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ISSN 0118-1483 WEDNESDAY October 21, 2020 VOL. 25 NO.85 P30.00

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BIR gives tax breaks to makers, importers of critical health goods

THE Bureau of Internal Revenue (BIR) has released implementing rules on availment of tax incentives for the manufacture and importation of critical medical and healthcare equipment, supplies, and essential goods under the Bayanihan to Recover as One Act (BROA).

BIR Revenue Regulation (RR) No. 28-2020 implements Section 4 (cc) of Republic Act (RA) No. 11494 or BROA. This section liberalizes incentives for the manufacture or importation of critical equipment and supplies as well as essential goods and healthcare equipment and supplies needed to fight the coronavirus disease (COVID-19).

RR 28-2020 is effective immediately until December 19, 2020.

BROA, also known as Bayanihan 2, effectively extends validity of the government's COVID-19 programs and interventions under RA 11469, or the Bayanihan to Heal as One Act. RA 11469, which implemented the incentives for the importation of medical equipment and supplies, had its validity lapse last June.

Under BROA, from June 25, 2020 to December 19, 2020, importation of goods identified as critical products, essential goods, equipment or supplies needed to contain and mitigate COVID-19 will be

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New IATF resolution relaxes business, travel restrictions

AMID gradual reopening of the economy, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) has released IATF Resolution No. 79, which eases restrictions on business operations; movements of goods, services and people across zones; and non-essential local and overseas travel.

Signed on October 15, IATF Resolution 79 authorizes the Department of Trade and Industry (DTI) to adjust the permissible on-site operational capacities of all business establishments and activities in areas placed under general community quarantine (GCQ) or lower.

Business establishments and malls may now also hold activities to spur consumer and economic activity, subject to DTI guidelines on mall operations, the resolution said.

The IATF list of Authorized Persons Outside their Residences (APOR) is also updated to include returning or repatriated overseas Filipino workers, overseas Filipinos returning to their places of residence, and other persons transported through the efforts of the national government. This is subject to observing the necessary quarantine protocols and getting the concurrence of the receiving local government units (LGU).

The IATF also made the definitions of interzonal movement and intrazonal movement more specific.

Inter and intra zonal movements

Interzonal movement, which has been defined as the movement of people, goods and services across areas under different community quarantine classifications, now specifically states "between provinces, highly urbanized cities, and independent component cities under different community quarantine classification."

Intrazonal movement, meanwhile, now refers to the movement of people, goods and services between provinces, highly urbanized cities and independent component cities under the same community quarantine classification, without transiting through an area placed

under a different classification.

Related to interzonal and intrazonal movement, the IATF considers as APORs the following: health and emergency frontline services personnel, government officials and government frontline personnel, duly authorized humanitarian assistance actors, persons travelling for medical or humanitarian reasons, persons going to the airport for travel abroad, and anyone crossing zones for work or business who are permitted to be in the zone of destination and are going back home.

Interzonal movement for any purpose of persons not authorized outside of residences (non-APOR) between areas placed under GCQ or modified GCQ (MGCQ) will be permitted, subject to the reasonable regulations imposed by the

LGU concerned. In the case of Boracay Island, this is subject to regulations imposed by the Boracay Inter-Agency Task Force.

The same policy applies to the intrazonal movement of non-APORs across areas placed under GCQ or MGCQ and the interzonal movement of non-APORs between areas placed under MGCQ and the "new normal."

Relatedly, the IATF enjoins LGUs to exclude workers, APORs, and necessary establishments from the coverage of curfew ordinances; to coordinate with each other and standardize curfew rules; and to relax curfew hours.

The IATF will also lift the restriction on non-essential outbound travel of Filipinos effective October 21, 2020.

Filipinos traveling on tourist visas may

be allowed to leave the country if they submit confirmed round-trip tickets and adequate travel and health insurance, execute an immigration declaration acknowledging the risks involved in traveling; and present a negative Antigen result taken within 24 hours before departure, subject to Department of Health guidelines.

Outbound Filipino travelers shall likewise follow the Guidelines of the National Task Force for returning overseas Filipinos.

