| **Individual Action Plan Update for the Philippines for 2012** |
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| ***Highlights of recent policy developments which indicate how the Philippines is progressing towards the Bogor Goals and key challenges it faces in its efforts to meet the Goals.*** |
| Completed a comprehensive tariff review to implement the tariff structure for 2012-2015:   * Overall average applied tariff maintained at 6.30%; * About 60% per cent of Philippines’ applied MFN tariff lines are at 0-5%; * Applied tariffs reduced to 0% for certain articles of wheat, cement, crude oil, petroleum products, asphalt, iron and steel products and books.   Further enhanced assistance given to investors by reorganizing the One-Stop Action Center (OSAC) of the Board of Investments into two (2) Divisions – Investment Counseling Division and Investments Research and Data Warehousing Division.  Liberalized, simplified and clarified the foreign exchange (FX) regulatory framework.  Lifted restrictions on bank branching.  Fully implemented the e-passport project. E-passport applications are now accepted in the DFAConsular Office, nineteen regional offices throughout the Philippines, as well as in 94 Philippine Foreign Service Posts worldwide.  Continued to pursue reforms in the water resources and transportation sectors.  Aligned 580 Philippine National Standards (PNS) with international standards. At present, 78.59% of PNS are aligned with relevant international standards.  Issued and implemented the Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 otherwise known as the “Government Procurement Reform Act” that enhanced transparency, competition and efficiency in government procurement. The revised IRR streamlined the eligibility requirements set forth under the previous IRR.  Acceded to the Revised Kyoto Convention (RKC). The instrument of accession was transmitted to the World Customs Organization in June 2010.  Established Arbitration and Mediation Units as alternative dispute resolution approach for IP cases.  Issued Executive Order No. 45 designating the Department of Justice as the National Competition and created the Office for Competition. |

| IAP Chapter (and Sub-Chapter and Section Heading, if any) | **Improvements made since 2010 IAP** | **Further Improvements Planned** |
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| Tariffs | Completed a comprehensive tariff review to implement the tariff structure for 2012-2015:   * Overall average applied tariff maintained at 6.30%; * About 60% per cent of Philippines’ applied MFN tariff lines are at 0-5%; * Applied tariffs reduced to 0% for certain articles of wheat, cement, crude oil, petroleum products, asphalt, iron and steel products and books.   The Philippines has free trade agreements (FTAs) with 15 partners: the other nine parties of ASEAN (i.e. Brunei Darussalam, Cambodia, Indonesia, Laos PDR, Malaysia, Myanmar, Singapore, Thailand and Vietnam); Australia and New Zealand; China; Japan; Korea and India.  Philippine Tariff Profile Under Various FTAs   |  |  |  | | --- | --- | --- | |  | 2010 | 2011 | | Simple Average Tariff | | | | ASEAN/ATIGA | 0.00 | 0.00 | | ASEAN-China | 0.35 | 0.35 | | ASEAN-Korea | 0.44 | 0.44 | | ASEAN-Australia/New Zealand | 3.38 | 3.08 | | ASEAN-Japan | 2.33 | 1.55 | | Philippines-Japan | 2.68 | 2.38 | | ASEAN-India |  | 4.90 | |  | | | | % Duty free Tariff Lines to All goods | | | | ASEAN | Approx 100.00 | Approx 100.00 | | ASEAN-China | 92.24 | 92.24 | | ASEAN-Korea | 89.69 | 89.69 | | ASEAN-Australia/New Zealand | 59.52 | 60.76 | | ASEAN-Japan | 63.22 | 71.45 | | Philippines-Japan | 64.63 | 65.57 | | ASEAN-India |  | 4.28 | | Continuing regular review of MFN tariffs to make industries competitive and promote consumer welfare.  Under the various FTAs, will progressively reduce and/or eliminate preferential tariffs with the end goal of zero tariffs levied on substantially all goods by the agreed end dates.   |  |  | | --- | --- | |  | End Dates | | ASEAN / ATIGA | 2015 | | ASEAN-China | 2018 | | ASEAN-Korea | 2016 | | ASEAN-Australia/New Zealand | 2020 | | ASEAN-Japan | 2018 | | ASEAN-India | 2022 | | Philippines-Japan | 2018 | |
| Website for further information: | [www.tariffcomission.gov.ph](http://www.tariffcomission.gov.ph) |  |
| Contact point for further details: | The Chairman  Tariff Commission  5th Flr. Philippine Heart Center Building  East Avenue, Diliman  Quezon City, Philippines  Tel: (632) 433-5899  Fax: (632) 921-7960  E-mail: [tarcm@pworld.net.ph](mailto:tarcm@pworld.net.ph) and [tarcm@mydestiny.net](mailto:tarcm@mydestiny.net) |  |
| ***Non-Tariff Measures*** | Automation of procedures on the application for the Minimum Access Volume (MAV) License and MAV Import Certificate (MAVIC) starting MAV Year 2012. | No plans for further improvements. |
| Website for further information: | [www.intercommerce.com.ph](http://www.intercommerce.com.ph) – MAV  [www.sra.gov.ph](http://www.sra.gov.ph) - SRA |  |
| Contact point for further details: | The Executive Director  MAV Secretariat  2/F Yellow Room, ITCAF Bldg.  Department of Agriculture, Elliptical Road,  Diliman, Quezon City  Tel: (632) 920-1786  [vero.librojo@yahoo.com](mailto:vero.librojo@yahoo.com)  Philippine National SPS Enquiry Point  Office of the Director  Policy Research Service  Department of Agriculture  3rd Floor, DA Building, Elliptical Road  Diliman, Quezon City, Philippines  Tel: (632) 9267439  Fax: (632) 9280590  E-mail: [epad.polreser@lycos.com](mailto:epad.polreser@lycos.com)  The Administrator  Sugar Regulatory Administration  Sugar Center Building  North Avenue, Diliman, Quezon City  Tel: (632) 929-3633; 920-4357  Fax: (632) 455-3376  E-mail: [srahead@sra.gov.ph](mailto:srahead@sra.gov.ph) |  |
