

副本

檔		保存年限
號	/ /	

## 經濟部國際貿易局 函

臺北市大安區復興南路1段390號12樓

受文者：中華民國全國工業總會

發文日期：中華民國110年1月13日

發文字號：貿多字第1107000985號

速別：速件

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：mD9kV)(附件1至4請至下載區下載，附件5另以紙本寄送)

主旨：有關菲律賓公告對進口汽車課徵臨時防衛稅事，請查照。

說明：

- 一、依據駐菲律賓代表處經濟組110年1月11日台菲經字第1102312015號函(附件1)辦理。
- 二、菲律賓貿工部頃發布旨揭調查案初步裁定命令及公開版報告(附件2、3)，菲國政府針對旨揭產品(AHTN稅則號列8703、8704.21.19及8704.21.29)以現金保證金形式課徵臨時防衛稅(provisonal safeguard duty)，措施為期200日，並自菲國財政部關務局發布備忘錄命令或公告於2家主要媒體15日後生效。
- 三、經我方爭取，菲國已將我國列入本案臨時防衛措施之排除適用清單，免課徵該臨時防衛稅(附件4)。惟出口商出口汽車至菲國時，須檢附主管機關簽發之原產地證書(CO)，並經海牙認證(Apostille)或馬尼拉經濟文化辦事

經濟部  
國際貿易局

處文件認證。

四、檢送菲國貿工部次長Ceferino Rodolfo致我商信函（附件5），請查照並轉知相關會員廠商。

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（均電傳後寄）（以上均含附件）、本局局長室、副局長室、雙邊貿易一組、綜合企劃委員會、駐菲律賓代表處經濟組（均不含附件）

局長 江文若



情		保存年限
號	/ /	

駐菲律賓代表處經濟組 函

受文者：經濟部國際貿易局

發文日期：中華民國110年1月11日

發文字號：台菲經字第1102312015號

速別：速件

密等及解密條件或保密期限：

附件：如文 (台菲經1102312015\_Attach1.pdf, 台菲經1102312015\_Attach2.pdf, 台菲經1102312015\_Attach3.pdf, 台菲經1102312015\_Attach4.pdf, 台菲經1102312015\_Attach5.pdf, 台菲經1102312015\_Attach6.pdf, 台菲經1102312015\_Attach7.pdf)

主旨：有關菲律賓貿工部公告進口汽車初步裁定命令並實施臨時防衛措施一案，我國經本組爭取獲列入排除適用該措施名單，請查照。

經濟部  
貿易局

說明：

一、依據貿工部上(109)年12月29日函辦理(詳附件1，本(110)年1月8日晚間送達本組)；本組上年2月13日台菲經字第1092312056號函諒達。

二、菲國貿工部發布進口汽車對菲國內產業造成嚴重損害之初步裁定命令及公開版報告(詳附件2、3)，內容略以：

(一)將針對進口四輪轎車承載量不超過10人者(AHTN稅則號列8703)，以現金保證金型式課徵每輛7萬菲律賓披索防衛稅(註:美元對菲律賓披索匯率約1:48)，惟完全散裝(Completely Knocked Down,CKD)及半散裝(Semi Knocked-down,SKD)之進口汽車、二手車，以及特殊用途車輛，例如救護車、靈車、電動汽車，以及FOB價格

國際貿易局 110/01/11



1107000985

中國  
騎健車

超過2萬5,000美元豪華轎車，排除上述防衛稅之適用。

(二)將針對進口乘載乘客或貨物之輕型商業用車(AHTN稅則號列8704.21.19及8704.21.29)，則以現金保證金型式課徵每輛11萬菲律賓披索防衛稅，惟完全散裝(CKD)及半散裝(SKD)之進口汽車、二手車，以及特殊用途車輛，例如救護車、靈車、電動汽車，以及FOB價格超過2萬8,000美元之輕型商業用車，排除上述防衛稅之適用。

