charges upon the importation: Provided, That in no case shall the bond be less than two hundred pesos.

SECTION 1313. Information Furnished Prior to Entry. — a. As to Classification. — When an article imported or intended to be imported is not specifically mentioned in this Code, the interested party, importer or foreign exporter may submit to the Tariff Commission a sample together with a full description of its component materials and uses, and request it in writing to indicate the heading under which the article is or shall be dutiable, and the Tariff Commission shall comply with such request if it is satisfied that the application is made in good faith, in which case classification of the article in question, upon the particular importation involved, shall be made according to the heading indicated by the Tariff Commission.

b. As to Value. — Upon written application of the consignee or his agent, the Collector shall furnish any importer the latest information in his possession as to the value of the articles to be entered at his port, after arrival or upon satisfactory evidence that they have been exported and are en route to the Philippines: Provided, that the information shall be given only if the Collector is satisfied after questioning the importer and examining all pertinent papers presented to him, such as invoices, contracts of sale or purchase, and orders, that the importer is acting in good faith and is unable to obtain proper information as to the value of the articles on the date of exportation due to unusual conditions: And provided, further, That the information so given is in no sense an appraisal or binding upon the Collector's action on appraisal.

SECTION 1314. Forwarding of Cargo and Remains of Wrecked Vessel or Aircraft. — When vessels or aircrafts are wrecked within the Philippines, application must be made to the Commissioner by the original owners or consignees of the cargo, or by the underwriters, in case of abandonment to them, for permission to forward the articles saved from the wreck to the ports of destination, in other conveyance, without entry at the customhouse in the district in which the article was cast ashore or unlade. On receipt of such permission, the articles may be so forwarded with particular manifests thereof, duly certified by the customs official in charge of the articles.

If the owner of the vessel or aircraft wishes to export the remains of the wreck, he may be permitted to do so upon proper examination and inspection.

The remains of a wrecked vessel shall be considered to be not only the hull and rigging of the same but also all sea stores and articles of equipment, such as sails, ropes, chains, anchors and so forth.

SECTION 1315. Derelicts and Articles from Abandoned Wrecks. — Derelicts and all articles picked at sea or recovered from abandoned wrecks, shall be taken possession of in the port or district where they shall first arrive, and be retained in the custody of the Collector, and if not claimed and entered, as the case may be, by the owner, underwriter or salvor, shall be dealt with as unclaimed property.

When such articles are brought into port by lighters or other craft, each of such vessel shall make entry by manifest of her cargo.

If, in case of wreck there be no customhouse at the point where the vessel or aircraft is wrecked, the coastguard of customs official nearest the scene of the wreck shall render all

possible aid in saving the crew and cargo of the vessel or aircraft, taking charge of the articles saved and giving immediate notice to the Collector of the nearest customhouse.

In order to prevent any attempt to defraud the revenue the Collector shall be represented at the salvage of the cargo by customs officials detailed for that purpose, who shall examine and countersign the inventory made of such cargo and receive a copy of the same.

Derelicts and articles salvaged from foreign vessels or aircrafts picked up at sea, or taken from wreck is prima facie dutiable and may be entered for consumption or warehousing. If claimed to be of Philippine production, and consequently free, proof must be adduced as in ordinary cases of reimportation of articles. Foreign articles landed from a vessel or aircraft in distress is dutiable if sold or disposed of in the Philippines.

Before any article which has been taken from a recent wreck shall be admitted to entry, the same shall be appraised, and the owner or importer shall have the same right to appeal as in ordinary importation.

No part of a Philippine vessel or aircraft or her equipment, wrecked either in Philippine or foreign waters, shall be subject to duty.

### **PART 3**

#### **Examination, Classification and Appraisal of Imported Articles**

SECTION 1401. Designation of Packages To be Examined. — Unless the Collector is of the opinion that the examination of a less or greater proportion of packages will amply protect the revenues, there shall be designated for examination and appraisal, at least one package of every invoice, and at least one package of every ten packages of articles imported: Provided, That nothing in this section shall preclude the examiner from examining additional or all the packages when he deems it necessary to protect the government revenues and public interest.

SECTION 1402. Ascertainment of Weight and Quantity. — Where articles dutiable by weight, and not otherwise specially provided for, are customarily contained in packing, packages, or receptacles of uniform or similar character, it shall be the duty of the Commissioner, from time to time, to ascertain by tests the weight or quantity of such articles, and the weight of the packing, packages or receptacles thereof, respectively, in which the same are customarily imported, and upon such ascertainment, to prescribe rules for estimating the dutiable weight or quantity thereof, and thereafter such articles, imported in such customarily packing, packages or receptacles shall be entered, and the duties thereon levied and collected, upon the bases of such estimated dutiable weight or quantity: Provided, That if the importer, consignee or agent shall be dissatisfied with such estimated dutiable weight or quantity, and shall file with the Collector prior to the delivery of the packages designated for examination a written specification of his objections thereto, or if the Collector shall have reason to doubt the exactness of the prescribed weight or quantity in any instance, it shall be his duty to cause such weights or quantities to be ascertained.

SECTION 1403. Return of Examining Official. — The examining official shall compare the packages designated for examination and their contents with the invoice and shall make return of the description of the articles covered thereby in such a manner as to indicate whether the articles have been truly and correctly measured and declared and not imported contrary to law, whether or not the quantities are correct, and, in case of articles dutiable ad valorem, whether the prices indicated show the correct value of the articles. Examining officials shall submit samples to the laboratory for analysis when feasible to do so and when such analysis is necessary to the proper classification, appraisal and/or admission into the Philippines of imported articles.

SECTION 1404. Duties of Appraisers. — Appraisers shall, under the supervision of the Collector, appraise the articles in the unit of quantity in which they are usually bought and sold, and determine the classification of all such articles of whatever description, whether dutiable or free, which may be presented to them in proper form.

Appraisers shall be responsible to the Collector for the correct appraisal of all such articles. They shall see to it that the amounts, classes and values returned by them are in all respects accurate and correct pursuant to the provisions of this Code, and that the rules and instructions of the Commissioner in respect thereto have been correctly applied and followed.

SECTION 1405. Proceedings and Report of Appraisers. — Appraisers, shall by all reasonable ways and means, ascertain, estimate and determine the value or price of the articles as required by law, any invoice or affidavit thereto or statement of cost, or of cost of production to the contrary notwithstanding, and after revising and correcting the reports of the examine as they may judge proper, shall report in writing on the face of the entry the value so determined, irrespective of whether such value is equal, higher or lower than the invoice and/or entered value of the articles.

Appraisers shall describe all articles on the face of the entry in tariff and such terms as will enable the Collector to pass upon the appraisal and classification of the same, which appraisal and classification shall be subject to his approval or modification, and shall note thereon the measurements and quantities, and any disagreement with the declaration.

SECTION 1406. Appraisers' Samples. — Appraisers shall see that representative and sufficient samples of all kinds of articles which may be readily sampled are taken under proper receipt and retained for official purposes; but samples of articles identical in quality, material and values shall not be retained, if their return is desired, longer than may be required for use in contested cases.

The quantity and value of the samples taken shall be noted on the face of the entry. Such samples shall be duly labelled as will definitely identify them with the importation for which they are taken.

SECTION 1407. Readjustment of Appraisal, Classification or Return. — Such appraisal, classification or return as finally passed upon and approved or modified by the Collector shall not be altered or modified in any manner, except:

a. Within one year after payment of the duties, upon statement of error in conformity with section seventeen hundred and seven hereof, approved by the Collector.

b. Within fifteen days after such payment, upon request for reappraisal and/or reclassification addressed to the Commissioner by the Collector, if the appraisal and/or classification is deemed to be low.

c. Upon request for reappraisal and/or reclassification, in the form of a timely protest addressed to the Collector by the interested party if the latter should be dissatisfied with the appraisal or return.

SECTION 1408. Assessment of Duty on Less Than Entered Value. — Duty shall not be assessed in any case upon an amount less than the entered value, unless by direction of the Commissioner in cases in which the importer certifies at the time of entry that the entered value is higher than the market value and that the articles are so entered in order to meet increases made by the appraised on similar cases then pending reappraisal; and the lower assessment shall be allowed only when the importer's contention is sustained by final decision, and shall appear that such action of the importer was taken in good faith after due diligence and inquiry on his part.

SECTION 1409. Employment and Compensation of Persons to Assist in Appraisal or Classification of Articles. — When necessary, the Collector may request two disinterested persons versed in the matter to assist the appraiser in appraising or ascertaining the value of any article. Persons so employed shall be paid compensation in an amount, to be determined by the Commissioner, not exceeding ten pesos for each day of such service.

## **PART 4**

### **Delivery of Articles**

SECTION 1501. Delivery of Articles to Holder of Bill of Lading. — A Collector who makes a delivery of a shipment, upon the surrender of the bill of lading, to a person who by the terms thereof appears to be the consignee or lawful holder of the bill shall not be liable on account of any defect in the bill or irregularity in its negotiation, unless he has notice of the same.

SECTION 1502. Delivery of Articles Without Production of Bill of Lading. — No Collector shall deliver imported articles to any person without the surrender by such person of the bill of lading covering said article, except on written order of the carrier or agent of the importing vessel or aircraft, in which case neither the Government nor the Collector shall be held liable for any damages arising from wrongful delivery of the articles: Provided, however, That where delivery of articles is made against such written order of the carrier or agent of the importing vessel or aircraft, the Collector may, for customs purposes, require the production of an exact copy of the bill of lading therefor.

SECTION 1503. Bond Upon Delivery of Unexamined Packages. — To effect immediate delivery of packages not ordered for examination, the Collector may accept a bond in such sum and with such conditions as shall be sufficient to safeguard the revenue.

If such security is not supplied, all the packages shall be held until the return is made and duties, taxes and other charges paid.

SECTION 1504. Delivery Upon Order of Importer. — An importer of record may authorize delivery to another person by writing upon the face of the warehouse withdrawal entry his order to that effect. Such authority to deliver the article under bond shall not relieve the importer and his sureties from liability for the payment of the duties, taxes and other charges due on the said article unless the person to whom delivery was authorized to be made assumes such liability by the filing of a new warehousing bond.

SECTION 1505. Withholding Delivery Pending Satisfaction of Lien. — When the Collector is duly notified in writing of a lien for freight, lighterage or general average upon any imported articles in his custody, he shall withhold the delivery of the same until he is satisfied that the claim has been paid or secured.

In case of a disagreement as to the amount due between the party filing the lien and the importer regarding the amount of the freight and lighterage based upon the quantity or weights of the articles imported, the Collector may deliver the articles upon payment of the freight and lighterage due on the quantity or weight actually landed as shown by the return of the proper official or by other means to his satisfaction.

SECTION 1506. Customs Expenses Constituting Charge on Articles. — All expenses incurred by the customs service for the handling or storage of articles and other necessary operations in connection therewith, or incident to its seizure, shall be charged against such articles, and shall constitute a lien upon it.

SECTION 1507. Fine As Charge on Articles. — No article which is liable for any fine or surcharge imposed under the tariff and customs laws shall be delivered until the same shall have been paid or secured.

## **PART 5**

### **Liquidation of Duties**

SECTION 1601. Liquidation and Record of Entries. — If the Collector shall approve the returns of the appraiser and the report of the weights, gauge or quantity, the liquidation shall be made on the face of the entry showing the particulars thereof, initiated by the liquidating clerk, approved by the chief liquidator, and recorded in the record of liquidations.

A daily record of all entries liquidated shall be posted in the public corridor of the customhouse, stating the name of the vessel or aircraft, the port from which she arrived, the date of her arrival, the name of the importer, and the serial number and date of the entry. A daily record must also be kept by the Collector of all additional duties, taxes and other charges found upon liquidation, and notice shall promptly be sent to the interested parties.

SECTION 1602. Tentative Liquidation. — If to determine the exact amount due under the law in whole or in part some future action is required, the liquidation shall be deemed

to be tentative as to the item or items affected and shall to that extent be subject to future and final readjustment and settlement. The entry in such case shall be stamped "Tentative liquidation".

SECTION 1603. Finality of Liquidation. — When articles have been entered and passed free of duty or final adjustment of duties made, with subsequent delivery, such entry and passage free of duty or settlement of duties will, after the expiration of one year, from the date of the final payment of duties, in the absence of fraud or protest, be final and conclusive upon all parties, unless the liquidation of the import entry was merely tentative.

SECTION 1604. Treatment of Fractions in the Liquidation. — In determining the total amount of duties, taxes, surcharges, wharfage and/or other charges to be paid on entries, a fraction of a peso less than fifty centavos shall be disregarded, and a fraction of a peso amounting to fifty centavos or more shall be considered as one peso. In case of overpayment or underpayment of duties, taxes, surcharges, wharfage and/or other charges paid on entries, where the amount involved is less than five pesos, no refund or collection shall be made.

## **PART 6**

### **Abatements and Refunds**

SECTION 1701. Abatement for Damage Incurred During Voyage. — Except as herein specially provided, no abatement of duties shall be made on account of damage incurred or deterioration suffered during the voyage of importation; and duties will be assessed on the actual quantity imported, as shown by the return of weighers, gaugers, measures, examiners or appraisers, as the case may be.

SECTION 1702. Abatement or Refund of Duty on Missing Package. — When any package or packages appearing on the manifest or bill of lading are missing, a remission or refund of the duty thereon shall be made if it is shown by proof satisfactory to the Collector that the package or packages in question have not been imported into the Philippines.

SECTION 1703. Abatement or Refund for Deficiency in Contents of Package. — If, upon opening any package, a deficiency or absence of any article, or of part of the contents thereof, as called for by the invoice shall be found to exist, such deficiency shall be certified to the Collector by the appraiser; and upon the production of proof satisfactory to the Collector showing that the shortage occurred before the arrival of the article in the Philippines, the proper abatement or refund of the duty shall be made.

SECTION 1704. Abatement or Refund of Duties on Articles Lost or Destroyed after Arrival. — A Collector may abate or refund the amount of duties accruing or paid, and may likewise make a corresponding allowance or credit on the entry bond, or other document, upon satisfactory proof of the injury, destruction, or loss by theft, fire or other causes of any article as follows:

- a. While within the limits of any port of entry prior to unloading under customs supervision.
- b. While remaining in customs custody after unloading.
- c. While in transit under bond from the port of entry to any port in the Philippines.
- d. While released under bond to export, except in case of loss by theft.

SECTION 1705. Abatement of Duty on Dead or Injured Animals. — Where it is satisfactorily shown to the Collector that an animal which is the subject of importation dies or suffers injury before arrival, or while in customs custody, the duty shall be correspondingly abated by him, provided the carcass of any dead animal remaining on board or in customs custody be removed in the manner required by the Collector and at the expense of the importer.

SECTION 1706. Investigation Required in case of Abatements and Refunds. — The Collector shall in all cases of allowances, abatements or refunds of duties, cause an examination and report in writing to be made as to any fact discovered during such examination which tends to account for the discrepancy or difference and cause the corresponding adjustment to be made on the import entry.

SECTION 1707. Correction of Errors — Refund of Excess Payments. — Manifest clerical errors made in an invoice or entry, errors in return of weight, measure and gauge, when duly certified to by the surveyor or examining official (when there are such officials at the port), and errors in the distribution of charges on invoices not involving any question of law and certified to by the examining official, may be corrected in the computation of duties, if such errors be discovered before the payment of duties, or, if discovered within one year after the final liquidation, upon written request and notice of error from the importer, or upon statement of error certified by the Collector.

For the purpose of correcting errors specified in the next preceding paragraph the Collector is authorized to reliquidate entries and collect additional charges, or to make refunds on statement of error within the statutory time limit.

SECTION 1708. Claim for Refund and Mode of Payment. — All claims for refund of duties shall be made in writing, and forwarded to the Collector to whom such duties are paid, who upon receipt of such claim shall verify the same by the records of his office, and if found to be correct and in accordance with law, shall certify the same to the Commissioner with his recommendation together with all necessary papers and documents. Upon receipt by the Commissioner of such certified claim he shall cause the same to be paid if found correct.

## **PART 7**

### **Abandonment of Imported Articles**

SECTION 1801. Abandonment, Kinds and Effect of. — Abandonment is express when it is made direct to the Collector by the interested party in writing, and it is implied when,

from the action or omission of the interested party, an intention to abandon can be clearly inferred. The failure of any interested party to file the import entry within fifteen days or any extension thereof from the discharge of the vessel or aircraft, shall be implied abandonment. An implied abandonment shall not be effective until the article is declared by the Collector to have been abandoned after notice thereof is given to the interested party as in seizure cases.

Any person who abandons an imported article renounces all his interests and property rights therein.