Further, persons 15 to 65 years old are now allowed to go out, as compared to the previous age range of 18 to 60 years old. LGUs may impose a higher age limit for minors, depending on the COVID-19 situation in their respective jurisdictions.

House okays on final reading P4.5T national budget for 2021

THE House of Representatives (HOR) approved on third and final reading the proposed P4.506 trillion national budget for 2021.

After four days of special deliberations preceded by delays, a total of 267 legislators on October 16 voted in favor of House Bill No. 7727, or the 2021 General

Appropriations Bill, certified as urgent by the administration. Only six voted against the measure and no one abstained.

The 2021 budget is 10% higher than this year's P4.1 trillion budget.

The agencies which received the biggest allocations are:

- Department of Education, P754.4

billion

- Department of Public Works and Highways, P667.3 billion
- Department of the Interior and Local Government, P246.1 billion
- Department of National Defense, P209.1 billion
- Department of Health (DOH), P203.1 billion
- Department of Social Welfare and Development, P171.2 billion
- Department of Transportation, P143.6 billion
- Department of Agriculture, P66.4 billion

- Judiciary, P43.5 billion
- Department of Labor and Employment, P27.5 billion

The DOH budget includes an initial P2.5 billion for procurement of COVID-19 vaccines next year.

The Lower House has created a small committee to receive and resolve all individual amendments to

the budget.

Lawmakers have until October 19 to submit their amendments.

HOR Appropriations Committee chair Eric Yap said they will transmit to Senate a soft copy of the bill by October 28 before the Upper House resumes session on November 9. The Senate is resuming earlier than the scheduled November 16 to give senators time for deliberations.

A printed version of the proposed budget measure is required for transmission to the Senate. Yap said the soft copy would be the same as the one for printing by the National Printing Office.




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P143B collected from marking 14B liters of fuel

THE Philippine government has marked a total of 14.04 billion liters of fuel from September 2019 through October 15, 2020 under its fuel marking program, in the process collecting over P143.31 billion in duties and taxes.

Of the total collection, P124.07 billion was collected by the Bureau of Customs (BOC), while P19.24 billion was collected by the Bureau of Internal Revenue (BIR), according to the Department of Finance.

The bulk of the fuel marked, or about 8.69 billion liters, was diesel. This was followed by 5.28 billion liters of gasoline and 73.98 million liters of kerosene.

In terms of location, majority of the marked fuel, or 10.42 billion liters, was in Luzon, while 2.94 billion liters were in Mindanao, and 684.6 million in the Visayas.

Twenty oil firms participated in the program, with Petron leading at 3.18 billion liters or a 22.65% share of the total. It was followed by Shell with 2.806 billion liters or 19.99% share; Unioil with 1.477 billion liters or 10.52%; Seaoil with 1.23 billion liters or 8.76%; and Chevron with 1.205 billion liters or 8.58%.

The 15 other companies that joined

were Phoenix Petroleum Philippines, Inc.; Insular Oil Corp.; Total Philippines; Jetty Petroleum, Inc.; PTT Philippines Corp.; Filoil Energy Co., Inc.; Marubeni Philippines Corp.; Micro Dragon Petroleum, Inc.; Warbucks Industries Corp.; Golden-share Commerce and Trading, Inc.; High Glory Subic International Logistics, Inc.; Era1 Petroleum Corp.; SL Harbor; Jadelink Subic Inc.; and SL Gas.

Mandatory marking

Marking of fuel products, whether imported or manufactured in the Philippines, will become mandatory five years after the Tax Reform for Acceleration and Inclusion (TRAIN) law took effect January 2018.

Fuel marking aims to curb oil smuggling and plug revenue losses arising from the illegal importation or misdeclaration of petroleum products.

Last September 4, BOC and BIR started collecting fuel marking fees for all manufactured, refined and imported petroleum products. The collection of the marking fees comes as the one-year coverage of costs by the government ended this month.

Exporters urged to beat Dec 31 deadline for EU REX registration

THE Department of Trade and Industry Export Marketing Bureau (DTI-EMB) is calling on exporters anew to register in the European Union's (EU) Registered Exporter System (REX) before the December 31, 2020 deadline to enjoy the preferential tariffs under the EU Generalised Scheme of Preferences Plus (EU GSP+).