| ***Services***  ***Financial Services*** | Liberalized, simplified and clarified the foreign exchange (FX) regulatory framework. Bango Sentral ng Pilipinas issued Circular No 698 dated 5 November 2010 (“Reforms on the Foreign Exchange Regulatory Framework”) and Circular No 742 dated 21 November 2011 (“Amendments to Foreign Exchange Regulations”) . These circulars enhance and facilitate access to FX resources of the banking system for legitimate transactions and induce a shift of FX transactions from the parallel to the formal FX market, in the process support greater market confidence.  Lifted restrictions on bank branching. Two-phased lifting of prohibitions on bank branching in eight (8) restricted areas in Metro Manila was implemented in July 2011. Under Phase I, domestically incorporated universal and commercial banks and thrift banks with limited branch network were allowed to apply to establish as many new branches in Metro Manila as their qualifying capital can support up until 30 June 2014. Under Pahse 2, branching in Metro Manila were opened to all banks except rural and cooperative banks. The phased lifting of branching restriction does not apply to foreign banks as they are restricted to have six branches under RA 7721 or the Foreign Bank Liberalization Law.  The Real Estate and Investment Trust Act of 2009 (R.A. 9856) which was promulgated on 17 December 2009, “provides for the establishment of the enabling regulatory framework and environment for real estate investment trusts, and grants certain incentives to assist in achieving the policy objectives of the law”. This legislative measure’s Implementing Rules and Regulations (IRR) was approved by the SEC on 10 May 2012.  The Financial Rehabilitation and Insolvency Act (FRIA) of 2010 (R.A. 10142), an “Act Providing for the Rehabilitation of Financially Distressed Enterprises and Individuals” was passed by the House of Representatives and the Philippine Senate on 01 and 02 February 2010, respectively. This new law repealed the more than a century-old Insolvency Law (Act 1956) enacted in 1909. | Review and further liberalize the foreign exchange regulatory framework taking into account existing conditions, with a view to maintaining a strong external position and adopting international best practices, where applicable or feasible.  Promote a competitive market environment conducive to a better and improved quality of financial services delivery. Monitor need to further liberalize banking restrictions, where appropriate and applicable. |
| *Website for further information:* | Banking Services:  [www.bsp.gov.ph/regulations/regulations.asp?type=1&id=2630](http://www.bsp.gov.ph/regulations/regulations.asp?type=1&id=2630)  [www.bsp.gov.ph/regulations/regulations.asp?type=1&id=2846](http://www.bsp.gov.ph/regulations/regulations.asp?type=1&id=2846)  [www.bsp.gov.ph/regulations/regulations.asp?type=1&id=2757](http://www.bsp.gov.ph/regulations/regulations.asp?type=1&id=2757)  Real Estate and Investment Trust Act and Financial Rehabilitation and Insolvency Act:  <http://www.sec.gov.ph/> |  |
| *Contact point for further details:* | For FX Regulatory Framework:  The Director  International Operations Department  Bangko Sentral ng Pilipinas  [pangeles@bsp.gov.ph](mailto:pangeles@bsp.gov.ph)  For Bank Banking Restrictions:  The Director  Office of Supervisory Policy Development  Bangko Sentral ng Pilipinas  [tsanpedro@bsp.gov.ph](mailto:tsanpedro@bsp.gov.ph)  For Real Estate and Investment Trust Act and Financial Rehabilitation and Insolvency Act:  The Director  Economic Research and Information Department  Securities and Exchange Commission  vvsalentes@sec.gov.ph |  |
| ***Services***  ***Energy Services*** | Promulgated the guidelines for the accreditation of manufacturers, fabricators and suppliers of locally-produced renewable energy equipment and components.  Promulgated the guidelines governing a transparent and competitive system of awarding renewable energy service/operating contracts and providing for the registration process of renewable energy developers.  Awared 52 wind energy serrvice contracts (WESCs); 7 solar energy service contracts (SESCs) and 2 certificates of registration for own-use.  Issued one (1) certificate of accreditation to fabircators, manufacturers and suppliers of locally-produced renewable energy equipment and components | Promulgate the guidelines on the renewable portfolio standard (RPS)  Promulgate the Feed-in Tariff (FiT) Setting  Promulgate the net-metering system guidelines  Harmonize the guidelines on accreditation and awarding of service/operating contracts  Promulgate the guidelines on Green Energy Options Program (GEOP)  Promulgate the guidelines on Renewable Energy Trust Fund (RETF) |
| *Website for further information:* | [www.doe.gov.ph](http://www.doe.gov.ph) |  |
| *Contact point for further details:* | The Director  Renewable Energy Management Bureau  Department of Energy  Energy Center, Merritt road  Fort Bonifacio, Taguig City 1632  Telefax: (632) 840-2268  E-mail: mcmarasigan@doe.gov.ph |  |
| ***Services***  ***Air Services*** | Continued to enhance air services agreements to provide more and better connectivity, particularly in the ASEAN region. | Continue to enhance air services agreements to provide more and better connectivity, particularly in the ASEAN region. |
| *Website for further information:* | <http://cab.gov.ph> |  |
| *Contact point for further details:* | The Executive Director  Civil Aeronautics Board  CAB Building, Old MIA Road, Pasay City  Tel: (632) 853-6761  Fax: (632) 833-6911  E-mail: [cab\_eprd@yahoo.com](mailto:cab_eprd@yahoo.com) ; info@cab.gov.ph |  |
| ***Services***  ***Maritime Transport Services*** |  | Formulate the Maritime Shipping Act, which is intended to consolidate and update existing maritime laws.  Review the implementing rules and regulations of Republic Act No. 9295 or Domestic Shipping Development Act of 2004. |
| *Website for further information:* | <http://www.marina.gov.ph/default.aspx> |  |
| *Contact point for further details:* | The Administrator  Maritime Industry Authority  E-mail: [emlorenzo2003@yahoo.com](mailto:emlorenzo2003@yahoo.com) |  |