SECTION 1802. Abandonment of Imported Articles. — The owner or importer of any articles may, within ten days after filing of the import entry, abandon to the Government all or a part of the articles included in an invoice, and, thereupon, he shall be relieved from the payment of duties, taxes and all other charges and expenses due thereon: Provided, That the portion so abandoned is not less than ten per cent of the total invoice and is not less than one package, except in cases of articles imported for personal or family use. The article so abandoned shall be delivered by the owner or importer at such place within the port of arrival as the Collector shall designate, and upon his failure to so comply, the owner or importer shall be liable for all expenses that may be incurred in connection with the disposition of the articles.

Nothing in this section shall be construed as relieving such owner or importer from any criminal liability which may arise from any violation of law committed in connection with the importation of the abandoned article.

SECTION 1803. Right to Reclaim Article. — The owner or importer of an article impliedly abandoned may, at any time before it is sold or otherwise disposed of, reclaim such article provided all legal requirements regarding its importation are complied with and the corresponding duties, taxes and other charges as well as all expenses incurred as a consequence of the abandonment, are paid.

## **TITLE V**

### **Warehousing of Imported Articles**

#### **PART 1**

##### **Warehousing in General**

SECTION 1901. Establishment and Supervision of Warehouses. — When the business of the port requires such facilities, the Collector shall designate and establish warehouses for use as general order stores, public and private bonded warehouses, sheds or yards, or for other purposes.

All such warehouses and premises shall be subject to the supervision of the Collector, who shall impose such conditions as may be deemed necessary for the protection of the revenue and of the articles stored therein.

SECTION 1902. Responsibility of Government. — The Government assumes no legal responsibility in respect to the safekeeping of articles stored in any customs or bonded warehouse.

SECTION 1903. Bonded Warehouses. — Application for the establishment of bonded warehouses must be made in writing to the Collector, describing the premises, the location, and capacity of the same, and the purpose for which the building is to be used.

Upon receipt of such application, the Collector shall cause an examination of the premises to be made, with reference particularly to its location, construction and means provided for the safekeeping of articles and if found satisfactory he may authorize its establishment, and accept a bond for its operation and maintenance.

The Collector shall appoint storekeepers and other employees for such bonded warehouses, whose salaries shall be collected from operators of warehouses where the service is rendered.

SECTION 1904. Warehousing Bond. — After articles declared is the entry for warehousing have been examined and the duties, taxes and other charges had been determined, the Collector shall require from the importer, a bond equivalent to one and one-half times the amount of such duties, taxes and other charges, conditioned upon the withdrawal of the articles within the period prescribed by section nineteen hundred and eight of this Code and for payment of any duties, taxes and other charges to which the articles shall be then subject.

SECTION 1905. Discontinuance of Warehouses. — The use of any warehouse may be discontinued by the Collector at any time when conditions so warrant, or, in case of a private warehouse upon receipt of written request to that effect from the operator thereof of the premises, provided all the requirements of the law and regulations have been complied with by said operator. Where dutiable article is stored in such premises the same must be removed at the risk and expense of the operator and the premises shall not be relinquished, nor discontinuance of its use authorized, until after a careful examination of the accounts of the warehouse and a comparison thereof with the books of the customhouse shall have been made.

SECTION 1906. Entry of Articles for Warehousing. — The entry of articles for warehousing shall be in the required number of copies in the prescribed form, and shall be verified as in the entry of articles for consumption. No warehousing entry shall be accepted for any article if from the entry, supporting documents and/or information such article is imported contrary to any law.

SECTION 1907. Withdrawal of Articles from Bonded Warehouse. — Articles entered under bond may be withdrawn at any time for consumption, for transportation to another port, for exportation or for delivery on board a vessel or aircraft engaged in foreign trade for use on board such vessel or aircraft as sea stores or stores for aircraft after liquidation of the entry. The withdrawal must be made by a person or firm named in the original warehouse entry, or by a person or firm duly authorized by the former, whose authority must appear in writing upon the face of the withdrawal.

SECTION 1908. Limit to Period Of Storage in Bonded Warehouse. — Articles duly entered for warehousing may remain in bonded warehouses for a period of two years from the time of arrival at the port of entry, which period may for sufficient reason be further extended for not more than one year by the Commissioner whenever sufficient reasons for such extension are presented to him. Articles not withdrawn at the expiration of the prescribed period shall be sold at auction by the Collector.

SECTION 1909. Charges of Storage In Bonded Warehouses. — The rates of storage in public or private bonded warehouses shall be subject to arrangement between the importer and the warehouse operator, but such rates shall not be in excess of the customary charges fixed by the Collector of the port for such warehouses.

## **PART 2**

### **Bonded Manufacturing and Smelting Warehouses**

SECTION 2001. Establishment of Bonded Manufacturing Warehouses. — All articles manufactured in whole or in part of imported materials, and intended for exportation without being charged with duty, shall, in order to be so manufactured and exported, be made and manufactured in bonded warehouses under such rules and regulations as the Commissioner, with the approval of the department head, shall prescribe: Provided, That the manufacturer of such articles shall first file a satisfactory bond for the faithful observance of all laws, rules and regulations applicable thereto.

SECTION 2002. Exemption From Duty. —

a. Whenever articles manufactured in any bonded warehouse established under the provisions of the preceding section shall be exported directly therefrom or shall be duly laden for immediate exportation under the supervision of the proper official such articles shall be exempt from duty.

b. Any imported material used in the manufacture of such articles, and any packages, coverings, brands and labels used in putting up the same may, under the regulations prescribed by the Commissioner with the approval of the department head, be conveyed without the payment of duty into any bonded manufacturing warehouse, and imported articles may, under the aforesaid regulations, be transferred without the payment of duty from any bonded warehouse into any bonded manufacturing warehouse; but this privilege shall not be held to apply to implements, machinery or apparatus to be used in the construction or repair of any bonded manufacturing warehouse or for the operation of the business carried on therein.

SECTION 2003. Procedure for Withdrawal. — Articles received into such bonded manufacturing warehouse or articles manufactured therein may be withdrawn or removed therefrom for direct shipment and for immediate exportation in bond to foreign countries under the supervision of the proper official, who shall certify to such shipment and exportation, or lading for immediate exportation as the case may be, describing the articles by their mark or otherwise, the quantity, the date of exportation and the name of the vessel or aircraft: Provided, That the waste and by-products incident to the processes of manufacture in said bonded warehouse may be withdrawn for domestic consumption

upon payment of duty equal to the duty which would be assessed and collected pursuant to law as if such waste or by-products were imported from a foreign country: Provided, further, That all waste materials may be destroyed under government supervision. All labor performed and services rendered under these provisions shall be under the supervision of a proper customs official and at the expense of the manufacturer.

SECTION 2004. Verification by the Commissioner. — A careful account shall be kept by the Collector of all articles delivered by him to any bonded manufacturing warehouse, and a sworn monthly return, verified by the customs official in charge, shall be made by the manufacturer containing a detailed statement of all imported articles used by him in the manufacture of the exported articles.

Before commencing business the operator of any manufacturing warehouse shall file with the Commissioner a list of all the articles intended to be manufactured in such warehouse, and state the formula of manufacture and the names and quantities of the ingredients to be used therein.

SECTION 2005. Bonded Smelting Warehouses. — The plants of manufacturers engaged in smelting or refining, or both, of ores and crude metals, may, upon the filing of satisfactory bonds, be designated as bonded smelting warehouses. Ores or crude metals may be removed from the vessel or aircraft in which imported, or from a bonded warehouse, into a bonded smelting warehouse without the payment of duties thereon, and there smelted or refined, or both, together with ores or crude metals of home or foreign productions: Provided, That the bonds shall be charged with a sum equal in amount to the regular duties which would have been payable on such ores and crude metals if entered for consumption at the time of their importation, and the several charges against such bond shall be cancelled upon the exportation or delivery to a bonded manufacturing warehouse established under section twenty hundred and one hereof of a quantity of the same kind of metal equal to the quantity of metal producible from the smelting or refining, or both, of the dutiable metal contained in such ores or crude metals, due allowance being made of the smelter wastage as ascertained from time to time by the Commissioner: Provided, further, That the said metals so producible or any portion thereof, may be withdrawn for domestic consumption or transferred to a bonded warehouse and withdrawn therefrom and the several charges against the bond cancelled upon the payment of the duties chargeable against an equivalent amount of ores or crude metals from which said metal would be producible in their condition as imported: Provided, further, That on the arrival of the ores or crude metals at such establishments they shall be sampled and assayed according to commercial methods under the supervision of proper government officials: Provided, further, That all labor performed and services rendered pursuant to this section shall be under the supervision of the proper customs official and at the expenses of the manufacturer: Provided, further, That all regulations for carrying out the provisions of this section shall be prescribed by the Commissioner with the approval of the department head: And Provided, finally, That the several charges against the bond of any smelting warehouse established under the provisions of this section may be cancelled upon the exportation or transfer to a bonded manufacturing warehouse from any other bonded smelting warehouse established under this section of a quantity of the same kind of metal, in excess of that covered by open

bonds, equal to the amount of metal producible from the smelting or refining, or both, of the dutiable metal contained in the imported ores or crude metals, due allowance being made of the smelter wastage as ascertained from time to time by the Commissioner with the approval of the department head.

### **PART 3**

#### **Transportation in Bond**

SECTION 2101. Entry for Immediate Transportation. — Articles entered for constructive warehousing and immediate transportation under transit manifest to other ports of the Philippines without appraisal may be transported under bond and consigned to the Collector at the port of destination, who will allow entry to be made at his port by the consignee.

Articles received at any port from another port of the Philippines on an entry for immediate transportation without appraisal or classification may be entered at the port of delivery either for consumption or warehouse.

SECTION 2102. Bonding of Carrier Transporting Articles in Bond. — A carrier engaged in conveying dutiable articles in bond from a port of importation to other ports shall give security in the nature of a general transportation bond, in a sum not less than ten thousand pesos, conditioned that the principal shall transport and deliver without delay, and in accordance with law and regulation, to the Collector at the port of destination all articles in bond delivered to such carrier and that all proper charges and expenses incurred by the customs authorities or at their instance by reason of such shipments shall be duly paid.

SECTION 2103. Exportation under Bond. — Where an intent to export the articles is shown by the bill of lading and invoice, the whole or part of a bill of lading (not less than one package) may be entered for warehouse and immediate exportation. The Collector may designate the vessel or aircraft in which the articles are laden as constructively a warehouse to facilitate the direct transfer of the articles to the exporting vessel or aircraft. The same procedure may apply to articles entered for warehouse and immediate transportation.

Unless it shall appear by the invoice, bill of lading, manifests, or other satisfactory evidences, that articles arriving in the Philippines are destined for transshipment, no exportation thereof will be permitted except under entry for warehouse and exportation bond and appraisal or classification made.

Upon withdrawal for export, a bond equivalent to one and one-half the amount of the duties, taxes and other charges, shall be required conditioned upon the exportation of the articles, and for the production of proof of the landing of same beyond the limits of the Philippines.

### **TITLE VI**

#### **Administrative and Judicial Proceedings**

## **PART 1**

### **Search, Seizure and Arrest**

SECTION 2201. Obstruction of Customs Premises. — No person shall obstruct a customhouse, warehouse, office, wharf, street or other premises under the control of the Bureau of Customs, or any of the approaches to such house or premises.

SECTION 2202. Special Surveillance for Protection of Customs Revenue and Prevention of Smuggling. — In order to prevent smuggling and to secure the collection of the legal duties, taxes and other charges, the customs service shall exercise surveillance over the coast, beginning when a vessel or aircraft enters Philippine territory and concluding when the article imported therein has been legally passed through the customhouse.

SECTION 2203. Persons Having Police Authority. — For the enforcement of the customs and tariff laws, the following persons are authorized to effect searches, seizures and arrests conformably with the provisions of said laws:

- a. Officials of the Bureau of Customs, collectors, assistant collectors, deputy collectors, surveyors, security and secret-service agents, inspectors, port patrol officers and guards of the Bureau of Customs.
- b. Officers of the Philippine Navy when authorized by the Commissioner.
- c. Any person especially authorized in writing by the Commissioner.
- d. Officers generally empowered by law to effect arrests and execute processes of courts, when acting under direction of the Collector.
- e. Any person especially authorized by a Collector, subject to the restrictions stated in the next succeeding section.

Persons exercising the powers hereinabove conferred shall, in the exercise thereof, have the same authority, be entitled to the proper protection, and shall be governed by the same law, not inconsistent with the provisions of this section, as other officers exercising police authority in general.

SECTION 2204. Place Where Authority May Be Exercised. — Persons acting under authority conferred pursuant to subsection (e) of the preceding section may exercise their authority within the limits of the collection district only and in or upon the particular vessel or aircraft, or in the particular place, or in respect to the particular article specified in the appointment. All such appointments shall be in writing, and the original shall be filed in the customhouse of the district where made.

All other persons exercising the powers hereinabove conferred may exercise the same at any place within the jurisdiction of the Bureau of Customs.

SECTION 2205. Exercise of Power of Seizure and Arrest. — It shall be within the power of a customs official or person authorized as aforesaid, and it shall be his duty, to make seizure of any vessel, aircraft, cargo, articles, animal or other movable property when the

same is subject to forfeiture or liable for any fine imposed under customs and tariff laws, and also to arrest any person subject to arrest for violation of any customs and tariff laws, such power to be exercised in conformity with the law and the provisions of this Code.

SECTION 2206. Duty of Officer or Official to Disclose Official Character. — It shall be the duty of any person exercising authority as aforesaid, upon being questioned at the time of the exercise thereof, to make known his official character as an officer or official of the Government, and if his authority is derived from special authorization in writing to exhibit the same for inspection, if demanded.

SECTION 2207. Authority to Require Assistance. — Any person exercising police authority under the customs and tariff laws may demand assistance of any police officer when such assistance shall be necessary to effect any search, seizure or arrest which may be lawfully made or attempted by him. It shall be the duty of any police officer upon whom such requisition is made to give such lawful assistance in the matter as may be required.

SECTION 2208. Right of Police Officer to Enter Inclosure. — For the more effective discharge of his official duties, any person exercising the powers herein conferred, may at anytime enter, pass through, or search any land or inclosure or any warehouse, store or other building, not being a dwelling house.

A warehouse, store or other building or inclosure used for the keeping of storage of articles does not become a dwelling house within the meaning hereof merely by reason of the fact that a person employed as watchman lives in the place, nor will the fact that his family stays there with him alter the case.

SECTION 2209. Search of Dwelling House. — A dwelling house may be entered and searched only upon warrant issued by a judge or justice of the peace, upon sworn application showing probable case and particularly describing the place to be searched and person or thing to be seized.

SECTION 2210. Right to Search Vessels or Aircrafts and Persons or Articles Conveyed Therein. — It shall be lawful for any official or person exercising police authority under the provisions of this Code to go aboard any vessel or aircraft within the limits of any collection to go aboard any vessel or aircraft within the limits of any collection district, and to inspect, search and examine said vessel or aircraft and any trunk, package, box or envelope on board, and to search any person on board the said vessel or aircraft and to this end to hail and stop such vessel or aircraft if under way, to use all necessary force to compel compliance; and if it shall appear that any breach or violation of the customs and tariff laws of the Philippines has been committed, whereby or in consequence of which such vessels or aircrafts, or the article, or any part thereof, on board of or imported by such vessel or aircraft, is liable to forfeiture, to make seizure of the same or any part thereof.

The power of search hereinabove given shall extend to the removal of any false bottom, partition, bulkhead or other obstruction, so far as may be necessary to enable the officer to discover whether any dutiable or forfeitable articles may be concealed therein.

No proceeding herein shall give rise to any claim for the damage thereby caused to article or vessel or aircraft.

SECTION 2211. Right to Search Vehicles, Beasts and Persons. — It shall also be lawful for a person exercising authority as aforesaid to open and examine any box, trunk, envelope or other container, wherever found where he has reasonable cause to suspect the presence therein of dutiable or prohibited article or articles introduced into the Philippines contrary to law, and likewise to stop, search and examine any vehicle, beast or person reasonably suspected of holding or conveying such article as aforesaid.

SECTION 2212. Search of Persons Arriving From Foreign Countries. — All persons coming into the Philippines from foreign countries shall be liable to detention and search by the customs authorities under such regulations as may be prescribed relative thereto.

Female inspectors may be employed for the examination and search of persons of their own sex.

## **PART 2**

### **Administrative Proceedings**

SECTION 2301. Warrant for Detention of Property — Bond. — Upon making any seizure, the Collector shall issue a warrant for the detention of the property; and if the owner or importer desires to secure the release of the property for legitimate use, the Collector may surrender it upon the filing of a sufficient bond, in an amount to be fixed by him, conditioned for the payment of the appraised value of the article and/or any fine, expenses and costs which may be adjudged in the case: Provided, That articles the importation of which is prohibited by law shall not be released under bond.

SECTION 2302. Report of Seizure To Commissioner and Auditor. — When a seizure is made for any cause, the Collector of the district wherein the seizure is effected shall immediately make report thereof to the Commissioner and to the Auditor General.