REX, the new system of certifying the origin of goods, has been progressively introduced into the EU's preferential trade arrangements. First applied to the (GSP program on January 1, 2017, REX will eventually completely replace the current system of origin certification. The present system is based on the certificates of origin (CO) issued by government authorities and on invoice declarations made out under certain conditions by economic operators.

Deadline for registration in the system was initially set for December 2019, but was moved to June 30, 2020. The Bureau

of Customs (BOC) requested for another extension until December 31, 2020, citing the coronavirus disease pandemic and stakeholders' difficulty in meeting the deadline, and the request was also granted by the EU.

EMB, which offers REX registration assistance to exporters, has assisted 328 exporters as of August 2020.

BOC Assessment and Operations Coordinating Group deputy commissioner Atty. Edward James Dy Buco earlier said they are confident all exporters to the EU will have registered in the REX System before the new deadline.

Under REX, the economic operators will be the ones to make the so-called "statement on origin," which is a declaration of origin added by the registered exporter to an invoice, a delivery note, a packing list, or any other commercial document allowing identification of the goods and the exporter.

BOC CDO starts trial 30-minute cargo release next month

THE Bureau of Customs Port of Cagayan de Oro (BOC-CDO) is set to allow trusted traders to clear their non-containerized shipments from customs custody and deliver them to their premises—all within half an hour.

The project aims to facilitate the lodgement of goods declaration for non-containerized cargoes and have the goods delivered to the importer's premises within 30 minutes, the agency said in a statement.

An experimental trial of the project will start in November 2020.

BOC-CDO district collector John Simon, in a phone interview with PortCalls, said this project can be done because the participating companies already have their facilities "along the shoreline," where the vessels carrying the participants' bulk and breakbulk shipments can dock.

The participants have been pre-selected and are classified as most trusted traders in the movement of bulk and breakbulk cargoes in Northern Mindanao. Some of them are also part of BOC's Super Green Lane (SGL) facility, the system that allows advance processing and clearance of shipments.

Asked what the current processing time is for regular companies, Simon said it usually takes one to two days to clear their shipments.

The participating companies include Petron Corp.; Jetty Philippines, Inc.; SL Harbor Bulk Terminal; FDC Misamis Power Corp.; Steag State Power, Inc.; Philippine Sinter Corp.; Phoenix Petroleum Corp.; Minergy Power Corp.; Pryce Gases Inc.; and Pilipinas Kao Inc.

Simon said the project is a first in the country and complies with the Association of Southeast Asian Nations Customs Cooperation Framework and the 10-Point Priority Program of BOC.

On whether the project will be extended to other companies, Simon said those firms will first have to comply with the criteria set by BOC-CDO.

The project will be executed by BOC-CDO's Office of the Strategy Management, headed by Atty. Roswald Pague.

"This is in pursuit of our mandate to elevate customs processes and procedures in conformity with international standards and adoption of best practices in cargo releasing," Pague said.



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To be entitled to do this, an economic operator must register in the database of his competent authorities as an exporter. In the Philippines, BOC is the competent authority.

After December 31, 2020, the EU will no longer accept CO Form A.

The Philippines is one of the beneficiary countries of the EU GSP+ program, which grants zero tariff on 6,274 product lines.

These products include particular items of fish, dairy, fruits, vegetables,

coconut oils, coffee, cocoa, tobacco, chemicals, fertilizers, essential oils, soaps, articles of plastics and rubber. Also included are articles of wood and leather, apparel, footwear and headgear, ceramic products, glass and glassware, pearls, fine and costume jewelry, furniture, auto and aero parts, ships and boats, electronics and semiconductors, watches, and other manufactured articles.

Last September, the European Parliament recommended the temporary


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Cebu Port activated as fourth crew change hub

THE Port of Cebu was activated on October 16 as the Philippines' fourth crew change hub for seafarers, according to the Department of Transportation (DOTr).

It joins other crew change hubs Port of Manila, Port of Capinpin in Bataan, and Subic Port in Zambales.