| ***Services***  ***Telecommunications Services*** | Issuance of Memorandum Circular No. 02-10-2011 (Rules and regulations on the interconnection charge for short messaging service)  The circular aims to reduce aims to reduce the communication cost of the network receiving the text plus the cost of interconnection facilities |  |
| *Website for further information:* |  |  |
| *Contact point for further details:* | The Commissioner  National Telecommunications Commission  E-mail: [commissioner@ntc.gov.ph](mailto:commissioner@ntc.gov.ph) |  |
| ***Investment*** | Introduced the Client Feedback Form to firms visited by the Strategic Investor Assistance Progam Team to gauge the effectiveness of the Strategic Investor Aftercare Program (SIAP) program.  The SIAP assistas in addressing investors’ issues and concerns that affect business operation while the Issues and Concerns Facilitation Team coordinates with other government agencies particularly the Investments Promotions Unit Network in the resolution of investors’ issues and concerns.  The One-Stop Action Center (OSAC) has been reorganized into two (2) Divisions – Investment Counseling Division and Investments Research and Data Warehousing Division, with the goal to further enhance the services given to investors. | On-site visits to different LGUs for update regarding local investment laws and procedures relative to doing business in the Philippines.  Network with other Investments Promotion Agencies in APEC member countries to promote inter-investments and also benchmark each one’s best practices. |
| Website for further information: | [www.boi.gov.ph](http://www.boi.gov.ph) |  |
| Contact point for further details: | Board of Investments  Industry & Investments Building  385 Sen. Gil J. Puyat Avenue  Makati City, Philippines  The Executive Director  Investments Promotion Group  Trunkline:  (632) 897-6682 loc. 327 / 328  Direct Line:  (632) 896-9212  Fax No.:  (632) 897-2181  Email address:  [FagoncilloReyes@boi.gov.ph](mailto:FagoncilloReyes@boi.gov.ph)  The Executive Director  Management Services Group  Trunkline:  (632) 897-6682 loc. 321/ 322  Direct Line:  (632) 897-.3081  Fax No.:  (632) 897-5334  Email address:  [EVLeaño@boi.gov.ph](mailto:EVLeaño@boi.gov.ph)    The Executive Director  Project Assessment Group  Trunkline:  (632) 897-6682 loc. 325/ 326  Direct Line:  (632) 895-3983  Fax No.:  (632) 895-3978  Email address:  [LPReyes@boi.gov.ph](mailto:LPReyes@boi.gov.ph)  The Executive Director  Investments Servicing Group  Trunkline:  (632) 897-6682 loc. 323/ 324  Direct Line:  (632) 890-3056  Fax No.:  (632) 897-3079  Email address:  [RVAngeles@boi.gov.ph](mailto:RVAngeles@boi.gov.ph)  The  Director   Business One-Stop Shop (BOSS) Action Center (formerly NERBAC)  Trunkline:  (632) 897-6682 loc. 253  Direct Line:  (632) 897-2116  Fax No: (632) 895-8322  Email address:  [RLRosales@boi.gov.ph](mailto:RLRosales@boi.gov.ph)  The Director   Investments Aftercare Services Department  Trunkline:  (632) 897-6682 loc. 270  Direct Line:  (632) 896-8329  Fax No.: (632) 896-7342  Email address:  [DIBagaporo@boi.gov.ph](mailto:DIBagaporo@boi.gov.ph) |  |
| ***Standards and Conformance*** | Aligned 580 Philippine National Standards (PNS) with international standards. At present, 78.59% of PNS are aligned with relevant international standards  Adopted 168 International Electrotechnical Commission (IEC) Standards related to Low Voltage Equipment (LVE) and Electromagnetic Compatibility (EMC) as PNS for the period of July 2010 to December 2011  Participated in international standardization activities:   * A participating (P) member to 27 ISO Technical Committees (TCs) and 29 Sub-committees (SCs), and observer (O) to 46 ISO TCs and 17 SCs; * Maintained membership to ISO and IEC * A member in 17 Codex committees (10 General Subject Committees; 4 Commodity Committees; 2 ad Hoc Intergovernmental Task Forces; 1 Regional Coordinating Committee)\*   Strengthened capability to fully par**t**icipate in the APEC MRA on Telecommunications Equipment  Continued conduct of review on the quality manual of the National Registration Scheme for Quality Assessors (NRSQA); some procedures and Work Instructions are being reviewed and revised; and changes are initially being implemented  Reviewing the DTI Department Administrative Order 05 Series of 2008 “The New Rules and Regulations Concerning the Issuance of the Import Commodity Clearance under the Product Certification Scheme of the Bureau of Product Standards (BPS).  Continued to increase transparency of standards and conformance requirements by maintaining a Standards and Conformance Portal ([www.bps.dti.gov.ph](http://www.bps.dti.gov.ph)) and the airing of a weekly consumer advocacy radio programs.  Continued to develop modules and teacher support materials on product quality and safety for grade school and high school students.  Signatory member to APLAC/ILAC MRA  Full implementation of accreditation for the following:   * Testing and calibration laboratories (ISO/IEC 17025:2005) * Inspection bodies (ISO/IEC 17020:2004) * Quality management system (ISO 9001) * Environmental management system (ISO 14001) * Hazard Analysis and critical control points (HACCP) * Food safety management system – (ISO 22000)   Maintained accreditation of Information Security Management System (ISO 27006:2007) certification body and product certification body (ISO Guide 65)  Maintained accreditation of the Bureau of Product Standards Testing Center by SINGLAS, Singapore to ISO/IEC 17025 until July 2013 | Continue to develop standards using, where appropriate, international standards in the priority areas agreed by SCSC and on the priority sectors identified in APEC.  Continue participation in international standardization activities.  