SECTION 2303. Notification to Owner or Importer. — The Collector shall give the owner or importer of the property or his agent a written notice of the seizure and shall give him an opportunity to be heard in reference to the delinquency which was the occasion of such seizure.

For the purpose of giving such notice and of all other proceedings in the matter of such seizure, the importer, consignee or person holding the bill of lading shall be deemed to be the “owner” of the article included in the bill.

For the same purpose, “agent” shall be deemed to include not only any agent in fact of the owner of the seized property but also any person having responsible possession of the property at the (missing) of the seizure, if the owner or his agent in fact is unknown or cannot be reached.

SECTION 2304. Notification to Unknown Owner. — Notice to an unknown owner shall be effected by posting a notice for fifteen days in the public corridor of the customhouse

of the district in which the seizure was made, and, in the discretion of the Commissioner, by publication in a newspaper or by such other means as he shall consider desirable.

SECTION 2305. Description and Appraisal and Classification of Seized Property. — The Collector shall also cause a list and particular description of the property seized to be prepared and an appraisal or classification of the same at its wholesale value in the local market in the usual wholesale quantities to be made by at least two appraising officials, if there are such officials at or near the place of seizure; in the absence of such officials, then by two competent and disinterested citizens of the Philippines, to be selected by him for that purpose, residing at or near the place of seizure, which list and appraisal shall be properly attested to by such Collector and the persons making the appraisal.

SECTION 2306. Proceedings in Case of Property Belonging to Unknown Parties. — If, within fifteen days after the notification prescribed in section twenty-three hundred and four of this Code, no owner or agent can be found or appears before the Collector, the latter shall declare the property forfeited to the government to be sold at auction in accordance with law.

SECTION 2307. Settlement of Case by Payment of Fine or Redemption of Forfeited Property. — If, in any seizure case, the owner or agent shall, while the case is yet before the Collector of the district of seizure, pay to such Collector the fine imposed by him or, in case of forfeiture, shall pay the appraised value of the property, or, if after appeal of the case, he shall pay to the Commissioner the amount of the fine as finally determined by him, or, in case of forfeiture, shall pay the appraised value of the property, such property shall be forthwith surrendered, and all liability which may or might attach to the property by virtue of the offense which was the occasion of the seizure and all liability which might have been incurred under any bond given by the owner or agent in respect to such property shall thereupon be deemed to be discharged.

Redemption of forfeited property shall not be allowed in any case where the importation is absolutely prohibited or where the surrender of the property to the person offering to redeem the same would be contrary to law.

SECTION 2308. Protest and Payment upon Protest in Civil Matters. — When a ruling or decision of the Collector is made whereby liability for duties, fees, or other money charge is determined, except the fixing of fines in seizure cases, the party adversely affected may protest such ruling or decision by presenting to the Collector at the time when payment of the amount claimed to be due the Government is made, or within thirty days thereafter, a written protest setting forth his objections to the ruling or decision in question, together with the reasons therefor. No protest shall be considered unless payment of the amount due after final liquidation has first been made.

SECTION 2309. Protest Exclusive Remedy in Protestable Case. — In all cases subject to protest, the interested party who desires to have the action of the Collector reviewed, shall make a protest, otherwise, the action of the Collector shall be final and conclusive against him, except as to matters correctible for manifest error in the manner prescribed in section one thousand seven hundred and seven hereof.

SECTION 2310. Form and Scope of Protest. — Every protest shall be filed in accordance with the prescribed rules and regulations promulgated under this section and shall point out the particular decision or ruling of the Collector to which exception is taken or objection made, and shall indicate with reasonable precision the particular ground or grounds upon which the protesting party bases his claim for relief.

The scope of a protest shall be limited to the subject matter of a single adjustment or other independent transaction; but any number of issue may be raised in a protest with reference to the particular item or items constituting the subject matter of the protest.

“Single adjustment”, as hereinabove used, refers to the entire content of one liquidation, including all duties, fees, surcharges or fines incident thereto.

SECTION 2311. Samples to be Furnished by Protesting Parties. — If the nature of the articles permit, importers filing protests involving questions of fact must, upon demand, supply the Collector with samples of the articles which are the subject matter of the protests. Such samples shall be verified by the custom official who made the classification against which the protest are filed.

SECTION 2312. Decision or Action by Collector in Protest and Seizure Cases. — When a protest in proper form is presented in a case where protest is required, the Collector shall reexamine the matter thus presented, and if the protest is sustained, in whole or in part, he shall enter the appropriate order, the entry reliquidated if necessary.

In seizure cases, the Collector, after a hearing, shall in writing make a declaration of forfeiture or fix the amount of the fine or take such other action as may be proper.

SECTION 2313. Review by Commissioner. — The person aggrieved by the decision or action of the Collector in any matter presented upon protest or by his action in any case of seizure may, within fifteen days after notification in writing by the Collector of his action or decision, give written notice to the Collector of his desire to have the matter reviewed by the Commissioner. Thereupon the Collector shall forthwith transmit all the records of the proceedings to the Commissioner, who shall approve, modify or reverse the action or decision of the Collector and take such steps and make such orders as may be necessary to give effect to his decision.

SECTION 2314. Notice of Decision of Commissioner. — Notice of the decision of the Commissioner shall be given to the party by whom the case was brought before him for review, and in seizure cases such notice shall be effected by personal service if practicable.

SECTION 2315. Supervisory Authority of Commissioner And of Department Head in Certain Cases. — If in any case involving the assessment of duties the importer shall fail to protest the ruling of the Collector, and the Commissioner shall be of the opinion that the ruling was erroneous and unfavorable to the Government, the latter may order a reliquidation; and if the ruling of the Commissioner in any unprotested case should, in the opinion of the department head, be erroneous and unfavorable to the Government, the department head may require the Commissioner to order a reliquidation.

Except as in the preceding paragraph provided, the supervisory authority of the department head over the Bureau of Customs shall not extend to the administrative review of the ruling of the Commissioner in matters appealed to the Court of Tax Appeals.

### **PART 3**

#### **Judicial Proceedings**

SECTION 2401. Supervision and Control over Judicial Proceedings. — In the absence of special provision, judicial action and proceedings instituted on behalf of the Government pursuant to the provisions of this Code shall be subject to the supervision and control of the Commissioner.

SECTION 2402. Review by Court of Tax Appeals. — The party aggrieved by a ruling of the Commissioner in any matter brought before him upon protest or by his action or ruling in any case of seizure may appeal to the Court of Tax Appeals, in the manner and within the period prescribed by law and regulations.

Unless an appeal is made to the Court of Tax Appeals in the manner and within the period prescribed by laws and regulations, the action or ruling of the Commissioner shall be final and conclusive.

### **PART 4**

#### **Surcharges, Fines and Forfeitures**

SECTION 2501. Failure to Pay Liquidated Charges. — For failure to pay the amount of liquidated duties, taxes and other charges of a liquidation within ten working days after the notice of liquidation shall have been publicly posted in the customhouse, a surcharge of five per centum of the total amount or balance found upon liquidation shall be added thereto and collected therewith.

SECTION 2502. Failure to Supply Invoice. — When an entry of articles valued at more than five hundred pesos is permitted by the Collector to be effected upon commercial invoice signed by the manufacturer, seller or shipper, the Collector instead of requiring a bond for the subsequent production of the consular invoice, may, if the importer prefers, impose a surcharge of not less than twenty-five pesos nor more than an amount equal to fifty per centum of the duties due upon the importation.

SECTION 2503. Undervaluation and Misdeclaration in Entry. — When the value of the imported articles shall be so declared and entered that the duties, based on the declaration of the importer on the face of the entry, would be less by twenty per centum than should be legally collected, or when the dutiable weight measurement or quantity of imported articles is found upon examination to exceed by ten per centum or more, the entered weight, measurement or quantity, a surcharge may, in the discretion of the Collector be collected from the importer in an amount not less than the difference between the full duty and the duty based upon the declaration of the importer, nor more than five times of such difference: Provided, That in cases where the Collector decides to waive imposition

of any surcharge in excess of one hundred pesos in any entry, his action shall be subject to review by the Commissioner.

SECTION 2504. Failure or Refusal of Party to Give Evidence or Submit Documents for Examination. — When the owner, importer or consignee of any imported articles, or the agent of either, fails or refuses, upon lawful demand in writing by any customs official to appear, make oath or submit himself to examination, or to answer any material question or refuses to produce records, accounts or invoices in his possession pertaining to the value, classification or disposition of the article in question and deemed material in appraising the same, the Collector shall assess a surcharge of twenty per centum ad valorem on the article which is the subject of the importation.

SECTION 2505. Failure to Declare Baggage. — Whenever any dutiable article is found in the baggage of any person arriving within the Philippines which is not included in the baggage declaration, such article shall be seized and the person in whose baggage it is found may obtain release of such article, if not imported contrary to any law upon payment of treble the appraised value of such article plus all duties, taxes and other charges due thereon unless it shall be established to the satisfaction of the Collector that the failure to mention or declare said dutiable article was without fraud.

Nothing in this section shall preclude the bringing of criminal action against the offender.

SECTION 2506. Breach of Bond. — Upon breach of a bond required to be filed under the tariff and customs laws, the Collector subject to the approval of the Commissioner, may accept in satisfaction thereof a smaller sum than that mentioned in the penalty clause of the bond, but in no case less than the amount necessary to indemnify the Government for the damage occasioned by such breach.

SECTION 2507. Unlawful Navigation of Unregistered Vessel. — When any vessel is used or navigated in Philippine waters without having been first duly registered in the Bureau of Customs, or application therefor made as required by law, such vessel shall be fined in a sum not less than fifty pesos nor more than one thousand pesos.

SECTION 2508. Vessel Engaging in the Coastwise Trade Without License. — Any vessel engaging in the coastwise trade, without the requisite license, shall be fined in a sum not exceeding one thousand pesos.

SECTION 2509. Vessel Navigating Without Complement of Officers. — Any Philippine vessel navigating without a full complement of duly licensed officers, not otherwise due to an emergency beyond the control of the master, owner or agent, shall be fined in a sum not exceeding one thousand pesos.

SECTION 2510. Vessel Engaging in Bay and River Business Without License. — Any vessel engaging in the business of towing or of transporting passengers or freight in any harbor, bay, river or any inland water navigable from the sea, without the requisite license, shall be fined in a sum not exceeding five hundred pesos.

SECTION 2511. Failure to Produce Members of Crew. — When the master of a Philippine vessel returning from abroad fails to produce as required by law, any member

of the crew listed at the time of departure from the Philippines, in the vessel's shipping articles, the vessel shall be fined in the sum not exceeding five hundred pesos for each member absent and unaccounted for.

SECTION 2512. Injury to Buoys and Beacons. — When any buoy or beacon maintained in Philippine waters is damaged, misplaced or destroyed by reason of having made fast thereto any vessel or other floating object or as a consequence of the negligent navigation or control thereto, such vessel, or the owner or person in control of any such other object which caused the damage shall be subject to a fine of not more than two hundred pesos, to which shall be added the expense of repairing or replacing the same.

SECTION 2513. Vessel or Aircraft Departing before Entry Made. — Any vessel or aircraft arriving within the limits of a collection district from a foreign port which departs before entry is made, without being compelled to do so by stress of weather, pursuit or duress of enemies, or other necessity, shall be fined in a sum not exceeding five thousand pesos.

SECTION 2514. Obstruction to Boarding Official. — If the master or pilot in command or any member of the complement of any vessel or aircraft arriving at a Philippine port obstructs or hinders any official from lawfully going on board such vessel or aircraft for the purpose of enforcing the customs and tariff laws intentionally causes any such official to be so obstructed or hindered, the vessel or aircraft shall be fined in a sum not exceeding five thousand pesos.

SECTION 2515. Unlawful Boarding or Leaving of Vessel or Aircraft. — If upon arrival at a Philippine port, any master of a vessel or pilot in command of an aircraft engaged in a foreign trade permits any person to board or leave the vessel or aircraft without the permission of the customs official in charge, such vessel or aircraft shall be fined in a sum not exceeding one thousand pesos.

SECTION 2516. Failure to Deliver or Receive Mail. — If the master of a vessel or pilot in command of an aircraft arriving at a Philippine port fails or refuses to deliver to the postmaster of the nearest post office, as required by law or contract, all mail matter on board such vessel or aircraft and destined for the particular port, the vessel or aircraft shall be fined in a sum not exceeding one thousand pesos.

When any vessel or aircraft which is required by law or contract to carry mail matter departs from a port or place where mail should be received, without giving the postmaster or other postal official a reasonable opportunity to deliver to the vessel or aircraft of its proper officer or agent, any mail matter addressed to or destined for the port or place to which the vessel or aircraft is bound, such vessel or aircraft shall be fined in a sum not exceeding one thousand pesos.

SECTION 2517. Unlading of Cargo Before Arrival At Port of Destination. — If, upon the arrival within the limits of any collection district of the Philippines of any vessel or aircraft engaged in foreign trade, the master or pilot in command thereof permits any part of the cargo to be unladen before her arrival at her port of destination, and without authority from a proper customs official, such vessel or aircraft shall be fined in a sum

not exceeding five thousand pesos, unless the unloading was rendered necessary by stress of weather, accident or other necessity; and if due to necessity, the subsequent approval of the proper Collector must be obtained.

SECTION 2518. Unloading of Cargo at Improper Time or Place After Arrival. — Any vessel or aircraft, which after arrival at her port of destination in the Philippines, discharges cargo at any time or place other than that designated by the Collector shall be fined in a sum not exceeding ten thousand pesos unless the unloading was rendered necessary by stress of weather, accident or other necessity; and if due to necessity, the subsequent approval of the proper Collector must be obtained.

SECTION 2519. Failure to Exhibit or Deposit Documents. — When the master of a vessel or pilot in command of an aircraft engaged in foreign trade fails to exhibit to the Collector at the time of entry of his vessel or aircraft the register or other paper in lieu thereof, together with the clearance and other papers granted by the customs officials to his vessel or aircraft at the last foreign port of departure, or fails to exhibit any certificate or other document required to be then exhibited, such vessel or aircraft shall be fined in a sum not exceeding five thousand pesos.

Such vessel shall be liable for the payment of the aforesaid fine if the master, within forty-eight hours after arrival, shall fail to deliver to the proper consular officer of his nation such documents as are required by law to be deposited with him, or, if after having made such deposit, the master shall fail to produce to the Collector the required evidence that the same has been effected.

SECTION 2520. Bringing of Unmanifested Arms, Explosives or War Equipment. — Any vessel or aircraft arriving at a port in the Philippines, having firearms, gunpowder, cartridges, dynamite or any other explosives, munitions or equipments of war concealed on board his vessel or not contained in the manifest of the vessel or aircraft, shall be fined not exceeding twenty thousand pesos.

SECTION 2521. Failure to Supply Requisite Manifests. — If any vessel or aircraft enters or departs from a port of entry without submitting the proper manifests to the customs authorities, or shall enter or depart conveying unmanifested cargo other than as stated in the next preceding section hereof, such vessel or aircraft shall be fined in a sum not exceeding ten thousand pesos.

The same fine shall be imposed upon any arriving or departing vessel or aircraft if the master or pilot in command shall fail to deliver or mail to the Auditor General a true copy of the manifest of the incoming or outgoing cargo, as required by law.

SECTION 2522. Disappearance of Manifested Article. — When any package or article mentioned in the manifest shall not be duly forthcoming upon the arrival of the vessel or aircraft, the vessel or aircraft shall be fined in a sum not exceeding two thousand pesos, unless the disappearance of the package or article in question was not due to the negligence of the master of the vessel or pilot in command of an aircraft and explained to the satisfaction of the Collector.

The vessel or aircraft shall be liable for the payment of the same fine when a package or article listed in the manifest does not tally materially in character or otherwise with the description thereof in the manifest.

SECTION 2523. Discrepancy Between Actual and Declared Weight of Manifested Article. — If the gross weight of any article or package described in the manifest exceeds by more than twenty per centum the gross weight as declared in the manifest or bill of lading thereof, and the Collector shall be of opinion that such discrepancy was due to the carelessness or incompetency of the master or pilot in command, owner or employee of the vessel or aircraft, a fine of not more than fifteen per centum of the value of the package or article in respect to which the deficiency exists, may be imposed upon the importing vessel or aircraft.

SECTION 2524. Delivery of Cargo Not Agreeing With Master's or Pilot's in Command Report. — When a vessel or aircraft arriving from a foreign port is compelled by necessity to put into another port than the port of her destination and permission is granted by the Collector for the unloading of the vessel or aircraft or the delivery of any part of her cargo and it shall be found that the delivery of the cargo does not agree with the master's or pilot's in command report, and the discrepancy is not satisfactorily explained, the vessel or aircraft shall be fined in a sum not exceeding five thousand pesos.

