

檔 號	/ /	保存 年限
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經濟部國際貿易局 函

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10656

臺北市大安區復興南路1段390號9樓之4

受文者：台灣區車輛工業同業公會（電傳後寄）

發文日期：中華民國110年8月17日

發文字號：貿多字第1107026024號

速別：普通件

密等及解密條件或保密期限：

附件：如文（請至附件下載區下載<https://att.trade.gov.tw/>，識別碼：EDynB）

主旨：有關菲律賓終止對進口汽車防衛措施調查事，請查照並轉知相關會員廠商。

說明：

- 一、依據駐菲律賓代表處經濟組110年8月12日台菲經字第1102312183號函（如附件1，本局同月13日電郵通知）辦理；本局110年1月13日貿多字第1107000985號函諒達。
- 二、菲國貿工部本(110)年8月6日致函通知我方（如附件2），依據菲國關稅委員會調查報告（如附件3），本案調查期間內，不論絕對值或相對國內產量之進口值，菲國未有大量增加進口汽車數量之情形，該委員會已終止本案之調查，並建議貿工部無需對進口汽車實施最終防衛措施。菲國貿工部爰發布行政命令（如附件4），不對進口汽車採取防衛措施，並即刻歸還自本年2月1日起課徵之臨時防衛稅（本案我國廠商前已獲列入豁免課徵臨時防衛稅名單）。上述行政命令將於菲國財政部關務局發布相關海關備忘錄命令後生效。

、正本：台灣區車輛工業同業公會（電傳後寄）

副本：中華民國全國工業總會、新加坡商茵夏拉有限公司台灣分公司、中華汽車工業股份有限公司、台灣本田通商股份有限公司、奧迪福斯汽車股份有限公司（以上均含附件）、本局局長室、副局長室、駐菲律賓代表處經濟組

局長 江文若





06 August 2021

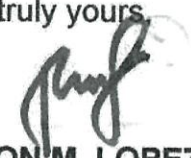
H.E. MICHAEL PEIYUNG HSU
Representative
Taipei Economic and Cultural Office
in the Philippines (TECO)
41F, Tower 1, RCBC Plaza,
6819 Ayala Avenue, Makati City 1200

Dear **Chairman Hsu**:

I am furnishing you a copy of the Department of Trade and Industry's Order dismissing the petition for general safeguard measures on motor vehicles (passenger cars and light commercial vehicles). The Tariff Commission (TC) found that CBU passenger cars and CBU light commercial vehicles subject of the investigation were not imported in increased quantities (whether absolute or relative to domestic production) during the period of investigation. Hence, the TC terminated its formal investigation and recommended that no definitive general safeguard measure be imposed on such vehicles.

In view of TC's recommendations, I issued the attached Order which shall take effect upon issuance by the Bureau of Customs of the relevant Customs Memorandum Order.

Very truly yours,



RAMON M. LOPEZ
Secretary

OFFICE OF THE SECRETARY

檔 號	/	/	保存 年限
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駐菲律賓代表處經濟組 函

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受文者：經濟部國際貿易局

發文日期：中華民國110年8月12日

發文字號：台菲經字第1102312183號

速別：普通件

密等及解密條件或保密期限：

附件：如文（台菲經1102312183_Attach1.pdf, 台菲經1102312183_Attach2.pdf, 台菲經1102312183_Attach3.pdf）



主旨：有關菲律賓終止對進口汽車(Motor Vehicles)之防衛措施
調查案，請查照。

說明：

- 一、依據菲國貿工部本(110)年8月6日函辦理(本年8月12日送達本組)。
- 二、上函略以，菲國關稅委員會正式調查報告指出，本案調查期間內，不論絕對值或相對國內產量之進口值，菲國未有大量增加進口汽車數量之情形，該委員會已終止本案之調查，並建議貿工部無需對進口汽車實施最終防衛措施。貿工部爰發布第21-04號行政命令，不針對進口汽車採取最終防衛措施，並即刻歸還自本年2月1日起課徵之臨時防衛稅。上述行政命令將於菲國財政部關務局發布相關海關備忘錄命令後生效。
- 三、謹查，本案我國廠商前已獲列入豁免課徵臨時防衛稅名單。檢附菲國貿工部來函、第21-04號行政命令及菲國關稅委員會正式調查報告摘要影本各1份，併請參考。