The Port of Cebu's activation came after the crew change protocol was approved among the Inter-Agency Task Force (IATF) for Crew Change, Regional Task Force Central Visayas, and the Cebu provincial and local government units following several consultative meetings, DOTr assistant secretary for maritime Narciso Vingson said.

The Cebu provincial government confirmed the activation through Executive Order No. 27 issued on October 14.

"Cebu is a strategic location for crew change, as it is at the heart of the Visayas. With the approval of the Port of Cebu as a crew change hub, the port can begin to facilitate the process for arriving and departing seafarers coming to and from the Visayas," Vingson said in a statement.

Office for Transportation Security and One-Stop Shop (OSS) head Raul Del Rosario said an OSS facility—headed by the Cebu Port Authority (CPA)—has been organized at Cebu port "so that seafarers can undergo a smooth flow of processing, especially in terms of ensuring their health."

CPA general manager Leonilo Miolo said: "This is a milestone not just for the Port of Cebu, our maritime partners, and our seafarers, but also for Cebu, in general, as this is also seen to generate economic activities and revenues."

The crew change hub at Cebu port will serve Filipino seafarers joining a ship docked in the

Philippines bound for overseas (outbound); Filipino seafarers leaving a ship (inbound); foreign seafarers from an airport joining a ship docked at the port (airport to ship); and foreign seafarers leaving a ship docked in the port to an airport (ship to airport).

Miolo assured the public that safety protocols are already in place to avoid any possible transmission of the coronavirus disease (COVID-19) during crew change operations.

Based on the crew change protocol approved by DOTr and IATF, all arriving vessels at Cebu port will be anchored at the designated anchorage or docking site authorized by CPA and the Philippine Coast Guard.

Disembarking seafarers must observe health and safety protocols such as disinfection, handwashing, social distancing, and wearing of full personal protective equipment—face mask, face shield, gloves and hazmat suit.

On arrival at Cebu port's OSS facility, seafarers must then immediately proceed to the registration booth for mandatory swab testing.

After completing the OSS procedures, seafarers must immediately board their assigned vehicles to take them to their designated Bureau of Quarantine-approved quarantine facilities, where they will wait for their swab test results. The Overseas Workers Welfare Administration will be responsible for the quarantine facility accommodations of the waiting seafarers.

For embarking vessel crew members, only seafarers with negative COVID-19 test results and a Certification of Containment will be allowed to board vessels. All embarking crew members must also observe health and safety protocols.

The creation of crew change hubs is part of a project seeking to facilitate the speedy and safe travel of seafarers and change of crew during the COVID-19 pandemic.

The Philippines is one of 13 countries which earlier committed to the International Maritime Organization (IMO) to facilitate crew changes and achieve key worker designation for seafarers.

IMO had noted that this commitment "represents significant progress to help resolve a growing crisis facing the maritime industry, and enable hundreds of thousands of stranded seafarers to go home or join ships."

The ports in Batangas and Davao, meanwhile, are waiting for their respective crew change hubs to be activated as well.

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Global firm hired to design Clark airport terminal interior

THE Luzon International Premier Airport Development Corp. (LIPAD), operator of Clark International Airport (CRK), has appointed global design firm Populous as lead interior designer of the just-completed second CRK passenger terminal building (PTB).

Populous specializes in places of mass congregation, including sports, entertainment, convention and exhibition centers, as well as arenas and airports. Their notable projects include a major upgrading of Kansai Airport in Japan's second biggest metropolitan area, Zhuhai International Airport, Tottenham Hotspurs Stadium, and the Philippine Arena.

"The vision of Populous for CRK is to create a new terminal that is international in its standards and operations, but local in terms of its materiality and sense of place," Populous said in a statement.

It noted that Pampanga, where Clark is situated, offers spectacular natural scenery including lava riverbeds, lush green mountains, and teal blue volcanic lakes.

"Populous drew inspiration from this to select a material palette that nods towards that vibrancy and avoids the neutral, beige palette which afflicts many airports around the world. Passenger experience is

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Exporters urged to beat Dec 31 deadline...

