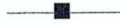


Republic of the Philippines
Congress of the Philippines
Senate
Pasay City

Eighteenth Congress

Third Regular Session



RESOLUTION NO. 128

RESOLUTION CONCURRING IN THE ACCESSION
TO THE CONVENTION ON TEMPORARY
ADMISSION

WHEREAS, the Constitution, Article VII, Section 21 states: "No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate";

WHEREAS, the Convention obligates Contracting Parties to provide temporary admission of goods with total conditional relief from import duties and taxes. It also requires simplified processes for temporary admission of goods into a customs territory;

WHEREAS, the Convention is composed of two parts – the first part is composed of a body of 34 Articles embodying the basic principles underlying the Convention and provisions essential for the uniform implementation of the instrument, and the second part is a set of 13 Annexes, each providing temporary admission facilities for a specified category of goods;

WHEREAS, the President of the Philippines ratified the Convention on 28 April 2021 and has accordingly submitted it to the Senate for concurrence, in accordance with the Constitution;

WHEREAS, in the hearings conducted by the Senate Committee on Foreign Relations on 14 January 2021 and 1 July 2021, the following government agencies endorsed the concurrence to the ratification of the Convention:

- 1) Department of Foreign Affairs
- 2) Department of Finance
- 3) Department of Justice
- 4) Department of Trade and Industry
- 5) Bureau of Customs
- 6) Tariff Commission

WHEREAS, Article 26 of the Convention provides, among other things, that it will enter into force three (3) months after a Contracting Party deposits its instrument of accession; and

WHEREAS, Article 29 of the Convention provides, among other things, that: “Any Contracting Party which has entered reservations may withdraw them, in whole or in part, at any time, by notification to the depositary specifying the date on which such withdrawal takes effect”:

Now, therefore, be it

Resolved, That the Philippine Senate concur, as it hereby concurs, in the accession to the Convention on Temporary

Admission subject to the following reservations pursuant to Article 29 of the Convention:

Annexes to the Istanbul Convention	Reservations
<p><i>Annex A</i></p> <p><i>Annex Concerning Temporary Admission Papers (ATA Carnets and CPD Carnets)</i></p>	<p>The Government of the Republic of the Philippines declares in accordance with Article 18(1) of Annex A, that ATA carnet shall not be acceptable for postal traffic.</p>
<p><i>Annex B.3.</i></p> <p><i>Annex Concerning Containers, Pallets, Packings, Samples and Other Goods Imported in Connection with a Commercial Operation</i></p>	<p>Pursuant to Article 7, in respect of Article 5(1) of Annex B.3., Philippine laws and regulations require, in certain circumstances, the production of customs documents and the provision of security for packings.</p> <p>Pursuant to Article 7, in respect of Article 2(g) of Annex B.3., no temporary admission shall be granted for goods covered by item 6 of Appendix 1 of Annex B.3.</p>
<p><i>Annex B.5.</i></p> <p><i>Annex Concerning Goods Imported for Educational, Scientific or Cultural Purposes</i></p>	<p>Pursuant to Article 6, in respect of Article 4 of Annex B.5., as concerns scientific equipment and pedagogic material, Philippine laws and regulations require the submission of customs documents in the importation of such equipment and material.</p>
<p><i>Annex B.7.</i></p> <p><i>Annex Concerning Tourist Publicity Material</i></p>	<p>The Government of the Republic of the Philippines declares that it shall not be bound by Annex B.7.</p>

	<p>These materials are readily available online and some of them are not required to be re-exported. Monitoring could also be a problem since they do not require customs document, ATA carnet or security.</p>
<p><i>Annex B.8.</i></p> <p><i>Annex Concerning Goods Imported as Frontier Traffic</i></p>	<p>The Government of the Republic of the Philippines declares that it shall not be bound by Annex B.8.</p> <p>As an archipelagic country, importations between frontier zones are not applicable to the Philippines.</p>
<p><i>Annex C</i></p> <p><i>Annex Concerning Means of Transport</i></p>	<p>The Government of the Republic of the Philippines declares that it shall not be bound by Annex C.</p> <p>As an archipelagic country, the provisions of this Annex may be of little significance to the Philippines. The temporary admission of means of transport under the Convention may only be applied to a landlocked country.</p> <p>Additionally, the Philippines has a long-standing policy against the importation of second-hand vehicles as provided for under Executive Order No. 156 (s. 2002).</p>
<p><i>Annex D</i></p> <p><i>Annex Concerning Animals</i></p>	<p>The Government of the Republic of the Philippines declares that in accordance with</p>

	<p>Article 5(1) of Annex D, Article 4(1) shall not be accepted.</p> <p>Further, on the basis of Article 5(2) of Annex D, items 12 and 13 of the Appendix to Annex D shall not be accepted.</p> <p>As an archipelagic country which has no frontier zone, Annex D is of little significance to the Philippines. Draught animals are temporarily admitted to be used by tenant farmers who are working in an adjacent foreign country.</p>
<p><i>Annex E</i></p> <p><i>Annex Concerning Goods Imported with Partial Relief from Import Duties and Taxes</i></p>	<p>The Government of the Republic of the Philippines declares that it shall not be bound by Annex E as Philippine law does not allow partial relief from import duties and taxes.</p>

Resolved, finally, That the President of the Republic of the Philippines may, with the concurrence of the majority of all the members of the Senate, withdraw from the Convention.

Adopted,


 VICENTE C. SOTTO III
President of the Senate

This Resolution was adopted by the Senate on
November 8, 2021.



MYRA MARIE D. VILLARICA

Secretary of the Senate

0