Pursue linkages with standard writing organizations and industry associations in developing Philippine National Standards and in establishing telecommunications equipment standards  Expand expertise on Information Technology and communication in support of the e-Commerce Act of the Philippines.  National Telecommunication Commission (NTC) to continue to formulate and develop standards and technical regulations using, where appropriate, international standards for radio and telecommunications equipment  NTC to coordinate with the Philippine Accreditation Office for the accreditation and designation of Conformity Assessment Bodies (CABs)  Expand the recognition of conformity assessment activities at the regional and international levels particularly in the electrical and electronic sector.  Strengthen the national bodies through revision and improved standardization mandates  Sustain programs to promote the benefits and use of standards to the public  Maintain signatory membership to APLAC and ILAC MRAs  Maintain signatory membership to PAC/IAF for QMS/EMS  Maintain Accreditation of the Bureau of Product Standards by SINGLAS, Singapore to ISO/IEC 17025 |
| Website for further information: | <http://www.bps.dti.gov.ph> |  |
| Contact point for further details: | The Director  Bureau of Product Standards  3F Trade & Industry Building  361 Sen. Gil J. Puyat Ave., Makati City  Tel: +632.751.4729  Fax : +632.751.4706  E-mail: [bps@dti.gov.ph](mailto:bps@dti.gov.ph) |  |
| ***Customs Procedures*** | Transmitted the Instrument of Accession of the Revised Kyoto Convention (RKC) to the World Customs Organization during the Council Session in Brussels last 25 June 2010.  Conducted gap analysis for the Authorize Economic Operator (AEO) Program with the assistance from EU-Trade Related Technical Assistance program and National Economic Development Authority.  Accredited cargo surveyors conducted load port surveys, copies of which were electronically transmitted to BOC in advance for the purpose of availing pre-clearance process.  Issued corresponding rules and regulations of E-Transit System by monitoring the movement of containerized cargo through GPS.  Continued to conduct of pilot testing of the Automated Raw Materials Liquidation System  Implemented the Import and Assessment System in all ports/ subports nationwide (total: 48 sites) which includes among others the:   * implementation of the enhanced Risk Management System for a more rationalized determination of the risk level of imports, toward ensuring that only medium-to-high risk shipments will be subjected to documentary and/or physical inspection; * submission of Electronic Manifest from 5 days after arrival to 12 hours before arrival of vessel/shipment; * payment of duties/taxes & other fees through banks, from cash and checks to electronic debit only. | Continue the automation programs under the ASYCUDAWorld Project.  Finalize and sign an executive order creating an RKC Compliance Center to oversee implementation of RKC commitments.  Connect 40 government agencies for the internet submission and electronic processing of import permits under the National Single Window System.  Create the Bureau of Customs’ AEO Unit which shall be tasked to draft rules and regulations for the AEO Program.  Implement the E-Transit System and Customs Seal for transit cargoes, which was initially intended for ecozone and Freeport locators. The use of a GPS unit housed by a Customs Seal/Clamp shall enable BOC to monitor movement of containerized cargo on real time basis. The notice to intended service providers is set to be published within the year.  Automated Export Documentation System for internet-based lodgment of export entries developed and is planned for implementation within 4th Qtr of 2010.  Study/ consultation to be conducted (with assistance from the European Union) within the 4th Qtr of 2010 on the enhancement of the Origin Certification and Verification system. |
| Website for further information: | http://www.customs.gov.ph |  |
| Contact point for further details: | The Commissioner  Office of the Commissioner  Bureau of Customs  G/F OCOM Building  Port Area, Manila  Tel: +632.527.4573/37  Fax: +632.526.6355  E-mail: [BOCCommissioner@customs.gov.ph](mailto:BOCCommissioner@customs.gov.ph) |  |
| ***Intellectual Property Rights*** | Established Arbitration and Mediation Units as alternative dispute resolution approach for IP cases.  Established a pool of Innovation and Technology Support Offices (ITSOs) to strengthen the capacity of local institutions in accessing patent information and in using the patent system  Commenced the Industrial Property Automation System (IPAS) as a component of the Integrated Intellectual Property Management System (IIPMS). IPAS covers the end-to-end processing of patent, trademark, utility model, and industrial design applications.  Strengthened IP enforcement and promotion of anti-counterfeiting initiatives by establishing partnerships with public and private institutions. Memoranda of Agreement were signed with the Philippine Ports Authority (PPA), Manila International Airport Authority (MIAA), Securities and Exchange Commission, Philippine Economic Zone Authority, Anti-Money Laundering Council, and the Motorcycle Development Program of the Philippines Association.  Enhanced enforcement capacity of government agencies by conducting trainings for the Department of Justice, Food and Drug Administration, PPA, MIAA, and other members of the National Committee on IPR.  Revised the Implementing Rules and Regulations on Patents, Utility Models, and Industrial Designs to streamline procedures, clarify substantive matters, and accommodate emerging technologies such as computer-related inventions, biotechnology, and nanotechnology.    Revised the Manual on Substantive Patent Examination Procedure in pursuant to Republic Act No. 9502 (Universally Accessible Cheaper and Quality Medicines Act of 2008).  Amended the Implementing Rules and Regulations on Administrative Complaints for Intellectual Property Rights Violation.  