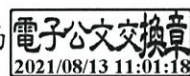
國際貿易局 110/08/13



1107026024

正本：經濟部國際貿易局

副本：經濟部國際合作處、經濟部投資業務處、經濟部工業局





REPUBLIC OF THE PHILIPPINES
TARIFF COMMISSION

SUMMARY REPORT OF THE FORMAL INVESTIGATION BY THE TARIFF COMMISSION ON THE IMPOSITION OF SAFEGUARD MEASURE AGAINST IMPORTATIONS OF MOTOR VEHICLES (PASSENGER CARS AND LIGHT COMMERCIAL VEHICLES, AHTN 2017 HEADINGS 87.03 AND 87.04) FROM VARIOUS COUNTRIES PURSUANT TO REPUBLIC ACT (RA) NO. 8800

In accordance with Section 14 of RA No. 8800 (Safeguard Measures Act), the Tariff Commission (Commission) hereby causes the publication of the summary of findings and conclusion, as well as the recommendation, on the above-cited investigation which was concluded on 22 July 2021, the date of receipt by the Office of the Secretary of Trade and Industry of the Commission's Final Report. The full text of the non-confidential version of said Final Report may be accessed at the Commission's website www.tariffcommission.gov.ph.

FINDINGS AND CONCLUSION

In accordance with RA No. 8800, the Commission hereby concludes the following:

1. The petitioner Philippine Metalworkers Alliance is considered a juridical person belonging to the motor vehicles industry pursuant to Section 6 and Rule 6.4(d) of RA No. 8800.
2. There are six identified domestic producers/assemblers of passenger cars and light commercial vehicles during the period of investigation (POI) from 2014 to 2020 and their collective output complies with the domestic industry requirement under Section 4(f) of RA No. 8800.
3. The imported products under consideration consist of new Completely Built Up (CBU) passenger cars and new CBU light commercial vehicles. Excluded from the investigation are Completely Knocked Down (CKD) units, Semi-Knocked Down (SKD) units, special purpose vehicles, and "luxury" vehicles. Thus, the imported products under consideration are classified under 56 AHTN 2017 Codes, with 54 tariff lines referring to imported CBU passenger cars and another two tariff lines referring to imported CBU light commercial vehicles.
4. Locally produced passenger cars are considered "directly competitive" products to imported CBU passenger cars classified under the 33 AHTN 2017 subheadings identified in the Commission's Final Report (Table 5.13) because they are substitutable with the latter in the marketplace by offering alternative products for satisfying customer needs and preferences.

5. Locally produced light commercial vehicles classified under AHTN 2017 subheading 8704.21.29 are considered "directly competitive" to imported light commercial vehicles (classified under the same subheading) because they are substitutable with the latter in the market by providing consumers with an alternative for satisfying their needs and tastes for said product.
6. There was no increase in imports of CBU passenger cars and CBU light commercial vehicles, both in absolute terms and relative to domestic production, during the POI.
7. Since it has been established that CBU passenger cars and CBU light commercial vehicles were not imported in increased quantities (whether absolute or relative to domestic production) during the POI, the determination of serious injury or threat thereof, causation, and unforeseen developments has become moot and academic.

RECOMMENDATION

Considering that CBU passenger cars and CBU light commercial vehicles were not imported in increased quantities (whether absolute or relative to domestic production) during the POI, the Commission hereby terminates its formal investigation and recommends that no definitive general safeguard measure be imposed on importations of the CBU passenger cars and CBU light commercial vehicles subject of this investigation.

Issued this 23rd day of July 2021, Quezon City.



Marilou P. Mendoza

Digitally signed

MARILOU P. MENDOZA
Chairperson

A stylized, handwritten signature of Ernesto L. Albano in dark ink.