(三)我國受調廠商經本組爭取獲列入排除適用臨時防衛措施名單，惟我國出口商出口汽車至菲國時，須檢附我國主管機關簽發之原產地證書(CO)，並經海牙認證(Apostille)或馬尼拉經濟文化辦事處文件認證。

(四)上述措施為期200日，並自相關海關備忘錄命令或公告於2家主要媒體15日後生效。

三、檢附菲國貿工部次長Ceferino Rodolfo分別致我商Jetthol Vision Trading Pte Ltd、China Motor Corporation、Taiwan Honda Trading Co., Ltd，以及Audi Volkswagen Taiwan Co., Ltd信函各1份(詳附件4至附件7)，敬請代為轉致。

正本：經濟部國際貿易局

副本：經濟部工業局、經濟部國際合作處、經濟部投資業務處

電子公文交換  
2021/01/11 20:19:30



29 December 2020

**H.E. MICHAEL PEIYUNG HSU**  
 Representative  
 Taipei Economic and Cultural Office  
 in the Philippines (TECO) 6819  
 Ayala Avenue, Makati City

Dear Chairman Hsu:

I am furnishing you a copy of the Order and Report (non-confidential version) on the preliminary determination conducted by DTI based on the petition for general safeguard measures on imported motor vehicles filed by the Philippine Metalworkers Alliance.

The Order provides for the imposition of provisional safeguard duties on imported vehicles in the form of a cash bond amounting to the following:

(1) ₱70,000 per unit of any four-wheeled passenger cars (PCs) designed to transport less than 10 persons and not primarily to transport goods classified under ASEAN Harmonized Tariff Nomenclature (AHTN) Code 8703. Imported PCs that are completely knocked-down, semi knocked-down, used, with electric motors, and those designed for a special purpose such as ambulances and hearses are excluded from the coverage of the provisional duty. Also excluded from the provisional duty are luxury PCs that have an FOB value of US\$25,000 or higher.

(2) ₱110,000 per unit of imported light commercial vehicles (LCVs) whether fourwheeled drive or not which are designed to carry both passenger and cargo that are classified under AHTN Codes 8704.21.19 and 8704.21.29. Imported LCVs that are completely knocked-down (CKD), semi knocked-down (SKD), used, with electric motors, and those designed for a special purpose such as ambulances, hearses, are excluded from the coverage of the provisional duty. Further, LCVs that have an FOB value of US\$28,000 or higher are also excluded from the provisional duty.

The duration of the imposition of the provisional duty is 200 days. It shall take effect upon the issuance of an order by the Commissioner of Customs.

In this regard, we would like to request the Embassy's assistance in notifying exporters and industry associations in your country of the issuance of the Order. Further, they may be interested in submitting their views on the petition when the Tariff Commission commences its formal investigation. A notice of the formal investigation and public hearings shall be published by the Tariff Commission in due course.

傳  
 秘  
 文  
 忠  
 1/8

收文第 0578 號  
 經理 許 2312045  
 OFFICE OF THE SECRETARY  
 109年 1 月 8 日  
 海關總署 移轉 單據 貨稅 經濟 財政 文書  
 郵政 總局 在 民 協 務 務 務 務 務 務  
 署 局 署 署 署 署 署 署 署 署 署 署 署 署



**NOTIFICATION UNDER ARTICLE 12.4 OF THE AGREEMENT  
ON SAFEGUARDS BEFORE TAKING A PROVISIONAL  
SAFEGUARD MEASURE REFERRED TO IN ARTICLE 6**

**NOTIFICATION UNDER ARTICLE 12.1(B) OF THE AGREEMENT ON  
SAFEGUARDS ON FINDING A SERIOUS INJURY OR THREAT  
THEREOF CAUSED BY INCREASED IMPORTS**

**NOTIFICATION PURSUANT TO ARTICLE 9, FOOTNOTE 2  
OF THE AGREEMENT ON SAFEGUARDS**

PHILIPPINES

*Motor vehicles*

The following communication, dated 7 January 2021, is being circulated at the request of the delegation of the Philippines.<sup>1</sup>

---

Further to G/SG/N/6/PHL/15 dated 18 February 2020 and pursuant to Article 12 and Article 9 of the WTO Agreement on Safeguards, the Permanent Mission of the Philippines to the WTO hereby notifies the Committee on Safeguards of its preliminary determination findings on the investigation on the importation of motor vehicles from various countries, and before taking a provisional safeguard measure under Article 6 of the Safeguards Agreement.