Initiated the 2012-2016 Philippine Action Plan on Intellectual Property Rights Protection and Enforcement. Focus is given on IP awareness and enforcement, local and international partnerships, legal and policy infrastructure, accession to treaties and disposition of IPR cases.  Promoted the protection of Traditional Knowledge, Genetic Resources, and Traditional Cultural Expressions (TK, GR, TCE). Created the Tripartite Technical Working Group to study the protection of communal intellectual rights of indigenous people.  Introduced of Master of Laws in Intellectual Property with the Ateneo de Manila Law School.  Promulgated the Amendments to the Rules and Regulations on Inter Partes Proceedings  Approved House Bill No. 3841 on the third reading. The bill seeks to amend R.A. No. 8293 (Intellectual Property Code of the Philippines) to create the Bureau of Copyright in the IPOPHL.  Collaboration between IPOPHL and the National Library by signing a Memorandum of Agreement on the provision of copyright services. | Deposit for implementation the Revised Implementing Rules and Regulations on Patents, Utility Models, and Industrial Designs to the University of the Philippines Law Center.  Seek agreements on anti- counterfeiting and piracy with the Bureau of Immigration and the City Government of Zamboanga.  Accede to the Madrid Protocol.  Conduct trainings on the Madrid Protocol for trademark owners, IP practitioners and government officials.  Launch the IPAS for Patents in March. |
| Website for further information: | <http://www.ipophil.gov.ph> |  |
| Contact point for further details: | The Director General  Intellectual Property Office of the Philippines Add.: Intellectual Property Center, 28 Upper McKinley Road, McKinley Hill Town Center, Fort Bonifacio, 1634 Taguig City  Tel.: +632 238 6300  Fax: +632 890 4862  Email: ricblancaflor@ipophil.gov.ph |  |
| ***Competition Policy*** | Issued Executive Order No. 45 designating the Department of Justice as the National Competition and created the Office for Competition.  Organized the Office for Competition.  Continued the advocacy for the enactment of a comprehensive competition law in both houses of Congress.  Hosted the Inception Workshop on Core Competencies in Competition Policy and Law spearheaded by the ASEAN Secretariat and GIZ.  Participated in the 1st ASEAN Competition Conference.  Participated in AEGC meetings and relevant activities. | In the national level, adoption of heightened advocacy on EO 45 and the role of OFC as competition authority; forging of MOA/MOU with industry-specific regulators, research institutions and allied stakeholders to ensure complementation of efforts.  In the ASEAN level, actively participate in AEGC work program and activities.  Continue to participate in policy dialogues and information exchanges on competition policy within APEC and with other international organizations.  Carry out programs with development partners. |
| Website for further information: | <http://www.doj.gov.ph> |  |
| Contact point for further details: | Office for Competition  Department of Justice Padre Faura,Ermita  Manila, Philippines  Tel: (632) 521- 8345  Fax: (632) 524-2230  E-mail: [competition@doj.gov.ph](mailto:competition@doj.gov.ph); [gls.doj@gmail.com](mailto:gls.doj@gmail.com) |  |
| ***Government Procurement*** | Issued and implemented the Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 otherwise known as the “Government Procurement Reform Act” to enhance transparency, competition and efficiency in government procurement. Notably, the revised IRR streamlined the eligibility requirements set forth under the previous IRR.  Continued to coordinate with universities for the inclusion of the Certification Program for the Professionalization of Public Procurement Practitioners in the Curriculum.  Conducted procurement training to set up a pool of recognized procurement trainers.  Approved the Customized Procurement Manuals in recognition of the peculiarities in the procurement activities of particular agencies and to better suit individual organizational structure;  Issued the 4th Edition of the Philippine Bidding Documents (PBDs) for Goods, Civil Works, and Consulting Services which were harmonized with the country’s development partners, particularly the Asian Development Bank, the World Bank, and the Japan International Cooperation Agency.  Carried out the posting of Resolutions of Protest and Request for Reconsiderations by procuring entities in the GPPB website in response to the action plan identified in the Country Procurement Assessment Report (CPAR), a joint undertaking by the Government of the Philippines and its development partners, to enhance transparency in the procurement system. | Update the Modules of the Certification Program for the Professionalization of Public Procurement Practitioners to include the amendments to the Implementing Rules and Regulations of Republic Act 9184 and the Guidelines issued by the Government Procurement Policy Board (GPPB).  Propose the adoption of Agency Performance and Compliance Indicators (APCPI), a self-assessment tool for the use of all procuring entities that aims to identify particular procurement strengths and weaknesses and develop an action plan to address them. The APCPI is derived from the Baseline Indicator System (BLI) and Compliance and Performance Indicator (CPI) Systems prescribed guidelines under the OECD DAC Methodology for the Assessment of National Procurement Systems (MAPS).  Issue the updated Generic Procurement Manuals (GPMs) for the use of all government agencies as reference guide for the conduct of their actual procurement operations;  Seek creation of a career stream for public procurement practitioners, procurement units and the amendment in the compensation structure;  Update the Philippine Government Electronic Procurement System (PhilGEPS), the electronic procurement portal of the government, to implement electronic bidding and electronic payment;  Roll out the PhilGEPS Virtual Store to enable the ordering of common and non-common use items online which shall be opened to all registered procuring entities; and  Upgrade the Online Monitoring Evaluation System (OMES) to be aligned with the APCPI Tool to measure and evaluate the effectiveness of the procurement practices of various government agencies, and approximate the methodology and criteria prescribed by the current OECD DAC guidelines. |