ERNESTO L. ALBANO
Commissioner

A handwritten signature of Marissa Maricosa A. Paderon in dark ink, written in a cursive style.

MARISSA MARICOSA A. PADERON, PhD
Commissioner

Department Administrative Order No. 21-04
Series of 2021

**IN THE MATTER OF THE APPLICATION FOR
GENERAL SAFEGUARD MEASURES ON THE
IMPORTATION OF MOTOR VEHICLES
(PASSENGER CARS AND LIGHT
COMMERCIAL VEHICLES) FROM VARIOUS
COUNTRIES**

(AHTN 2017 Headings 87.03 and 87.04)

X-----X

ORDER

On 22 July 2021, the Department of Trade and Industry (DTI) received the Tariff Commission's (TC) Formal Investigation Report on the general safeguard measure on the importation of motor vehicles (passenger cars and light commercial vehicles) classified under AHTN 2017 Headings 87.03 and 87.04. The period covered by the investigation (POI) are the years 2014 to 2020.

The TC, in accordance with the Safeguard Measures Act (RA 8800), and its Implementing Rules and Regulations (JAO No. 03, Series of 2000), found:

1. The petitioner is a juridical person belonging to the motor vehicle industry pursuant to Section 6 and Rule 6.4(d) of RA No. 8800.
2. There are six identified domestic producers/assemblers of passenger cars and light commercial vehicles during the POI (2014-2020) and their collective output meets the domestic industry requirement under Section 4(f) of RA No. 8800.
3. The imported products under consideration consist of new CBU passenger cars and new CBU light commercial vehicles. Excluded from the investigation are CKD units, SKD units, special purpose vehicles, and "luxury" vehicles. The products under consideration are classified under 56 AHTN 2017 Codes, with 54 tariff lines referring to imported CBU passenger cars and two tariff lines referring to imported CBU light commercial vehicles.
4. Locally produced passenger cars are considered "directly competitive" with imported CBU passenger cars classified under the 33 AHTN 2017 subheadings listed in Table 5.13 since they are substitutable to the latter in the marketplace by offering alternative products for satisfying customer needs and preferences.
5. Locally produced light commercial vehicles classified under AHTN 2017 subheading 8704.21.29 are considered "directly competitive" with imported light commercial

OFFICE OF THE SECRETARY

vehicles (classified under the same subheading) since they are substitutable to the latter in the marketplace by providing consumers with an alternative for satisfying their needs and tastes for the said product.

6. There was no increase in imports of CBU passenger cars and CBU light commercial vehicles, both in absolute terms and relative to domestic production, during the period of investigation (POI).
7. Since there was no increase in imports of CBU passenger cars and CBU light commercial vehicles (whether absolute or relative to domestic production) during the POI, the determination of serious injury or threat thereof, causation, and unforeseen developments has been rendered moot and academic.

In view of the aforementioned findings, TC terminated its formal investigation and recommended not to impose definitive general safeguard measures on the products subject of the investigation.

The non-confidential version of TC's final report can be accessed at <https://tinyurl.com/85n7f2zr>.

IN VIEW THEREOF, the petition for general safeguard measures on the importation of motor vehicles (passenger cars and light commercial vehicles) falling under AHTN 2017 Headings 87.03 and 87.04 is hereby dismissed.

Accordingly, and pursuant to Section 13 of RA 8800, all cash bonds that have been imposed and previously collected on shipments of motor vehicles (passenger cars and light commercial vehicles) which entered or were withdrawn from warehouses in the Philippines for consumption from 01 February 2021, the date of the effectivity of CMO No. 6-2021, shall be immediately returned to the concerned importer/s.


A copy of this Order can be accessed at the DTI website: bit.ly/qsm-motor-vehicles

Let this Order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties including the concerned WTO member economies.

This Order shall take effect upon the issuance of the relevant Customs Memorandum Order.

SO ORDERED.

06 August 2021


RAMON M. LOPEZ
Secretary 