SECTION 2525. Breaking of Seal Placed by Customs Official. — If any seal placed by a customs official upon any vessel or aircraft or compartment thereof, or upon any box, trunk or other package of article on board any vessel or aircraft is broken or destroyed, the vessel or aircraft shall be fined in a sum not exceeding five thousand pesos for each seal so broken or destroyed.

SECTION 2526. Breaking of Lock or Fastening Placed by Customs Official. — If any lock or other fastening device placed by a customs official upon any hatch door, or other means of communication with the hold of a vessel or aircraft, or other part thereof, for the security of the same during the nighttime, shall be unlawfully opened, broken or removed, or if any of the articles contained in the hold or in other compartments so secured shall be clandestinely abstracted and landed, the vessel or aircraft shall be fined in a sum not exceeding five thousand pesos.

SECTION 2527. Disappearance of Trunk or Package Specially Noted by Customs Official. — When any box, trunk or other package of article is found by a customs official on any incoming vessel or aircraft separate from the rest of the cargo or in any unusual or improper place on such vessel or aircraft and the same shall be noted by him, with proper description, and the attention of the master or pilot in command or other responsible officer of the vessel or aircraft is called thereto, the vessel or aircraft shall be fined in a sum not exceeding one thousand pesos for every such package which may subsequently be missing and unaccounted for upon the arrival of the vessel or aircraft at the port of entry.

SECTION 2528. False Statement of Vessel's or Aircraft's Destination. — When the master or pilot in command of a vessel or aircraft laden with articles shall make a false statement as to the next destination of such vessel or aircraft, when information

concerning the same is required of him by a customs official, such vessel or aircraft shall be fined in a sum not exceeding five thousand pesos; and the circumstances that a vessel or aircraft after clearing for a certain port of destination goes to some other port, not being impelled to do so by necessity, shall be prima facie proof that the original statement of the vessel's or aircraft's actual destination was false.

SECTION 2529. Miscellaneous Offenses. — The following administrative fines shall be imposed upon any vessel that sails or operates under any of the circumstances hereunder specified:

- a. For sailing or operating without proper certificate of inspection and special permit, fifty pesos for each offense;
- b. For sailing or operating with expired license or permit, one hundred pesos for each offense;
- c. For engaging in the business of transporting passengers in the coastwise trade without license or permit, one hundred pesos for each offense;
- d. For navigating without sufficient life preservers, belts or rafts required by customs regulations, one hundred pesos for each offense;
- e. For navigating without fire-fighting apparatus and/or medical supplies required by customs regulations, fifty pesos for each offense;
- f. For sailing with excess passengers, twenty pesos for each passenger in excess of the authorized number, but in no case less than the fare payable by each passenger to his place of destination;
- g. For sailing with overloaded cargo, fifty pesos for each offense in case of vessels of fifty tons gross or less; one hundred pesos in case of vessels of not less than fifty tons nor more than one hundred tons gross; and not less than two hundred pesos nor more than five hundred pesos in case of vessels of one hundred tons gross or more;
- h. A vessel shall be fined in an amount hereafter fixed for:
  - (1) Anchoring at any dock, pier, wharf, quay or bulkhead without rat guards, fifty pesos for coastwise vessels, and two hundred pesos for overseas vessels;
  - (2) Dumping garbage or slops over the side in port, one hundred pesos;
  - (3) Dumping or causing to spread crude oil, kerosene or gasoline in the bay or at the piers while in port, two hundred pesos for each offense;
  - (4) Loading gasoline at a place other than that designated by the regulations, four hundred pesos for each offense.

SECTION 2530. Property Subject to Forfeiture Under Tariff and Customs Laws. — Any vessel or aircraft, cargo, articles and other objects shall, under the following conditions, be subject to forfeiture:

- a. Any vessel or aircraft, including cargo, which shall be used lawfully in the importation or exportation of articles into or from any Philippine port or place except a port of entry; and any vessel which, being of less than thirty tons capacity shall be used in the importation of articles into any Philippine port or place except into a port of the Sulu sea where importation in such vessel may be authorized by the Commissioner, with the approval of the department head.
- b. Any vessel engaging in the coastwise trade which shall have on board any article of foreign growth, product or manufacture in excess of the amount necessary for sea stores, without such article having been properly entered or legally imported.
- c. Any vessel or aircraft into which shall be transferred cargo unladen contrary to law prior to the arrival of the importing vessel or aircraft at her port of destination.
- d. Any part of the cargo of a vessel or aircraft arriving from a foreign port which is unladen before arrival at the vessel's or aircraft's port of destination and without authority from the proper customs official; but such cargo shall not be forfeited if such unloading was due to accident, stress of weather or other necessity and is subsequently approved by the Collector.
- e. Any article which is fraudulently concealed in or removed from any public or private warehouse under customs supervision.
- f. Any article of prohibited importation or exportation, the importation or exportation of which is effected or attempted contrary to law, and all other articles which, in the opinion of the Collector, have been used, are or were intended to be used as instrument in the importation or exportation of the former.
- g. Unmanifested article found on any vessel or aircraft, if manifest therefor is required.
- h. Sea stores or stores for aircraft adjudged by the Collector to be excessive, when the duties assessed by the Collector thereon are not paid or secured forthwith upon assessment of the same.
- i. Any package of imported article which is found by the examining official to contain any article not specified in the invoice or entry, including all other packages purportedly containing imported articles similar to those declared in the invoice or entry to be the contents of the misdeclared package, provided the Collector is of the opinion that the misdeclaration was caused with fraudulent intent.
- j. Boxes, cases, trunks, envelopes and other containers of whatever character used as receptacles or as devices to conceal article which is itself subject to forfeiture under the customs and tariff laws or which is so designed as to conceal the character of such article.
- k. Any beast actually being used for the conveyance of article subject to forfeiture under the customs and tariff laws with its equipage or trappings, and any vehicles similarly used, together with its equipage and appurtenances, including the beast, team or other motive power drawing or propelling the same; but the forfeiture shall not be effected if it is

established that the owner of the means of conveyance used as aforesaid or his agent in charge thereof at the time, has no knowledge of the unlawful act.

l. Any money or thing of value offered as a bribe or for the purpose of exerting improper influence over a customs official or employee.

m. Any article sought to be imported or exported:

(1) Without going through a customhouse, whether the act was consummated, frustrated or attempted;

(2) By failure to mention to a customs official, articles found in the baggage of a person arriving from abroad.

(3) On the strength of a false declaration or affidavit executed by the owner, importer, exporter or consignee concerning the importation or exportation of such article.

(4) On the strength of a false invoice or other document executed by the owner, importer, exporter or consignee concerning the importation or exportation of such article.

(5) Through any other fraudulent practice or device by means of which such articles was entered through a customhouse to the prejudice of the government.

SECTION 2531. Conditions Affecting Forfeiture of Article. — As regards imported or exported article or articles whereof the importation or exportation is merely attempted, the forfeiture shall be effected only when and while the article is in the custody or within the jurisdiction of the customs authorities or in the hands or subject to the control of the importer, exporter, original owner, consignee, agent or other person effecting the importation, entry or exportation in question, or in the hands or subject to the control of some person who shall receive, conceal, buy, sell or transport the same or aid in any such acts, with knowledge that the article was imported, or was the subject of an attempt at importation or exportation, contrary to law.

SECTION 2532. Enforcement of Administrative Fines and Forfeitures. — Administrative fines and forfeitures shall be enforced by the seizure of the vessel or aircraft or other property subject to the fine or forfeiture and by subsequent proceedings in conformity with the provisions of Parts 2 and 3, Title VI, Book II, of this Code.

SECTION 2533. Seizure of Vessel or Aircraft for Delinquency of Owner or Officer. — When the owner, agent, master, pilot in command or other responsible officer of any vessel or aircraft becomes liable to be fined under the customs and tariff laws on account of a delinquency in the discharge of a duty imposed upon him with reference to the said vessel or aircraft, the vessel or aircraft itself may be seized and subjected in an administrative proceeding for the satisfaction of the fine for which such person would have been liable.

## **PART 5**

### **Disposition of Property in Customs Custody**

SECTION 2601. Property Subject to Sale. — Property in customs custody shall be subject to sale under the conditions hereinafter provided:

- a. Abandoned articles.
- b. Bonded articles entered under warehousing entry not withdrawn nor the duties and taxes paid thereon within the period prescribed by law.
- c. Articles for which import entry has been filed but have not been claimed within fifteen days thereafter: Provided, That in justifiable cases, or when public interest so requires, the Collector may, in his discretion, grant an extension of not more than fifteen days.
- d. Seized property, other than contraband, after liability to sale shall have been established by proper administrative or judicial proceedings in conformity with the provisions of this Code.
- e. Any article subject to a valid lien for customs duties, taxes or other charges collectible by the Bureau of Customs, after the expiration of the period allowed for the satisfaction of the same.

SECTION 2602. Place of Sale or Other Disposition of Property. — Property within the purview of this Part of this Code shall be sold, or otherwise disposed of, upon the order of the Collector of the port where the property in question is found, unless the Commissioner shall direct its conveyance for such purpose to some other port.

SECTION 2603. Mode of Sale. — In the absence of any special provision, property subject to sale by the customs authorities shall be sold at public auction after ten days' notice conspicuously posted at the port and such other advertisement as may appear to the Collector to be advisable in the particular case.

SECTION 2604. Disqualification to Participate in Auction Sale. — No customs official or employee shall be allowed to bid directly or indirectly, in any customs auction.

SECTION 2605. Disposition of Proceeds. — The following charges shall be paid from the proceeds of the sale in the order named:

- a. Expenses of appraisal, advertisement and sale.
- b. Duties except in the case of abandoned and forfeited articles.
- c. Taxes and other charges due the Government.
- d. Government storage charges.
- e. Arrastre and private storage charges.
- f. Freight, lighterage or general average, on the voyage of importation, of which due notice shall have been given to the Collector.

SECTION 2606. Disposition of Surplus. — Except in the case of the sale of abandoned or forfeited articles, any surplus remaining after the satisfaction of all lawful charges as

aforesaid shall be paid by the Collector to the owner, if known, otherwise it shall be retained by him for ten days subject to the call of the owner. Upon the failure of the owner to claim such surplus within this period, the Collector shall deposit such amount with the Treasurer of the Philippines as a special deposit, to be paid to the proper claimant demanding the same within one year thereafter, upon such evidence and in such manner as the Auditor General shall prescribe.

In all such cases the Collector shall report fully his action in the matter, together with all the particulars, to the Commissioner and to the Auditor General. After one year all unclaimed special deposits shall be considered by the Bureau of Treasury as customs receipts.

SECTION 2607. Disposition of Articles Liable to Deterioration. — Perishable articles shall not be deposited in a bonded warehouse; and, if not immediately entered for export or for transportation from the vessel or aircraft in which imported or entered for consumption and the duties and taxes paid thereon, such articles may be sold at auction, after such public notice, not exceeding three days, as the necessities of the case permit.

When seizure shall be made of property which, in the opinion of the Collector, is liable to perish or be wasted or to depreciate greatly in value by keeping, or which cannot be kept without great disproportionate expense, whether such property consists of live animals or of any article, the appraiser shall so certify in his appraisal, then the Collector may proceed to advertise and sell the same at auction, upon notice as he shall deem to be reasonable.

The same disposition may be made of any warehouse article when in the opinion of the Collector it is likely that the cost of depreciation, damage, leakage or other causes, may so reduce its value as to be insufficient to pay the duties, taxes and other charges due thereon, if it should be permitted to be so kept and be subjected to sale in the usual course.

SECTION 2608. Disposition of Articles Unfit for Use or Sale or Injurious to Public Health. — When any article, which in the opinion of the Collector, is a menace to public health, is seized or otherwise comes into the custody of the Bureau of Customs, the Collector of the port shall, if the matter is not disposable under the provisions relating to food and drugs, appoint a board of three members to examine the article. Whenever possible, one member shall be a representative of the Bureau of Health or the local health officer, and the two others shall be responsible officials of the Bureau of Customs, at least one of whom shall be an appraiser. Such board shall examine said article, and if the same is found to be unfit or a menace to the public health, the board shall so report in writing to the Collector, who shall forthwith order its destruction in such manner as the case may require.

Health authorities at port of entry shall collaborate with the collectors in such matters with reasonable dispatch.

SECTION 2609. Disposition of Contraband. — Articles of prohibited importation or exportation, known as contraband, shall, in the absence of special provision, be dealt with as follows:

a. If the article in question is highly dangerous to be kept or handled, it shall forthwith be destroyed.

b. Contraband coin or bullion shall accrue to the Stabilization Fund of the Central Bank subject to the payment of the expenses incident to seizure, including the reward to the informer, if any.

c. Other contraband of commercial value and capable of legitimate use may be sold under such restrictions as will insure its use for legitimate purposes only; but if the thing is unfit for use or the Collector is of the opinion that, if sold it would be used for unlawful purposes, it may be destroyed in such manner as the Collector shall direct.

SECTION 2610. Disposition of Unsold Articles for Want of Bidders. — When any article remains unsold for want of bidders or for lack of an acceptable bid, then the Collector shall, subject to the approval of the department head, dispose of such article to the best advantage of the government in a private sale, and in case the same can not be sold, then such articles shall be given to government charitable institutions through the Social Welfare Administration.

SECTION 2611. Disposition of Dangerous Explosives. — Gunpowder or other dangerous or explosive substances, except firecrackers shall not be deposited in a bonded warehouse, and when not entered for immediate use, transportation or export, shall be subject to such disposition, in the discretion of the department head, consistent with the public safety.

Expenses incurred in such disposition shall constitute a lien on the articles and a charge against the owner.

## **TITLE VII**

### **Fees, Dues and Charges Collectible by the Bureau of Customs**

#### **PART 1**

##### **Harbor Fees**

SECTION 2701. Definition. — Harbor fee is the amount which the owner, agent, operator or master of a vessel has to pay for each entrance into or departure from a port of entry in the Philippines.

SECTION 2702. Schedule of Rates. — The following schedule on fees for each entrance into or departure from a port of entry in the Philippines is hereby established:

a. For each entrance from a foreign port	P50.00
b. For each departure to a foreign port	50.00
c. For each coastwise entrance or departure:	
(1) In case of vessel from 6 to 15 tons net	1.00
(2) In case of vessel more than 15 but not more than 75 tons net	2.00

(3) In case of vessel more than 75 but not more than 150 tons net	4.00
(4) In case of vessel more than 150 but not more than 200 tons net	6.00
(5) In case of vessel more than 200 but not more than 250 tons net	10.00
(6) In case of vessel more than 250 but not more than 300 tons net	12.00
(7) In case of vessel more than 300 but not more than 400 tons net	16.00
(8) In case of vessel more than 400 tons net	20.00

SECTION 2703. Exemptions. — The following are exempt from the payment of such fees:

- a. Vessels entering the port for the sole purpose of receiving bunker fuel and/or ship supplies or changing pilots, and remaining less than 24 hours in the port;
- b. Vessels passing through the port and remaining less than twelve hours and not receiving or discharging cargo;
- c. Vessels owned by the Philippine Government or any foreign government not engaged in carrying cargo, or passengers for hire; and
- d. Private, non-commercial pleasure craft.

## **PART 2**

### **Wharfage Due**

SECTION 2801. Definition. — Wharfage due is the amount assessed against the cargo of a vessel engaged in the foreign trade, based on the quantity, weight or measure received and/or discharged by such vessel. The owner, consignee, or agent of either, of the article is the person liable for such charge.

SECTION 2802. Schedule of Dues. — There shall be levied, collected and paid on all articles imported or brought into the Philippines, and on products of the Philippines except coal, lumber, creosoted and other pressure treated materials as well as other minor forest products, cement, guano, natural rock asphalt, the minerals and ores of base metals (e.g., copper, lead, zinc, iron, chromite, manganese, magnesite and steel), and sugar molasses, exported from the Philippines, a charge of two pesos per gross metric ton as a fee for wharfage: Provided, That in the case of logs, or fitches twelve inches square or equivalent cross-sectional area, or over, a charge of sixty centavos per cubic meter shall be collected.

## **PART 3**

### **Berthing Charge**

SECTION 2901. Definition. — Berthing charge is the amount assessed against a vessel for mooring or berthing at a pier, wharf, bulkhead-wharf, river or channel marginal wharf at any port in the Philippines; or for mooring or making fast to a vessel so berthed; or for berthing or mooring within any slip, channel, basin river or canal under the jurisdiction of any port of the Philippines. The owner, agent, operator or master of the vessel is liable for this charge.

SECTION 2902. Ports with Cargo Sheds. — Every vessel engaged in foreign trade which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf at any national port in the Philippines provided with cargo sheds, or which makes fast to any vessel lying at such wharf or pier, for the purpose of discharging and/or loading cargo shall pay a berthing fee of four centavos per registered gross ton of the vessel for the first twenty-four hours or part thereof, and for each succeeding twenty-four hours or part thereof, exceeding three hours: Provided, That the maximum charge shall not exceed four hundred pesos per day.