| Website for further information: | [www.gppb.gov.ph](http://www.gppb.gov.ph) |  |
| Contact point for further details: | The Executive Director  Government Procurement Policy Board  Department of Budget and Management  Unit 2506 Raffles Corporate Center  F. ortigas Jr road, Ortigas Center  Pasig City  Tel: (632) 900-6741 to 44  E-mail: [gppb@gppb.gov.ph](mailto:gppb@gppb.gov.ph)  The Assistant Director-General  Infrastructure, Regulation and Contract Review Services  National Economic and Development Authority  12 St. Josemaria Escriva Drive,  Ortigas Center, Pasig City 1605  Tel: (632) 631-2192  Fax: (632) 631-2188  E-mail: [rsreinoso@neda.gov.ph](mailto:rsreinoso@neda.gov.ph)  The Executive Director  Procurement Service  Department of Budget and Management  DBM Compound  Cristobal St, Paco, Manila  Tel: (632) 563-9365  Fax: (632) 563-9368  E-mail: [contacts@procurementservice.org](mailto:contacts@procurementservice.org); [ecgir@procurementservice.org](mailto:ecgir@procurementservice.org) |  |
| ***Deregulation/Regulatory Review*** | * Water Resources Sector   Currently undertaking the assessment and framework planning of the Water Resources Sector as part of the Philippine Water Supply Sector Roadmap and in preparation for the passage of the draft Water Regulatory Commission Bill.  Drafted a policy study to address the existing institutional, regulatory and governance issues in the water resources sector. The initial phase of the study recommended the creation of a National Water Resources Management Council (NWRMC) which shall have the authority to integrate and coordinate coherent national policies and plans for managing the country’s water resources.  Drafted a policy study under Millennium Development Goal- Fund (MDG-F) 1919 Joint Program on strengthening economic regulation to enhance water service delivery performance of the water service providers (WSPs) through *“light handed regulations”.*   * Transportation Sector   Continued to pursue reforms with the commitment in the 2011-2016 Philippine Development Plan (PDP) to separate the regulatory and operation functions, and eliminate overlapping functions of transport and other concerned agencies.  Deliberations on a proposed comprehensive National Transport Policy (NTP). House Bill (HB) No. 2222: *“An Act Setting the Direction of and Parameters for the Development of and Regulation of the Transportation System in the Philippines and for Other Purposes”.*  While HB No. 2222 is pending legislative enactment, a draft Executive Order (EO) has been formulated to operationalize the NTP. Said EO is presently under discussion/deliberation at the NEDA Board - Committee on Infrastructure (INFRACOM) before endorsement to the NEDA Board/Office of the President. | * Water Resources Sector   Conduct of the study on the implementation and operational plan for the proposed creation of NWRMC.  Fully operationalize and implement the NWRMC.  Create action plans for National Water Resources Board (NWRB) to carry-out the recommended Light Handed Regulations in the interim.   * Transportation Sector   Seek endorsement of the draft EO on NTP by the NEDA Board/ Office of the President .  Seek passage of HB 2222 supporting the NTP at the Congress of the Philippines. |
| Website for further information: | <http://www.neda.gov.ph> |  |
| Contact point for further details: | The Director  Infrastructure Staff  National Economic and Development Authority  12 Blessed Josemaria Escriva Drive  Pasig City, Philippines  Tel: (632) 631-3724  Fax: (632) 631-2188  E-mail: [lfquitoriano@neda.gov.ph](mailto:lfquitoriano@neda.gov.ph) |  |
| ***Implementation of WTO Obligations/ROOs*** | Deposited to the WTO the instruments of accession to the Fifth Protocol to the GATS (Financial Services) in March 2011. | Continue to participate actively in the Doha Development Agenda negotiations . |
| Website for further information: | [www.dti.gov.ph](http://www.dti.gov.ph) |  |
| Contact point for further details: | The Assistant Director  Bureau of International Trade Relations  Department of Trade and Industry  361 Senator Gil J. Puyat Avenue  Makati City 1200 Philippines  Tel: (632) 890-5148  Fax: (632) 890-5149  E-mail: [bitr\_asmb@dti.gov.ph](mailto:bitr_asmb@dti.gov.ph) |  |
| ***Dispute Mediation*** | Pursuant to Section 52 of Republic Act No. 9285 or the Alternative Dispute Resolution Act, DOJ Department Circular No. 098-09 or the Implementing Rules and Regulations of R. A. No. 9285 was issued on December 4, 2009 to further encourage and promote the use of alternative modes of dispute resolution.  In 2009, the Special Rules of Court on Alternative Dispute Resolution was promulgated by the Philippine Supreme Court setting forth the rules of procedure applicable to ADR cases.  Under the Special Rules of Court on Alternative Dispute Resolution, the court can deny recognition and enforcement of an international and a foreign arbitral award only upon the grounds provided in Article V of the New York Convention, but shall have no power to vacate or set aside a foreign arbitral award.  In 2011, the Intellectual Property Office of the Philippines put in place the IPOPHL Arbitration Rules, which are consistent with the WIPO Arbitration. | Continue to review existing avenues and procedures for dispute settlement.  Publicize as appropriate the availability of such avenues and procedures. |
| Website for further information: | <http://www.dti.gov.ph>  <http://www.osg.gov.ph> |  |