**1 PROVIDE THE PRECISE DESCRIPTION OF THE PRODUCTS INVOLVED**

Motor vehicles classified under AHTN Codes 8703 (passenger cars/vehicles), 8704.21.19 and 8704.21.29 (light commercial vehicles).

**2 SPECIFY THE PROPOSED PROVISIONAL SAFEGUARD MEASURE**

The provisional safeguard measure will take the form of a cash bond amounting to PhP 70,000/unit for passenger cars/vehicles under AHTN Code 8703 and PhP 110,000/unit for light commercial vehicles under AHTN Code 8704.21.19 and 8704.21.29, for a period of 200 days from the date of issuance by the Bureau of Customs (BOC) of the relevant Customs Memorandum Order (CMO) or fifteen (15) days after the publication of the DTI Order in two (2) newspapers of general circulation, whichever comes earlier. The Order was signed by the Secretary of the DTI on 29 December 2020.

Imported passenger cars/vehicles that are described as completely knocked-down (CKD), semi knocked-down (SKD), and used vehicles are excluded from the coverage of the provisional duty. Also excluded are special purpose vehicles such as ambulance, hearse, electric motor vehicles, and

---

<sup>1</sup> A copy of the DTI Administrative Order has been submitted electronically. To consult this document please contact Ms Richards ([anne.richards@wto.org](mailto:anne.richards@wto.org)) or Ms Naville ([delphine.naville@wto.org](mailto:delphine.naville@wto.org)) of the Rules Division.

2) That the increased imports caused serious injury to the domestic industry as follows:

Passenger cars/vehicles

- Domestic sales relative to the Philippine market ranges from 22% to 25% share during the POI, as imports ate up more than 70% of the market. Share of imports to total Philippine market captured 75% to 78% of the market during the POI.

Light commercial vehicles

- Domestic sales to the Philippine market contracted from 18% in 2014 to 11% in 2017. In 2018, the share of the domestic industry declined to 7% and 5% in 2019. On the other hand, the share of imports to the total Philippine market showed a steady increase during the POI, i.e. 85% in 2015, 86% in 2016, 89% in 2017, 93% in 2018, and 95% in 2019.

3) That increased imports were the substantial cause of serious injury to the domestic industry which was caused by increased imports based on the following:

Passenger cars/vehicles

- The passenger cars/vehicles are being imported in increased quantities from various countries (i.e. 35% growth rate) during the POI (2014 to 2018). The share of imports relative to production showed that imports exceeded domestic production from 295% (2014) to 349% (2018).
- Despite the expansion of the apparent market from 2014 to 2017, the domestic industry was not able to take advantage of the growth that occurred during the period. The market share of domestic sales contracted from a range of 22% to 25% share, while the share of imports captured more than 70% of the market.

Light commercial vehicles

- The Philippine imports of light commercial vehicles (LCV) significantly increased during the POI from 17,273 units in 2014 to 51,969 units in 2018. Likewise, the share of imports relative to domestic production significantly increased from 645% in 2015 to 1,364% in 2018.
- Despite the increasing total apparent consumption for the said product during the POI (i.e. 21,014 units in 2015 to 55,664 units in 2018), the share of the domestic industry shrank from 18% in 2014 to 7% in 2018 while imports accounted for an increasing proportion at about 82% (2014) to 93% (2018) of the Philippine market. The domestic industry lost sales while the market is growing.

**(b) Determining that there are critical circumstances where delay would cause damage which it would be difficult to repair**

There are factors that contributed to the existence of critical circumstances, such as the decline in the number of manufacturers/assemblers in the country.