SECTION 2903. Ports Without Cargo Sheds. — Every vessel engaged in foreign trade which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf at any national port in the Philippines without cargo sheds, or which makes fast to any vessel lying at such wharf or pier, for the purpose of discharging and/or loading cargo shall pay a berthing fee of three centavos per registered gross ton of the vessel for the first twenty-four hours, or part thereof, and for each succeeding twenty-four hours, or part thereof, exceeding three hours: Provided, That the maximum charge shall not exceed three hundred pesos per day.

SECTION 2904. Exemptions. — Whenever any vessel referred to in the preceding sections is stopped by the customs authorities from discharging cargo to avoid congestion on the piers or for other justifiable causes, such vessel shall be exempt from the payment of berthing fees during the period of such suspension, unless in the meantime it loaded cargo at shipside or from the piers. In such case the wharfinger shall indicate in his report the time when the vessel stopped discharging cargo and the time it resumed said activity, and whether or not the vessel loaded cargo during the suspension of the unloading operations.

SECTION 2905. Non-cargo Vessels. — Every vessel engaged in foreign trade which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf at any national port in the Philippines, or which makes fast to any vessel lying at such wharf or pier, for the sole purpose of landing and/or taking passengers, or for taking fresh water or fuel for bunkers shall pay a berthing fee of two centavos per registered gross ton of the vessel: Provided, That such vessel does not remain at such berth more than eight hours; but if such vessel remains at such berth more than eight hours, the same berthing fee shall be paid as is provided in section twenty nine hundred and two hereof for cargo vessels whether the wharf or pier is with or without cargo shed: Provided, further, That the maximum charge shall not exceed two hundred pesos per day.

SECTION 2906. Vessels in the Philippine Coastwise Trade — Ports With Cargo Sheds. — Every vessel propelled by steam or internal combustion engine and engaged in the Philippine coastwise trade, excepting boats of five tons gross or less or pleasure or non-

commercial craft, which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf at any national port in the Philippines provided with cargo sheds or which makes fast to any vessel at such wharf, or pier, for the purpose of loading or discharging cargo or for any other purpose except when in distress, shall pay a berthing fee of one centavo per registered gross ton of the vessel for the first twenty-four hours or part thereof, and one-half centavo per registered gross ton for each succeeding twenty-four hours or part thereof: Provided, That the maximum charge shall not exceed one hundred pesos for the first day and fifty pesos for each succeeding day or part thereof, nor shall the minimum charge be less than ten pesos for the first day and five pesos for each succeeding day or part thereof: Provided, further, That steam or motor vessels subject to berthing fees as herein prescribed, of less than one hundred gross tons, shall be subject to a minimum charge of not less than two pesos for the first day and one peso for each succeeding day or part thereof.

SECTION 2907. Same — Ports Without Cargo Sheds. — Every vessel propelled by steam or internal combustion engine and engaged in coastwise trade which berths at a pier, wharf, bulkhead-wharf, river or channel marginal wharf without a cargo shed at any national port, or which makes fast to any vessel lying at such wharf or pier for any purpose, except those specifically exempted in the preceding subsection, shall pay a berthing fee of one-half centavo per registered gross ton of the vessel for the first twenty-four hours or part thereof, and one-fourth centavo per registered gross ton of the vessel for each succeeding twenty-four hours or part thereof: Provided, That the maximum charge shall not exceed twenty-five pesos for the first day and twelve pesos for each succeeding day or part thereof, nor shall the minimum charge be less than two pesos for the first day and one peso for each succeeding day or part thereof: Provided, further, That steam or motor vessels subject to berthing fee as herein prescribed, of less than one hundred gross tons, shall be subject to a minimum charge of not less than one peso for the first day and fifty centavos for each succeeding day or part thereof.

SECTION 2908. Vessels in the Bay and River Trade. — Every vessel propelled by steam or internal combustion engine and engaged in the bay and river trade or operating in the daily ferry service, which berths at a pier, wharf, bulkhead-wharf, channel or river marginal wharf with or without cargo sheds at any national port or which makes fast to any vessel lying at such wharf or pier more than once every twenty-four hours, except those specifically exempted in section twenty-nine hundred and six hereof, shall be subject to the payment of a berthing fee equivalent to fifty per centum of the rates prescribed by the preceding sections as the case may be; the rates for the first twenty-four hours or part thereof, applicable on the first day of each month and rates for each succeeding day or part thereof, applicable on the first day of each month up to and including the last day: Provided, That when such vessels leave their berth and do not take berth again within twenty-four hours from the time they leave their berth, they shall be subject to the rates prescribed for the first twenty-four hours when they return and berth again at the wharf or pier or makes fast to any vessel lying at such wharf or pier.

#### **PART 4**

#### **Storage Charge**

SECTION 3001. Definition. — Storage charge is the amount assessed on articles for storage in customs premises, cargo shed and warehouses of the government. The owner, consignee or agent of either, of the articles, is liable for this charge.

SECTION 3002. At the Port of Manila. — a. Consignments of articles or parts thereof, which remain in any of the government piers or other customs premises shall be entitled to a free storage period of six working days after the cargo of the vessel from which such articles were landed have been officially declared as discharged. After the said free storage period, the storage rate per ton, per day shall be as follows:

Articles not designated for examination:	
For the first nine (9) days	P0.25 per ton
Thereafter, to the date of completion of the processing of the entry by the Marine Division, as stamped on the delivery permit	P0.50 per ton:

Provided, That if an importer or broker demands delivery within the free storage period of six (6) working days by filing his delivery permit and having sufficient means of transportation to withdraw his articles from the piers, is prevented from withdrawing the articles because of the congestion of the cargo and/or traffic in the piers, the six-day free storage period herein provided shall be extended for the duration of such congestion upon certification by the wharfinger to the Collector of the existence of such congestion. The surveyor of the port, acting in behalf of the Collector, may, from time to time, extend the six-day free storage period, upon the petition of the importers or brokers, if in his opinion the condition of the piers does not permit movement of articles due to congestion or other causes beyond the control of the importers or brokers during that period: Provided, further, That the storage charges on consignments of articles for which no entries are filed within ten (10) days after the cargo of the importing vessel has been officially declared as discharged, shall be assessed as provided in section thirty hundred and five (i): Provided, further, That in no case shall storage charge be assessed at less than P1 on any single package of less than 3.334 tons or at less than P2 on any consignment consisting of two or more packages of less than 6.667 tons for any day or fraction thereof: Provided, finally, That storage charges shall not be collected on articles designated for examination, except as provided in subsection “b” hereof.

The surveyor of the port, immediately upon receipt of advice of the wharfinger as to the time of the completion of discharge of cargo from a vessel lying alongside the pier or bulkhead, shall cause to be posted a notice at the piers and in the customhouse announcing that fact and giving the date upon which storage charge on cargo from such vessel will begin.

b. Articles or parts of consignments designated for examination which are removed from the piers or customs premises within the six-day free storage period as provided in subsection “a” hereof or within forty-eight (48) hours after examination exclusive of Sundays and legal holidays, shall not pay storage charges. Thereafter, the same shall be subject to storage at the rate of P1 per ton per day: Provided, That no storage shall be charged on the articles above referred to if the aggregate weight of those pertaining to one consignment is less than one kilo.

c. Articles or parts of the consignments already released for delivery to the importers, which are subsequently held for re-examination by authorized customs officers shall not pay storage during the period of suspension of their delivery, but if they are not removed from the customs premises within forty-eight (48) hours after their release by the withholding office of storage shall be paid thereon thereafter at the rate of P1 per ton per day.

d. Packages and articles, whether manifested or not, or shipstores weighing more than one kilo remaining in the parcel office or the Appraisers' Division for more than five (5) working days after their receipt therein, shall pay the following rates:

(1) Packages or articles weighing from one kilo to ten kilos, P0.05 per day; and

(2) Packages or articles weighing more than ten kilos, P0.10 each, per day:

Provided, That every package or article not taken within the free storage period of five (5) working days provided in this subsection shall be subject to storage of at least P0.50 in the case of those weighing from one kilo to ten kilos and P1 in the case of those weighing more than ten kilos.

e. Parcels and packages received by mail through the Post Office, which remain in the Parcel Office of the Appraisers' Division for more than fifteen (15) working days after their receipt therein, shall pay the following rates:

(1) Parcels or packages weighing ten kilos or less, P0.02 per day; and

(2) Parcels or packages weighing more than ten kilos, P0.05 per day:

Provided, That each parcel or package shall, if not taken within the 15-day free storage period provided in this subsection, be subject to storage charge of not less than P0.40 in the case of those weighing ten kilos or less and P1 in the case of those weighing more than ten kilos.

f. Consignments of articles or parts thereof, which are transferred to general bonded warehouses and remain therein beyond the free storage period of six (6) working days provided in subsection "a" shall pay storage charges at the rate fixed in the contract entered into between the Bureau of Customs and the operator of the general bonded warehouse. Where no such contract exists, the storage charge shall be at the rate of P0.50 per ton per day.

SECTION 3003. At the Ports of Cebu, Iloilo, Zamboanga, Davao, Jolo, Tabaco, Legaspi, Jose Panganiban, Aparri, Tacloban, San Fernando and Cagayan de Oro. —

a. Consignments of articles, or parts thereof, not designated for examination, which remain on customs premises, government warehouses, or on the piers for more than four (4) working days after the discharge of the last package of the consignment upon the customs wharf or piers shall pay at the rate of P0.10 per ton per day: Provided, That in no case shall storage charge be assessed at less than P0.35 on any single package of less than

3.334 tons or at less than P0.70 on any consignment consisting of two or more packages of less than 6.667 tons on any day or fraction thereof.

b. Articles, or parts of consignment designated for examination which remain in the appraisers' stores or on the piers for more than forty-eight (48) hours after examination, shall be subject to storage at the rate of P0.20 per ton per day: Provided, That in case said articles are taken from the appraisers' stores or the piers within the said forty-eight (48) hours, excluding Sundays and holidays, after the examination, the same shall be exempt from storage charges: Provided, further, That no storage shall be assessed on any of the articles herein referred to prior to the expiration of the free storage period of four (4) working days provided in this subsection, although forty-eight (48) hours have already elapsed after the examination of said articles.

c. Packages and articles, whether manifested or not, or shipstores remaining in customs premises for more than five (5) working days after their receipt therein, shall pay storage at the rate of P0.10 per piece or parcel per day: Provided, That there shall be no charge on packages or articles weighing less than one kilo.

d. Parcels and packages received by mail through the post office, which remain in the Appraisers' Division for more than fifteen (15) days after their receipt therein, shall pay storage at the rate of P0.05 per day: Provided, That all such parcels and packages, except those weighing less than one kilo, if not taken within the 15-day period from the date they are received in the Appraisers' Division, shall be subject to storage charges of not less than P1. No shortage shall be charged on parcels or packages weighing less than one kilo.

e. Articles or parts of consignments designated for examination which remain in the appraisers' stores more than forty-eight (48) hours after the liquidation of the entry has been posted at the Liquidation Office, shall pay at the rate of P0.20 per ton per day: Provided, That all articles or parts of consignments so remaining shall be subject to storage charges of not less than P1.00: Provided, further, That no storage shall be charged on such goods, packages or parts of consignments, until the expiration of forty-eight (48) hours after the liquidation of the entry has been posted at the Liquidation Office.

SECTION 3004. At All Ports of Entry. — Packages known as baggage or arriving as such, which remain in customs custody after their receipt on customs premises at any port of entry in the Philippines, including the customs office at Aparri, Tacloban and Jose Panganiban, shall be free from storage charges during the first forty-eight (48) hours after their receipt therein. Thereafter, there shall be paid the following rates per day, including Sundays and holidays:

Not exceeding 60 cubic decimeters in bulk	P0.50 each; Minimum charge P0.35
More than 60 to 120 cubic decimeters in bulk	P0.10 each; Minimum charge P0.70
More than 120 cubic decimeters in bulk	P0.15 each Minimum charge P1.05:

Provided, That all steamer chairs and wooden frames covered with can, cloth or canvas, of the folding variety, shall pay at the rate of two centavos (P0.20) each per day, the minimum to be not less than P0.15: Provided, further, That if such baggage, steamer chairs and wooden frames are held in bond for a period of more than thirty (30) days, storage shall accrue thereon from the time of their delivery into customs custody.

SECTION 3005. General Provisions. —

a. Articles, supplies or materials imported by any branch of the Philippine Government, except those imported by Philippine government entities which are intended for commercial or profit-making purposes, shall be exempt from storage charges: Provided, That whenever such consignments shall have been imported by other than the Philippine Government or branches thereof, or for sale thereto, storage shall be charged thereon as hereinbefore provided.

b. Transit consignments manifested as such for any Philippine port of entry shall be exempt from storage charges at the first port of arrival if forwarded to the port of destination within six (6) days, including Sundays and holidays, after the cargo of the importing vessel has been officially declared to be discharged. Thereafter storage charge shall accrue thereon at the rate of P0.50 per ton per day.

c. Foreign transit cargo landed on any port of entry in the Philippines destined for foreign ports shall be exempt from storage charges if forwarded to its destination within ten (10) days, including Sundays and holidays, after the cargo of the importing vessel has been officially declared as discharged. Thereafter storage charges shall accrue thereon at the rate of P0.50 per ton per day.

d. Overlanded or misimported cargo not destined for the Philippines shall be exempt from storage charges if re-exported within six (6) days, including Sundays and holidays, after the carrying vessel has been officially declared to be discharged. Thereafter, storage shall accrue thereon at the rate of P0.50 per ton per day.

e. Unmanifested cargo intended for the Philippines or of unknown destination, if claimed by steamship agents for local consumption shall, if released by the Collector be treated as regular imported cargo, subject to the rates of storage charges fixed as hereinbefore provided, if claimed by said ship agents for re-exportation, the same shall be governed by subsection “c” or “d” hereof, as the case may be.

f. All other unclaimed articles, including overlanded cargo, the destination of which is unknown, if not claimed within thirty (30) days after arrival of the importing vessel, shall pay storage from the date the cargo of the carrying vessel is officially declared as discharged to the time authority is issued permitting entry to be filed therefor. From the date it is permitted to be entered, unclaimed articles shall be treated although originally landed on that date and shall be granted five (5) working days’ grace (except when sold at public auction) before storage charge again accrues, with a reduction of not exceeding ten per cent (10%) on account of their being packages designated for examination.

g. Packages designated for examination shall not include those the delivery of which is suspended pending compliance with customs regulations, and which are not otherwise

exempt from the payment of storage charges. Storage charge shall not, however, accrue on such packages during the suspension of delivery until after the expiration of three (3) days immediately following the date of notice of release to importer. Packages which remain in customs premises pursuant to Philippine health service regulations or to regulation promulgated by other government bureaus or offices, shall be exempt from the payment of storage charges during the time such regulations are being complied with.

h. Storage charge at the daily rate of P1 per ton shall accrue on all articles remaining in the auction room if not removed on the day following the date of the completion of sale.

i. Any consignment of articles, with the exception of those mentioned in subsections “a”, “b”, “c”, “d”, “e”, “f” and “g”, for which no entry has been filed within ten (10) days after the cargo of the steamer from which such articles were landed has been officially declared as discharged, or if the entry therefor has been filed but the consignment remains at the piers, bulkheads, warehouses or other customs premises, for a period of more than twenty (20) days after the cargo of the vessel has been officially declared as discharged, shall be subject to storage charge at the rate of P1 per ton per day thereafter: Provided, however, That in ports of entry other than Manila, the rate of storage to be charged shall not exceed P0.25 per ton per day.

j. Articles brought to a pier or bulkhead for export and not loaded on a vessel within seventy-two (72) hours shall thereafter pay storage charges up to the hour of loading at the rate of P0.25 per ton per day, or part thereof. Any article sent to the piers or bulkheads for shipment and not loaded on the exporting vessel for which it was intended must be removed from the pier or bulkhead within seventy-two (72) hours after the departure of said vessel, and if not so removed shall be subject to a storage charge of P0.50 per ton per day, or part thereof, thereafter.

k. Coastwise cargo, discharged at a national port, whether a port of entry or not, which remains on the government pier, wharf or other customs premises for more than two working days after discharge of all consignments from the carrying vessel shall pay a storage charge of one peso (P1) per ton per day or part thereof. Coastwise cargo brought to a pier or wharf for shipment to another port and not loaded on the vessel for which it was intended shall, if not removed from the pier or wharf within twenty-four (24) hours after the departure of the said vessel, pay a storage charge of one (P1) peso per ton per day or fraction thereof.

l. The storage charges hereinbefore prescribed accruing on cargo which has not been withdrawn or removed from the customs premises in due time, made for good reasons, be reduced or remitted by the Collector subject to the approval of the Commissioner and of the Auditor General: Provided, That in case of reduction, the amount corresponding to such reduction shall not be in excess of 50 per cent nor less than 10 per cent of the storage liability of the importer or consignee.

m. For purposes of the assessment of the storage charges hereinbefore provided the term “ton” shall be taken to mean a ton of 1,000 kilos or the American measurement ton of 1.1326124 cubic meters (40 cubic feet), whichever is greater.