| Contact point for further details: | The Chief State Counsel  Department of Justice  Padre Faura, Manila, Philippines  Tel: (632) 525-0764, 536 0446  Fax: (632) 525-2218  E-mail: [rvparas@doj.gov.ph](mailto:rvparas@doj.gov.ph)  The Solicitor General  Office of the Solicitor General  134 Amorsolo Street, Legaspi Village, Makati City  Tel: (632) 818-6381  Fax: (632) 817-6037  E-mail: [docket@osg.gov.ph](mailto:docket@osg.gov.ph)  The President  Philippine Dispute Resolution Center, Inc.  3/F Commerce Industry Plaza  1030 Campus Ave. cor. Park Avenue  Mckinley Town Center  Fort Bonifacio, Taguig Ciity  Tel: (632) 822-4102  Fax: (632) 822-4102  E-mail: [secretariat@pdrci.org](mailto:secretariat@pdrci.org)  The Executive Director  Construction Industry Arbitration Commission  2/F Executive Centre Building  369 Sen. Gil Puyat Ave. cor. Makati Ave.  Makati City  Tel: (632) 897-9313  Fax: (632) 897-0853  E-mail: [ciac\_ciac@yahoo.com](mailto:ciac_ciac@yahoo.com) |  |
| *Mobility of Business People* | Full implementation of the e-passport project. E-passport applications are now accepted in the DFA Consular Office, nineteen regional offices throughout the Philippines, as well as in 94 Philippine Foreign Service Posts worldwide.  Collated data from the responses of Filipino ABTC holders to the Client Satisfaction Survey is being studied to devise mechanisms on how to further improve or enhance business mobility. | Implementation of the machine-readable visa project in 2013.  Relaxation of visa policies for tourists and business persons.  Implementation of the on-line application system in securing Alien Employment Permit (AEP) planned for 2012. |
| *Website for further information:* | [www.dfa.gov.ph](http://www.dfa.gov.ph) |  |
| *Contact point for further details:* | The Director  Visa Division, Office of Consular Affairs  Aseana Business Park  Diosdado Macapagal Boulevard cor. Bradco Avenue  Brgy. Tambo, Parañaque City  Tel: (632) 836-7763  Fax: (632) 527-2130  The Commisioner  Bureau of Immigration  2/F Bureau of Immigration Bldg.  Magallanes Drive, Port Area  Tel.: (632) 527-3248  The Undersecretary  Office of the Undersecretary for International Economic Relations  Department of Foreign Affairs  DFA Building , 2330 Roxas Boulevard  Pasay City  Tel.: (632) 834-3045  Fax: (632) 834-1451  E-mail: [apecphil@yahoo.com](mailto:apecphil@yahoo.com)  The Director  Bureau of Local Employment  Department of Labor and Employment  Intramuros, Manila  Tel: (632) 528-0087; 528-0108  Fax: (632) 527-2421 |  |
| *Official websites that gather economies’ information* | Philippine APEC Study Center Network, Philippine Institute for Development Studies  Completed Studies:   * ASEAN + 1 FTAs and the Global Supply Chain in East Asia: The Case of the Philippine Automotive adn Electronics Sectors; * ROOs in ASEAN + 1 FTAs and the Value chain in East Asia; * Taking Stock of the ROOs in the ASEAN +1 FTAs: Toward Deepening East Asian Integration; * Towards Accessible FTAs: The Role of Rules of Origin Documentation in FTA Utilization: The Case of the Philippines   Published/For Publication:   * Regional Economic Integration in East Asia: Progress and Pathways; * Anti-Corruption and Governance: The Philippine Experience; * The Impact of the Global Financial Crisis on the Labour Market: The Case of the Philippines; * The Philippines and East Asia: Building on partnerships to Take part in the Region's Dynamism; * Taking Stock of the ROOs in the ASEAN + 1 FTAs: Toward Deepening East Asian Integration; * Globalization, Governance and the Philippine State (book) | Based on the Philippine APEC Study Center Network's five-year research agenda (2010-2014) and the Philippine Institute for Development Studies' Research Agenda, PASCN continues to undertake studies along the following themes:   * Trade and Investment; * Trade liberalization and Trade facilitation; * Developing SMEs in the Philippines; * Regional Integration; * Impact of Climate change; * Disaster Risk Management; * Impact to the Poor and vulnerable groups of Trade Liberalization; * Good governance, Anti-Corruption and Transparency   On-going studies:   * Role of Technology in the Development of Small and Medium Size Enterprises; * Comparative Study on the Different Free Trade Agreements entered into by Japan with Other Asian Countries; * Trade Liberalization, the Trade Balance and Growth in Asia: 1974-2007   Projects in the pipeline:   * Study on Possible Philippine-EU Trade Agreement |
| Website for further information: | [www.pids.gov.ph](http://www.pids.gov.ph) |  |
| Contact point for further details: | The Project Director  Philippine APEC Study Center Network  Room 306, NEDA sa Makati Building  106 Amorsolo Street, Legaspi Village  Makati City  Tel: (632) 892-5817  Email: [emedalla@pids.gov.ph](mailto:emedalla@pids.gov.ph); [pascn@pidsnet.pids.gov.ph](mailto:pascn@pidsnet.pids.gov.ph) |  |
| ***Transparency*** | Maintained transparency in all its actions as part of the democratic process. Public hearings or consultations are conducted in the formulation of policies. The private sector and civil society are represented in government councils/committees. Executive Order No 200 of 1987 states that laws, rules and regulations cannot take effect until after fifteen days following complete publication in the *Official Gazette* (as provided for by Commonwealth Act No. 638) or in a newspaper of general circulation in the Philippines unless otherwise provided.  Launched the online version of the *Official Gazette* in 2010.  One of the five cross-cutting key strategies of the Philippine Development Plan (PDP) of 2011-2016 is to promote transparent and responsive governance. | As set out in the Philippine Development Plan of 2011-2016, effective and honest governance will be promoted and practised through the following:  1. Ensure high-quality, efficient, transparent, accountable, financially and physically accessible and nondiscriminatory delivery of public service;  2. Curb both bureaucratic and political corruption;  3. Strengthen the rule of law; and  4. Enhance citizens’ access to information and participation in governance. |