The government has been actively promoting the local production of motor vehicles in the country as local demand increases. However, despite government support, the decline in the number of manufacturers/assemblers in the country has been experienced.

## **6 OFFER OF CONSULTATIONS**

The Government of the Philippines offers consultations on the provisional safeguard measures.

Europe & Central Asia	Middle East	Americas	East Asia & Pacific
Albania	Bahrain	Anguilla	American Samoa
Armenia	Iran, Islamic Rep.	Antigua and Barbuda	Brunei Darussalam
Azerbaijan	Iraq	Argentina	Cambodia
Belarus	Israel	Aruba	Christmas Is.
Bosnia & Herzegovina	Jordan	Bahamas	Chinese Taipei
Bulgaria	Kuwait	Barbados	Cocos (Keeling) Is.
Croatia	Lebanon	Belize	Cook Is.
Cyprus	Oman	Bermuda	Fiji
Czech Republic	Qatar	Bolivia	French Polynesia
Estonia	Saudi Arabia	Brazil	Guam
Georgia	Syrian Arab Rep.	British Virgin Islands	Hong Kong, China
Greenland	United Arab Emirates	Cayman Islands	Johnston Is.
Hungary	West Bank & Gaza	Chile	Kiribati
Kazakhstan	Yemen, Rep.	Colombia	Korea, Dem. Rep.
Kyrgyz Republic		Costa Rica	Lao, PDR
Latvia		Cuba	Macao, China
Lithuania		Dominica	Malaysia
Macedonia, FYR		Dominican Rep.	Marshall Islands
Malta		Ecuador	Micronesia, Fed. Sts.
Moldova		El Salvador	Midway Is.
Poland		Falkland Is. (Malvinas)	Mongolia
Romania		French Guiana	Myanmar
Russian Federation		Grenada	Nauru
Slovakia		Guadaloupe	New Caledonia
Slovenia		Guatemala	Niue
Tajikistan		Guyana	Northern Marianas Is.
Turkey		Haiti	Palau
Turkmenistan		Honduras	Papua New Guinea
Ukraine		Jamaica	Pitcairn Is.
Uzbekistan		Martinique	Samoa
Yugoslavia, Fed. Rep.		Mexico	Singapore
		Montserrat	Solomon Islands
		Netherlands Antilles	Tokelau
		Nicaragua	Tonga
		Norfolk Islands	Tuvalu
		Panama	Vanuatu
		Paraguay	Viet Nam
		Peru	Wake Is.
		Puerto Rico	Wallis & Futuna Is.
		St. Helena	
		St. Kitts & Nevis	
		St. Lucia	
		St. Pierre & Miquelon	
		St. Vincent & the Grenadines	
		Suriname	
		Trinidad & Tobago	
		Turks & Caicos Is.	
		Uruguay	
		US Virgin Islands	
		Venezuela	