## PART 5

### Arrastre Charge

SECTION 3101. Definition. — Arrastre charge is the amount which the owner, consignee, or agent of either, of article or baggage has to pay for the handling, receiving and custody of the imported or exported article or the baggage of the passengers.

SECTION 3102. At the Port of Manila. —

a. Imported Cargo. — The following shall be the schedule of charges for receiving articles from ship's tackle or ex-lighter, distributing and stacking same on said piers and wharves, and rehandling same from said piers or wharves, onto consignee or agent's transportation or into transportation furnished by bonded warehouses:

(1) General cargo, except as specifically mentioned hereunder, per ton of 40 cubic feet of 1,000 kilos at the rate of	P4.50
(2) Provided, That on any single consignment weighing 250 kilos or less, or measuring 10 cubic feet or less, the charge will be	P2.85
(3) Provided, That on any single consignment weighing 500 kilos or less, or measuring 20 cubic feet or less, but more than 250 kilos or 10 cubic feet, the charge shall be	P3.00
(4) Provided, That on any single consignment weighing 750 kilos or less, or measuring 30 cubic feet or less, but more than 500 kilos or 20 cubic feet, the charge shall be	3.75
(5) Provided, That on any single consignment weighing 1,000 kilos or less, or measuring 40 cubic feet or less, but more than 750 kilos of 30 cubic feet, the charge shall be	4.50

(6) And, provided, That any consignment consisting of single package weighing less than 10 kilos shall not be subject to any charge:

Provided, however, That the following shall be subject to the special charges hereunder listed:

(1) Coffee and cocoa beans in sacks, per ton of 1,000 kilos	P4.50
(2) Eggs in baskets, per ton of 40 cubic feet	P2.70
(3) Flour in sacks, per ton of 1,000 kilos	P3.50
(4) Wood furniture, and wood and metal empty containers, per ton of 40 cubic feet	P3.50
(5) Bamboo and wickerware furniture, per ton of 40 cubic feet	P3.00

(6) Newsprint paper in rolls, not less than 34" in length, 24" in circumference, per ton of 1,000 kilos	P4.00
(7) Hay in bales, per ton of 40 cubic feet	P2.50
(8) Hemp not in bales, per ton of 1,000 kilos	P4.50
(9) Horses, cattle and carabaos, ordinary, uncrated, per head	P1.20
(10) Horses, cattle and carabaos, etc., for breeding and/or exhibition purposes, uncrated, per head	P4.50
(11) Horses, cattle, carabaos, etc., for breeding and/or exhibition purposes, crated, per ton of 40 cubic feet	P3.00
(12) Pigs, sheep, goats, etc., ordinary, un-crated, per head	P0.60
(13) Pigs, sheep, goats, etc., for breeding and/or exhibition purposes, crated, per ton of 40 cubic feet	P2.50
(14) Pigs, sheep, goats, etc., for breeding and/or exhibition purposes, uncrated, per head	P2.50
(15) Infusorial earth and asbestos cement per ton of 40 cubic feet of 1,000 kilos	P2.40
(16) Iron and steel bars and bundles, pipes and pipe fittings singly or in bundles, without marks or with illegible marks or various consignments or marks landed mixed up, to be received in the open and sorted out by invoice assortment and specification for proper delivery, per ton of 1,000 kilos or 40 cubic feet	P5.60
(17) General cargo packed in cartons of 40 cubic feet	P7.20
b. Lighter Deliveries. — All articles stored in the piers or wharves and delivered into lighters, cascos, etc., shall pay in addition to the above charges per ton of 40 cubic feet or 1,000 kilos — P1.00	

c. Export Cargo. — For handling of articles for export from consignor's transportation upon the piers or wharves to the slings of the exporting vessel:

(1) General cargo, except as specially mentioned hereunder, per ton of 40 cubic feet, or 1,000 kilos	P3.30
(2) Provided, That there shall be minimum charge of	P2.00

Provided, however, That the following shall be subject to the special charges hereunder listed:

(1) Coffee and flour in sacks, per ton of 1,000 kilos	P2.00
(2) Wood furniture and wood and metal empty containers, per ton of 40 cubic feet	P1.50
(3) Bamboo and wickerware furniture, per ton of 40 cubic feet	P1.60
(4) Hemp, not in bales, per ton of 1,000 kilos	P2.50
(5) Horses, cattle and carabaos, per head	P2.00
(6) Horses, cattle and carabaos, etc., for breeding and/or exhibition purposes, uncrated,- per head	P5.00
(7) Horses, cattle, carabaos, etc., for breeding and/or exhibition purposes, crated, per ton of 40 cubic feet	P3.00
(8) Pigs, sheep, goats, etc., per head	P0.60
(9) Pigs, sheep, goats, etc., for breeding and/or exhibition purposes, uncrated, per head	P3.00
(10) Pigs, sheep, goats, etc., for breeding and/or exhibition purposes, crated, per ton of 40 cubic feet	P3.00
d. (1) When transit cargo for inter-island ports is landed on one pier or wharf and is loaded onto the forwarding vessel berthed, at the time at the same pier or wharf, the contractor shall place the same onto the forwarding vessel at the rate of, per ton of 40 cubic feet or 1,000 kilos	P4.00
Provided, That there shall be a minimum charge of	P4.00
(2) When transit cargo for inter-island port is landed on one pier or wharf and is transferred to another pier or wharf for loading onto the forwarding vessel berthed at the time at the latter pier or wharf, the contractor shall place the same onto the transfer transportation furnished by the agent and/or importers, receive the same from such transfer transportation and place the same into the slings of the forwarding vessel at such other pier or wharf at the rate of, per ton of 40 cubic feet of 1,000 kilos	P5.00
(3) The charge of handling transit cargo for foreign ports including service of "Arrastre", recouping or reconditioning of cargo, transfer from pier to pier, and transfer from bonded	P12.50

warehouse, shall be at the rate of, per ton of 40 cubic feet of 1,000 kilos	
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e. Heavy Cargo. — On any single package of import, export, transit cargo, weighing more than two (2) tons, handled on a pier or wharf, the charge shall be, per ton or any fraction thereof — P13.50

Provided, That this charge shall not apply to automobiles, motor trucks and transit cargo for coastwise ports.

f. Shipping Charges. — There shall be collected on all import cargo falling under Customs Administrative Order No. 137 (old series), as amended by Customs Administrative Order No. 113, and other subsequent Customs Administrative Orders relative to shipside delivery, the following charge — P0.60

g. Pier Lighting Services. — For lights furnished piers or wharfs for the purpose of working cargo, when loading or unloading vessel or vessels at night:

For pier lighting service, per hour	P4.00
For cluster lights furnished, per cluster	P0.80

h. Water service. — For fresh water furnished to vessel, berthed at pier or wharf, per ton — P0.40

i. Other Services. — (1) For use of landing skids, per skid — P30.60

(2) For issuance of short-landed certificates, per certificate — P0.50

(3) For making fast and letting go lines, per berthing — P40.00

SECTION 3103. At the Port of Cebu. —

a. Import Cargo (including transit import cargo). — For receiving imported articles from ships' tackle or ex-lighters, distributing and stacking same on said piers or wharves, and rehandling same from said piers or wharves onto consignee's or agent's transportation or onto transportation furnished by bonded warehouses:

(1) General Cargoes. — (per ton of 40 cubic feet or 1,000 kilos)

(a) Wharf delivery	P3.00
(b) Pier delivery (only 10% of the total quantity to be charged)	4.80

Provided, That:

(c) Any single consignment weighing:

1) From 10 to 250 kilos	2.50
2) From 251 to 375 kilos	3.25
3) From 376 to 500 kilos	P4.00
4) From 501 to 625 kilos	P4.75
5) From 626 to 750 kilos	P5.50

6) From 751 to 875 kilos	P6.25
7) From 876 to less than 1,000 kilos	P7.00
(d) Heavy machinery and other heavy lifts, per ton of 40 cubic feet or 1,000 kilos	P10.00
(e) Cargoes discharged at the wharf and taken into the piers or Customs warehouses, per ton of 40 cubic feet or 1,000 kilos	P12.00

(2) Specific Cargoes. — (Per bag, bundle, keg, sack, bale, piece, package)

(a) Chinaware in bundles; paint in keg of 1 gallon; matches in tin; wharf or pier delivery, per bundle, keg, tin or unit	P0.08
(b) Flour in bag of 50 lbs., per bag	P0.08
(c) Flour in bag of 100 lbs. per bag	P0.15
(d) Sardines, salmon, milk and others in cases or packages of groceries, hardware and machinery parts of the same approximate size and weight, wharf or pier delivery, per case, package or unit	P0.12
(e) Potatoes and onions in crate or case, wharf or pier delivery, per crate or case or unit	P0.15
(f) Rice and other sacks of the same approximate size and weight, not to exceed 60 kilos, wharf or pier deliver, per sack or unit	P0.15
(g) Rice and other sacks of the same approximate size and weight, weighing 80 kilos up, per sack or unit	P0.28
(h) Barbed wire in bundle not exceeding 45 lbs.; and auto tires in loose; per bundle or unit, wharf or pier delivery	P0.15
(i) Cement in barrels, wharf or pier delivery, per barrel	P0.20
(j) Cement in paper bags, wharf or pier delivery, per bag	P0.12
(k) Linseed oil in 5 gal. drums and other drums of the same approximate size and weight, wharf or pier delivery, per drum	P0.14
(l) Bricks in the loose, wharf or pier delivery, per piece	P0.30
(m) Oil and other contents of 50 to 55 gal. drums, wharf or pier delivery, per ton of 1,000 kilos	P3.00
(n) Caustic soda and asphalt in drums of no less than 230 kilos, pier or wharf delivery, per ton of 1,000 kilos	P3.50

(o) Gunnies and textiles in bales of 150 kilos up, wharf or pier delivery, per ton of 1,000 kilos	P3.50
(p) Cocoa beans, corn flour, and corn starch in bags, wharf or pier delivery, per ton of 1,000 kilos	P3.00
(q) Galvanized iron in crates or in loose; galvanized wire in coils, wharf or pier delivery, per ton of 1,000 kilos	P3.00
Salt in sacks or not more than 33 kilos, per sack	P0.10
Milk in cases, "Nestle" brand, per case	P0.09
Beer in cans, per carton	P0.08
Beer in bottles, per carton	P0.10

b. Valuable Cargo. — The charges for each package of gold, silver, precious stones, precious metals, jewelry, treasury notes of any kind, bank notes, securities, bullion or specie or any other cargo whose value has been declared at P500 or more shall be:

For the first P500	P3.00
For every P500 or fraction thereof thereafter	P3.00
c. Other Services. — For the issuance of short-landed certificate, per certificate	P0.50

SECTION 3104. At the Port of Zamboanga. —

a. Imports, Including Import Transit Cargoes. —

(1) General cargoes. —

(a) Wharf delivery, per ton of 1,000 kilos	P1.00
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(b) Single consignment weighing:

From 10 to 250 kilos	P1.00
From 251 to 500 kilos	P1.00
From 501 to 750 kilos	P4.00
(c) Heavy machinery and other heavy lifts, per ton	P10.00

(2) Specific cargoes. —

(a) Flour, sugar and rice, bags or sacks of 50 lbs. or less, per bag	P0.05
(b) Flour, sugar, and rice, bags or sacks of 100 lbs. or less, per bag	P0.10
(c) Milk, sardines, cases of groceries, hardware and machinery parts of the same approximate size and weight, per case	P0.05
(d) Cement in barrels, per barrel	P0.20
(e) Cement in bags, per bag	P0.10

(f) Oils and other contents in drums of 50 to 55 gals., per ton of 1,000 kilos	P1.00
(g) All others in drums less than 250 kilos, per ton of 1,000 kilos	P1.50
(h) Galvanized iron sheets, pipes, etc., per ton	P1.00
(i) Gunnies and textiles in bales, per ton of 1,000 kilos	P1.50

Provided, That:

- 1) Specific cargo rates shall only be applied for wharf delivery;
- 2) Additional 200 per cent to the specific cargo rates shown above shall be charged only when cargo is taken to or from Customs warehouse or owner's bodega; and
- 3) Additional 50 per cent to the above rates shall be charged is case service is done during overtime period.

b. Articles for Export. — For handling of articles for export from consignor's transportation upon the piers or wharves to the slings of the exporting vessel:

(1) General cargo, except as specifically mentioned hereunder, per ton of 40 cubic feet or 1,000 kilos	P0.20
(2) Provided, That there shall be a minimum charge of	P0.20

(3) And, Provided, That the service shall consist only of the labor in hooking the net or sling containing the cargo from the carrying truck to the ship's tackle.

SECTION 3105. At the Port of Davao. —

a. Import Cargo (including transit import cargo). —

(1) For receiving imported articles, including transit import cargo, from ship's tackle or ex-lighters, to the pier or wharf and rehandling same from said pier or wharf onto consignee's or agent's transportation during the regular office hours, per ton of 40 cubic feet or 1,000 kilos — P2: Provided, That when the service is rendered after office hours or during Sundays or legal holidays, the rate shall be, per ton of 40 cubic feet or 1,000 kilos — P3: Provided, further, That there shall be collected a minimum charge of P1 on articles consisting of single consignment and weighing less than one ton.

(2) For rehandling import articles, including transit import cargoes, from the pier or wharf to the customs warehouse onto consignee's or agent's transportation, during regular office hours, per ton of 40 cubic feet or 1,000 kilos — P1: Provided, That when the service is rendered after office hours or during Sundays or legal holidays, the rate shall be, per ton of 40 cubic feet or 1,000 kilos — P2: Provided, further, That there shall be collected a minimum charge of P0.50 on articles consisting of single consignment and weighing less than one ton.

(3) Rate of charges for all articles stored in the pier or wharf and delivered onto lighters or cascos, per ton of 40 cubic feet or 1,000 kilos — P1: Provided, That when the service is rendered after office hours or during Sundays or legal holidays, the rate shall be, per ton of 40 cubic feet or 1,000 kilos — P1.50: Provided, further, That there shall be collected a minimum charge of P0.50 on articles consisting of single consignment and weighing less than one ton.