| Website for further information: | [www.gov.ph](http://www.gov.ph) – Official Gazette  [www.neda.gov.ph/PDP/2011-2016/default.asp](http://www.neda.gov.ph/PDP/2011-2016/default.asp) - PDP 2011-2016 |  |
| Contact point for further details: | The Presidential Communications Development and Strategic Planning Office  3/F New Executive Building,  Jose P. Laurel St., Malacañang, Manila  Tel. No.: (632) 736-0719  Fax No.: (632) 735-6167 |  |

| **RTAs/FTAs** | | | |
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| ***-*** ***Description of current agreements*** | | *Please use Part 1 of the RTA/FTA reporting template to provide a short description or hyperlinks to any new agreements and to report improvements to existing agreements.* |
| ***- Agreements under negotiation*** | | *Please provide information on agreements that are currently under negotiation eg issues being covered in the negotiation and the status of the negotiation.* |
|  | ***Agreement #1*** | **Japan-Philippines Economic Partnership Agreement**  The Agreement was ratified by the Philippine Senate in October 2008 and entered into force in December 2008.  Copy of the agreement is available at [www.dti.gov.ph/dti/index.php?p=642](http://www.dti.gov.ph/dti/index.php?p=642) |
| ***Agreement #2*** | **ASEAN Free Trade Area**  The ASEAN Free Trade Area (AFTA) is a trade bloc among the Member States of the Association of Southeast Asian Nations (ASEAN). In January 1992, ASEAN Member States signed the Singapore Declaration, an agreement that mandates the creation of AFTA within 15 years. AFTA became fully operational on 01 January 2003.  [www.aseansec.org/19585.htm](http://www.aseansec.org/19585.htm) |
| ***Agreement #3*** | **ASEAN-Japan Comprehensive Partnership Agreement**  The ASEAN – Japan Comprehensive Economic Partnership Agreement (AJCEPA) provides for the establishment of a Free Trade Area (FTA) between ASEAN and Japan over a period of 10 years, taking into account the achievements of the bilateral Economic Partnership Agreements (EPAs) between certain ASEAN Member States and Japan, and the further progress of the ASEAN integration process. Being a comprehensive economic partnership, the Agreement includes chapters on Trade in Goods, Sanitary and Phyto-sanitary Measures, Technical Barriers to Trade, Trade in Services, Investment and Cooperation and Trade Facilitation.  The Agreement was signed on an ad-referendum basis, with the Philippines signing the Agreement on 02 April 2008. The Philippines begun implementation of the Agreement on 01 July 2010.  [www.aseansec.org/22572.htm](http://www.aseansec.org/22572.htm) |
| ***Agreement #4*** | **ASEAN-Korea Free Trade Agreement**  The Framework Agreement on Comprehensive Economic Cooperation among ASEAN Member Countries (AMCs) and Korea and the Annex on Cooperation was signed on 13 December 2005. Please see [www.aseansec.org/18063.htm](http://www.aseansec.org/18063.htm) and [www.aseansec.org/18067.htm](http://www.aseansec.org/18067.htm).  The Agreement on Dispute Settlement Mechanism under the Framework Agreement on Comprehensive Economic Cooperation among AMCs and Korea was signed on 13 December 2005. Please see [www.aseansec.org/18129.htm](http://www.aseansec.org/18129.htm).  The Agreement on Trade in Goods under the Framework Agreement on Comprehensive Economic Cooperation among AMCs and Korea was signed in August 2006. Please see [www.aseansec.org/akfta.htm](http://www.aseansec.org/akfta.htm). |
| ***Agreement #5*** | **ASEAN-India Comprehensive Economic Partnership**  The Agreement on Trade in Goods Under the Framework Agreement on Comprehensive Economic Cooperation Between the Association of Southeast Asian Nations and the Republic of India was signed on 13 August 2009. Please see [www.aseansec.org/22677.pdf](http://www.aseansec.org/22677.pdf) for the full text of the agreement.  The Agreement on Dispute Settlement Mechanism under the Framework Agreement on Comprehensive Economic Cooperation Between the Association of Southeast Asian Nations and the Republic of India was signed on 13 August 2009. Please refer to [www.aseansec.org/22679.pdf](http://www.aseansec.org/22679.pdf). |
| ***Agreement #6*** | **ASEAN-Australia-New Zealand Free Trade Agreement**  The Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area was signed on 27 February 2009. Please see [www.aseansec.org/22260.pdf](http://www.aseansec.org/22260.pdf) for the main agreement.  For the Annexes to the agreement, please see [www.aseansec.org/22262.htm](http://www.aseansec.org/22262.htm).  For the Implementing Arrangement of the ASEAN-Australia-New Zealand Free Trade Area Economic Cooperation Work Programme, please see [www.aseansec.org/22287.pdf](http://www.aseansec.org/22287.pdf).  For the Understanding on Article 1 (Reduction and/or Elimination of Customs Duties) of Chapter 2 (Trade In Goods) of the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area, please see [www.aseansec.org/22308.pdf](http://www.aseansec.org/22308.pdf). |
| ***-*** ***Future plans*** | | The Philippines is firmly committed to fair and liberal trade and have uphaled this position consistently in bilateral, regional and multilateral fora. The Philippines also remains committed to the multilateral trading system of the WTO even as the country seeks to further expand trade particularly with possible dialogue partners |
| Website for further information: | | <http://www.dti.gov.ph/dti/index.php?p=680> - Department of Trade and Industry: Philippine Tariffs and Rules of Origin |
| Contact point for further details: | | The Director  Bureau of International Trade Relations  Department of Trade and Industry  361 Senator Gil J. Puyat Avenue  Makati City 1200 Philippines  Tel: (632) 897-8290  Fax: (632) 890-5149 |