Europe & Central Asia	Middle East	Americas	East Asia & Pacific
Albania	Bahrain	Anguilla	American Samoa
Armenia	Iran, Islamic Rep.	Antigua and Barbuda	Brunei Darussalam
Azerbaijan	Iraq	Argentina	Cambodia
Belarus	Israel	Aruba	Christmas Is.
Bosnia & Herzegovina	Jordan	Bahamas	Chinese Taipei
Bulgaria	Kuwait	Barbados	Cocos (Keeling) Is.
Croatia	Lebanon	Belize	Cook Is.
Cyprus	Oman	Bermuda	Fiji
Czech Republic	Qatar	Bolivia	French Polynesia
Estonia	Saudi Arabia	Brazil	Guam
Georgia	Syrian Arab Rep.	British Virgin Islands	Hong Kong, China
Greenland	United Arab Emirates	Cayman Islands	Indonesia
Hungary	West Bank & Gaza	Chile	Johnston Is.
Kazakhstan	Yemen, Rep.	Colombia	Kiribati
Kyrgyz Republic		Costa Rica	Korea, Dem. Rep.
Latvia		Cuba	Korea, Rep.
Lithuania		Dominica	Lao, PDR
Macedonia, FYR		Dominican Rep.	Macau, China
Malta		Ecuador	Malaysia
Moldova		El Salvador	Marshall Islands
Poland		Falkland Is. (Malvinas)	Micronesia, Fed. Sts.
Romania		French Guiana	Midway Is.
Russian Federation		Grenada	Mongolia
Slovakia		Guadeloupe	Myanmar
Slovenia		Guatemala	Nauru
Tajikistan		Guyana	New Caledonia
Turkey		Haiti	Niue
Turkmenistan		Honduras	Northern Marianas Is.
Ukraine		Jamaica	Palau
Uzbekistan		Martinique	Papua New Guinea
Yugoslavia, Fed. Rep.		Mexico	People's Republic of China
		Montserrat	Plitcaim Is.
		Netherlands Antilles	Samoa
		Nicaragua	Singapore
		Norfolk Islands	Solomon Islands
		Panama	Tokelau
		Paraguay	Tonga
		Peru	Tuvalu
		Puerto Rico	Vanuatu
		St. Helena	Viet Nam
		St. Kitts & Nevis	Wake Is.
		St. Lucia	Wallis & Futuna Is.
		St. Pierre & Miquelon	
		St. Vincent & the Grenadines	
		Suriname	
		Trinidad & Tobago	
		Turks & Caicos Is.	
		Uruguay	
		US Virgin Islands	
		Venezuela	



04 January 2021

**THE MANAGER**  
JETHOL VISION TRADING PTE LTD  
10F, 86, Chung Hsia E. Rd., Sec. 3,  
Taipei City, 10652 Taiwan

Dear Sir/Madam:

This is to furnish you copies of the Order and Report (non-confidential version) on the preliminary determination conducted by the Department of Trade and Industry based on the petition for general safeguard measures on imported motor vehicles filed by the Philippine Metalworkers Alliance.

The Order provides for the imposition of provisional safeguard duties on imported vehicles in the form of a cash bond amounting to the following:

- (1) ₱70,000 per unit of any four-wheeled passenger cars (PCs) designed to transport less than 10 persons and not primarily to transport goods classified under ASEAN Harmonized Tariff Nomenclature (AHTN) Code 8703. Imported PCs that are completely knocked-down, semi knocked-down, used, with electric motors, and those designed for a special purpose such as ambulances and hearses are excluded from the coverage of the provisional duty. Also excluded from the provisional duty are luxury PCs that have an FOB value of US\$25,000 or higher.
- (2) ₱110,000 per unit of imported light commercial vehicles (LCVs) whether four-wheeled drive or not which are designed to carry both passenger and cargo that are classified under AHTN Codes 8704.21.19 and 8704.21.29. Imported LCVs that are completely knocked-down (CKD), semi knocked-down (SKD), used, with electric motors, and those designed for a special purpose such as ambulances, hearses, are excluded from the coverage of the provisional duty. Further, LCVs that have an FOB value of US\$28,000 or higher are also excluded from the provisional duty.

The duration of the imposition of the provisional duty is 200 days. It shall take effect upon the issuance of an order by the Commissioner of Customs.

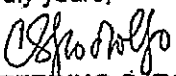
The case records will be transmitted to the Tariff Commission for formal investigation. They shall publish a notice of the formal investigation and the schedule of public hearings in due course.

The Non-Confidential Report on the Preliminary Investigation and Department Administrative Order can be accessed at the DTI web page: <https://bit.ly/prelim-motor-vehicles>.

Any concerns or queries on the matter may be emailed at [bis\\_irmd@dti.gov.ph](mailto:bis_irmd@dti.gov.ph) and [bis@dti.gov.ph](mailto:bis@dti.gov.ph).

Thank you.

Very truly yours,

  
**DR. CEFERINO S. RODOLFO**  
Undersecretary &

OFFICE OF THE UNDERSECRETARY FOR INDUSTRY DEVELOPMENT AND TRADE POLICY GROUP