(4) For the issuance of short-landed certificates, per certificate	P0.50
(5) For making fast lines at Sasa Wharf, per berthing	P25.00
(6) For letting go lines at Sasa Wharf, per unberthing	P25.00
(7) For use of tugs in berthing or to assist in pulling away from wharf, when such assistance is requested by the master or vessel's agents, provided the time shall start at the hour tug requested to be on standby, per hour	P25.00

SECTION 3106. At the Port of Iloilo. —

a. Import Cargo. — For receiving imported articles from ship's tackle or ex-lighters, distributing and stacking same on said piers, and wharves, and rehandling same from said pier or wharf, onto consignee's or agent's transportation or onto transportation furnished by bonded warehouse:

	Discharged	
	From the vessel direct to the wharf or pier	From the vessel thru the lighter to wharf or pier
(1) General cargo, except as specifically mentioned hereunder, per ton of 40 cubic feet or 1,000 kilos at the rate of	P3.00	P2.00
(2) Provided, That on any single consignment weighing 250 kilos or less, or measuring 10 cubic feet or less, the charge shall be	P1.40	P0.95
(3) Provided, That on any single consignment weighing 375 kilos or less, or measuring 15 cu. ft. or less, but more than 250 kilos or 10 cubic feet the charge shall be	P1.75	P1.15
(4) Provided, That on any single consignment weighing 500 kilos or less, or measuring 20 cubic feet or less, but more than 375 kilos or 15 cubic feet, the charge shall be	P2.20	P1.55
(5) Provided, That on any single consignment weighing 1,000 kilos or less, or measuring 40 cubic feet or less, but more than 500 kilos or 20 cubic feet,	P2.50	P1.85

the charge shall be		
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(6) And, provided, That any consignment consisting of a single package weighing less than 10 kilos shall not be subject to any charge:

Provided, That the following shall be subject to the special charges hereunder listed:

(a) Automobiles and motor trucks boxed or unboxed, crated or uncrated, per ton of 1,000 kilos	P3.00	P2.00
(b) Coffee and cocoa beans in sacks, per ton of 1,000 kilos	P3.00	P2.00
(c) Eggs in baskets, per ton of 40 cubic feet	P2.00	P1.35
(d) Flour in sacks, per ton of 1,000 kilos	P2.25	P1.50
(e) Wood furniture, and wood and metal empty containers, per ton of 40 cubic feet	P1.80	P1.20
(f) Bamboo and wickerage furniture, per ton of 40 cubic feet	P1.00	P0.65
(g) Newsprint paper in rolls, not less than 34" in length and 24" in circumference, per ton of 1,000 kilos	P2.20	P1.50
(h) Hay in bales, per ton of 40 cubic feet	P1.00	P0.65
(i) Hemp not in bales, per ton of 1,000 kilos	P3.00	P2.00
(j) Horses, cattle and carabaos, etc. for breeding and/or exhibition purposes, uncrated, per head	P2.80	P1.90
(k) Horses, cattle, and carabaos, ordinary, uncrated, per head	P0.60	P0.40
(l) Horses, cattle, carabaos, etc., for breeding and/or exhibition purposes, uncrated, per ton of 40 cubic feet	P2.80	P1.90
(m) Pigs, sheep, goats, etc., ordinary, uncrated, per head	P0.30	0.20
(n) Pigs, sheep, goats, etc., for breeding and/or exhibition purposes, uncrated, per head	P1.80	P1.20
(o) Infusorial earth and asbestos cement, per ton of 40 cubic feet or 1,000 kilos	P1.40	P0.95
(p) Iron and steel bars and bundles, pipes and pipe fittings singly or in bundle, without marks or of various consignments or marks landed mixed up, to be received in the open and sorted out by invoice assortment and specification for proper delivery, per ton of 1,000 kilos or 40 cubic feet	P3.50	P2.35
(q) General cargo packed in cartons of 40 cubic feet	P3.50	P2.35

b. Articles for Export. — For handling of articles from consignor's transportation upon the pier or wharf to the slings of the exporting vessel:

(1) General Cargo, except as specifically mentioned hereunder, per ton of 40 cubic feet or 1,000 kilos	P2.00
(2) Provided, That there shall be minimum charge of	P1.00

And, provided, That the following shall be subject to the special charges hereunder listed:

(1) Automobiles and motor trucks, boxed or unboxed, crated or uncrated, per ton of 40 cubic feet, or 1,000 kilos	P1.00
(2) Coffee in sacks, per ton of 1,000 kilos	P1.00
(3) Flour in sacks, per ton of 1,000 kilos	P1.00
(4) Wood furniture, and wood metal empty containers, per ton of 40 cubic feet	P1.00

(5) Bamboo and wicker furniture, per ton of 40 cubic feet	P1.00
(6) Hemp, not in bales, per ton of 1,000 kilos	P1.80
(7) Horses, cattle and carabaos, per head	P1.00
(8) Horses, cattle and carabaos, etc., for breeding and/or exhibition purposes, uncrated, per head	P2.80
(9) Horses, cattle, carabaos, etc., for breeding and/or exhibition purposes, crated, per ton of 40 cubic feet	P1.80
(10) Pigs, sheep, goats, etc., per head	P0.40
(11) Pigs, sheep, goats, etc., for breeding and/or exhibition purposes, uncrated, per head	P1.80
(12) Pigs, sheep, goats, etc., for breeding and/or exhibition purposes, crated, per ton of 40 cubic feet	P1.80

c. Transit Cargo — (Import). — Transit cargo shall include all articles handled over the piers and wharves which are manifested for ports other than Iloilo. The charge of handling transit cargo shall be as that for imported cargo, except as shown below:

	Discharged	
	From the vessel direct to the wharf or pier	From the vessel thru the lighter to wharf or pier
(1) When transit cargo for inter-island ports is loaded onto the forwarding transportation parked and/or onto the forwarding vessel berthed, at the time at the same pier or wharf, the rate for placing the same onto the forwarding transportation or onto the slings of the forwarding vessel shall be at per ton of 40 cubic feet or 1,000 kilos	P2.50	P1.75
(2) Provided, that there shall be a minimum charge of	P2.00	P1.35
(3) When transit cargo for inter-island ports is landed on one pier or wharf and is transferred to another pier or wharf for loading onto the forwarding vessel berthed at the time at the latter pier or wharf, the rate for placing the same onto the transfer transportation furnished by the agent and/or importers, receiving the same from such transfer for transportation and placing the same into slings of the forwarding vessel at such other pier or wharf shall be at per ton of 40 cubic feet or 1,000 kilos	P3.00	P2.00
(4) Provided, further, That any transit cargo for inter-island ports which remain on pier or wharf for more than ten days after the cargo of the importing vessel from which it was landed	P3.00	P2.00

has been officially declared to be discharged, shall be transferred to the Bonded Warehouse and treated as any other cargo so transferred		
(5) The charge of handling transit cargo for foreign ports, including service for “arrastre”, reoccupying or reconditioning of cargo transfer from pier, and transfer to and from bonded warehouse, shall be at the rate of, per ton of 40 cubic feet or 1,000 kilos	P8.50	P5.70

(6) Provided, That the charge for handling of foreign transit cargo less than 40 cubic feet or 1,000 kilos shall be at the same rate as that for imported cargo.

d. Heavy Cargo. — On any single package or import, export or transit cargo weighing more than two tons, handled on a pier or wharf, the charges shall be, per ton or any fraction thereof — P8.50 — P5.70

Provided, That this charge shall not apply to automobiles, motor trucks and transit cargo for coastwise ports.

e. Handling of Baggage. — No charge shall be made for the handling of the baggage of incoming or outgoing passengers except as follows:

(1) For baggages regularly manifested as cargo the charge shall be the same as for general imported cargo.

(2) For animals accompanying passengers, the charge shall be the same as for animals regularly imported or exported.

(3) For automobiles of incoming or outgoing passengers, the charge shall be the same as for automobiles regularly imported or exported. For any special service on the pier and wharf or in the immediate vicinity thereof in connection with the handling of articles, and for the use of electric trucks, tractors and other arrastre equipment:

Special service, per ton of 40 cubic feet or 1,000 kilos	P2.50
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This service charge shall not apply to articles on which arrastre has been paid or secured.

f. Hire of Auto-Trucks. — For the use of auto-trucks for transferring cargoes from one pier to another and/or to warehouse, or vice-versa, the charge shall be, per ton of 40 cubic feet or 1,000 kilos — P1.50

g. Checking Charges. — There shall be collected on all cargo falling under Customs Administrative Order Numbered One hundred thirty-seven (Old series), as amended, relative to shipside delivery (except coal, lumber, and firebricks in quantities, crude oil, kerosene and gasoline in cases, in lots of over ten thousand cases or its equivalent and entire cargoes of vessels when of one commodity and consigned to one consignee only, when written application for non-checking of such excepted articles has been made by the consignee to and approved by the Bureau of Customs a checking charge as follows:

Per ton of 40 cubic feet or 1,000 kilos	P0.40
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This charge shall be known as a “checking charge” and shall be made against cargo only: Provided, That nothing herein contained shall be so construed as to authorize the collection of arrastre charges other than checking charges on shipside deliveries duly authorized by the Collector in accordance with Customs Administrative Order Numbered Eighty-four.

h. Pier Lighting Service. — For lights furnished on pier or wharf for the purpose of working cargo, when loading or unloading vessel or vessels at night:

For pier lighting services, per hour	P2.25
For cluster lights furnished, per cluster	P0.50

i. Watch Service. — For fresh water furnished to vessel berthed at pier or wharf, per ton — P0.30

j. Valuable Cargo. — The charges for such packages of gold, silver, precious stones, precious metals, jewelries of any kind, bank notes, securities, bullion or specie, or any other cargo whose value is declared at P500 or more shall be:

For the first P500	P2.50
For every P500 or fraction thereof thereafter	P2.50

k. Other Services. —

(1) For the use of landing skids, per skid	P15.00
(2) For issuance of Short-landed Certificate, per certificate	P0.40
(3) For making fast and letting go lines, per berthing	P30.00

SECTION 3107. In All Other Ports. — The office or agency of the government charged with the supervision, administration and management of all ports in the Philippines, upon the approval of the department head, shall fix the rates for the handling, receiving and custody of imported or exported articles or the baggage of passengers in all other ports of entry, taking into account the facilities, machinery and equipment available in such port of entry.

SECTION 3108. General Provisions. — The provisions of sections thirty-one hundred and two to thirty-one hundred and seven, inclusive, to the contrary notwithstanding, the office or agency of the government charged with the supervision, administration and management of all ports in the Philippines, upon prior approval of the department head, may increase or decrease the rates fixed therein in any port of the Philippines, by not more than fifty per cent when such increase or decrease is necessary to protect the interest of the government: Provided, however, That nothing herein contained shall be understood to amend, alter or revoke any contract existing at the time this Code becomes effective.

## PART 6

## **Tonnage Dues**

SECTION 3201. Definition. — Tonnage due is the amount paid by the owner, agent, operator or master of a vessel engaged in foreign trade coming to the Philippines from a foreign port or going to a foreign port from the Philippines based on the net tonnage of the vessel or weight of the articles discharged or laden.

SECTION 3202. Vessels Engaged in Foreign Trade. — There shall be collected at all ports and places in the Philippines from any vessel engaged in foreign trade coming to the Philippines from a foreign port or going to a foreign port from the Philippines, twelve and one-half centavo per net ton as expressed in her certificate of registry, or thirty-five centavos per thousand kilograms of articles discharged or laden in Philippine ports, at the option of the master or the consignee of the vessel.

SECTION 3203. Vessels Exempt from Tonnage Dues. — The following shall be exempt from the payment of the dues herein established:

- a. Vessels not discharging or lading cargo and discharging and lading only passengers and their baggage;
- b. Vessels belonging to or chartered by foreign governments if not engaged in trade;
- c. Vessels in distress; and
- d. Yachts of Philippine registry or of any foreign country which does not impose tonnage due or its equivalent on Philippine yachts.

SECTION 3204. Pilotage Service. — The employment or taking on board a vessel at a particular place of a pilot or a member of a pilot's association for the purpose of conducting such vessel in Philippine waters or through a river, channel, or pier or wharf from or into port, including the shifting of said vessel from one berth to another, hereinafter called pilotage service, shall be optional for all vessels carrying a certificate of Philippine registry: Provided, That should pilotage service be requested by and rendered to such vessels, the corresponding pilotage fees to be prescribed from time to time but not oftener than once a year for such service by regulation or administrative order of the Commissioner, approved by the department head, shall be paid.

## **PART 7**

### **Other Fees and Charges**

SECTION 3301. Other Fees and Charges. — For services rendered and documents issued by the Bureau of Customs the following fees shall be charged and collected, by affixing the documentary customs stamps in the correct amount upon the document or any other paper which is the subject of the charge and by the cancellation of such stamps in the manner prescribed by the Commissioner; and no such document or any other paper shall be issued or granted by any customs official until the correct amount of stamps shall have been affixed and cancelled: Provided, however, That fees of twenty pesos or over may be paid in cash.

a. For each certificate of Philippine registry or ownership:

(1) In case of a vessel of not more than fifteen tons gross	P15.00
(2) In case of a vessel of more than fifty but not more than fifty tons gross	P20.00
(3) In case of a vessel of more than fifty but not more than one hundred tons gross	P30.00
(4) In case of a vessel of more than one hundred but not more than two hundred and fifty tons gross	P50.00
(5) In case of a vessel of more than two hundred and fifty but not more than five hundred tons gross	P75.00
(6) In case of a vessel of more than five hundred but not more than seven hundred and fifty tons gross	P100.00
(7) In case of a vessel of more than seven hundred and fifty but not more than one thousand tons gross	P150.00
(8) In case of a vessel of more than one thousand but not more than one thousand five hundred tons gross	P200.00
(9) In case of a vessel of more than one thousand five hundred but not more than three thousand tons gross	P250.00
(10) In case of a vessel of more than three thousand but not more than five thousand tons gross	P350.00
(11) In case of a vessel of more than five thousand tons gross	P500.00

b. For each coastwise license or renewal thereof:

(1) In case of a vessel propelled in whole or in part by steam or other mechanical motive power, per registered net ton	P2.00
(2) In case of a sailing vessel or vessel not propelled by steam or other mechanical motive power, per registered net ton	P1.00
c. For each bay and river license, or renewal thereof, per registered net ton	P1.50
d. For each permit to transfer vessel from one class to another	P10.00

e. For each annual certificate of inspection issued to vessels:

(1) In case of a vessel of from six to one hundred	P2.00
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tons gross	
(2) In case of a vessel of more than one hundred but not more than five hundred tons gross	P5.00
(3) In case of a vessel of more than five hundred tons gross	P10.00

f. For each special permit to operate vessels:

(1) In case of a vessel of one hundred tons gross or less	P5.00
(2) In case of a vessel of more than one hundred but not more than two hundred tons gross	P8.00
(3) In case of a vessel of more than two hundred but not more than four hundred tons gross	P16.00
(4) In case of a vessel of more than four hundred but not more than six hundred tons gross	P24.00
(5) In case of a vessel of more than six hundred but not more than eight hundred tons gross	P32.00
(6) In case of a vessel of more than eight hundred but not more than one thousand tons gross	P40.00
(7) In case of a vessel over one thousand tons gross, for every one hundred tons gross or fraction thereof	P4.00
g. For each bill of health accepted	P2.00
h. For each outward foreign passenger list accepted	P2.00
i. For each amendment allowed to a foreign inward manifest	P1.00
j. For each permit (to others than passengers) to take cigars aboard ship, per thousand cigars	P1.00
k. For each permit (to others than passengers) to take cigarettes aboard ship, per thousand cigarettes	P0.50
l. For each original import or export entry, exceeding fifty pesos in value	P2.00
m. For each entry for immediate transportation in bond	P2.00
n. For each original internal revenue entry	P1.00
o. For each original withdrawal entry from any bonded warehouse	P1.00
p. For each bond accepted or renewed	P2.00
q. For each approval of application in respect to a transaction covered by general bond	P2.00
r. For each license of a customs broker	P50.00

s. For all certificates not hereinabove specified, exclusive of such as are made in the course of routine administration in the Bureau and which do not subserve any special pecuniary interest of the party concerned therein	P5.00
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SECTION 3302. Other Charges. — When any article is sold or any service rendered by the Bureau of Customs in any matter for which a charge may be collected legally, no fee therefor having been fixed by law, such charge shall be on such amount as may from time to time be fixed by regulation or order of the Commissioner and approved by the department head; and the payment of such charge may be made by affixing and cancelling the documentary customs stamps.

SECTION 3303. Effect of Failure to Affix Stamp upon Document. — No document or any other paper upon which no documentary customs stamps have been affixed and cancelled shall be received or recognized by any customs official.

## **TITLE VIII**

### **General Provisions**

#### **PART 1**

#### **Customs Brokers**

SECTION 3401. Qualifications of Applicants for Customs Broker's Certificate. — All applicants for customs broker's certificate shall pass a written examination for the purpose.

Applicants for admission to the said examination shall have the following qualifications:

- (a) At least 25 years of age;
- (b) A citizen of the Philippines;
- (c) Of good moral character; and
- (d) Has completed a four-year collegiate course with at least two years experience in customs and tariff matters; an applicant who has only completed two years of college may be allowed to take the examination provided that each year lacking in customs shall be substituted by two years of actual experience in customs brokerage and/or customs and tariff matters: Provided, That said experience shall be duly certified by the employer or employers of the applicant.

No corporation, association or partnership shall engage in the customs brokerage business unless at least two of the officers of such corporation or association, or at least two of the members of such partnership have such certificate.

No certificate as customs broker shall be granted to any person who has been convicted of a crime involving moral turpitude.

SECTION 3402. Examination by the Board of Examiners for Customs Brokers. — Examinations for customs brokers shall be given by the board of examiners for customs brokers under the supervision of the Bureau of Civil Service. Applications for admission to such examinations shall be filed with the Bureau of Civil Service.

Examinations for customs brokers shall be given once every two years or oftener as the need therefor arises which fact shall be certified by the Commissioner of Customs and shall be confined to subjects with which such brokers are required to be conversant, including knowledge of customs and tariff laws and regulations, and of other laws and regulations the enforcement of which is the concern of the Bureau of Customs.

The board shall submit within one hundred twenty days after the date of examination the ratings obtained by each candidate to the Commissioner of Civil Service who shall submit such ratings to the President of the Philippines for release.

A general average of seventy-five per cent shall be the passing grade for this examination: Provided, That the examinee shall not have obtained a grade of less than sixty per cent in any of the examination subjects.

This customs brokers' examination shall be considered as equivalent to the first grade regular examination given by the Bureau of Civil Service for purposes of appointment to positions in the classified service the duties of which involve knowledge of customs and tariff matters.

SECTION 3403. The Board of Examiners. — The Board of Examiners for Customs Brokers shall be composed of the Commissioner of Customs, as ex-officio chairman and two members who shall be appointed by the President upon the recommendation of the Commissioner of Civil Service. The two members of the board shall be holders of customs broker's certificate and shall hold office for a term of two years: Provided, That the first members shall hold office for the following terms: one member for one year, and the second member for two years. Vacancies in the board shall be filled for the unexpired term.