Continued from page 3

removal of the Philippines from the GSP+ program over alleged continued human rights violations committed in the country.

DTI secretary Ramon M. Lopez earlier stated the country had so far been able to explain objectively its side “on issues that are raised and we don’t see any reason why our GSP+ privilege will be withdrawn.”

The procedure for registration is outlined in the BOC’s Customs Memorandum Order (CMO) 50-2019, which provides the guidelines for the implementation of REX for exporters.

Producers, manufacturers, or traders may apply by filling out the application form available on <https://customs.ec.europa.eu/rex-pa-ui/#/create-preapplication/>.

Once the application form is filled out and submitted electronically, the exporter should print it and submit it to the concerned BOC Export Division/Unit.

For Philippine Economic Zone Authority (PEZA) locators, the form submitted to BOC must include the Unique Reference Number (URN), while non-PEZA locators should include the Client Profile Registration System (CPRS)

or other equivalent document. A product evaluation report may also be submitted if applicable.

During this time of community quarantine, applications together with the other required documents may be submitted online directly to gina.german@customs.gov.ph and ecd@customs.gov.ph or through the BOC portal client. customs.gov.ph.

Since the Philippines was granted EU GSP+ status in 2014, exports to the EU have increased from EUR5.3 billion in 2014 under the regular GSP to EUR7.6

billion in 2019 under GSP+.

For 2019, the Philippines had a 72% utilization of the GSP+, with EUR1.95 billion worth of products granted the privilege, out of the EUR2.7 billion worth of eligible products.

The top GSP+ exports of the Philippines in 2019 included crude coconut oil, vacuum cleaners, prepared or preserved tunas, spectacle lenses, new pneumatic tires, bicycles, electro-thermic hairdressing apparatus, prepared or preserved pineapples, relays, and activated carbon.

DA asked to control imports of rice, other produce...

Continued from page 5

due to massive importation. Rice farmers, in particular, have called on Congress to review and amend Republic Act No. 11203, or the Rice Tariffication Law, blaming it for the steep drop in palay prices.

Pangilinan, a member of the Senate Committee on Agriculture, Food and Agrarian Reform, in previous DA budget hearings also expressed alarm over the sudden spike in food prices over the last

month, and called for a government revisit of the food supply chain, with focus on logistics and transport bottlenecks.

The lawmaker suggested bridging the distance between consumer and producer, especially during this pandemic when going out of the house is still dangerous.

He noted some local government units (LGU) are already organizing community or mobile markets and markets on

wheels, with LGUs themselves fetching from the farmers the food products and selling or making these available to their constituents.

Under Republic Act No. 11494 or the Bayanihan to Recover as One Act, LGUs are allowed to procure agricultural products directly from farmers and fisherfolk or agricultural cooperatives and associations.

Bayanihan 2 also directs the adoption of measures to facilitate and improve supply chain movement and minimize disruptions to ensure essential goods, particularly food and medicine, are available.

Aside from improving the national end-to-end supply chain, it also calls for measures to reduce logistics costs “to the maximum extent possible,” especially for basic commodities and services.

Global firm hired to design Clark airport...

Continued from page 4

at the heart of the design and it will offer a fresh new experience each time someone visits,” it said.

Populous is working with Casas+Architects, the local architectural design firm behind many of the iconic structures that dot the Manila skyline, including the tallest building in the country, the Grand Hyatt Manila in Bonifacio Global City.

Megawide Corp. and India’s GMR Infrastructure and was fully completed at the end of September.

The new PTB is projected to triple CRK’s operational capacity from the current 4.2 million passengers to 12.2 million passengers annually.

It is also envisioned to help spur economic progress and development in Central Luzon, and ease congestion at the country’s main gateway, Ninoy Aquino International Airport.

The new PTB is part of a five-phase



expansion plan to make CRK a major gateway in the region. Once the entire expansion project is completed, it will bring CRK’s annual capacity to 80 million

passengers, LIPAD is the private concessionaire that has managed the operations and maintenance of CRK since August 2019.

Operational by 2021

The second CRK PTB is targeted to be operational by 2021, one year after turnover of the building shell, which was constructed by the joint venture of

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