SECTION 3404. Compensation of Members of the Board. — The chairman and members of the board shall receive a compensation of ten pesos for each candidate examined.

SECTION 3405. Fees. — (a) Each applicant for examination shall pay a fee of fifty pesos which shall be paid to the Bureau of Civil Service.

(b) Each successful candidate shall be issued a certificate as a customs broker upon payment of a fee of fifty pesos to the Bureau of Civil Service.

SECTION 3406. Requisites. — Any person desiring to establish a customs brokerage business at any port in the Philippines shall apply for a license from the Collector of the port concerned.

No such license shall be issued unless the applicant pays the required license fee of fifty pesos and files the required bonds for customs brokers. Whenever it shall appear that a bond given by a customs broker is inadequate, the Collector shall require additional or

substitute bond to be filed. Such additional or substitute bond shall be furnished by the broker within ten (10) days after demand, otherwise his permit shall be suspended or revoked as circumstances may warrant. The bonds posted by the customs broker may be personal bonds guaranteed by at least two (2) sureties satisfactory to the Collector of the port or a surety bond posted by a duly licensed surety company.

SECTION 3407. Issuance, Revocation and Suspension of Certificate. — A candidate who has passed the customs brokers' examination shall be entitled to the issuance of a certificate as a customs broker: Provided, That persons who qualified as customs brokers in accordance with customs regulations existing before the enactment of this Code and members of the technical staffs of the respective committees of Congress that reported this Code who desire to have a certificate issued to them may apply for the issuance of such certificate upon payment of the fees required under paragraph (b) of Section 3405 of this Code.

A customs broker's certificate shall show among other things, the full name of the registrant, shall have a serial number and shall be signed by all the members of the board and the Commissioner of Civil Service, and shall bear the official seal of the board.

A complaint for the suspension or revocation of the certificate of a customs broker shall be filed with the Board of Examiners for Customs Brokers which shall investigate the case and shall submit its findings and recommendations to the Commissioner of Civil Service who shall decide the case. The Commissioner of Civil Service shall immediately furnish the respondent customs broker with a copy of his decision.

SECTION 3408. Roster of Customs Brokers. — A roster showing the names and addresses of the customs brokers shall be prepared by the Commissioner of Civil Service during the month of July of every year. Copies of this roster shall be mailed to each person so registered and placed on file with the Office of the President of the Philippines, and copies thereof shall be furnished to the Office of the Secretary of Finance, to the Commissioner and Collectors of Customs and to such other bureaus, government agencies and provincial and municipal authorities as may be deemed necessary, and to the public upon request.

SECTION 3409. Rules and Regulations by the Commissioner of Civil Service. — The Commissioner of Civil Service, upon recommendation of the Board of Examiners for Customs Brokers, shall promulgate such rules and regulations as may be necessary to carry out the provisions of Part 1 of this title.

## **PART 2**

### **Miscellaneous Provisions**

SECTION 3501. Duty of Collector to Report Rulings to Commissioner. — When any new or unsettled question shall be determined by a Collector he shall, if the matter is not otherwise appealed for review in the ordinary course, notify the Commissioner of his decision and submit an adequate statement of the facts involved.

SECTION 3502. Application of Established Ruling or Decision. — A ruling or decision of the Bureau of Customs which determines the construction or application of any provision of law imposing customs duties and which changes any existing established classification, interpretation or practice shall not take effect until after thirty days public notice shall be given in the form of published tariff decision. When such ruling or decision favors the taxpayers it shall become effective immediately.

SECTION 3503. Authority of Official to Administer Oaths and Take Testimony. — The Commissioner, Collectors and their assistants, deputies, surveyors, appraisers and any other person thereunto especially deputed by the Collector, shall have authority to administer oaths and take testimony in connection with any matter within the jurisdiction of the Bureau of Customs, and in connection therewith may require the production of relevant papers, documents, books and records in accordance with law.

SECTION 3504. General Bonds. — In cases where bonds are required to be given under the provisions of the customs and tariff laws, the Collector, instead of requiring separate special bonds where the transactions of a particular party are numerous, may accept general bonds extending over such periods of time and covering such transactions of the party in question as shall be satisfactory to said Collector.

SECTION 3505. Supervision over Attorneys-in-fact. — Persons acting as agents or attorneys-in-fact of other persons in matters pertaining to customs and/or tariff or navigation may be required to file their respective powers of attorney with the Collector of the port. No more than two such continuing powers may be accepted or recognized from any one person acting as agent in the importation of articles unless he be a licensed customs broker.

SECTION 3506. Assignment of Customs Employees to Overtime Work. — Customs employees may be assigned by a Collector to do overtime work at rates fixed by the Commissioner, when the service rendered is to be paid for by importers, shippers or other persons served.

SECTION 3507. Exclusive License for Landing of Passengers and Baggage. — The Commissioner may select, in any port of entry, one person or firm to do, at reasonable rates, all the business of landing passengers and baggage for hire from incoming vessels or aircrafts and to this end may enter into an exclusive contract for the period of one year.

The contract shall be awarded only after due advertisement for bids, which shall cover the cost of landing passenger per person and luggage per piece, to the lowest responsible bidder.

SECTION 3508. Bond to Be Given. — The person or firm to which the contract was awarded shall, before entering the performance of such contract, execute a bond in favor of the government for the benefit of whomsoever may be concerned, conditioned upon (a) the acquisition of a sufficient equipment of launches and other means of conveniently landing passengers and baggage, (b) the landing of all the passengers and all the baggage as occasion may require during the entire year covered by the contract, and (c) the prompt payment of all losses of baggage or other property so handled, due to negligence in the

performance of the contract, the amount of such liability to be finally determined by the Commissioner.

SECTION 3509. Supervision by Commissioner over Execution of Contract. — The Commissioner shall supervise the Execution of the contract and the conduct of business thereunder, and shall have the power, upon breach of the contract or violation of any regulation concerning the same, at once to annul the contract, awarding the privilege to another in the same manner as before.

SECTION 3510. Reduction of Testimony to Writing. — When testimony is taken in any proceeding or matter under the authority of the Bureau of Customs, either party may require that the same be reduced to writing, and when so taken it shall be filed in the office of the Collector and preserved for use or reference until final decision.

SECTION 3511. Collector not Liable in Respect of Ruling in Customs Cases. — No Collector or other official of customs shall be in any way personally liable for or on account of any official ruling or decision as to which the person claiming to be aggrieved has the right to obtain either an administrative or judicial review, and except for a misdelivery of articles a Collector shall not, in the absence of abuse of authority be liable to any person for a loss occasioned either by his own official act or the act of his subordinates.

SECTION 3512. Interest Prohibited to be Held by Customs Employees. — No person employed under the authority of the government in the collection of duties, taxes, fees and other charges in connection with imports and/or exports, shall own, either in whole or in part, any vessel or aircraft, or act as attorney agent or consignee for the owner of any vessel or aircraft or of any cargo laden on board the same; nor shall any such person consort or be concerned, directly or indirectly, in the importation of any article for sale into the Philippines.

SECTION 3513. Reward for Information or Discovery Concerning Fraud upon Customs Revenue. — When any private person shall furnish definite information concerning any fraud upon the customs revenue, by whomsoever attempted or perpetrated, which shall result in the recovery of revenue, the conviction of the guilty party, or the imposition of any fine or penalty, of the forfeiture of any of the property enumerated in section twenty-five hundred and thirty hereof, such person shall be rewarded in accordance with the following schedule, but not exceeding in any case the sum of fifty thousand pesos;

- a. Where a fine, judicial or administrative, is collected, twenty-five per centum of such fine;
- b. In cases where no fine is imposed, twenty-five per centum of the additional revenue recovered by the government and collected by reason of the information given;
- c. Where the offender has chosen to compromise his violation of the law and his offer of compromise is accepted by the Commissioner, twenty-five per centum of such compromise;

d. In cases of forfeiture and subsequent redemption of the articles seized, upon payment of all duties, taxes and other charges due thereon, twenty-five per centum of the amount of such administrative fine as the Commissioner may actually impose and collect in lieu of forfeiture;

e. In case of public sale of property seized as a result of the information as furnished, twenty-five per centum of the proceeds of the sale after deducting only the charges specified in subsections (a) and (e) of section twenty-six hundred and five hereof.

Provided, however, That the balance of seventy-five per centum in subsections (a), (b), (c), (d) and (e) shall be distributed thus: fifteen per centum, to the Customs Welfare Fund, which is hereby created according to the rules and regulations promulgated by the Commissioner, to be used exclusively for the benefit of customs officials and employees and their families: ten per centum, shall be paid the customs official or employee who has discovered and reported such anomalies with the assistance of an informer; and the remaining fifty per centum, to the Government.

SECTION 3514. Words and Phrases Defined. — As used in this Code:

“Foreign port” means a port or place outside the jurisdiction of the Philippines.

“Port of entry” is a domestic port open to both foreign and coastwise trade. The term includes principal ports of entry and subports of entry. A “principal port of entry” is the chief port of entry of the collection district wherein it is situated and is the permanent station of the Collector of such port. Subports of entry are under the administrative jurisdiction of the Collector of the principal port of entry of the district. Whenever the term “Port of entry” is used herein, it shall include “airport of entry”.

“Coastwise ports” are such domestic ports as are open to the coastwise trade only. These include all ports, harbors and places not ports of entry.

“Vessels” includes every sort of boat, craft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

“Aircraft” includes any weight-carrying device or structures for the navigation of the air.

“Bill of lading” includes airway bill of lading.

“Articles”, when used with reference to importation or exportation, includes goods, wares and merchandise and in general anything that may be made the subject of importation or exportation.

“Transit cargo” is article arriving at any port from another port or place noted in the carrier’s manifest and destined for transshipment to another local port or to a foreign port.

“Seized property” means any property seized or held for the satisfaction of any administrative fine or for the enforcement of any forfeiture under the customs and tariff laws.

“Tariff and customs law” includes not only the provisions of this Code and regulations pursuant thereto but all other laws and regulations which are subject to enforcement by the Bureau of Customs or otherwise within its jurisdiction.

“Taxes” includes all taxes, fees and charges imposed by the Bureau of Customs and the Bureau of Internal Revenue.

“Secretary” or “department head” refers, unless otherwise specified, to the Secretary of Finance.

“Commission” refers to the Tariff Commission.

“Person” whether singular or plural refers to an individual, corporation, partnership, association, company or any other kind of organization.

### **PART 3**

#### **Penal Provisions**

SECTION 3601. Unlawful Importation. — Any person who shall fraudulently import or bring into the Philippines, or assist in so doing, any article, contrary to law, or shall receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, or sale of such article after importation, knowing the same to have been imported contrary to law, shall be punished by a fine of not less than six hundred pesos nor more than five thousand pesos and imprisonment for not less than six months nor more than two years and, if the offender is an alien, he shall be deported after serving the sentence.

When, upon trial for a violation of this section, the defendant is shown to have or to have had possession of the article in question, such possession shall be deemed sufficient evidence to authorize conviction, unless the defendant shall explain the possession to the satisfaction of the court.

SECTION 3602. Various Fraudulent Practices Against Customs Revenue. — Any person who makes or attempts to make any entry of imported or exported article by means of any false or fraudulent invoice, declaration, affidavit, letter, paper, or by means of any false statement, written or verbal, or by means of any false or fraudulent practice whatsoever, or shall be guilty of any willful act or omission by means of whereof the Government might be deprived of the lawful duties, taxes and other charges, or any portion thereof, accruing from the article or any portion thereof, embraced or referred to in such invoice, declaration, affidavit, letter, paper, or statement, or affected by such act or omission, shall, for each offense, be punished by a fine of not less than six hundred pesos nor more than five thousand pesos and by imprisonment for not less than six months nor more than two years and if the offender is an alien, he shall be deported after serving the sentence.

SECTION 3603. Failure to Report Fraud. — Any master, pilot in command or other officer, owner or agent of any vessel or aircraft trading with or within the Philippines and any employee of the Bureau of Customs, who, having cognizance of any fraud upon the customs revenue, shall fail to report all information relative thereto to the Collector, as by

law required, shall be punished by a fine of not more than two thousand pesos or by imprisonment for not more than one year, or both.

SECTION 3604. Statutory Offense of Officials and Employees. — Every official, agent or employee of the Bureau of Customs who is guilty of any delinquency hereinbelow specified or who falls within any of the classes hereinbelow indicated shall be punished by a fine of not less than four hundred pesos nor more than ten thousand pesos or by imprisonment for not less than six months nor more than five years, or both.

- a. Those guilty of extortion of willful oppression under color of law.
- b. Those who knowingly demand other or greater sums than are authorized by law or receive any fee, compensation or reward, except as by law prescribed, for the performance of any duty.
- c. Those who wilfully neglect to give receipts, as by law required, for any sum collected in the performance of duty, or who wilfully neglect to perform any of the duties enjoined by law.
- d. Those who conspire or collude with another or others to defraud the customs revenue or otherwise violate the law.
- e. Those who wilfully make opportunity for any person to defraud the customs revenue or who do or fail to do any act with intent to enable any person to defraud said revenue.
- f. Those who negligently or designedly permit the violation of the law by any other person.
- g. Those who make or sign any false entry or entries in any book, or make or sign any false certificate or return in any case where the law requires the making by them of such entry, certificate or return.
- h. Those who, having knowledge or information of a violation of the tariff and customs law or any fraud committed on the revenue collectible by the Bureau of Customs, fail to report such knowledge or information to their superior official or to report as otherwise required by law.
- i. Those who, without the authority of law, demand or accept or attempt to collect directly or indirectly as payment or otherwise, any sum of money or other thing of value for the compromise, adjustment, or settlement of any charge or complaint for any violation or alleged violation of law.

SECTION 3605. Concealment or Destruction of Evidence of Fraud. — Any person who wilfully conceals or destroys, any invoice, book or paper relating to any article liable to duty, after an inspection thereof has been demanded by the Collector of any Collection district, or at any time conceals or destroys any such invoice, book or paper for the purpose of suppressing any evidence of fraud therein contained, shall be punished by a fine of not more than two thousand pesos, or by imprisonment for not more than one year, or both.

SECTION 3606. Breaking of Seal on Car or Conveyance by Land, Sea or Air. — Any person who shall wilfully break or destroy any seal placed by a customs official upon any car, or other conveyance by land, sea or air, or any compartment thereof, shall be punished by a fine of not more than one thousand pesos.

SECTION 3607. Alteration of Marks on Any Package of Warehoused Articles. — Any person who alters, defaces or obliterates any distinctive mark placed by a customs official on any package of warehoused articles shall be liable to fine of not more than one thousand pesos.

SECTION 3608. Fraudulent Opening or Entering of Warehouse. — Any importer or owner of warehoused articles, or person in his employ, who by contrivance, fraudulently opens the warehouse, or gains access to the articles, except in the presence of the proper official of the customs acting in the execution of his duty, shall be liable to a fine not exceeding one thousand pesos, or to imprisonment for a period not exceeding one year, or both.

SECTION 3609. Fraudulent Removal or Concealment of Warehoused Articles. — Any person who shall fraudulently remove warehoused articles from any public or private warehouse or shall fraudulently conceal such articles in any such warehouse, or shall aid or abet any such removal or concealment, shall be punished by a fine of not more than two thousand pesos, or by imprisonment for not more than one year, or both.

SECTION 3610. Violation of Tariff and Customs Laws and Regulations in General. — Any person who violates a provision of this Code or regulations pursuant thereto, for which delinquency no specific penalty is provided, shall be punished by a fine of not more than four hundred pesos or by imprisonment for not more than six months, or both.

### **Final Provisions**

SECTION 3701. Repealing Clause. — All Acts, Executive Orders, rules and regulations or parts thereof, in conflict with the provisions of this Code, are repealed.

SECTION 3702. Transitory Provision. — All suits, proceedings or prosecutions, whether civil or criminal, for causes arising or acts done or committed prior to the effectivity of this Code, shall be commenced and/or prosecuted within the same time, in the same manner and with the same effect as if this Code had not been passed; and all rights acquired, offenses committed, and penalties, forfeitures or liabilities incurred, prior to the said effectivity, shall not be affected thereby.

SECTION 3703. Separability Clause. — If any part or parts of this Code should for any reason be held to be invalid or unconstitutional, the remaining parts thereof shall remain in full force and effect.

SECTION 3704. Effectivity Date. — This Code shall take effect on July 1, 1957, except Part 4 of Title II of Book I, and Parts 1 and 2 of Title I of Book II, which shall take effect upon its approval.

SECTION 3705. Functions Temporarily Performed by the Bureau of Customs. — The Bureau of Customs shall continue to perform the functions transferred to the Bureau of Water Transportation pending the organization of the latter.

Approved: June 22, 1957

Except Sections 703 and 3204 which were vetoed.

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